



City of Westfield, Massachusetts
Health Department

Board of Health Meeting
Room 220
August 1, 2018



Present: Juanita Carnes, Chair Teresa Mitchell, M.D. Michael Paquette

Ms. Carnes opened the meeting at 6:03 p.m. Under public participation, Thomas Johnson was present. The Minutes of the June 13, 2018, meeting were reviewed and accepted as printed. The Board began discussing items on the agenda.

PUBLIC PARTICIPATION:

Mr. Thomas Johnson of Belmont St. addressed the Board with his concerns relative to the condition of properties located on that street, more specifically, 13 Belmont St. He indicated that there are tires, trash and unregistered vehicles at this location. Mr. Rouse advised the resident that the City's inspectors will look into the matter.

ENVIRONMENTAL HEALTH:

238 Dox Road Septic/Well Variance – Registered Sanitarian Barry Searle presented the proposed well and septic plan on behalf of property owner Allyn Gieryk. He described the property and indicated that the required property line and well setbacks could not be met. Therefore, under the provisions of the current code, Mr. Searle seeks maximum feasible compliance. Based on that provision, a request was made for a variance to reduce the required property line setback at 237 Dox Rd. from ten (10) feet to six (6) feet. A request was also made for a variance to reduce the setbacks to neighboring wells as follows:

- 237 Dox Road from one hundred (100) feet to ninety-four (94) feet;
- 244 Dox Road (first well) from one hundred (100) feet to sixty-two (62) feet;
- 244 Dox Road (second well) from one hundred (100) feet to sixty-two (62) feet;
- 238 Dox Road (subject property) from one hundred (100) feet to eighty-two (82) feet.

Notices to all neighbors were sent; no one is contesting this variance. Because the system's leach field will be within 100 feet of neighboring wells, it was recommended that water testing be conducted for fecal coliform bacteria, ammonia nitrogen and nitrate nitrogen beginning six months after septic system installation, then annually. A motion was made and seconded to accept the variance request as indicated with all the presented measurements with a requirement that well water analysis be conducted indicating the absence of fecal coliform bacteria, and the presence of ammonia nitrogen and nitrate nitrogen be equal to or less than 5 ppm. This testing shall be conducted six months after the installation of the septic system and annually thereafter.

The vote was as follows:

Carnes	--	Yes
Mitchell	--	Yes
Paquette	--	Yes

All in favor, the Motion was declared passed.

INSPECTIONAL SERVICES:

Hearing Request for 7 Cross St., 1st Floor – An inspection was conducted by the Health Dept. and the Inspection Report was presented to the Board. Michael Avery, owner, addressed the Board with regard to specific items in the report and the issues he has been experiencing with the tenant. Mr. Rouse indicated that Mr. Avery is being brought into court and that he is concerned that this report does not accurately reflect what work has been completed. Mr. Avery presented receipts as well as pictures to show his progress in correcting the violations. He indicated that he is having problems gaining access to fully complete the work. Mr. Rouse suggested that the Health Dept. attempt to conduct a follow-up inspection jointly with the owner; if the tenant refuses access, legal action could be brought against the tenant by the City. If necessary, the Community Police could be asked for assistance. A follow-up report would be provided by the Health Dept. for Mr. Avery to present to the judge. A motion was made and seconded to defer judgment on the inspection report due to recent lack of access and any potential further lack of access until such time as access can be granted or the property has been vacated.

The vote was as follows:

Carnes	--	Yes
Mitchell	--	Yes
Paquette	--	Yes

All in favor, the Motion was declared passed.

40 Park Street– A Condemnation Order was issued. A Demolition order has been prepared but not issued. It appears that there may be an individual who wishes to purchase this property and is currently working with an heir.

WSU/City of Westfield Collaboration – A meeting took place with regard to controlling off-campus housing. Discussions were held regarding the University taking action in disciplining students who are disruptive in city neighborhoods and especially when the police become involved. The University President was very receptive to making changes but believes the landlords should also be involved in the disciplinary process. The police are routinely called for parties, etc. and issue violations. These violations are non-criminal disposition and, in most instances, thrown out in court. The only ramification would be for the police to arrest the students, thereby making it a criminal offense and potentially giving the student a criminal record. It appears that changes will be made at the University level for the upcoming school year.

Food Service Inspections Update – Inspections have been conducted at Alo Saigon located on Elm Street. Several inspections have been performed since the opening of this establishment, with repeated offenses. A language barrier may be an issue. A suspension hearing before the Board may be required in the future if these offenses continue to occur.

Swimming Pool Lifeguard Ratio Regulation – The current City regulation requires a swimming pool lifeguard ratio of one lifeguard per twenty bathers, while the State requirement is one lifeguard for every twenty-five bathers. Since there is now a limited amount of pools in the City wherein a lifeguard is required, the City has been asked to be less restrictive and adhere to the State ratio of one lifeguard per every twenty-five bathers. A motion was made and seconded to repeal the City's more restrictive regulation of one lifeguard per every twenty (20) bathers and adhere to the State's regulation of one lifeguard for every twenty-five (25) bathers.

The vote was as follows:

Carnes	--	Yes
Mitchell	--	Yes
Paquette	--	Yes

All in favor, the Motion was declared passed.

LANDFILL:

Part-time Gatekeeper Position – This position has been posted as a part-time, 19-hour per week position paying \$12.00 per hour. Joseph Rouse gave a brief description of the job responsibilities. Training will be provided to the hired individual.

Permanent Access Easement Request from Eversource Energy – A right of way currently exists at the Twiss Street Transfer Station to allow Eversource Energy access to their power lines. A request has been made of the City from Eversource Energy for a Permanent Access Easement for the same purpose. A plan was presented to the Board specifying the location of the proposed easement. In addition, Eversource has offered the sum of Nine Thousand One Hundred (\$9,100) Dollars for said easement as well as to maintain the property. A motion was made and seconded to accept the request for a Permanent Access Easement from Eversource Energy at the Twiss Street Transfer Station as submitted.

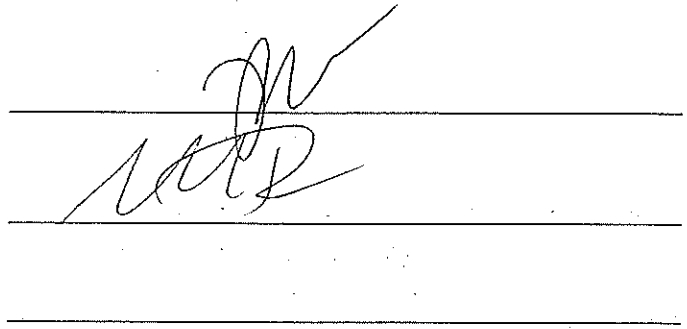
The vote was as follows:

Carnes	--	Yes
Mitchell	--	Yes
Paquette	--	Yes

All in favor, the Motion was declared passed.

With no further items on the agenda to discuss, the meeting was adjourned at 7:10 p.m.

Minutes approved by:



Three horizontal lines with handwritten signatures. The top line has a signature that appears to be 'M'. The middle line has a signature that appears to be 'M.P.'. The bottom line is empty.

/cam

Next anticipated meeting date: September 12, 2018