



## Town of Mendon

18 Main Street  
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# BOARD OF HEALTH MEETING MINUTES

**Wednesday – January 05, 2022 | 6:00 PM**

**In Attendance:** Andy Fiske – BOH Chairman  
Alan Greenberg – BOH Vice-Chairman  
Tom Fichtner – BOH Member  
Missy Kakela-Boisvert – Sr. Administrative Assistant to BOH

**MINUTES APPROVED**

By Board of Health on  
NOVEMBER 02, 2022

**Not Present:** N/A

**Meeting Location:** [REMOTE VIA MICROSOFT TEAMS](#)

At 6:00 PM, BOH Meeting has been called to order by Missy Kakela-Boisvert. Missy takes rollcall with full Board in attendance. Also on the Teams meeting is Selectmen Lawney Tinio and Mike Merolli, Andrew Jenrich from the Town Library, and the Town Clerk, Ellen Agro. Missy hands over the meeting to Chairman Fiske for the 1<sup>st</sup> Item on the Agenda.

**1<sup>st</sup> Item on Agenda** *Discuss updates on Covid-19 and possible mask requirements for town buildings*

Chairman Fiske mentions how serious the latest numbers on the virus are, and getting worst daily. Ann Labonte RN, BS, from Salmon Visiting Nurses Association, emailed the Board of Health concerning the pandemic. Missy summarizes the email from Ann, that states that there are a lot of positive cases in Mendon, a lot more than what they had in the past. From January 1<sup>st</sup> to date, there are 35 active cases and 1 probable case. Ann's recommendation to the BOH is to close town buildings to the Public for the next 2 weeks. Let the surge pass and reassess the situation. In the meantime, everyone in the Town Buildings should be wearing masks. Missy hands it back over to Chairman Fiske for discussion.

Chairman Fiske states that the prior year during Covid-19, that this procedure worked well. Chairman Fiske calls on Ellen, who works with the Public and in the Town Hall for her opinion.

Ellen personally believes, that she is not seeing a lot of foot traffic in the Town Hall, that closing it to the Public wouldn't be a big deal, except for the fact that it is Tax Time. But there are drop boxes available for those Tax Payments outside of the Town Hall. Ellen is open to a short-term closing while staff are available in the office answering phones and doing in-person by appointment only.

Chairman Fiske thanks Ellen for her thoughts and calls on Selectman Tinio for his thoughts on this matter.

Selectman Tinio thanks Chairman Fiske and states that we are not closing businesses anywhere in the State of Massachusetts, the only thing that seems to be closing to the Public is municipal buildings. Selectman Tinio does state he's not a Doctor or Nurse by any stretch of the imagination, but the fact that there is discussion on closing just municipal buildings seemed a little strange, but he is open to hear what everyone has to say, however, we are open everywhere else with no masks, just wondering why municipal buildings would be any different.

Chairman Fiske thanks Selectman Tinio for his comments. Chairman Fiske calls on Selectman Mike Merolli for his input. Selectman Tinio states that Mike had dropped off, and Missy confirms that Mike is no longer on the webinar, but still have Andrew from the Library and also Daniel Markman, who is the Health Agent for the Town of Mendon, has joined the meeting.

Chairman Fiske thanks Selectman Tinio and Missy for the information and makes note that if anyone, in any department of Mendon, want to make it safer for themselves, so have people wear masks in your area, you can without the approval from the Governor of the Board of Health. Chairman Fiske then calls on Andrew.

Andrew begins by stating that he has a Mask Mandate in place with the agreement from the Town Select Board. Andrew also states that they have shut down in-person programming for the next 2 weeks. In the meantime, the library will be offering virtual programs. Andrew is a little hesitant about closing the library as they can do curbside service. It's incredibly time intensive, as they also do not have a lot of foot traffic in the library. He's hoping to remain open as the Mask Requirement is in place.

Chairman Fiske thanks Andrew and calls on Board Member, Tom Fichtner.

Tom starts by stating he would not support any of the overall shut down of the town buildings. He believes all prior comments from tonight's meeting on how they can mitigate the situation and the stapes they have already taken, is the way to go. Tom does not believe that the BOH should step in and automatically declare that all town buildings should be closed. He believes depending on the functioning of the building, that each department should assess how to accommodate with the daily operations.

Chairman Fiske thanks Tom and calls on Vice-Chairman, Alan Greenberg.

Alan is in agreement with all prior speakers. He does not see the need to close the public buildings to the public, however has no problem with the minor inconvenience of wearing a face mask. Alan has no problem with a Mask Guideline or suggestion at this point, but very discouraging of closing the town buildings to the public.

Chairman Fiske thanks Alan and calls on Daniel Markman.

Dan begins with the general consensus about closing the town buildings. He noted that Upton and Northbridge have closed their Town Halls for the protection of their employees. With that said, Dan suggests following the CDC Guidelines for instituting a Mask Policy for the Town as a whole. According to the CDC recommendation, anywhere that there is a high community rate of transmission, which is the entire State of Massachusetts, CDC suggests wearing masks indoors regardless of vaccination status, trying to mitigate the spreading of the virus.

Selectman Tinio asks the question where the data is to show that wearing masks will work in the mitigation of spreading the virus.

Dan responds that since the outbreak began, data supports that masks would provide some sort of protection. Since the virus is not airborne, it is caused by the droplets, and wearing a mask would significantly decrease the likelihood of spreading it. Omicron is more pervasive, so masks on their own are a little tricky, but it is significantly better than no protection at all. And those areas with more strict mask mandates are seeing a reduction in cases. Massachusetts does not have a Mask Mandate to enforce and seeing large case numbers. With that, it would be up to the Board of Health to stem the flow.

Selectman Tinio disagrees and makes a recommendation that we do not force people to wear masks, as they don't work, half the people don't wear them correctly. Unless they are wearing a N95 mask 100% correctly, masks are not effective, the data shows this.

Dan responds with respect, that Selectman Tinio is incorrect. Even the non-surgical masks have some protection. Most surgical masks, that is most commonly worn, do provide protection.

Selectman Tinio reiterates that putting a Mask Mandate in Mendon is not going to help anything, not even a little. The whole country was wearing masks and the numbers went through the roof.

Dan responds that Selectman Tinio's comment is very concrete and absolute, but does not believe it to be true, but it is very difficult to disprove an absolute like this. Again, the data suggests that masks are effective, the data suggests that locations that impose Mask Mandates show less community spread. Therefore, any community that puts Mask Mandates in place would see less community spread.

Chairman Fiske asks if Selectman Tinio was good. Selectman Tinio said he was. Missy speaks and wants to get some understanding that if the BOH were to vote on Mask Mandates, that it would be for town buildings only, and not other open buildings to the public to wear masks. Chairman Fiske concurs Missy is correct.

Chairman Fiske believes the majority of tonight's conversation is not to impose a Mask Mandate, but leave it up to the Town Departments to let those who they come in contact with to wear a mask. Missy does say that Selectman Mike Merolli is back online for the meeting.

Chairman Fiske asks Mike how much he was able to listen to, Mike responded only the last few minutes. Chairman Fiske recaps the entire discussions had and with everyone speaking, there is not a need to close the town buildings and the Mask Mandate would be a personal preference and asks Mike for his thoughts.

Selectman Merolli agrees that closing the Town Hall is not acceptable. In regard to mandating masks inside the town buildings, is considered enforcement, but how do you enforce a resident who refuses to wear a mask? Mike wouldn't be opposed to having Appointments Only for the Town.

Chairman Fiske thanks Selectman Merolli and calls on Tom Fichtner.

Tom believes the point he was going to make had been addressed.

Chairman Fiske thanks Tom and asks Selectman Merolli if he had anymore to share on this topic.

Mike had nothing more to say.

Chairman Fiske asks Daniel Markman is he had anymore to add. Dan responded no.

Chairman Fiske asks Alan if he had anymore to add. Alan just wanted to thank Daniel for his insight and is in favor of a Mask Guideline.

Chairman Fiske thanks Alan and asks Ellen if she had any more on the topic.

Ellen said she doesn't have any more to add and she will be wearing masks in her department.

Chairman Fiske thanks Ellen. Selectman Merolli asks Chairman Fiske if masks can be placed at the entrances of all public buildings for the Public to use. Chairman Fiske thinks it is a good idea.

Chairman Fiske asks anyone for further comments. No one responds and Chairman Fiske ends the discussion and begins 2<sup>nd</sup> Agenda Item. Missy states that Margaret Bacon, the Engineer for 132 Uxbridge Road is on the meeting, and to have her go first. Chairman Fiske agrees.

**2<sup>nd</sup> Item on Agenda**     132 Uxbridge Road Septic Local Upgrade (Formerly #3 on Agenda)

Margert begins stating she is representing Frank Keske at 132 Uxbridge Road, typical septic repair. Trying to put in a septic system in relation to the private well on the property as there is not enough room to meet the offsets, so asking for a waiver to the well instead off 100 feet to be 88 feet from the well in the back property line and 5 feet instead of 10 feet.

Chairman Fiske asks Missy what Tom Ryder had to say about the Upgrade. Missy responded that Tom had approved it. Chairman Fiske said he also approves and asks Tom Fichtner for his opinion. Tom agrees in favor of the Upgrade. Chairman Fiske thanks Tom and asks Alan for his opinion. Alan responded that he is on board for the approval. Chairman Fiske thanks Alan.

**Chairman Fiske calls for a Motion:**

Alan Greenberg makes the motion to accept the Septic Local Upgrade for 132 Uxbridge Road in regard to the reduction of Well offset and reduction of back property line. Second by Tom Fichtner.

The motion is passed.

**Roll call vote: Fichtner-Aye, Greenberg-Aye.**

Chairman Fiske accepts motion and roll call votes.

**3<sup>rd</sup> Item on Agenda**     72 Washington Street Septic Local Upgrade (Formerly #2 on Agenda)

Missy states that there is no engineer on the meeting for this property. Missy will read Tom Ryder's letter for approval.

*The applicant is requesting a Local Upgrade Approval for the proposed septic system repair for the above referenced property.*

*Title 5 requires that soil testing and percolation testing be conducted in the proposed Soil Absorption System area. A soil sieve analysis is allowed for repairs as a Local Upgrade Approval as long as at least one deep hole has been conducted in the area.*

*The sieve analysis confirms Loamy Sand conditions in the Soil Absorption area, the Engineer has designed the system according to the DEP's policy.*

*As this is a repair and the site limitations create constraints to upgrade to Title 5 new construction standards; I am recommending the approval of the Title 5 Local Upgrades a with a deed notice per the I/A Technology Approval letter that the site utilizes an Alternative system.*

Chairman Fiske thanks Missy and asks Tom for his thoughts. Tom would support the recommendations.

Chairman Fiske thanks Tom and asks Andy for his thoughts. Andy is on board for the approval. Chairman Fiske thanks Alan.

**Chairman Fiske calls for a Motion:**

Tom Fichtner makes the motion to accept the Septic Local Upgrade for 72 Washington Street in regard to the septic upgrade approval from the Town Engineer, Tom Ryder. Second by Alan Greenberg.

The motion is passed.

**Roll call vote: Fichtner-Aye, Greenberg-Aye.**

Chairman Fiske accepts motion and roll call votes.

**4<sup>th</sup> Item on Agenda**

Discuss Policy and Procedure for Expired Septic Plans

Chairman Fiske recalls the property on Bates Street that the original septic design plan was submitted by Shea Engineering on February 14, almost 4 years ago. Typically, a design plan that is approved is good for 3 years. If for some reason the property owner can not complete the septic system within the 3 years, they can apply for a 1 Year extension. In this case, the extension was not done. The property owner resubmitted the Septic Application and should property owner pay another \$450 for the exact same septic plans.

Chairman Fiske wanted to discuss what should be done, since the original payment of the \$450 was not used and it was then placed in the Town's General Fund and was dispersed elsewhere in the Town's Government. Chairman Fiske asks Tom and Alan on their thoughts about a policy incase this situation arises again.

Chairman Fiske calls on Tom. Tom asks if Mike Merolli was still on the meeting. Missy stated no. Tom mentioned that there is a Revolving Account when it comes to engineering and believes this would help this type of situation so that the funds would not be lost to the General Fund.

Chairman Fiske states he texted Selectman Tinio to see if he can reach out to Selectman Mike Merolli and ask him if would rejoin the meeting, as Mike was on the Town's Finance Committee to speak more on the Revolving Account. Selectman Merolli rejoins the meeting.

Chairman Fiske thanks Mike for coming back and summarizes the situation previously discussed on Expired Septic Plans and asks Tom to explain his belief in the Revolving Account to Mike. Mike explains how the Revolving Account works and believes it is available to the Board of Health. Chairman Fiske thanks Selectman Merolli for coming back and explaining the Revolving Account.

Chairman Fiske asks Missy to speak with Jody Kurczy, the Town's Treasurer/Finance Director, and get the information on the BOH Revolving Account. Missy will reach out to Jody and try to schedule a meeting. Missy will follow up with the Board of meeting date.

Chairman Fiske asks the Board if its ok to table the conversations on the Private Well Regulations and Dumpster Regulations. Tom and Alan agree. Missy asks Board to set next meeting date and to adjourn the meeting. Board agrees to meet on January 19, 2022.

**Missy calls for a Motion:**

Tom Fichtner makes the motion to adjourn the BOH Meeting. Second by Alan Greenberg.

The motion is passed.

**Roll call vote: Fiske-Aye, Greenberg-Aye, Fichtner-Aye.**

Meeting is adjourned at 8:53 PM.