



Town of Mendon
18 Main Street
Mendon, MA 01756
(508) 634-2656

BOARD OF HEALTH MEETING MINUTES

Wednesday – July 27, 2022 | 7:00 PM

In Attendance: Alan Greenberg – BOH Vice-Chairman
Tom Fichtner – BOH Member
Jack McLellan – Inspectional Svcs. Office Coord. | Health Admin.

Not Present: Joyce Gilmore – BOH Member

MINUTES APPROVED

By Board of Health on
MARCH 8, 2023

Meeting Location: [Upper Town Hall Meeting Room • 20 Main Street & Microsoft Teams](#)

At 7:00 PM, BOH Meeting has been called to order by Vice-Chairman Greenberg welcomes everyone for joining tonight's meeting, and begins the meeting with the 1st Agenda.

1st Item on Agenda Welcome Joyce Gilmore

Tom Fichtner announces that Joyce Gilmore has been appointed to the Board of Health by the Select Board, to fill the open vacancy. Tom mentions that Joyce is a great selection and comes with a lot of experience as Joyce has been on the Mendon's Board of Health in the past, and is involved in a lot with the community.

Vice-Chairman Greenberg thanks Tom and moves to the 2nd Agenda Item.

2nd Item on Agenda Lake Nipmuc Association - Follow-Up to Lake Testing/Discussion Panel

Jack updates the Board in regard to the ongoing process of mapping out the residences around Lake Nipmuc. Jack thanks Selectman Lawney Tinio, Parks & Recreation Director Dan Byer, and previous BOH Administrator Missy Kakela-Boisvert, for their time and contributions to the project. Taking the information provided, Jack has updated the properties around the Lake and provided the most recent pumping record information available for each property. Jack also updates the Board that the Code Red Alert is in progress to make available the notification to residents of any Lake Nipmuc Beach closings.

Wayne Phipps, from the Lake Nipmuc Association, said he's really happy with the progress and very pleased that everyone is working together to get this done.

Vice-Chairman Greenberg says that a Discussion Panel is still being sought, and a few names have been given to contact to see if they would be a part of the panel, but everything looks like its moving along. Vice-Chairman Greenberg thanks Wayne, and moves to the 3rd Agenda Item.

3rd Item on Agenda Rooster Noise Nuisance - Follow-Up

Vice-Chairman Greenberg stated that he visited the property about 6:00-6:30 in the morning a couple of days ago. He noticed that the chickens were out in the yard and he parked in front of the property to listen for any crowing. During his time, he did not hear a rooster crowing. Jack let's the Board know that Anne Mazzarelli is on Video/Conference and would like to speak.

Vice-Chairman Greenberg calls on Anne for her comments.

Anne stated that the Rooster is still crowing early in the morning. This morning it started at 5:35am for about 10 minutes nonstop. It started again at 5:50am for another 10 minutes nonstop, so it is still crowing excessively before 7am.

Vice-Chairman Greenberg thanks Anne for her comments and suggests sending a Certified Letter with Return Receipt of the complaint and come before the Board of Health. Tom makes the recommendation to send a Cease-And-Desist as it falls under the MAHB Nuisance authority. Vice-Chairman Greenberg asks Tom what citation would be referenced in the Cease-And-Desist letter. Tom responded the nuisance citation falls under Massachusetts General Law Chapter 111 and Section 122 and Section 123.

Vice-Chairman Greenberg is on board with sending a Cease-And-Desist order citing the Massachusetts General Law to the property owner, and calls for a motion.

Tom makes the motion to create a Cease-And-Desist order to mitigate the rooster noise nuisance at 18-B Neck Hill Road, outlining the requirement on what the home owner needs to do, citing the Massachusetts General Law Chapter 111 and Section 122 and Section 123. Vice-Chairman Greenberg steps down and seconds the motion. The motion is passed. **Roll call vote: Greenberg-Aye, Fichtner-Aye.**

Vice-Chairman Greenberg thanks everyone for their comments, and moves to the 4th Agenda Item.

4th Item on Agenda

"Rock the Block" Food Permit Applications/Fees

Jack informs the Board that in conversation with Selectman Lawney Tinio, that in prior years, Food Permit Application Fees were waived by the Board of Health when Town Events were happening. Lawney wanted to know if that was still the case with Food Vendors for the Rock the Block Town Event. Vice-Chairman Greenberg is in favor for waiving the fee if it was a non-profit association, and asked if the fees were waived during the 350th Mendon Anniversary. Tom believes that they were waived. Vice-Chairman Greenberg states that if that precedent was done then, then he has no issue with waiving the fees if a Town Event. Tom agrees. Vice-Chairman Greenberg moves to the 5th Agenda Item.

5th Item on Agenda

EL Harvey Scholarship Awards

Jack mentions that EL Harvey provides (2) \$500 Scholarships each year. This year, only 2 Scholarship Applications were received into the Board of Health. Vice-Chairman Greenberg and Tom Fichtner read the 2 applications received. Vice-Chairman Greenberg calls for a motion.

Tom makes the motion to accept the 2 scholarships applications and award the scholarship funds to them. Vice-Chairman Greenberg steps down and seconds the motion. The motion is passed. **Roll call vote: Greenberg-Aye, Fichtner-Aye.**

Vice-Chairman Greenberg moves to the 6th Agenda Item.

6th Item on Agenda

Restructuring the Board of Health

Jack makes the recommendation to hold off until the next Board of Health meeting when Joyce Gilmore is in attendance. Both Vice-Chairman Greenberg and Tom agree.

**** TOPICS NOT REASONABLE ANTICIPATED WITHIN 48 HOURS ****

A resident joining remotely at tonight's meeting is recognized with the hand raised. Jack calls on them for their comments.

Siobhan Pisano who resides at the property on Neck Hill Road and one of the property owners who has the 15-Yard dumpster on the property that the Board of Health has received complaints about. She wanted to clarify some of the concerns that their neighbor has alleged against them. Siobhan watched the previous Board of Health meeting, and was really upset that the neighbor called the situation a unclean toxic environment on Inman Hill Road. Siobhan takes that very personally as she and her husband are very clean people and the neighbor has her facts wrong about the dumpster being on the property for 6 months, which is false. Another accusation was that her property was a reason for the rat problem occurring in the neighborhood, but Siobhan has not seen a rat, inside or outside her property. So, she just wanted to clear up some of the accusations made against her and her husband.

Vice-Chairman Greenberg thanks Siobhan for joining and her comments and mentioned when he was at the property last, he did not see any trash coming out of the dumpster, no flies, no rodents. Vice-Chairman Greenberg said that he and Siobhan had a very pleasant conversation, and her husband, Rick, was to get a covered dumpster for the household trash. Vice-Chairman Greenberg asks Tom for his comments.

Tom wanted to mention the use of the dumpster on the property with regard to the household trash comingling with the construction/demolition debris, and also, even in bags and in an open container, household trash being exposed to the weather and potentially attract animals. Tom asked Siobhan how is the household trash being taken care of now. Siobhan responded that her husband is looking into it including the Town's Trash Program. Tom just wanted to mention that Dumpster Regulations are almost complete, and Rick is aware of them, which would specify dumpster usage and household trash waste. Tom thanks Siobhan for joining and her comments, and recognizes another remote user with a hand raised and is called on for comments.

Ticia Lowe wanted to comment as she is the neighbor of Siobhan, and just wanted to say that she never meant for anything to get personal, just more displeased with the situation of the behavior and not the people themselves.

Vice-Chairman Greenberg thanks Ticia for joining and clarifying her comments about the situation on Inman Hill.

The Board has set its next meeting date for Wednesday, August 10th at 7:30 PM.

Vice-Chairman Greenberg calls for a Motion to adjourn tonight's BOH Meeting:

Tom makes the motion to adjourn tonight's meeting. Vice-Chairman Greenberg steps down and seconds the motion. The motion is passed.

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

Meeting is adjourned at 9:18 PM.