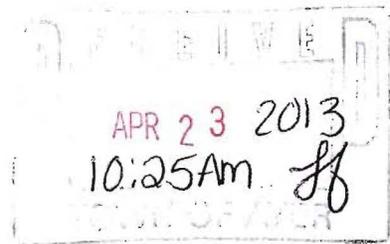


Ayer Board of Health
Meeting Minutes

April 8, 2013 - Ayer Town Hall - Call to order 5:30 p.m.



Members present: Mary Spinner, Chair; Heather Hasz, Member; Pamela Papineau, Member
Also present: Ruth Terry, Administrative Assistant
Documents: Agenda, Mail Update

- **P. Papineau motioned to approve the minutes of March 25, 2013, H. Hasz 2nd, A 3/0.**
- 10 Harvard Road (Unit 10) Hearing – B. Braley received a tenant call last month re a black substance on the walls, which was not mold, but appeared to be soot and was throughout the apartment. A violation letter was sent to the owner, who has requested to come before BOH. She has asked to reschedule to April 22, when her attorney can be present. H. Hasz noted that April 22 is over the 30-day time period. This hearing will be rescheduled to April 22.
- Nashoba Associated Boards of Health – Bridgette Braley, Health Agent – material review:
 - Reviewed housing violations, animal bite report, and NABH activity reports. Activity reports show many housing complaints.
- Bills:
 - All approved and signed bill from Nashoba Publishing for \$243.44.
- M. Spinner and H. Hasz reported on the Open Meeting Law training on March 28, 2013.
 - BOH posts its meetings pretty well.
 - Agendas should list exactly what will be discussed (for example, under Shepley's Hill).
 - Members may meet socially outside of meetings but may not discuss any BOH issues.
 - Several BOH members may attend, but may not deliberate at, the public meeting of another board (for example, RAB or BOS). Ayer BOH will usually post a notice when more than one member plans to attend (but not deliberate at) the meeting of another board.
 - Any specific items that the Board will discuss in detail during an update (for example, under Properties Update) must be listed on the agenda.
 - There are different violations that can occur, and a personal violation is separate from a Board violation.
 - Regarding email, logistical agenda setting is ok, but discussion on a topic is not.
 - There are still issues re texting, cell phones, social media (Facebook, Twitter, Tumbler), or any place an opinion can be posted or feedback solicited. At some meetings, boards have prohibited texting/cell phone use.
 - The Open Meeting Law presentation is on the Town website under Town Officials Toolbox.
- Shepley's Hill proposed adoption of regulations –
 - The ESD comment letters from BOH, BOS, and Laurie Nehring were reviewed.
 - M. Spinner and P. Papineau will attend the RAB meeting on May 16.
 - M. Spinner will participate in a conference call with EPA, which has been rescheduled and is now planned for April 16. P. Papineau may also participate.
 - We are waiting on the consultants re the amendment/moratorium. M. Spinner to check how they will assist with this document.
 - The Board reviewed its current draft of this amendment and agreed to the following –
 - This will be an addendum to the current BOH Private Well Regulation.
 - The Town of Mashpee's regulations will be used as a guide.
 - The purpose of this amendment is to prohibit the drilling of new wells in areas of contamination.
 - This regulation will be drafted to give BOH a global moratorium and not be specific to only the current area of contamination.
 - BOH is the enforcing agent.

- Similar to Section 5 of the North Smithfield ordinance, include a fine schedule and an increased time limit (see Section 2(5) of our current Well regulation).
- The licensed well driller specification already exists in the current Well regulation.
- The Explanation of Significant Differences governs the Army's responsibilities. They will continue to be responsible for decommissioning of existing wells and a five-year review.
- The Board discussed exactly what the Army is handing over to BOH when we are to take local control over this problem. The question is whether BOH has been asked to do more than just put this moratorium in place and what resources are available for monitoring and enforcement. There are also issues of education and conducting a follow-up survey. We need to ask the Army specifically when they are planning to conduct that survey.
- It was agreed that protection of the health of Town residents is BOH's priority, through this moratorium. EPA will provide enforcement with the Army.
- The Board would like to know groundwater levels in the affected area.
- M. Spinner would like to see "No Wells" signs up in the area.
- Members will send in comments for the current draft amendment, which will be redrafted and discussed at the next meeting. Town Counsel will also review before adoption.
- R. Terry will check on whether the Public Hearing video has been broadcast.
- It was noted that some residents believe arsenic is in the drinking water, but this is not the case. The Town drinking water supply is safe. It is the groundwater that contains arsenic.
- Mail review –
 - Carlene Purdy has been approved as Barn Inspector.
- **H. Hasz motioned to adjourn, P. Papineau 2nd, A 3/0.**

Meeting adjourned at 6:40 p.m.

H. Hasz 4.22.13

May Spinner - 4/22/13

P. Papineau 22 April 2013