

**BOARD OF HEALTH MINUTES  
SPECIAL MEETING  
April 28, 2014**

Marie O'Rourke, Chair, called the Special Meeting to order at 7:00 p.m. Also in attendance were Sandra Giroux, Secretary, Daniel Kane, Mike Grady, Richard Berube, Director and Joanne White, Recording Clerk. Robert Reader, Vice Chair was absent.

**Correspondence**

Mrs. O'Rourke read a letter from Al Ramos regarding a trash complaint at the Brook Wood Business Center in North Billerica. Mr. Ramos explained that Health Agent, Phavy Pheng contacted the operations manager and informed him that it was his responsibility to clean the area around the perimeter of his business. Ms. Pheng also provided the operations manager with a copy of the Billerica Rubbish Control By-Law. Mr. Ramos explained that he has been trying to have the trash cleaned up through the Building Department for over a year with no results. Mr. Ramos stated that he and his neighbors were greatly surprised that Ms. Pheng did it so efficiently and diplomatically in such a short time. Mr. Ramos complimented Ms. Pheng on the wonderful job that she did and her efforts were greatly appreciated.

Mrs. O'Rourke stated that the Board will now go into Executive Session.

Mr. Berube stated now that we are in back in Open Session we will continue with Board of Health Business.

**Board of Health Business**

**OM Temple**

Mr. Berube stated that a motion be made to modify the Order of Conditions.

Mr. Kane asked does this need to be brought before a public hearing with the OM Temple present.

Mr. Berube replied no.

Mr. Kane made a motion to delete Condition #33 that states “The applicants must sign an acknowledgement statement regarding the noise and odor potentials and are responsible for notifying all occupants of the property” and amend Condition #34 to remove “This condition shall serve as a deed restriction.”

Mr. Grady seconded. So voted unanimously.

Mr. Berube informed the Board that he would rewrite the Order of Conditions and forward the revision to Town Counsel for review.

### **Compost Site**

Mrs. O’Rourke explained that Mike Rosa came to see her and said that at the Compost Site Meeting held on April 16, 2014 Wayne Smith, Compost Chairman was blindsided by a memo that Steve Robertson presented at the meeting. There were two people at the meeting that live in the area and they will be able to see the compost site. A copy of this memo was given to them. Mike Rosa requested that I put Wayne Smith on the agenda at the next Board of Health Meeting. I called Rich and asked him if we should put Wayne Smith on the agenda.

Mr. Berube explained that the Department Heads met with Wayne Smith on two (2) occasions. Mr. Smith discussed the site near the Vietnam Veterans Park and the water treatment plant. Everything in that memo was discussed with Mr. Smith at those meetings so there should not have been any surprises.

Mr. Grady stated that he has been to the Lexington facility. Mr. Grady explained how Lexington facility handles the composting. They dump the leaves in the spring in one section and in the fall they dump in another section. The leaves sit for two-three years. A couple of landscapers spray the site with chemicals and rotate it. 50% of the compost goes to the town and the other 50% goes to the landscapers. The Lexington site is a huge landfill.

Mr. Berube explained that it might require a zoning change and extensive permitting. There will need to be a financial commitment from the Town. There is no benefit to the town.

Mr. Grady stated that the only way the Town will benefit from this is if an excavator is willing to go in and spray it, turn it and sort it. The Town will get half and the excavators will get the other half.

Mrs. O’Rourke stated that this is only going to be a pilot program.

Mr. Berube explained that according to Wayne Smith there will not be a public access.

Mrs. Giroux asked then why do it if there is not going to be a public access.

Mr. Berube explained that there is not going to be any savings in the Town's solid waste trash contract. Waste Management is going to dump some of the leaves there because it is not big enough to take them all. We are not going to save any money. Everything that was in the memo was discussed at the Department Head meeting with Wayne Smith. I don't know who was notified about the public hearing. It was not published town wide to invite residents to attend the Compost Meeting.

Mrs. O'Rourke explained that she was asked if Wayne Smith could come to our next Board of Health Meeting and make a presentation. I am not in favor of it.

Mrs. Giroux commented that she does not know what Wayne Smith hopes to accomplish by speaking to us.

Mr. Grady agreed with Mrs. O'Rourke.

Mr. Berube stated that they need to come to us with something concrete before they come before we can put Mr. Smith on the agenda.

Mrs. O'Rourke stated that when there is a problem the Board of Health will be responsible.

Mr. Berube asked what about noise and odors.

Mr. Grady asked who is going to pay to put the chemicals on it to spray and turn it.

Mr. Berube stated that there is flood plain and wetlands in that area. What is going to happen when they clear the area and cut down the trees and remove the noise buffer between the neighborhood and the highway?

Mrs. Giroux stated that they need a better plan before they come before the Board of Health.

Mrs. O'Rourke explained that when the committee came before Town Meeting they were charged with finding a suitable location and they found a spot.

Mr. Grady stated that they should sit down with the committee in Lexington and find out what actually goes on.

Mrs. O'Rourke stated that according to Mike Rosa, Steve Robertson's figures are wrong. The figures are much too high. It will save the Town at least \$20,000 per year.

Mr. Berube asked where will the \$20,000 savings come from.

Mrs. Giroux commented why I would transport leaves in my car when Waste Management picks them up curbside.

Mr. Berube explained that this site is not far from the water treatment plant and I am concerned with the security of the water treatment plant.

Mr. Kane stated the request is for them to come before this Board. Their concern is the scope of the Board. Mr. Kane suggested that Rich go before the committee and explain the Boards concerns and why. The concerns are stormwater management, flood plain, wetlands, noise and proximity to the neighbors. Rich could also explain his professional experience in this town and what the costs for a project like this could be.

Mr. Berube explained that Wayne Smith was at both meetings and did not take any notes.

The Board discussed whether or not to extend an invitation to Wayne Smith to attend the next Board of Health Meeting.

Mrs. Giroux made a motion that the Board does not extend an invitation to the Compost Chairman, Wayne Smith to come before the Board until the committee has a viable plan in place.

Mr. Kane seconded. So voted unanimously.

Mr. Grady stated that he has smelled a strong odor outside Garrison's a couple of times in the last few weeks. Could Gary check that out when he has time?

Mrs. Giroux made a motion to adjourn. Mr. Kane seconded.

The Board adjourned at 7:35 p.m.

Respectfully submitted,

Sandra Giroux  
Secretary

Joanne M. White  
Recording Clerk