

TOWN OF AYER BOARD OF HEALTH Minutes of August 27, 2018

Chair P. Peters called the meeting to order at 5:33 pm in the downstairs meeting room, Ayer Town Hall. Members present included: *Chair* Patricia Peters, *Vice Chair* Pamela Papineau and *Clerk* Mary Spinner. *Administrative Assistant* Jane Morriss was also present. The meeting was recorded by APAC.



RECEIVED
SEP 11 2018
TOWN OF AYER
TOWN CLERK
9:30 AM *ef*

PUBLIC INPUT: None

REVIEW OF MINUTES: M. Spinner made a motion to accept the minutes of July 23 and August 6, and P. Peters 2nd. The Board voted to accept the minutes as submitted. 3/0 A.

DISCUSSION OF ISSUES RELATED TO BOH'S CHANGING RESPONSIBILITIES IN MATTERS PERTAINING TO AQUIFER PROTECTION:

Following input from Town Counsel and the Town Manager informing the Board that the BOH is no longer recognized in Massachusetts General Law (MGL) as the Special Permit Granting Authority (SPGA) in matters pertaining to aquifer protection, the Board discussed how it should proceed: Should the Board phase out its aquifer protection regulation? Or could the Board modify its regulation to recognize the ZBA and PB as the SPGA while retaining an advisory role for itself? P. Papineau will contact the Massachusetts Health Boards (MAHB) to hear its perspective, and she will report her findings at the next meeting.

REVIEW REGULATIONS GOVERNING THE KEEPING OF ANIMALS AND FOWL: The Board went through the current Regulation, agreeing that it needed to be mindful of its enforceability. The Board questioned if state law requires residents to get a local permit to keep reptiles and snakes. The Board pondered if the Regulation should address rabbits that live in hutches, while exempting rabbits kept as house pets. Or should rabbits continue to be exempted by the regulation? The Board discussed prohibiting waste lagoons in Section 5, *Standards of Care*, and questioned the prohibition (Section 5, # 5) of barbed wire fencing. In Section 8, *Exemptions*, Section B refers to properties or facilities that are part of farming as defined by MGL chapter 111 Section 1. However the Board noted, there is no definition of farming to be found in that section of MGL. In Section 8 B 3, *Farm Viability Plan* is listed as proof that a property is being used for "agriculture," and the Board wondered if *Farm Viability Plan* was an obsolete reference. When it came to Section 9 *Enforcement*, the Board agreed that it wanted to make that wording consistent with its Trash Hauler Regulation. The Board asked J. Morriss to ask the Animal Inspector to review the current regulation and provide the Board with her thoughts about updating the regulation. They also asked her to follow up with B. Braley to find out what other towns are charging for animal permits, as well as to ask about the kinds of animals that are prohibited by state and federal regulations. They also questioned if charging \$25 per permit was enough to cover the administrative and field costs of the permitting process.

NABOH MATERIAL (B. BRALEY): During a routine inspection of Shop N Save on August 9, 2018, the Health Agent noted six critical items, and she will return for a re-inspection in two or three weeks. Inspections of Shaker Hill Golf Course and Taco Bell yielded no critical violations. Board members approved and signed a sewage disposal system design for Merrimack Warehouse, 95 Fitchburg Road (Map 11, PCL 1). The homeless encampment on Bligh Street has been taken care of. B. Braley wrote a note to the Board offering to review the Animal Regulation, and J. Morriss was instructed to let her know that her input would be appreciated.

ADMINISTRATIVE MATTERS: CORRESPONDENCE: Notification from the Nashoba Boards of Health Regarding General Information on the West Nile Virus dated August 10, 2018; Water Quality Notice indicating increased chlorine level in the Town water; A letter from Mass DEP notifying FBS Tire Recycling, Inc. located at 80 Berkshire

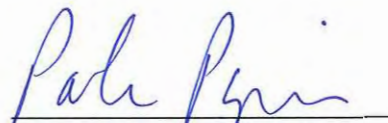
Boulevard, that its application requesting a facility modification is "technically complete"; Notification from State Health Officials alerting residents about potential exposure to measles; and a memo from Central Massachusetts Mosquito Control Project informing residents that its residential spraying program will cease at the end of August.

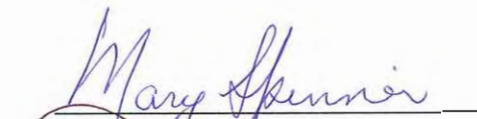
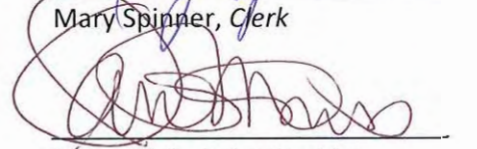
MISCELLANEOUS: Training for open Meeting Laws will be held at 5:30 pm Thursday, November 15, 2018, at Bromfield School, in Harvard, MA.

ACTION ITEMS FOR SEPTEMBER 24 MEETING: The Board will continue its review of its Animal Regulation and permitting process. The Board will continue its discussion of the issues involved in relinquishing its role as SPGA of Aquifer Protection, and perform an inventory of BOH regulations.

ADJOURN: M. Spinner motioned to adjourn the meeting at 6:54 pm, and P. Papineau 2nd. A 3/0


Patricia Peters, Chair


Pamela Papineau, Vice Chair


Mary Spinner, Clerk

Respectfully Submitted by
Jane Morriss