

**TOWN OF MILLIS  
BOARD OF HEALTH  
Minutes of Meeting  
April 8, 2019**

A meeting of the Board of Health was held on April 8, 2019 at the Veterans Memorial Building, Room 213, in Millis, Massachusetts. Present were:

- ☐ JaiKaur LeBlanc, Chair
- ☐ Bonnie Hilton, Board Member
- ☐ Kathleen Lannon, Board Member
- ☐ John McVeigh, Public Health Director
- ☐ Matthew Fuller, 128 Plain St.
- \* Brian Winner, Town Counsel
- \* Elliot Brown, Tobacco Compliance Officer
- \* Bodha Raut Chhetry, Namaste
- \* Lisa Hardin, 56 Walnut St.
- \* Eric Dickinson, 335-341 Village St.
- \* Paul Saulnier, 335-341 Village St.
- \* Eric Brossler, 335-341 Village St.

Member Hilton moved and Member Lannon seconded and it was unanimously voted that the Millis Board of Health meeting of April 8, 2019 be opened at 7:00 p.m.

**Administrative Business:**

**I. Nurse's Report:** The monthly report of the Public Health Nurse was reviewed.

**Scheduled Public Hearings & Discussions:**

**7:10 PM Discussion – Namaste tobacco violation** – On February 23, 2019 a tobacco compliance check conducted at Namaste Convenience found that tobacco products were sold to an underage female. On April 14, 2018 tobacco product was sold to an underage female during tobacco compliance check. A violation notice was sent March 7, 2019. Business owner, Bodha Bahadur Raut Chhetry stated he takes full responsibility for his employees selling to a minor. He requested that we not impose the seven day suspension for sale of tobacco to a minor. After discussion the Board decided that Mr. Chhetry review The Millis Board of Health "regulations effecting the sale of tobacco products to minors" with all employees and that signed statements from employees indicating understanding of these regulations be delivered to the Board of Health by Monday April 15, 2019. He was reminded that review of these regulations and signed acknowledgment are required for each new employee. Mr. Chhetry will be fined for this infraction and agreed that he and employees will attend an upcoming Tobacco Compliance training course. He was reminded that any further sale of tobacco to a minor will result in a seven day tobaccos sales suspension.

**7:57 PM Discussion – Stoney Brook** – Public Health Director reported that Mitchell Levy of Universal Properties, and owner of Stoney Brook apartment complex has notified him that he would not be attending tonight's meeting. He did forward a copy of the December 10, 2018 Stoney Brook apartment complex "Roof Study - Leak and Roofing Assessment. The Director reported that he had received no complaints from Stoney

Brook occupants concerning leaks in the last several months and that via phone conversation Mitch Levey reported that 17 units are currently not being rented on the third floors of affected building. The board asked that the Public Health Director request that he be allowed to assess the current state of the affected apartments and that he apprise the board of plans for remediation. Town Attorney Brian Winner agreed to draft a letter with this request.

**8:15 PM 335-341 Village Street Septic Upgrade Discussion** – Proposed Septic system upgrade plan was discussed for these properties. The planned new system includes changing the five current individual systems to a shared system. The property is a pre-existing rental property with a single owner. The following variances are being requested: The first is to allow the Settling Tank, F.A.S.T Tank, and pump chamber to be located 7.0 feet from the Eastern property line and 9.4 feet from the property line with Village Street. (10 feet is required under section 31, chapter 111 (5) (F)). The second variance is to allow a reduction in the required 4-foot separation (in soils with a recorded percolation rate of more than 2 minutes per inch) to a 2-foot separation given the following requirements are met: The existing system is failed, there is no increase in design flow, and there is no reduction in the size of the soil absorption system or setbacks from both public and private wells. (Section 15.405 (1) (H)). The Public Health Director recommends approval as the proposed system is an improvement to the current systems and variances are requested because of site limitations. Because this is an alternative system subject to the DEP's "Standard conditions for secondary treatment units approved for remedial use – dated November 5, 2012" a deed restriction is required. The Board also requested a deed restriction indicating that future sale of the property would require single ownership. This due to the shared system on the property and local Board of Health regulations. The current owner understands he is responsible for required maintenance functions of the system.

**Continued Body Art Regulations Public Hearing:** – At 9:00 PM on a motion made by Member Lannon seconded by Member Hilton and unanimously approved the hearing was opened. There were no public attendees. Town attorney Brian Winner reported that the Tyngsboro, MA BOH had just completed a review of their body art regulation with particular attention to micro-blading. The board decided to review Tyngsboro's Board of Health regulations. They prohibited Cosmetic Tattooing in the town of Tyngsboro. On a motion made by Member Lannon and seconded by Member Hilton and unanimously voted the public hearing was continued to Monday, May 20, 2019 at 7:45 PM.

General Discussion – Chairman LeBlanc raised concerns about use of a Pyrethroid - Bifenthrin (Talstar) that was sprayed on her property by a local company by mistake (sprayed the wrong address). She noted death of all insects on the property and reported this to the EPA. She discovered the chemical has use restrictions near wetlands because of toxicity to aquatic life. She reports this particular chemical has been banned in New York and Connecticut. The board agreed to seek more information since Millis is 1/3 wetland and commercial spraying of private property for mosquito and tick control seems to be more prevalent.

Chairman LeBlanc reported that she and the Public Health Director, DPW Director and Town Administrator have been meeting to try and develop a beaver management strategy for the town.

The board acknowledged Member Hilton for her years of service as a board member.

On a motion made by Member Hilton and seconded by Member Lannon and unanimously approved, the April 8, 2019 Board of Health meeting was closed at 8:40 PM.

Next Regularly Scheduled Meeting: May 20, 2019

**Documents and Submittals of Meeting:**

Meeting notice agenda April 8, 2019 Board of Health meeting posted on April 4, 2019.

Director's Report

Public Health Nursing Report March 25, 2019 – April 8, 2019

CBI document, CBI Job No.: CB181835, Stoney Brook Village Roof Study 12/10/2018