

HAMILTON BOARD OF HEALTH

WEDNESDAY, JULY 30, 2014

Present: Board of Health members: Lindle Willnow, Susan Wilfahrt, Karen Zagorski, and Health Agent Leslie Whelan.

Meeting Opened: Lindle Willnow called the meeting to order at 7:05 p.m. at Hamilton Town Hall

Daniel Johnson – Septic Access Covers Regulation

Dan Johnson revisited his letter with proposed changes to Septic Access Covers Regulation. His proposed modifications would cover pre-existing manhole covers only. The regulations on new covers would remain basically as is, anytime there is a new repair or upgrade of individual septic components or construction of a septic system it would need a 24" diameter concrete, water tight riser, and medium duty or heavy duty applicable covers be built to grade over the open end of septic tank where filters are installed or opening for pumps and floats if there is a pump chamber.

Discussion ensued about a cover Johnson and Health Agent Leslie Whelan had seen in the field that was medium duty and weighed less than the 75 pounds but was acceptable. Johnson suggested that there are metal and concrete covers in the field that are childproof and therefore acceptable and this type of exception could be brought before the Board of Health or Health agent during construction and repair process by contractor or engineer. In response, Lindle Willnow stated that this leaves some situations open and questioned why Johnson's modification should be added to regulation and if anyone wants to present an alternative that person could come before the Board of Health. Johnson said his modification triggers response by contractor to go to the health agent to review a proposed childproof cover.

Whelan suggested the Board of Health should amend its definition of what is a medium duty cover (i.e., some of the covers are less than 75 pounds but are thick and childproof). She explained that she was trying to get away from people using flimsy metal covers. Johnson said those covers would be limited to repairs to a pre-existing cesspool or septic tank. When designs are done for a new system or upgrade, 24" concrete cover and risers are used. Whelan noted that 18" covers are used that could be acceptable. Susan Wilfahrt suggested exceptions could be reviewed by Whelan or the Board when necessary. Johnson recommended this occur during Title 5 inspections.

Discussion ensued about acceptable use of plastic covers if there are non-removable bolts and if there is structure below that supports 250 pounds. Whelan suggested the Board could specify that when a pumper is pumping he has to attach bolts on plastic light weight cover and inspector during a Title 5 inspection needs to note if there are plastic covers and notify homeowner if the bolts are not installed this is dangerous. Johnson stated that this is done in the Title 5 report that is submitted to homeowner.

Discussion addressed how the Health Department should notify residents that an unattached plastic cover in a yard is dangerous for children who could fall in. Whelan suggested if the Title 5 inspector's report cites use of plastic cover she can generate a letter from the Board of Health that would include the aforementioned cautionary information. Willnow noted that most Title 5 inspections are done when a house is sold so the new homeowners would know that the system with a plastic cover without bolts is not conforming. Discussion ensued about how a safety grate or a conforming replacement cover should be used. Also addressed is that it costs \$500 to \$800 to replace a riser cover for a septic tank or a cesspool.

Discussion was about how historically in Hamilton when effluent filters were used home owners objected to having covers at grade so covers were buried. Whelan asked the engineers to specify metal covers for use at grade and 5% to 10% of the time installers are using plastic covers. Discussion addressed how this means that a small percentage of homeowners would have to upgrade their covers or that there is a small number of plastic covers in Town that are dangerous. Also mentioned was some use of thin metal covers, some with no lip, as well as concrete and wood covers, and that these are mostly located underground.

Discussion ensued about how structural integrity of the tanks and risers could be compromised if heavier risers and covers are used on cesspools. Also, if this is a tenuous situation (i.e., under a driveway) then system replacement might be in order. The Board will consider Johnson's valid points relative to potential safety issue and proper way to deal with it. Also mentioned was that a small group of systems could not fit a safety grate for \$20 a system. Whelan mentioned pumper reports that she had reviewed where some safety grates were installed, and other systems where she will follow up.

Discussion was on requirement for a home owner when selling a house that septic system not be in failure. If a repair is needed and there is a plastic cover, a safety grate could be used. This could also be done when the system is pumped as a requirement for the pumper, and when a Title 5 inspection is done. Discussion addressed how Whelan's letter could mention to a home owner that there is a non-conforming cover and require

that a safety grate be installed, and if not a safety grate then replacement with a conforming cover. If the septic system has failed, then a new cover will be required. The Board acknowledged that Sections 4.4 to 4.6 have to be amended. Whelan will revise.

Discussion – Plastic Bags & Styrofoam Take-Out Containers

Discussion ensued about the by-law Marblehead passed prohibiting the use of plastic bags at retail establishments which will become effective in May 2015. Language and specifications about violation fines were discussed (i.e., first violation would receive a written warning for distributing plastic bags, and \$300 would be the maximum penalty after a number of violations and requirement to go to court). Also mentioned was that the Board of Health would have a public hearing in August as part of due diligence and relative to a fall Town Meeting warrant article and that the media would be notified about what the BOH is asking Town Meeting to vote on. Town Counsel Donna Brewer would review any proposed by-law and warrant article language. Discussion was about the true cost of using a plastic bag and that recyclable bags could be offered to residents at cost (i.e., 99 cents). The Board considered the use of Styrofoam take-out containers and noted that recyclable plastic or coated paper products could be used instead.

Discussion – Bat Houses

Willnow reported that he is scheduled to go to the next HW Joint Recreation Board meeting on August 18 to present the proposal for locating bat houses at Town fields. Discussion ensued about locating four bat houses (i.e., two on one post in one location) at Donovan field and Patton Park field. This would cost \$480 for the four bat houses including the installation equipment. DPW Director Bill Redford will have his department install the houses to be built by John Cameron and Bat Conservation International. Willnow will send a copy of his location proposal to Whelan and Board.

Discussion – Draft Mosquito Protocol Update

Discussion ensued about how Whelan continues to work on the mosquito protocol, and related articles that appeared in HW Chronicle and Salem News. Whelan is working with Mosquito Control District to ensure it specifies in the Town's plan the use of Bti and Bts larvacide products only in Hamilton's catch basins that do not contain growth regulator compound toxic to marine vertebrates. These products are used in the Great Marsh that includes the Miles River. Also mentioned was that Marblehead does not allow pesticide use on town-owned property, and if Hamilton could have a ballot vote on this issue. Whelan offered to speak with Conservation Agent Jim Hankin about Conservation Commission's role in creating a related ordinance for Hamilton.

Review – Minutes dated June 25, 2014

Willnow moved to approve the June 25, 2014 Board meeting minutes as amended. Karen Zagorski seconded the motion. VOTE: Unanimous.

Other Business**Discussion – TB case at GCTS**

Willnow moved that the Board of Health add the discussion of the public health nurse's report to the agenda. Wilfahrt seconded the motion. VOTE: Unanimous. Discussion ensued about how Public Health Nurse Chris Lee is scheduled to come to the Board's August meeting. Also, that Lee has been dealing with an active case of tuberculosis found at Gordon Conwell Theological Seminary. Lee has held a few clinics and identified where some people have contracted TB from this active case; none of these are currently active. Lee is questioning whether or not the Board of Health can require students who have been living in locations for more than two months where TB is endemic be screened. Whelan will work with Lee on this issue. Wilfahrt mentioned that many colleges require TB testing on admission. Also, she suggested screening would be reasonable for GCTS's student body that has a large percentage of international missionaries. She added that TB is becoming a bigger issue especially with drug resistance so people with TB cases have to be isolated and treated appropriately. Discussion ensued about how TB can stay inactive in a person's body and later on become active. Exposure occurs from eight hours of droplet exposure to a person with active TB who is coughing. Whelan will speak to Lee about if she would offer regular TB clinics where state could provide testing material. She also offered to speak to Town counsel about whether or not the Board of Health could require screening of students that visit endemic countries for two months or more. The Center for Disease Control guideline on the matter could be consulted.

Meeting Adjourned:

Willnow moved at 8:46 p.m. to adjourn. Zagorski seconded motion. VOTE: Unanimous. The Board's next meeting is on Wednesday, August 20 (this was later changed to Tuesday, August 19) at 7 p.m.

ATTEST:

cc: Selectmen, Planning Board, Town Clerk, Conservation