



**Town of Mendon
Board of Health
18 Main St. Mendon
Minutes for
February 20, 2019**

Andy Fiske, Chairman, called the meeting to order at 6:00 p.m.

Present: Alan Greenberg Vice Chairman Tom Fichtner - BOH Member

Location – Board of Health Office– 18 Main Street, Mendon, MA 01756

46 Mowry Street - Tom made a motion to approve the Local Up-Grade, as requested, on condition of approval from the Board of Health Engineer Tom Ryder. Alan seconds the motion. All members agreed. Motion carried.

The Board reviewed a form letter that property owners would use should they wish to waive the newly-voted on requirement stating that a Title V Inspector cannot be the implementor of a repair that he/she did the inspection for. This letter will be available on the Town's website and will be part of the Installer's Permit Application.

There was a small discussion regarding changing some of the wording to the Title V Inspector Regulation but the Board decided against it.

Alan made a motion to approve the minutes from December 20, 2018. Tom seconds the motion. All members agreed. Motion carried.

Next, Missy discussed with the Board the subject of reclassifying her position. She believes that since the study was done by the Town back in 2015, her position was not classified correctly. Missy recently contacted two of the towns that were part of that reclassification study (Northbridge and Upton) and requested the Clerical Job description. Based on information obtained, Missy believes that her title and pay rate should be that of a Board of Health Administrator. She told the Board she will send them copies of her job description, job descriptions from Northbridge and Upton, information from other towns in the study and lists of the various training classes & other courses she has taken. She will also send a copy of the current pay scale. After they review all the information, the Board will decide if they will move to the next step or take no action at all. Missy thanked the Board for their consideration.

Marchand Septic – Michael Marchand, Michael Marchand II and Attorney John Wozniak came before the Board to confirm if an application for a Septic Hauler's Permit for Michael Marchand II was approved.

Discussions involved the lengthy history that Marchand Septic has had with the Town of Mendon going back to 2006. In 2010, the Board revoked Marchand Septic's license to install septic systems and to haul septic in town for three years based on violations & non-compliance

issues that had arisen over the previous years. In addition, Michael Marchand has a portable toilet business under the name of Smart Rentals, which is not permitted in town. The Board told him to remove it.

Michael Marchand, II stated that he is taking over Marchand Septic from his father and would like to start working in Mendon. He also stated that he is a sole proprietor and will not have any employees.

Because of Marchand Septic's past negative history, along with concerns for how Marchand Septic will be operating in the future, the Board stated that they would need to further review and would not be able to render a decision this evening. The Board would like to speak with Town Counsel first, as they are not certain how best to handle this situation. The Board understands that the applicant is a different individual and does not want to be unfair but they do have to consider past performance by Marchand Septic to ensure that Marchand Septic will operate in a lawful & responsible way in the future. The Board may require a copy of Michael Marchand, II Commercial Driver's License for the State of Massachusetts and may also require an inspection of the vehicles to be used. The Board will discuss it again at their next meeting.

In general, follow up discussion, the Board went thru a bit of a review to determine if they were implementing all the necessary requirements. One of the topics centered around whether or not CDL's (Commercial Driver's License's) should be something that is required to be provided to the Board of Health. Scenarios discussed led the Board toward the belief that this would be a reasonable requirement. With that, Tom made a motion that, from this time forward, Septic Haulers will be required to provide a copy of their valid Commercial Driver's License for the State of Massachusetts or equivalent from the State they reside in. Alan seconds the motion. All member agreed. Motion carried.

The Board asked Missy to request Town Counsel services from Town Administrator Kim Newman. They also asked her to contact Mass DEP in Worcester to see if there were any unresolved issues with Marchand Septic.

Next meeting will be Wednesday, March 6, 2019 at 6:00 p.m.

Alan made a motion to adjourn the meeting. Tom seconds the motion. All members agreed. Motion carried. Meeting adjourned at 8:03 p.m.

Approved March 20, 2019