

From: [Ellen Lufkin <lufkine@manchester.ma.us>](mailto:lufkine@manchester.ma.us)

To: [Town Clerk <townclerk@manchester.ma.us>](mailto:townclerk@manchester.ma.us)

Date: 4/11/2025 11:06:14 AM

Subject: BOH minutes approved at this week's meeting - for posting - thank you :) Ellen

Attachments: 03-13-25 B.O.H. Minutes.docx

02-27-25 B.O.H. Minutes.docx

02-13-25 B.O.H. Minutes.docx

Good morning,

Please find attached meeting minutes recently approved by the BOH.

Thank you & hope you both had a nice weekend ☐

Ellen
BOH Office

Manchester Board of Health

Meeting Minutes

March 13, 2025

Town Hall Room #7 and by Zoom Platform

Members present:

Peter Colarusso, Joan Cottler, Dr. Martin Hahn

Members absent:

Leah Peavey

Mr. Colarusso called the meeting to order at 8:32 a.m.

Animal Control Officer Reappointment

Mr. Colarusso asked members if they had any questions, members answered they had no questions. Ms. Cottler made a motion to reappoint the animal officer and inspector Hayes Demeule. Dr. Hahn seconded the motion. Members, by roll call vote were unanimous to approve the motion.

Mr. Colarusso, in favor

Ms. Cottler, in favor

Dr. Hahn, in favor

2 Desmond Avenue, Gates

Ms. Hansbury reported that certified mail sent to the Gates as owners of 2 Desmond Avenue was not signed for. Members agreed that the attempt to notify was appropriate. Mr. Colarusso said the Board must contact them somehow. Dr. Hahn said the Board needs to come up with specific dates and times for housing repairs after the Board had given a loose six months' time frame as good will to get going. He suggested the Board push the homeowners to act, to fix up the house and save it and comply with all recommendations. Ms. Cottler asked if property owners were able to understand what it is going on. Ms. Hansbury said that the decision is made at the court level. That was not brought forward prior and Mass Elder Services has been in touch with the property owners and they were stopped at door knock. Ms. Hansbury said the Board of Health does not have interest or authority to do that but can consider the competence to deal with the situation that they find themselves in and go to a judge to get an administrative order or receiver. Dr. Hahn asked for the next step including access, sanitation and health inspection to determine livability of the place and a 30-60-day deadline and if missed go to court. Mr. Colarusso said there is a need to have the owners come to a meeting and acknowledge receipt of the order.

Dr. Hahn asked if the Board could notify the sons. Mr. Colarusso detailed the option to have delivery with proof of notification by the Sheriff's Office. Ms. Hansbury said the Board had in the past not correctly stuck with the timeline outlined in the sanitary code. At the last meeting she noted their vacation and that the board, wanting to be kind and understanding, built a time frame into the conversation with them. She said the Board had a need to introduce what is wrong, what the deadline is and when the deadline must be met. She said the Board could reissue an order with return receipt mail. Dr. Hahn asked if the notice could be sent to the sons, noting that they had claimed to sleep there. Ms. Hansbury said she could send another letter including an order for correction and for meeting attendance. Ms. Hansbury said it was unlikely that they would acknowledge a problem or see anything as actionable. Dr. Hahn reminded that a June leeway was given. He doubted another meeting would help but felt that access to the property was important to determine sanitation and livability so that a list of corrections could be made with a deadline. Members agreed that the property without water is not habitable. Mr. Colarusso noted the importance of contacting the owners and listing deficiencies. Ms. Cottler asked if police assistance could require access for inspection.

Ms. Hansbury said no. Mr. Colarusso asked if a letter could be delivered with proof of delivery. Members discussed constable delivery, Ms. Hansbury said that could be confrontational and constables do not want to do that delivery. She said the Board has noncompliance with housing code and had authority but did not set any deadline except June which was identified as a time to provide an update. She suggested reissuing an order to correct saying there was no January update from the son. Adding that they appear to be in Town and could be working on the issues. She agreed to send the letter certified return receipt if it were not sent through the Sherrif's office. She noted that it would bring it to the end of April and at that point, if the Board decides to go that way, at least a deadline has been set at thirty days and the Board could take on an aggressive attitude to collect information for court after having issued an invitation to come into a meeting. Mr. Colarusso said the son had said he would start roof repairs in January. And that the DPW had said it would only take one day to turn the water on to the property. Dr. Hahn said the son should be held responsible as he said he would provide an update.

Members requested Ms. Hansbury put a letter together, run it by Town Counsel and put legal notice that they have not complied with what they agreed to, that they said they would not be here until June, and that the past agreements are null and void and they must comply with previous corrections and if they did not complied court action would follow. Ms. Cottler said if the son was part of the discussion and agreed to do work then he is defaulting and should be notified. Dr. Hahn said two sons are involved. Ms. Hansbury said she will make the notification and advised that there are a range of compliance times from 24 hours (for water) and up to 30 days. She suggested making it formal that they are giving 30 days for compliance. Dr. Hahn asked that both sons be given the letter as they were both at the meeting. Members agreed that Items to be identified in the correspondence included:

- Water on
- Roof fixed
- Accessibility for emergency personnel
- Front retaining wall repairs completed

Mr. Colarusso said the roof and wall may take longer than 30 days and that the roof will likely require full wood underneath. Dr. Hahn said they must be working on repairs within 30 days' time. Ms. Cottler asked if proof of contracts would be appropriate. Ms. Hansbury said the code references "fixed within a timeframe" and that contract delivery is not always followed through. She added that while the Board can be generous with follow-up, they ideally want work started and in progress in the thirty-day time frame. Ms. Hansbury said the building inspector said the wall was not structural, but she noted the wall is leaning out on the sidewalk. She agreed to get the letter out to the members for review and to also run it by the Town Counsel as requested by the members with the letter cc'd to the Town Counsel as well.

Dr. Hahn made a motion to notify the Gates family (including sons) with an official letter written in conjunction with the Town Counsel, outlining next steps, detailing their lack of follow thru, and detailing steps to comply with the Boards order. Ms. Cottler seconded the motion. Members, by roll call vote were unanimous to approve the motion.

Mr. Colarusso, in favor

Ms. Cottler, in favor

Dr. Hahn, in favor

4 Dexter Lane

Mr. Colarusso asked members if they had any comments or questions on the septic system upgrade plan for 4 Dexter Lane in Manchester. Members had no questions. Ms. Cottler made a motion to approve the modification to the septic system upgrade plan for 4 Dexter Lane. Dr. Hahn seconded the motion. Members, by roll call vote were unanimous to approve the motion.

Mr. Colarusso, in favor

Ms. Cottler, in favor

Dr. Hahn, in favor

Members did not sign the plans as Ms. Hansbury needed a cleaned-up plan with some minor modifications that she requested yesterday.

Septic System Plan Review Timelines

Dr. Hahn asked about another outstanding plan (for 23 Old Neck Road) which has a review deadline running out.

Ms. Hansbury said the plan is on her desk and there is also a building permit application for 23 Old Neck Road. She said she has not completed either the review of the plan or the building permit review. She said her coming review letter will resolve Dr. Hahn's concern about running out of time (he felt March 19 was the deadline). Mr. Colarusso calculated March 13, 2025 as the review deadline. Ms. Hansbury said her letter will resolve that timeframe. She suggested the Board put the plan on the subcommittee meeting on March 20th, hold the plan for the first April meeting (allowing her letter to resolve the date requirement) or add an additional meeting. Ms. Cottler asked if the applicant would allow those choices. Ms. Hansbury said the builder is anxious. Dr. Hahn said if Ms. Hansbury's letter legally changes the legality of the March 19 deadline then he was o.k. with it. He asked if the timeline was business or calendar days. Members agreed to review and vote on the plan at their March 20 subcommittee meeting.

Orchard Lane

Ms. Cottler asked about the Orchard Lane new lot status. Ms. Hansbury said there are other concerns beyond the B.O.H. including the mechanics of allowing a private road off a private road. She said there is however B.O.H. purview regarding legal access to do the work on the site.

2025 Mosquito Control Review

Members discussed the 2025 mosquito control plan and the posting of plans by NEMMC.

Ms. Cottler asked if a public meeting is required for review of the plans. Ms. Hansbury said it is what has always been done here in Manchester. Dr. Hahn noted that there is concern regarding private spray companies and no control over same. Members agreed that those present at the past meetings now understood that spraying under the State program had oversight. Ms. Hansbury asked if the Board wanted to advertise the option of resident requested spraying under the NEMMC contract.

Ms. Hansbury advised members that there is a petition to the Town meeting to ban second generation rodenticides, those that sterilize the host and are poison. Mr. Colarusso said if a regulation is impossible to enforce then you don't have a regulation. Dr. Hahn asked if this fell under animal control. Ms. Hansbury said the Animal Control Officer focuses on safe domestic animal practices, including rabies related issues. It was noted that the Animal Control officer is part time and shared with Hamilton. Ms. Hansbury said there are other regulations that have questionable enforcement. Dr. Hahn suggested asking Beverly and Gloucester if they have a problem with second-generation rodenticides and if so, who is responsible. Ms. Hansbury said those same questions may be asked at the Town meeting and that the office should get those answers ahead of the Town meeting.

Regarding Generational Tobacco Ban letter to Cricket.

Mr. Colarusso has sent a draft letter to Ms. Hansbury and together they have been working on the draft. Members discussed the draft. Dr. Hahn requested that an explanation be provided on why the Board passed the generational plan. Ms. Cottler suggested a statement regarding ensuring better health. Ms. Hansbury will send out a new draft letter to everyone. Ms. Hansbury added that she has been trying to get in touch with the Cricket to have a one-on-one discussion on the matter. Dr. Hahn asked that the letter get in the Cricket before the Town meeting.

Public Health Excellence Grant

Mr. Colarusso said that no one from Manchester is going to go to Gloucester for counseling, which is what the grant focus is on. He is concerned the Board is oozing in to more and more regional stuff. He suggested this as a trial only before any other regional work.

Opioid Funds

Ms. Hansbury explained the opioid money that has come into the Town. That there is opportunity from a lot of departments on how to spend it. She said it is dispersed by the State Department of Public Health who prefer to hear board of health uses rather than having it used for police presence. Mr. Colarusso asked if the Narcan boxes came through these funds, Ms. Hansbury replied that it was State funding. Members discussed the school Naloxone training program. Ms. Hansbury said the Fire Department is providing a lot of the training. Mr. Colarusso said he is a strong supporter to have all kids in Town trained. Ms. Hansbury said she has had two discussions with the fire chief and police chief, and all have a desire to see programming, outreach, and community engagement. Also, the police and fire do not have needs (like overtime) that would absorb the money and as such are open to how the board wants to spend the funds. Ms. Hansbury said the programs are regional and provide access to programs like One Stop – to assist people who are indoors and using. She noted Gloucester would benefit the most, with Beverly and Rockport to follow. Manchester's piece of funding is the smallest and Ipswich pulled out of the application. Members discussed possible hits to funding. Ms. Hansbury said the Town has \$23,000 of the \$27,000 in funds that are coming in.

Emergency Planning & Health Coalition

Mr. Colarusso said he is seeing nothing happening with emergency planning. Ms. Hansbury said she is on the broader emergency response, which will take time. Mr. Colarusso noted that Ms. Hansbury has 30+ hours in Manchester. Ms. Hansbury said she is working 40+ hours, and some department heads work over 40 hours. Ms. Cottler asked if the recent harbor ice rescue training was part of this. Ms. Hansbury shared that she and Ms. Lufkin attended a coalition training course recently with the Manchester Police and Fire Chiefs also attending. She added that the board is getting more equipment from the Coalition. She referenced the local shelter plan worked on last year and a regional shelter plan, with help from police and fire departments in putting together that regional shelter. Mr. Colarusso asked if the fire department has a boat. Ms. Hansbury said a regional workshop was held last year at the Legion Hall. She noted that Manchester has a 10-foot tipping point surge where the water treatment plan and some roads would be underwater. Dr. Hahn, noting he lives on the harbor explained that on a full moon with 1' surge the water goes into his yard. And with a 4' storm surge the highest has been at the top of his fence. Ms. Hansbury said there is a lot of emergency planning being done and there are a lot of deliverables coming up. That the medical reserve corps is going to be beefed up by Liisa Jackson and animal rescue planning is also happening. There was also discussion on the emergency notification system but not everyone is signed up. Mr. Colarusso asked about a blue light notification system. Ms. Hansbury said that cell phones can be pinged within a certain area of a cell tower. Mr. Colarusso asked what notifications are. Ms. Hansbury said there is a reverse 911 system and sign boards for notifications and lists of medical reserve volunteers available to the Town. Also, that elderly, disabled and compromised people are being identified, and emergency planning is happening. Ms. Cottler asked if the fire department call system is still used.

Ms. Cottler made a motion to apply for the Opioid Recovery Partnership Grant.

Dr. Hahn seconded the motion. Members by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Dr. Hahn, in favor

Mr. Colarusso asked for follow-up on defibrillators at the athletic fields. Ms. Hansbury will investigate. Dr. Hahn suggested coaches bring them to both practice and games.

Public Health Excellence Grant

In reviewing the MOU (memorandum of understanding) for the grant application there were edits requested by Mr. Colarusso including the following:

- section 6B is it one member and one alternate or two members and one alternate? Mr. Colarusso wants consistency throughout the document.
- An even number of decision makers is a problem during voting. Under 5B two voters have the possibility of a tie. There needs to be some way to break up a tie, possibly through negotiation.

Mr. Colarusso made a motion to move ahead with the PHE grant. Ms. Cottler seconded. Members by roll call vote were unanimous to approve the motion.

Mr. Colarusso, in favor

Ms. Cottler, in favor

Dr. Hahn, in favor

Director's Report

- Please come into the office to see anything that you may wish to look at.
- Drought is still on; some towns are putting watering bans in place now.
- Building permits picking back up again and are challenging, more convoluted.
- A pool permit came in and the site plan included moving a house and building a new house. Discussion on 9 Proctor Street building permits.
- The board needs to appreciate the days of an onsite visit and one hour of time now requires more time.
- Ms. Hansbury said the PHE grant application has self-assessment and she will share it with members when completed.
- Ms. Cottler asked if the consultant study of Town Hall could be used. Ms. Hansbury said there was little discussion on not enough help. They also confounded the BOH into the COA and P&R, and now a super department is being created with the three. Mr. Colarusso said he doesn't want to have that happen even if just administrative only. Ms. Hansbury added that it is o.k. to boost her position and boost her pay to have her supervise everyone, including COA, Veteran's Services and Parks and Recreation. She added that it was also o.k. to give her an inspector as well. Mr. Colarusso reminded members that his Board of Health spot ends in June. And that in the absence of a new member/members he can appoint any member to a new three-year term. He said he is trying to get clarity. Ms. Cottler said the BOH has autonomy that other boards do not have. Ms. Hansbury said the board is still appointed not elected.

Ms. Hansbury asked if there were any questions on her director's report. She added it was great to have the chiefs at the Danvers workshop. Also, that having a Coalition Advisory Council seat would put her in a good position, but she doesn't know if she will get it. Mr. Colarusso said if the removal of the department of education stands up in court, he sees consolidation regionally will happen as the State cannot make up the lost federal funding. Members discussed finding out that there is no librarian at the middle school. Mr. Colarusso asked why the Town librarian cannot go over to the middle school for a couple of hours a week. Members discussed the lack of program space in Town, the new DPW building being planned, and the wastewater treatment plan for surge protection or relocation,

Minutes

Dr. Hahn made a motion to approve the minutes of February 13, 2025 as presented. Ms. Cottler seconded the motion. Members by roll call vote were unanimous to approve the motion.

Mr. Colarusso, in favor

Ms. Cottler, in favor

Dr. Hahn, in favor

Dr. Hahn made a motion to approve the minutes of February 27, 2025 as presented. Ms. Cottler seconded the motion. Members by roll call vote were unanimous to approve the motion.

Mr. Colarusso, in favor

Ms. Cottler, in favor

Dr. Hahn, in favor

At 10:04 Mr. Colarusso made a motion to adjourn the meeting. Dr. Hahn seconded the motion. Members by roll call vote were unanimous to approve the motion.

Mr. Colarusso, in favor

Ms. Cottler, in favor

Dr. Hahn, in favor

As submitted,

Ellen D. Lufkin

Approved by the Board of Health on April 10, 2025

Manchester Board of Health

Meeting Minutes

Thursday, February 27, 2025

Town Hall Room #7 and Virtual by Zoom Link

Members present:

Peter Colarusso, Joan Cottler, Leah Peavey, Dr. Martin Hahn by Zoom

Members absent:

None

At 8:31 a.m. Mr. Colarusso called the meeting to order.

Health Director's Report:

Health Director Wendy Hansbury provided the following updates to the Board:

- 2 septic plans are pending revisions
- Plum Hill applicant was given a determination after the last B.O.H. meeting
- 2 septic plans are pending review
 - Atwater Avenue plan is for backwash of pool as the pool is excluded from a septic system with household sanitary waste. The plan is also missing information. Mr. Colarusso asked if Cell Signaling is the owner of the M.A.C., Ms. Hansbury replied the application address is the same. Mr. Colarusso said that when dropping his grandchildren at the site, there have been loads of complaints about the club. Ms. Hansbury said the club is leased to a different company and that she is addressing complaints about food, the hot tub, and the pool. Mr. Colarusso was concerned about the condition of the locker rooms on the site.
- The 23 Old Neck Road plan has not been reviewed
- 73-75 Harbor Street information requested from the B.O.H. meeting was not in the plan submittal.
- Ms. Hansbury mentioned the plan dates and that her conversation with Ms. Lufkin about the movement of plans through the office. She said the plans are on the top of her list and she will be reviewing both Harbor Street and Atwater Avenue plans this afternoon.
- Black Earth Compost 2024 Materials Annual Report
 - The previous site on School Street requires cleanup to mitigate seagull issues. There are no issues reported at the new Pine Street site as it has a covered work area.
- Non-housing complaints included those about the pool at the M.A.C. Ms. Hansbury has requested the operator submit weekly reports, test the water 4 x a day and change the hot tub water every two weeks. Ms. Hansbury said there had been a frequent staff turnover including 3 maintenance people. Coagulating minerals in the water was solved with frequent vacuuming and chemical additives. A new certified pool operator started in November. Ms. Hansbury will be wanting a walkthrough before the summer openings. There is no summer camp at the M.A.C. currently.

Public Comment

Emily Baluta of Summer Street asked the Board if they would be reviewing the Plum Hill Road plan that is on the agenda. Ms. Hansbury said she was providing the Board with an update only. Also, she was waiting for additional plan information from the design engineer. Dr. Hahn said the plan review may be on the next B.O.H. agenda. Ms. Hansbury said the design engineer will be informed when the plan review is on the B.O.H. agenda.

Cindy MacDougall of Summer Street asked why the plan is listed as Plum Hill Road instead of Summer Street which she believes contributes to confusion. Mr. Colarusso and Ms. Hansbury said the application was submitted with the Plum Street address.

Health Director's Report (continued):Housing Complaints

Ms. Hansbury informed the members that she thinks Manchester has a lot of housing complaints for the size of the Town. Housing complaints have been submitted for the Manchester Housing Authority property and another at the Powder House Lane apartments. She will be meeting today with Irene from the Manchester Housing Authority following her Tuesday inspection of their property, including a smoking and air quality check at The Plains. She has requested the resident who file the complaint provide more specific information and documentation. Mr. Colarusso and Ms. Cottler asked why the housing authority is not addressing the problem. Ms. Hansbury replied that the authority has said that they do not see a problem and residents are not supposed to be smoking in the building or in the common areas. She added that the most she can do is to help determine if there is a problem in the common areas. Mr. Colarusso said if smoking is shown to be a problem the Board will go to the Manchester Housing Authority and tell them to address, adding the Board is not the solution but can provide direction. Ms. Peavey asked how sensitive the testing equipment is. Ms. Hansbury replied that it measures 2.5 ppm, CO2 and formaldehyde. Mr. Colarusso said the level is secondary as there is only the need to prove there is pollution.

2 Desmond Avenue, Gates

Ms. Hansbury asked members if they had reviewed the draft letter she had sent to them. Members directed Ms. Hansbury to send out the letter to 2 Desmond Ave. Ms. Hansbury said that the Assessor's Office, as part of an abatement application, went to the site for an inspection and were denied access resulting in denial of the abatement. Mr. Colarusso said if the resident is not cooperating then members should think about the lack of response and possible options. Ms. Hansbury noted the dwelling is without water and has roof issues with no work done under the May building permit. The owners had in December informed the Board that they would be living in another building, traveling late winter into spring, and in June their son would provide an update on winter roof activity, water access and wall repairs. Mr. Colarusso asked if occupancy was contingent on compliance by June. Ms. Hansbury said there was no requirement to complete work by a certain date. Dr. Hahn said that without the Florida leave the agreement was violated. Ms. Peavey asked if they were living in the dwelling. Ms. Hansbury said the Board cannot discuss it without the property owners. She suggested that with the Gates in attendance the Board could consider the following options: 1.) order to comply within 30 days under the State Sanitary Code 2.) pursue statutory process of condemning the property 3.) request an administrative warrant to enter the house to check for habitability 4.) sign and notarize an agreement document

It was noted that a time frame for repairs is missing even though a June check-in was planned. Mr. Colarusso suggested that on March 11th the Board could say they have 30 days to begin work and if it is not started the Board can begin the process of declaring the property non-habitable. Ms. Cottler said you cannot live in the property without potable water. Mr. Colarusso repeated 30 days to fix or board up the property. Ms. Hansbury pointed out that it was unless they do not occupy the property. She was concerned about the difference between the water being turned on and the water being able to be used as those are two different things. She noted that the water department would need to access the indoor meter. If Ms. Hansbury is to inspect the property, she said she will bring a police officer with her.

Mr. Colarusso identified the final step for 2 Desmond Avenue as an internal inspection of the property. Ms. Hansbury suggested a meeting time after 30 days. Mr. Colarusso concurred with a 30-day notice for repairs with proof of start and completion or full inspection. Ms. Hansbury suggested just saying that the dwelling must be proven to be habitable.

Title 5

Ms. Hansbury shared that an almost abutter has complained that there is no access to the road or access easement for the new lot at 2 Orchard Lane for which the Board had approved a septic system design plan. The lot had not been split and without the split the owner could not grant an easement to themselves. The abutter said it is possible that there is no permission for use or access to the private road. Ms. Hansbury will not issue the permit for the installation of the new septic system without having proof of access. Dr. Hahn asked if the site was misrepresented to the Board of Health. Ms. Hansbury could not confirm, but did say that the Planning Board was shown frontage on Forster Road. She added that she did not know that the road was private or that there were private agreements. Dr. Hahn said the Board can only approve the design plan while access concerns are with the Zoning Board or Planning Board. Ms. Hansbury said it is within this Board's rights to require that the applicant show they have access to the private way. Ms. Cottler said there is already a house on that private way and off a private road (Forster). She added that the house on the corner of Orchard Lane is a mess. All agreed that the new lot had been

created and approved by the Planning Board. Ms. Hansbury said she contacted the Town Planner regarding this specific property. She will put a letter in the file saying that no installation will be allowed without the site access having been addressed. She told the Board that they have approved a septic design plan that she cannot now permit for installation.

D.P.H. Cancer Reporting Portal

Members discussed Mass D.P.H. Cancer Reporting Portal information forwarded to them by Ms. Hansbury. Dr. Hahn felt that the reporting was over what he expected.

He suggested start of an education campaign on melanoma. He noted that for Mesothelioma there is a 15–20-year lag time after asbestos exposure and that Multiple Myeloma also has a long lag time after chemical exposure. He requested that the report be placed on the Board of Health website, including an added paragraph on sun protection. Ms. Cottler suggested putting melanoma information and signage at the town beaches. Dr. Hahn suggested going to the D.P.H. website for sample wording for the added paragraph.

Food Inspections

Ms. Hansbury reports that she is starting food inspections for alignment with the Foundations. She will have a facilities review and a process review with the managers to look at building and equipment issues (i.e. clean corners, equipment, screens, etc.) Mr. Colarusso asked if the inspections would be done while the establishments are open, Ms. Hansbury replied yes but added that some will be preopening during food preparations.

Other Updates:

- Mass D.P.H. has advised that they will work to overcome any shortfalls that result from cuts in federal funding.
- Naloxone training will be held on March 24 and April 11 at the middle and high school. The Manchester Fire Department will provide additional training with assistance from two other departments. Ms. Hansbury said she is hoping to make a case for schools to build the Naloxone training into their curriculum.
Mr. Colarusso asked if the training would be advertised. Ms. Hansbury said the schools would be handling notices and participation permission slips. The Youth Prevention Network and Amanda Rumble from the MERSD staff are putting together related activities and flyers.
- Ms. Hansbury went to the Regional Youth Prevention Network meeting yesterday. She said they are doing good things and hoping they will put together a spreadsheet of activities. Also, the Gloucester group is putting together alcohol information.
- Ms. Hansbury asked if one of the board members wanted to be the third person on the emergency notification system as the Coalition wants a third person added to the system. She noted that notifications had been to Nurse Crehan and Ms. Lufkin prior and were currently to Ms. Hansbury and Nurse Crehan.
- Coalition Meeting on March 5th to work on emergency response and integration, including with Police Chief Todd Fitzgeralds emergency management plan. Ms. Hansbury, Ms. Lufkin, Police Chief Fitzgerald, and Fire Chief McNeilly will attend the meeting.
- Coalition will be supplying new sign boards and walkie talkies to the Board of Health. Coalition has recommended that member communities look at how to pay for existing electronics that are currently paid for by the coalition using federal funds.
This board has two cell phones and two iPads that were purchased with coalition funds with monthly operating charges also paid for by the coalition. Mr. Colarusso said he was willing to go to the Finance Committee if needed to get the funding. Members discussed existing town funding for the Board of Health and will review any State funding received by the office.
- Drought alert reduced to critical but still 3+ inches below normal.

Minutes

Leah Peavey made a motion to approve the minutes of February 13, 2025 as presented. Ms. Cottler seconded the motion.

Members by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Dr. Hahn, in favor

Ms. Peavey, in favor

Board of Health Membership

Mr. Colarusso asked fellow members to come up with a plan for securing an additional board of health member to fill the vacant fifth seat. Mr. Colarusso said his 6th year of service will be up in June, with Ms. Cottler and Dr. Hahn off the board in 2026. He noted that the Town website and Manchester Cricket had already had notices regarding the vacancy. He asked all members to consider how to fill the vacant board seat.

At 9:36 Dr. Hahn made a motion to adjourn the meeting. Ms. Cottler seconded the motion. Members by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Dr. Hahn, in favor

Ms. Peavey, in favor

As submitted,

Ellen D. Lufkin

Administrative Assistant

Approved by the Board of Health on March 13, 2025

Manchester Board of Health

Meeting Minutes

Thursday, February 13, 2025

Town Hall Room #7 and By Zoom Platform

Members present:

Peter Colarusso, Leah Peavey, Joan Cottler (by Zoom)

Members absent:

Dr. Martin Hahn

For Review

2 Orchard Lane, Walker

John Judd, P.E., was present by Zoom to present this application.

Mr. Colarusso asked if members had any questions on this application or plan review. Members had no questions. Ms. Hansbury pointed out that the lot (for the new construction home and septic system) was proposed and not actual. Mr. Judd provided that the lot was approved on Monday night by the Planning Board. Ms. Hansbury asked if the easement on the plan would be recorded at the Registry of Deeds along with the Planning Board ANR approval. Mr. Judd replied yes.

Mr. Colarusso made a motion to approve the Septic Design Plan as submitted by John Judd, P.E. of Gateway Consultants and last revised on January 27, 2025 for 2 Orchard Lane in Manchester conditioned on approved lot and easement plan and permits. Ms. Cottler seconded the motion. Members, by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Ms. Peavey, in favor

16 Highland Avenue, Hull and Wisner

Mr. Colarusso asked if members had any questions on this application or plan review. Members had no questions. Mr. Colarusso noted that the 4" required pipe would be sufficient for gravity feed but the plan is to keep the pump. Ms. Hansbury said the pipes had been placed in the poured foundation and they will pump up and in to the line. Mr. Colarusso made a motion to approve the Septic Connection Plan (labeled "Site Plan") submitted by John Judd, P.E. of Gateway Consultants and last revised on January 28, 2025 for 16 Highland Avenue in Manchester. Ms. Cottler seconded the motion. Members, by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Ms. Peavey, in favor

5 King's Way, private well

Mr. Colarusso noted that the private well water testing for 5 King's Way had some fails, including manganese, iron, and color adding that those were all secondary standards. Ms. Hansbury said that there were no limits per say for those items. Mr. Colarusso asked if there was any information available for proposed treatment. Ms. Hansbury said no as the house has not been built yet. Members had a discussion on the need for a well certificate and if treatment was needed for these secondary EPA standards where no limits had been set. Ms. Hansbury said the Board had an option to ask for treatment information or make a statement on recommendations regarding their choice. Mr. Colarusso and Ms. Peavey were agreeable with recommendation only, Ms. Cottler agreed if it was possible to complete treatment. Mr. Colarusso made a motion to approve the water supply certificate for 5 King's Way in Manchester with a note added to the certificate recommending treatment for manganese and iron.

Citizen Petition

Mr. Colarusso asked members if they had any questions or suggestions regarding a citizen petition for a Town Meeting warrant article related to the Board of Health recently passed tobacco regulations. Ms. Hansbury said that the Town Counsel has advised that the warrant article would be non-binding as challenges to Board of Health regulations must happen through the Massachusetts courts, and that the item once filed must be on the Town meeting warrant. She was unsure if the article would be passed over at the Town meeting. Mr. Colarusso said it was important that the Town informs Town meeting voters, before a Town meeting vote, that the article is non-binding. Ms. Hansbury advised the Board to prepare a statement. Mr. Colarusso, noting the low percentage of voters at Town meeting, suggested an article of explanation be placed in the Cricket by the Board. Ms. Hansbury said she was concerned about the narrative being one of government overreach. She said the generational ban was the easiest way to stop the killer of youth and stop vaping by children. Mr. Colarusso said he would write up something and send it around to the members. He would include in his written comments that the State had recommended that Boards of Health address and update tobacco regulations. It was said that there were 8 communities that had passed generational bans, and that the number had now increased to eleven communities. Ms. Peavey said the ban was about protecting the Town's youth and stopping new customers while not preventing existing customers from purchasing tobacco. Members will review Mr. Colarusso's written information at their March 13th meeting and then send the document to the Manchester Cricket.

Director's ReportAddenda to Title 5

Ms. Hansbury asked members if they had questions on Title 5 subcommittee work.

There were no questions. Next meeting scheduled for February 25th with advertising in the Tide and on the Town website. It was noted that Gloucester has also been reviewing their Addenda to Title 5 for the past four months.

Regional Youth Prevention Network "RYPN"

The group is submitting a recommitment to the SAMSA grant, that document can be signed by the Board of Health Chairperson.

Mr. Colarusso made a motion to renew the Partnership for Success Grant. Ms. Cottler seconded the motion. Members, by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Ms. Peavey, in favor

Public Health Excellence Grant "PHEG"

Ms. Hansbury asked members if they had any questions related to the Public Health Excellence Grant proposal. Mr. Colarusso said that the grant was aggressive and had a lot to handle. He asked Ms. Hansbury how she would perceive this Board's participation. Ms. Hansbury referenced the 2019 State Blueprint leading to State Blueprint 2.0 funding at the State level. She said the PHE shared services money should help with compliance with new State requirements. In response to a comment on unneeded staffing, she replied that the staffing portion is an example of what could be possible items, not chosen items. She said having an extra health agent could get things done quicker and cover her vacations. She supported what she called "training up the next level" as that would help as there are a lot of people who don't know what they are doing. Also, it could help with digitizing records. Mr. Colarusso asked if an intern could do that work and would the State pay for that? He shared that the school has community services requirements and students who still need to fulfill those required 10 -20 hours. He suggested they be called upon to assist with data input. Ms. Hansbury said she was willing to oversee students while also noting how to lay out and give

clear direction to those students. Ms. Cottler asked if the Board would be obligated to take the students without interviews. Ms. Hansbury said the State summer intern program used college students and included extensive interviews. Regarding the PHE Grant, Ms. Hansbury said that the Gloucester Health Director has more inspector needs, where she sees Manchester as needing help with new regulation compliance, data entry, dealing with paperwork and getting it online so that records are ready for State compliance checks. She said that Manchester's IMA (Inter Municipal Agreement) will need to identify that, and the IMA is the first part of the work. She added that the Board will get a chance to comment on the IMA and that it will get checked and reviewed a lot to see that it is what both she and the Board want. Mr. Colarusso asked to confirm that if the grant money runs out that the program is then over without a commitment by the Town to have the fund the program. Ms. Hansbury confirmed the same. Ms. Cottler said she was in support if it was made clear what Manchester wants, which will not be the same as what Gloucester wants. Ms. Hansbury said there were some commonalities and some differences. That the grant is not creating forever positions but rather had finite tasks and a changing dynamic resulting in three-year training and then workers being sent out. Mr. Colarusso asked to confirm that the document as now standing is not a final document. Ms. Hansbury confirmed the same. Ms. Hansbury said a letter of intent is next to be signed by Town Administrator Federspiel and that combined with Gloucester's letter of intent would then be submitted to the State. Mr. Colarusso made a motion to move ahead with the PHE Grant application and development with Gloucester. Ms. Cottler seconded the motion. Members, by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Ms. Peavey, in favor

Red Cross Blood Drive

Mr. Colarusso made a motion to support the March 11, 2025 American Legion Red Cross Blood Drive. Ms. Cottler seconded the motion. Members, by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Ms. Peavey, in favor

Internship Program

Ms. Hansbury apologized to members asking if they were all o.k. with her pursuing the State

Summer Intern Program, which she could not bring to the Board ahead of time due to the application deadline. Members had no comment.

Harvard Naloxone Training Program

Ms. Hansbury said Harvard would be providing school NALOXONE training. That Manchester and Essex Police and Fire Departments would be providing additional training as a community service. The Regional Youth Prevention Network "RYPN" will pay for adult training (parents of students) if the Board of Health finds a location and advertises and provides flyers with the assistance of Tiffany Marletta. The training will be held in May and the group is hoping for 5 – 10 adults to attend. Ms. Hansbury said she will work with Chelsea from RYPN on options and timing. Members agreed to support the training and suggested feeding participants as an incentive.

Wetlands Determination

Ms. Hansbury said the Board had taken another department's interpretation (of wetland setbacks) at face value. Also, that Town Administrator Federspiel, following her request for Town Counsel opinion, had determined that 100' plus an additional 100' equaled the 200' setback from the edge of a vernal pool. Ms. Hansbury said she had rejected another application. And that the Conservation Commission had already given approval within that 200' setback. Mr. Colarusso asked if that was not counter to

their regulations and asked if topography was considered. Ms. Hansbury asked the members if they wanted to require an applicant to request a variance for same or if they wanted to require a note to be placed on the plan noting that the 200' buffer is being built in. Mr. Colarusso suggested keeping the 200' setback in place and giving variances on a case-by-case basis.

Housing Updates

- 2 Powder House has submetering of electric and forced hot water heating with determination made regarding who is paying for the common space utilities. Concern regarding accessibility needed no investigation as a handicapped ramp was being installed at the time of Ms. Hansbury's site visit.
- 2 Desmond Avenue has filed an abatement application with the Assessor's office which will require a walk thru inspection. As that inspection is pending, and Ms. Hansbury may accompany the Assessor's office to the site, she held on issuing the follow-up letter requested by the Board. She noted that the property owners are here in Manchester and not in Florida as mentioned prior. She will write to the owners and request an update on the status of repairs.

Meeting Minutes

Mr. Colarusso made a motion to approve the minutes of January 13, 2025 with the following amendment: ***on page (2) remove the line: "Mr. Judd replied a short wall, 50' or longer".***

Ms. Cottler seconded the motion. Members by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Ms. Peavey, in favor

Household Hazardous Waste Collection Day

Ms. Lufkin proposed the yearly one-day collection of household hazardous waste be scheduled with Clean Harbors (under the existing State contract) for June 14, 2025. Members agreed to the proposal. Members and Ms. Hansbury complimented Ms. Lufkin on the great job she has done running the hazardous waste collection day over the years. Mr. Colarusso followed that it was a two-year process to get approval for the new Board of Health Agent position because there was the opinion that additional funding for the position was not necessary as Ms. Lufkin already did or was already doing the work. Ms. Hansbury pointed out the things that she had uncovered since taking her position, noting that the prior contractors did not have access to notes or the ability to work with the DPW or to review the files of abutting properties as they had no access.

At 9:33 a.m. Mr. Colarusso made a motion to adjourn the meeting. Ms. Cottler seconded the motion. Members by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Ms. Peavey, in favor

As submitted,

Ellen D. Lufkin

Administrative Assistant

Approved by the Board of Health on March 13, 2025

