



Billerica Board of Health

Town Hall
365 Boston Road
Billerica, MA 01821
Phone: 978-671-0931
Fax 978-671-1342

Web Site www.town.billerica.ma.us

Robert Reader, Chairman
Sandra Giroux, Vice Chair
Amit Gandhi, Ph.D., Secretary
Marie O'Rourke
Chris Ravin

Kristel Bennett, Director

BOARD OF HEALTH MINUTES September 11, 2023

Robert Reader, Chairman called the meeting to order at 7:00 p.m. Also in attendance were Sandra Giroux, Vice Chair, Amit Gandhi, Ph.D., Secretary, Chris Ravin, Kristel Bennett, Director and Joanne White, Recording Clerk. Marie O'Rourke was absent.

OPEN MICROPHONE

Mr. Reader asked if anyone would like to comment on Open Microphone.

Virginia Musker, 12 Fawn Lane identified herself. Ms. Musker stated that she sent the Board Members pictures of the current flooding situation. Ms. Musker explained that 305 Concord Road, Billerica is still in the hands of the court. Ms. Musker stated that this Board is appointed as representatives of the Town of Billerica therefore, the job of the Billerica Board of Health is to protect the public health, welfare and environment in the Town of Billerica. Ms. Musker read Chapter 6 Stormwater Management Regulations regarding the purpose of the regulation is to establish minimum adverse effects of increased runoff, decreased ground water recharge, erosion and sedimentation and nonpoint source pollution associated with new development. Ms. Musker stated that this is infectious invalidity because one action is improper, and another action is invalid. I don't believe that Mr. Noonan the developer of said lot has the right to build a two-family house on either of the lots that the town subdivided. I have talked to thirty (30) Building Inspectors throughout New England and the fault lies with this Board for approving the project. Ms. Musker requested that the Board of Health rescind any and all permits given on this lot. Ms. Musker thanked the Board for allowing her the time to speak.

Mrs. Giroux commented that just because we don't speak does not mean that we do not know our roles.

ACCEPTANCE OF MINUTES

Mrs. Giroux made a motion to accept the Meeting Minutes of July 10, 2023.

Mr. Ravin seconded. So voted unanimously.

BOARD OF HEALTH BUSINESS

Next Meeting – October 2, 2023

Mr. Reader stated the next Board of Health Meeting is scheduled for October 2, 2023.

Health Department Activity Reports

Mr. Reader stated the next item under Board of Health Business is the Health Department Activity Reports.

Mr. Reader stated the first activity report is from Christine West, Public Health Nurse. Mr. Reader asked the Board Members if they had any questions.

Mr. Ravin asked how long was the person with Malaria in Billerica before they were diagnosed and how long were they systematic and how long until they were treated?

Mrs. Bennett replied that she did not know but would find out and send an email.

Dr. Gandhi asked if the four (4) cases of Campylobacter that had no restaurant connection were all in the same family.

Mrs. Bennett replied that she would send that information by email.

Mr. Reader stated the second activity report is from Health Agent, Phavy Pheng. Mr. Reader asked the Board Members if they had any questions.

Dr. Gandhi asked what the status of the failing septic system at 232 Pond Street is.

Mrs. Bennett replied that she spoke to the Town Manager, John Curran and he recommended that I contact KP Law and follow the proper procedure. KP law informed me that this case has to go through the court system and then we file for injunction and go forward with the repair.

Dr. Gandhi asked what the status of 11 Lawrence Street is.

Mrs. Bennett explained that Phavy was refused access to the property for inspection, so this case was turned over to the Animal Control Officers. The Animal Control Officers conducted an inspection and informed Phavy that the occupant had decluttered the dwelling.

Dr. Gandhi asked about sewage break-out on Middlesex Turnpike.

Mrs. Bennett explained that the water is being tested on a regular basis at Micozzi Beach. The north side was fine however the south side was high. The beach is closed for the season. We will continue testing the water for a few more weeks. I read some articles from the FDA regarding fish advisory and E coli, you can go fishing however wash your hands after. The fish are safe to eat.

Dr. Gandhi asked what caused the breakage in the pipe.

**BOARD OF HEALTH MINUTES
SEPTEMBER 11, 2023 PAGE 3**

Mrs. Bennett explained there was so much water from all the storms that it backed up and the pipe couldn't handle it.

Mr. Ravin asked what happens when a complaint comes in regarding roosters.

Mrs. Bennett replied Phavy investigates the complaint and then the roosters are taken to a farm.

Mrs. Giroux asked what is the deadline to clean up the vacant lot at 0 Braemore?

Mrs. Bennett replied that there is a dispute regarding the property line. However, I will check with Phavy and find out what the status is.

Mrs. Giroux asked what is going on with the fly infestation at 71 Boston Road, Unit 1208.

Mrs. Bennett replied the resident stated that there were flies underneath her balcony caused by dog feces. The inspection revealed that the screen door on the balcony was missing. All the units were built without a screen door. The hearing tonight has been withdrawn because the property manager has requested more time to install screen doors in all the units.

Mrs. Groux asked about the flea infestation at 71 Boston Road, Unit #2110.

Mrs. Bennett explained that Phavy could not confirm the complaint.

Mrs. Giroux asked about the cockroach infestation at 158 Concord Road, Unit 17E.

Mrs. Bennett replied that is a new complaint and Phavy just issued an Order for Correction.

Mrs. Giroux asked long does it take Animal Control to remove a rooster?

Mrs. Bennett replied that Animal Control usually removes roosters within a day or two after we have notified them of the complaint.

Mr. Reader stated the next activity report is from Health Agent, Shelagh Collins. Mr. Reader asked the Board Members if they had any questions.

Dr. Gandhi asked in what establishment's location was the sink in the men's bathroom not functioning?

Mrs. Giroux asked was that the one that was posted on Social Media?

Mrs. Bennett replied that she did not know and would talk to Shelagh regarding the location of the complaint.

Mr. Reader stated the next activity report is from Bethany Slack, Community Services Coordinator. Mr. Reader asked the Board Members if they had any questions.

Dr. Gandhi asked who are the members of the Billerica Health and Wellness Committee?

Mrs. Bennett replied that she does not know but will ask Bethany.

Dr. Gandhi stated that he would like to see the one page that Bethany developed regarding highlighted employment and healthcare resources available to Billerica residents.

Mr. Reader stated the last activity report is from Kristel Bennett, Director of Public Health. Mr. Reader asked the Board Members if they had any questions.

The Board Members did not have any questions.

UPDATE

Mrs. Bennett explained that as of September 20, 2023, Richard Berube is resigning from his consulting services with the Board of Health. I now have my Soil Evaluator and Title 5 License so I will be able to determine what needs to be done with septic system construction and repairs. I have learned a lot from Rich and will be sending him a thank you.

Mrs. Bennett explained that there have been a lot of drainage complaints.

Mrs. Bennett stated that there have been a lot of noise complaints from residents in the Glad Valley Drive area from motorcycles. A resident has purchased a noise decimal reader and put cameras out front of his house. I have spoken with the Police Chief Roy Frost and this is a Police Department complaint.

Mrs. Bennett explained that there have been a lot of rodents in the Pinehurst area when a house is being demolished. We do not have a policy that when a house is being demolished, baiting should be done for rodents. The residents are concerned. Mrs. Bennett requested that the Board support a policy that any contractor demolishing a house would need to bait the property and prove that there is no rodents before they take down the house.

Mr. Reader asked how long they would have to do this for.

Mrs. Bennett replied about 1 week. Other towns have this policy.

Dr. Gandhi asked how would you be sure they are complying?

Mrs. Bennett replied that the operator would write a report stating that no activity had been found.

Dr. Gandhi asked if there is any activity detected what would happen.

Mrs. Bennett explained that traps would be set to catch the rodents.

BEAVER SOLUTIONS REPORT

Mrs. Bennett explained that included in the Board's package is a copy of the Beaver Solutions 2023 Billerica Beaver Site Report. Mike Callahan, Patrick Mustoe and Rick Merchant do an

excellent job in beaver trapping and maintaining the Flow Devices. Patrick Mustoe is the primary trapper for Billerica.

Mrs. Giroux commented that trapping beavers is expensive.

BROMATE REPORT

Mrs. Bennett explained that she included the most current Bromate Report for the Board. The Department of Public Works is required to send out an updated report on a quarterly basis.

7:15 p.m. The Point 3 North – 71 Boston Road - Administrative Hearing for Appeal of Violation Notice and Modification of Compliance Time, Massachusetts State Sanitary Code 105 CMR 410.000

Mr. Reader stated the first hearing is The Point 3 North, 71 Boston Road requesting an Administrative Hearing for Appeal of Violation Notice and Modification of Compliance Time, Massachusetts State Sanitary Code 105 CMR 410.000

Mrs. Bennett explained that at the last minute, Eric Romaniecki, Property Manager for The Point 3 North Apartments has withdrawn his request for a hearing. The screen doors have been ordered and they will be installed in three to four weeks. The Property Manager argued with me that screen doors were not necessary. I showed him the State Sanitary Code that states screen doors are required. Therefore, Mr. Romaniecki decided to withdraw his request.

Mr. Gandhi made a motion to adjourn.

Mrs. Giroux seconded.

The Board adjourned at 7:50 p.m.

Respectfully submitted,

Amit Gandhi, Ph.D.
Secretary

Joanne M. White
Recording Clerk