

Buckland Board of Health  
 Meeting Minutes  
 February 18, 2020 6:30 p.m.  
 Buckland Town Hall

## AGENDA

1. Open the meeting.
2. Review January minutes and approve.
3. Perc test records: Marcia Smith, 32 Avery Rd., and 151-153 E. Buckland Road.
4. Infectious disease update .
5. Vaping violation at MTRS update, and status of BOH tobacco regulations re: electronic delivery devices.
6. Bird's Nest Certificate of Compliance; update re: documentation search?
7. 89 State Street status update.
8. Health Agent report - Randy or Lisa.
9. Open and process mail.
10. Any other items not reasonably anticipated by Chairman 48 hours prior to meeting.
11. Public comment.
12. Adjourn the meeting.

## ATTENDEES

Richard Warner - BOH Chairman  
 Terry Estes - BOH Member  
 Marti Taft-Ferguson - BOH Member  
 Lisa Danek Burke - FRCOG, Buckland Part-time Health Agent  
 Mary Bolduc - Boards' Clerk  
 Ginny Ray - Buckland Resident

## MEETING

1. Open the meeting - Meeting opened at 6:38 p.m.
2. Review January minutes and approve - Minutes were read by Board members, followed by discussion to identify properties included in minutes by address or owner's name. The use of address was decided upon. Marti moved to accept minutes with a correction to include the addresses of two properties specified in minutes. Rich seconded the motion. Minutes approved as corrected.
3. Perc test records: Marcia Smith, 32 Avery Road, and 151-153 E. Buckland Road - Board discussion with input from Lisa on perc tests, which included:
  1. Regulations regarding expiration dates of perc and soil tests, and years that regulations changed which decide whether or not site needs to be re-evaluated.

2. Onus is on property owner to provide documentation.
4. Infectious disease update - No report.
5. Vaping violation at MTRS update, and status of BOH tobacco regulations re: electronic delivery devices -
  1. Terry spoke to enforcement officer. Even though vaping pen belonged to the student that was violated, that student was not in possession at the time of violation; pen had been given to another student. Person to whom violation and fine were assessed wants amount of fine refunded.
  2. According to files in the Clerk's office, about 30 violations have been documented at MTRS since 2017. There is also a letter from Buckland BOH on file allowing the school to act as agent of the Board.
  3. Further discussion on fines, enforcement of fines, and responsibilities of MTRS and the BOH. Marti stated that BOH has no regulation stipulating a fine.
  4. Smoking regulations in public places needs to be updated on website.
6. Bird's Nest Certificate of Compliance; update regarding documentation search? - Subject covered as part of Health Agent's report. Lisa addressed documentation she was in possession of, and what was still needed to be in compliance. She gave Rich Warner the necessary form to complete and stipulated that garbage grinder currently in use had to be removed and so documented. Board discussion followed on garbage grinders and Title 5 requirements for them to comply.
7. 89 State Street status update -
  1. Ginny Ray, abutter, was present to address BOH about ongoing issues at 89 State Street, and her 9 year history of seeking action to be taken on condition of said property, but to no avail. She reports the presence of rodents and feral cats, and failure of owner to share expense of shared driveway as stipulated in deed.
  2. Property inspected in 2011 by Glen Ayers, FRCOG Health Agent, and again in 2018 by Andrea Crete, his successor. Both were exterior assessments; Marti was present for 2018 inspection. Two orders to correct were issued, but no action taken by owner.
  3. Owner has not been located by BOH. Ms. Ray offered ideas to Board on avenues to take to contact owner or relatives.
  4. Marti has forwarded information re 89 State Street to Attorney General's office, but due to staffing changes in AG's office, process is slow.
  5. Lisa said that orders to correct could be enforced with fines, which can be assessed from \$10 to \$500 per day. She reviewed some of the deficiencies addressed in health agents' reports which included lattice work, roof, and fence in disrepair, lawn overgrown, a large pile of debris outside. She is going to check with FRCOG about details for assessing and collecting fines. She states the owner needs to know that Board is serious about imposing enforcement orders. Also recommended was another, updated inspection.
8. Health agent report, Randy or Lisa -
  1. Lisa gave update on online permitting. With only a couple of exceptions, all permits have been submitted with a list of renewals being read. Still waiting on Neighbors and Eagles.



2. There have been a number of Title 5 inspections. 121 Ashfield Road was conducted but no action will be taken until spring.
3. Red Gate Farm's recreational children's program was discussed and the permitting needed to be in compliance.
4. An anonymous complaint had been received concerning 24-26 Elm Street. Odor of mold and mildew present. Randy conducted an inspection of properties on January 30, 2020 and filed a report citing code violations. Owner wanted a hearing but did not request it in time to meet 7 day deadline requirement for a hearing. Thus far, no hearing. Terry requested that Randy inform the BOH prior to conducting an inspection; Terry had received notice and report after the fact.
5. Pioneer Valley mosquito control meeting scheduled for February 18 has been rescheduled. Board discussion on mosquito control and Pioneer Valley Mosquito Control District, headed by Carolyn Ness.
9. Open and process mail - Mail opened and processed.
10. Any other items not reasonably anticipated by Chair 48 hours prior to meeting -
  1. Vacant and abandoned properties addressed.
    1. 47 Purinton Road to be added to vacant property list, and 8 E. Buckland Road has recently become a foreclosure. 27 Sears Street also mentioned; vacant but bank owned.
    2. Terry inquired about what process can be initiated for vacant property on which taxes are paid. Lisa explained options.
    3. Marti stated she sees seven properties that should be visited/reviewed as vacant and abandoned.
  2. Perc test for 14 Avery Road discussed as possibly needing Conservation Commission approval.
11. Public comment - Public comment was offered during discussion of Agenda Item #7, 89 State Street status update.
12. Adjourn the meeting - Rich moved to adjourn seconded by Terry. Motion carried unanimously. Meeting adjourned at 9:05 p.m.

Respectfully Submitted by Mary Bolduc, Boards' Clerk, March 17, 2020

Approved by:

*Judy Ego* 7/15/2020

*W. Steel* 07-15-20

*M. Wan* 7/15/20