



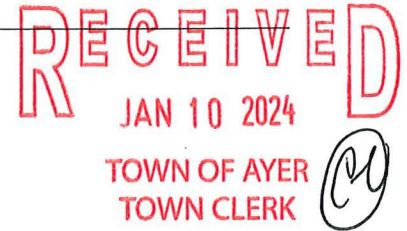
Town of Ayer  
**BOARD OF HEALTH**

Town Hall – 1 Main Street – Ayer, MA 01432 – 978-772-8820 ext. 145

**Minutes of December 11, 2023 - Ayer Board of Health Meeting**

Location: 1<sup>st</sup> Floor Meeting room, Ayer Town Hall

Meeting was recorded and broadcast by APAC.



**Members Present:** Pamela Papineau – Chair; Patricia Peters; Stephen Slarsky

**Also Present:** Bridgette Braley, Health Agent; Samantha Benoit, Administrative Coordinator

**Pamela Papineau called the meeting to order at 5:30pm.**

**Public Input:**

Members of the public were present but did not comment.

**Old Business:**

Ruth Maxant-Schulz of 17 Taft St. and her lawyer Laurie Bejoian were invited to the meeting to continue the discussion of her Conditional Keeping of Animal and Fowl Permit. A plan to fix the fences surrounding her property was requested by the Board and was sent the the BOH office on November 30, 2023.

P. Papineau noted that according to the plan more than 50% of the fence will need to be repaired.

L. Bejoian explained that some portions of the fence will be reinforced and in some cases there will be a double fence in place.

P. Papineau explained that at this time there have been no more reports of escaping animals, and all the conditions have been met. The BOH authority is limited to what is spelled out in the regulations. She reiterated that the fence needs to be an effective barrier to prevent escape. R. Maxant-Schulz Conditional Permit will be extended to May 31, 2024, as all conditions the Board has put forth have been met. If animals do escape fines will be issued.

P. Peters acknowledged the abutters and explained that the Board has reached the end of what it can do in this situation.

S. Slarsky reiterated that the BOH can only do what the regulations and laws allow them to do. He also noted that the Building Commissioner oversees fences, and all fence issues should be brought to his attention.

P. Papineau noted this permit will be conditional, and the next permitting cycle will begin on June 1<sup>st</sup>. The Board will not be as lenient in the coming year.

L. Bejoian stated several concerns about the regulations and believes the regulations are in conflict with state law considering the fact that R. Maxant-Schulz could be considered a farm.

S. Slarsky encouraged L. Bejoian to challenge the regulations if she felt that was the case but that is an issue to be taken up by the Town Counsel.

**Motion:** P. Peters made a motion to grant the Conditional Keeping of Animal and Fowl Permit to R. Maxant-Schulz to run through May 31, 2024. The conditions being that the fine needs to be paid, and the plan of action to repair the fence be continued.

Seconded: S. Slarsky

**Motion Passes (3-0)**

P. Papineau noted that the conditions will be reviewed by B. Braley and Town Counsel.

S. Benoit reported on the status of the two outstanding violations to the Keeping of Animal and Fowl Regulations. The owners of 3 Union St. have acknowledged the receipt of the letters sent and have until December 15<sup>th</sup> to submit an application. The owner of 32 Washington St has not acknowledged the letters sent.

S. Slarsky recommended having a constable deliver the letter.

**New Business:**

The FY'25 budget is due to the Town Manager by December 29<sup>th</sup>. The Board chose to level fund the budget. The increase to the Barn Inspectors stipend will match the increase the Police Department will give the Animal Control Officer.

**Motion:** S. Slarsky made a motion to level fund the budget for FY'25 with the understanding that the fees associated with membership to Nashoba may increase.

Seconded: P. Peters

**Motion Passes (3-0)**

**Discussion:**

The Board discussed updating and reviewing their regulations.

P. Papineau looked into when each regulation was last reviewed.

B. Braley will look into updating the Private Well Regulations, and the Title 5 Supplement.

P. Papineau will research Body Art Regulations and Outdoor Wood Burning Boilers.

A review block will be added to each regulation so updates to each regulation can be tracked.

**Nashoba Update:**

B. Braley gave a summary update of the issues at Apple Valley. There has been an issue with sewage backing up, though it is confined to the basement. A plumber has been called, but there is a lot of concrete surrounding the issue and it will take time to fix.

**Call Log:**

P. Papineau asked if the call regarding 4 Pearl St. resulted in an inspection.

B. Braley will be inspecting that location in the near future.

**Motion:** S. Slarsky made a motion to accept the Minutes of November 27, 2023.

Seconded: P. Peters

**Motion Passes (3-0)**

**Administrative Matters:**

S. Benoit presented several bills to the Board.

**Motion:** S. Slarsky made a motion to pay the bill from Quill in the amount of \$202.

Seconded: P. Peters

**Motion Passes (3-0)**

**Motion:** P. Peters made a motion to pay the bill from W.B. Mason in the amount of \$35.50.

Seconded: S. Slarsky

**Motion Passes (3-0)**

**Motion:** P. Peters made a motion to pay the Third Quarter Bill from the Nashoba Associated Boards of Health in the amount of \$10,368.23.

Seconded: S. Slarsky

**Motion Passes (3-0)**

S. Benoit presented the Solid Waste Hauler Permits received in the last month by the Board of Health office.

**Motion:** S. Slarsky made a motion to accept and issue Solid Waste Hauler Permits to EL Harvey and Sons, Inc, D&D Waste Removal, LLP, GW Shaw and Son, Inc, and Waste Management of Mass.

Seconded: P. Peters

**Motion Passes (3-0)**

S. Benoit presented the Retail Sales of Tobacco Permits received in the last month by the Board of Health office.

**Motion:** P. Peters made a motion to accept and issue the Retail Sales of Tobacco Permits to Ayer Convenience Store.

Seconded: S. Slarsky

**Motion Passes (3-0)**

The Board discussed items to be included in the next meeting agenda, including regulation reviews, and permit violations. The next two meetings will be on January 8<sup>th</sup>, and January 22<sup>nd</sup>.

**Motion:** P. Peters made a motion to allow the Chair to sign any permits that come into the BOH when the Board is not in session.

Seconded: S. Slarsky  
**Motion Passes (3-0)**


**Motion:** S. Slarsky made a motion to adjourn.  
Seconded: P. Peters  
**Motion Passes (3-0)**

**Meeting Adjourned at 6:59pm.**



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Pamela Papineau, *Chair*



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Respectfully Submitted,  
Samantha Benoit, *Administrative Coordinator*