

BOARD OF HEALTH
Gerald Picardi, Chairman
Robert Ogilvie, Clerk
Ralph Jensen, Board Member

HEALTH AGENT
Kathleen Waldron

Town of Avon Massachusetts



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POSTED IN ACCORDANCE WITH THE PROVISIONS OF MGL 30A S18-25

Board of Health
July 11, 2019
6:00 PM
MINUTES

TOWN OF AVON
2019 AUG - 9 A 9:01
TOWN CLERK

Meeting called to order at 6:00PM

Present: Chairman, Gerald Picardi; Clerk, Robert Ogilvie; Board Member, Ralph Jensen; Kathleen Waldron, Health Agent and recording secretary; Peter Lyons, Collins Civil Engineering Group;

New Business

- **Title 5 Local Upgrade Request for 75 Crane Street, Collins Civil Engineering Group**

The proposed plan is to replace the existing septic system of this three-bedroom dwelling. There is no plan to increase the flow to the system. The new plan is proposing to raise and re-route the existing plumbing to eliminate a pump chamber. The system is positioned to keep with the natural slope of the land. There is a wetland in the back, 56 feet away from the proposed soil absorption system. A linear will be provided around the part of the system closest to the wetland area. The engineer is requesting one local upgrade approval from Section 310 CMR 15.212 of the State Sanitary Code which requires that the minimum vertical separation from the soil underlying the soil absorption system to the high groundwater elevation shall be four feet with a recorded percolation rate greater than two minutes per inch. A local upgrade that would allow a vertical separation reduction from the required four feet to three feet is requested. The health agent requests that the elevations of the inlet at the foundation is verified during construction. This plan needs to be approved through the Conservation Commission prior to installation.

Mr. Ogilvie made a motion to approve the local upgrade requested and the presented plan dated June 20, 2019 – Rev 7-10-2019. Mr. Jensen seconded, vote carried unanimously.

- **Title 5 Local Upgrade Request for 7 Hendricks Street, Collins Civil Engineering Group**

The proposed plan is to replace the existing septic system of this four-bedroom dwelling. There is no plan to increase the flow to the system. The laundry flow will have to be tied into the new system. There is a stream in the back of the house and the existing inground pool will be removed during installation of the septic system. The engineer is requesting two local upgrade approvals. The first is a request in accordance with DEP Policy #BRP/DWM/PeP-POO-1, allowing a percolation rate to be established via grain size distribution analysis. The second is from Section 310 CMR 15.211 of the State Sanitary Code which requires a minimum 50' setback from a wetland to a soil absorption system (SAS). A local upgrade approval allowing a reduction from 50' to a minimum of 27' is requested. A linear will be provided around the SAS. The engineer did not want to locate the system in the front of the house due to space and the

concern that a mounded system would trap water in between the SAS and the house. This plan needs to be approved through the Conservation Commission prior to installation.

Mr. Ogilvie made a motion to approve the local upgrade requested and the presented plan dated June 14, 2019 – Rev 7-10-2019. Mr. Jensen seconded, vote carried unanimously.

Public Information Meeting

Present: Chairman, Gerald Picardi; Clerk, Robert Ogilvie; Board Member, Ralph Jensen; Kathleen Waldron, Health Agent and recording secretary; Heather Louro, Public Sector Solutions Representative for Waste Management; Lenford Hewitt, Residential Route Manager for Waste Management.

Mr. Picardi opened this information meeting by explaining the background of why Waste Management is our waste hauler. At the end of March 2019, Howland Disposal sold their waste division to Waste Management, effective as of April 1, 2019. This was a sudden and unexpected change and the Board of Health was just as shocked as the residents. When change happens in that manner, it is very difficult to duplicate the level of service we are used to. Angelo did a marvelous job, he was with Avon for 15 years. He knew the town better than most of the residents did. We (the Board of Health) have been working with Waste Management to get issues corrected, but they will be corrected. Mr. Picardi opened the floor to residents.

Residents from Keefe Avenue voiced their concerns about the trash and recycling not being picked up consistently on their scheduled pick up day. Resident had to call himself to have trash picked up. Mr. Picardi mentioned that he would like the town to have a dedicated driver that begins to know the town, but this may take a little while due to the suddenness of the change. Ms. Louro mentioned our old regular driver chose not to come on board with Waste Management, which was his choice, and they are in the process of getting a regular driver in town. What she can do to ensure 2 and 4 Keefe Avenue get collected every week, she will have her admin make those addresses “hot stops” so that the driver have to physically say yes, I picked it up and hit a button. This will avoid missed pickups moving forward. These residents also mentioned the mess behind town hall. There are about 15 totes that are jammed full, trash is blowing down the street and on to their yard. Paper has people’s names on it and town hall info. They have also noticed people dumping trash in the dumpster behind the town building. The mentioned the people that clean the town hall never close the bins. The Health Agent can work with the Town Administrator to resolve some of these issues.

Mr. Picardi mentioned at his house, he had two town bins out and only one is getting picked up. Mr. Hewitt said there was a misunderstanding that the town would only allow one tote per house to be picked up. The Health Agent mentioned any town tote should be picked up. The Board of Health and Waste Management is in agreement that any town tote should be serviced, and all residents should have at least one town tote.

A different concern was that trash was being left around town. When the driver is dumping the totes, residents have observed trash flying out and the driver driving away. This resident is getting frustrated and it seems as if Waste Management has been in town long enough for these issues to be corrected. It is as if the driver doesn’t care about the quality of his work. The same resident asked if there was a bidding process when Avon went from Howland to Waste Management. Mr. Picardi answered not in this type of situation, they sold, and it carried over. Mr. Picardi wasn’t please that there was no lead time. A call came in, he sold the business and that was it.

Mr. Jensen brought up the issue of one-way streets. All totes should be on the right side of the street for safety polices reasons. Driver getting in and out of the truck and crossing the street is dangerous. All one-ways and dead ends (if they don’t have a cul-de-sac) should be placing totes on the right side of the street. Mr. Hewitt will work with the Health Agent to notify residents that need to put their trash on the opposite site of the street.

A resident asked when the contract is good until. The Health Agent responded with June 2021. Mr. Picardi mentioned at that time, we would be going out to bid.

Mr. Picardi asked the Health Agent how Angelo would handle one-way streets. She explained he would get out of the truck, bring the tote over, empty and bring it back. Mr. Jensen mentioned how this would be difficult in the winter with all the snow we get. Resident mentioned it is even more dangerous for the driver to cross the street. Mr. Jensen agrees, he was just mentioning the challenges on those residents who live on the right side of the one-ways and dead ends.

Another resident mentioned his tote was damaged on the first day of Waste Management being our hauler. It was a 96-gallon town issued tote and was replaced with a 64-gallon tote. Health Agent mentioned in the contract it states any tote replaced will be replaced with a 64-gallon tote. Resident states he doesn't have enough space for his trash now. Mr. Picardi states the idea of the change in size is to encourage recycling. Resident states he wasn't in need of it, it was damaged by Waste Management. The town will provide an additional 64-gallon tote.

A priority is to get a dedicated driver. That would resolve a lot of the issues. Mr. Hewitt said it is possible, going forward we do have a dedicated driver, the past three days there was a swing driver. Luis Nunez has been the driver working in town and should continue to be the primary driver in Avon. Mr. Picardi states he is sure Mr. Nunez will also take pride in his work like our former hauler. Mr. Hewitt confirmed he will.

A resident asked if a dedicated driver speed up the pickup of trash and recycling. Somedays trash/recycling is not being picked up until 3-4 in the afternoon. Mr. Hewitt stated yes, as the driver becomes more familiar with the routes, it will be quicker service.

Mr. Picardi asked about recycling. The Health Agent mentioned recycling totes are being rejected at the curb if the driver sees contamination, plastic bags, or anything that is not supposed to be in there. The Board will work with WM to tag totes, so residents know why their tote was not serviced. The Board will also have to work on education and letting residents know what can and can't be recycled. Information handed out at the meeting.

Mr. Jensen asked if all trash should be in bags. The Health Agent stated all trash should be in bags, it will cut down on trash blowing in the town. Recyclable material should not be bagged and placed loose in the tote.

The Board of Health discussed bulk collection. Bulk collection has become an issue. The Board of Health created the bulk collection system for items that couldn't be picked up at the regular weekly collection. A couch, table, dresser chair. What is happening is that it has expanded to people putting out a house full of bulk collection items. We (Avon residents) have lost the idea of the meaning of bulk collection. We (the Board of Health) needs to identify what is bulk and what can be picked up. Got to get back to the true meaning of bulk collection. The Health Agent recommends the number of items are limited. A resident brought up that this may be due to lack of education. Maybe the board could try to communicate with realtors and landlords to pass on the trash/recycling policies to new homeowners and renters.

Another concern from residents is the tote placement. Waste Management mentioned all totes should be three feet apart from each other and any obstacles. Mr. Hewitt said that is an issue the driver is running into. The Board of Health was not aware of this policy.

The Health Agent brought up the issue of residents observing trash and recycling being mixed together and asked if that was happening was it because the driver noticed the recycling was contaminated and decided to dispose of it as trash. Mr. Hewitt said that could be, but it will have to be something he discusses with the drivers. There is only one truck that services town, it picks up the recycling, brings to Waste Management, then collects the trash and disposes of it at SeMass. Waste Management should not be mixing recycling and trash.

Mr. Picardi began to wrap up the meeting by saying the Board of Health is aware of the issues. We are working with Waste Management and they will be corrected. He is not making excuses, but there was a sudden change,

wasn't expected and it is very difficult to get the same level of service overnight. It will change, it will get better.

There was nothing in the contract that said Howland had to give the town notice. A time of two weeks notice may want to be added in the next contract.

Mr. Picardi asked a resident if he had anything to add. He said they do well on his street, he came to listen. There seems to be people that use the internet to complain and unfortunately those are the people who are not here. One issue he did notice was that the driver may have been rushing and was moving the arm and tote while the truck was moving forward. Mr. Hewitt responded by saying that shouldn't be happening and with the dedicated driver, we will not see that anymore.

Mr. Hewitt closed the informational meeting with mentioning that this was a sudden change for Avon, but it was also a sudden change for Waste Management. The first couple of weeks was a struggle, trying to get to know the town and getting the drivers set up. Mr. Hewitt handed his business card to the Board of Health and the residents present at the meeting, encouraged anyone to call because he knows it is difficult to get through the call center.

Regular meeting resumed at 7:08PM

New Business Continued

- **Title 5 Local Upgrade Request for 75 Robbins Street, Zenith Consulting Engineers, LLC**

The proposed plan is to replace the existing failing septic system of this three-bedroom dwelling. There is no plan to increase the flow to the system. There are no bedrooms in the entertainment room. The soil and area behind the entertainment house is more suitable for a leaching field than the front yard. The engineer is requesting one local upgrade approval. The request is the use of a sieve analysis in lieu of a percolation test per 310 CMR 15.405(1)(i). The soil was too saturated to perform a percolation test. The health agent requests to confirm the existing invert elevation at the foundation during construction.

Mr. Jensen made a motion to approve the local upgrade requested and the presented plan dated July 8, 2019. Mr. Ogilvie seconded, vote carried unanimously.

- **Title 5 Local Upgrade Request for 200 East Main Street, Zenith Consulting Engineers, LLC**

During installation, the installer set the septic tank and pump chamber from a fence instead of the actual property line. This made the tanks closer to the lot line of the abutting property. Instead of being ten feet from the neighbor, they are seven feet away. A variance request was made in the reduction of the required setback between the septic tank and pump chamber and the existing property line (n/f Fitzsimmons Family Irrevocable Trust, c/o Stephen J Fitzsimmons, Trustee) from 10' to 7' per 310 CMR 15.405(1)(a).

Mr. Jensen made a motion to approve the local upgrade requested and the presented plan dated July 8, 2019. Mr. Ogilvie seconded, vote carried unanimously.

Old Business

- **75 Robbins Street Violations**

The Health Agent had made a couple inspections of this property. She sent an order letter to the owner that he was in violation for four different codes. The owner is here to explain to the Board what has been going on. He bought the property in October 2017. The house was in derelict conditions, he has since upgraded and modernized the house. When he first purchased the house, he had two years to fix the failing septic system. He had hired Peter Nolan and Associates to begin work to repair the system. That company was not moving fast enough. When the owner received the order letter and had only 60 days to begin replacing the septic system, he hired Zenith Consulting Engineers, LLC. The septic plan was approved earlier in the meeting. The trash in the order letter was a fire pit and items to be used for the deck the owner wants to put around the house. Those items have been removed. The owner states the people that

answered the door during the two visits the Health Agent made were friends of the owners. They were there to care for the owners Dad while he was ill. The pool is serviced by Crowley Pool and due to the owner not renting the house, they pool should not be permitted. The owner is aware that if he were to rent the dwelling, the dwelling needs to be inspected by the Avon Board of Health and a certificate should be issued. Anyone renting this dwelling shall not have access to the pool or the entertainment house.

New Business Continued

- **Tobacco Compliance Checks**

Compliance checks were made a couple weeks about of all the permitted tobacco establishments in town. Four establishments were found in violations. Two of those establishments have had violations in the past 24 months. The Avon Regulation for Restricting the Sale of Tobacco states that if an establishment has two violations within 24 months of each other, they shall be fined \$300.00 and their permit shall be suspended for seven days. All establishments in violation will be sent letters and invited to the next Board of Health meeting. At that time, the Board will discuss when the establishment will suspend their permits.

- **Bulk Collection**

The Board discussed that bulk collection should be limited to ten items. No trash, mattresses or box springs should be put out for bulk collection. No item shall be placed out at the curb more than 1 week in advance of Bulk Collection Day.

Other:

- A warrant in the amount of \$1,300.00 was approved for FY2020 payment.
- A warrant in the amount of \$33,996.99 was approved for FY2019 payment for encumbered funds
- Bulk collection day will be August 17, 2019.

Approval of Minutes:

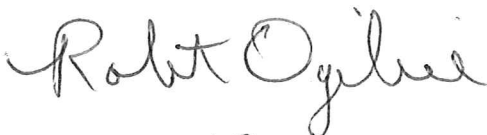
- Minutes from June 6, 2019 – Mr. Jensen moved to approve the minutes as drafted. Mr. Ogilvie seconded, all in favor.

Next Meeting:

- Thursday August 8, 2019 at 6:30PM in the Board of Health Office.

Adjourned at 8:15 PM

ATTEST:



DATE:

8-8-19

