

# KINGSTON BOARD OF HEALTH MEETING MINUTES

MAY 14, 2007

The Meeting of the Kingston Board of Health was called to order by : Chairman, Joseph Casna, In attendance were, Vice- Chairman, Jack Breen, Bill Kavol, Dan Sapir, Bill Watson and Health Agent, Henny Walters.

7:00 Meeting called to order by Chairman, Joseph Casna

**John Veracka, Engineer - 20 Maple Ave., 3 Variances 07-02, A, B**

Mr. Veracka explained to the Board the reason for the variances. The Health Agent recommends that the variances be approved.

Dan Sapir stated that he would like to disclose that he does business with Mr. Webby.

Motion: Dan Sapir to approve Variance #07-02,A,& B as presented

Second: Jack Breen

Vote 5-0-0, unanimous

**Ray Zucker - Plymouth County Mosquito Control**

Mr. Zucker informed the Board of the procedures being conducted by Plymouth County Mosquito Control. He reminded the Board that the State is in charge of the location of traps set in Kingston and is confidential information to the public.

**Mr. & Mrs. Clyde Turner - 1 School Street - Mr. Croce - 5 School Street**

The Board members walked the School Street property on Saturday, May 12, 2007. This has been an on going situation which has involved not only the Board of Health but also Paul Basler, Highway Department, Maureen Thomas, Conservation, Fire Department, Assistant Plumbing Inspector, Thomas Bouchard, Building Inspector, Paul Armstrong, State Representative, Tom Calter, Department of Environmental Protection, and Town Administrator, Kevin Donovan. The Commissioner from the Department of Environmental Protection in a message to State Representative stated that the Health Agent should follow thru with her order for a Title 5 Inspection to be done in order to rule out that problem. Bill Watson stated that this problem is not the jurisdiction of the Board of Health, the Board's jurisdiction is strictly with the Title 5 systems that you have on your property. Joe Casna said the big thing we might be able to help you with, is to not require you to do a Title 5 Inspection. Mr. Croce said "I'm not doing it anyway, so no matter what you say, I'm not doing it." "Mrs. Turner agreed and said no we are not doing it. Until the water problem is corrected we are not doing anything." Dan Sapir said this is a public record, a memo from Kevin Donovan. Mrs. Turner said she also got that memo. Dan asked has D.E.P. ever come down? The Turners and Mr. Croce said no, they have never come down. Dan said my question would be how does the D.E.P. know where the odor is coming from and the Board of Health as a Board has never made that determination so that is incorrect. Dan said I feel that if you own property and you have a condition there that the Town initiated, that is now having an effect and essentially is eroding away at your property, if unabated, eventually it is going to keep coming closer and closer to your home and take over your back yard. It is pretty clear to me that when you see an estimate of \$50,000 and another estimate of \$175,000 when you get into a situation like that, the ramifications can become more expensive, the town should correct the problem. Bill Kavol is also on Conservation, he said they agreed that the odor is not coming from the swamp. Joe Casna said he wouldn't be supportive for one person to do a Title 5 Inspection because they were the complainant, he would stay that order. The water is the big issue. Dan said they can always find the money to do the job. Dan Sapir said that we will send a letter to the appropriate Departments through the Health Agent tell them in the opinion of the Health Board that it is a health hazard and is being contributed by the run off situation. And in the meantime, stay that Title 5 order. Joe Casna said we are going to have to say we don't believe that it is your septic system and Dan Sapir agreed and said he doesn't think it is either. The Board would like a letter drafted stating the drainage on that property is contributing to a health hazard. After a lengthy discussion the Board said they believe it is a health issue and would like the Health Agent to send a memo to the Town Administrator, Highway Department, and Conservation. Please advise us to your progress.

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Motion: Joe Casna that a letter be sent to the Town Administrator, Highway Department, Conservation expressing the Board's concern.

Second: Bill Watson

Vote 5-0-0, unanimous

Motion: Dan Sapir that during the period of time that a solution is being sought for the problem that there be a stay on the septic inspection order that has been issued and any other abutter that might be effected.

Second: Joe Casna

Vote 5-0-0, unanimous

**Mark Laubenstein - 5 Smelt Pond - Fred Svenson also present**

Dan Sapir said we cannot accept these plans because they are whited out they will have to be redone. Fred Svenson stated that there will be a loft but it will be strictly for storage.

Motion: Dan Sapir approve plans as they have been re-presented based conditionally on clean plans that show the same thing without any alterations upon the satisfaction of the Health Agent that these plans have been corrected

Second: Joe Casna

Discussion: Bill Kavol that a friendly amendment that the free standing garage never be attached to the house unless a Title 5 upgrade be done and no second story to the garage

Vote 5-0-0, unanimous

Joe Casna would like the Health Agent to obtain a plaque for Ed King.

**Review Minute of April 23, 2007**

Motion: Dan Sapir to approve minutes of April 23<sup>rd</sup>, as amended

Second: Bill Watson

Vote 4-1, 1 present not voting Bill Kavol

**Health Agent's Report**

The Board reviewed the report.

**Meeting Minutes**

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**Departmental Bills Reviewed**

The Board also signed 6 payment schedules for loans.

**Departmental Correspondence Reviewed**

**Old/New Business**

Re-organization

Motion: Dan Sapir to re-organize

Second: Joe Casna

Vote 5-0-0, unanimous

Joe Casna would like nominations for Chairman, Dan Sapir stated that he is not interested in the position.

Motion: Bill Kavol nominated Jack Breen for Chairman

Second: Dan Sapir will second that and nominate Bill Watson for Chairman,

Discussion: Jack Breen said that he is very interested in being Chair. Bill Watson said that he is also interested in being Chair. Joe Casna said Jack approached him first they are both great guys but Jack asked me first so I will vote for Jack. Dan said I will make a motion to make this unanimous.

Vote 5-0-0, unanimous

Motion: Joe Casna will nominate Bill Watson for Vice-Chairman

Second: Dan Sapir

Vote 5-0-0, unanimous

Motion: Bill Watson to adjourn

Second: Jack Breen

Vote 5-0-0, unanimous

**8:55**

Adjourn,

Respectfully submitted,  
Linda G. Randall, Clerk

*Linda G. Randall*

Kingston Board of Health

