



TOWN OF WESTMINSTER
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BOARD OF HEALTH

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TOWN OF WESTMINSTER

Minutes for June 25, 2021
Board of Health Meeting, Room 205, 10:00 am

In Attendance: Board of Health members Dr. Michael Popik, Chairman, H. Christopher Redkey, Mr. Ed Simoncini, Ms. Ann Loree, Health Agent, Elizabeth Penney, Administrative Assistant, Stephanie Lahtinen, Town Manager.

Ms. Loree provided a summary of the increasing volume of requests for Title 5 inspections. Appointments for July are booked and currently scheduling into August. Ms. Loree witnesses the inspections and Assistant Health Agent Ms. Conlin is in training. Ms. Loree commented that Ms. Conlin's primary focus is food inspections. Ms. Conlin is learning Title 5; however, it will take time to train and become certified. Board members reviewed the schedule of Title 5 inspections for July and August. Ms. Penney noted that seven Title 5 inspection requests were received the week of June 21st.

Ms. Loree noted her concern of involving Title T5 inspectors with room count and bedroom count as it is not part of their training, and it puts Ms. Loree in a supervisory/education position rather than a witnessing position. Ms. Loree noted that one inspector has continued to give push back on occasion during inspections.

Mr. Simoncini provided a written summary of the current Title 5 inspection issues and potential solutions. Dr. Popik noted the increased demand on staff has become challenging to manage and provide services to the Town and goal of the meeting is to move towards a solution. Board members discussed various options to meet the demand including cut back where possible, repeal or limit amount of time for Perc tests, and slow down septic review cycle or farm out septic system reviews. Board member discussed implementing a permit process for Title 5 inspectors to complete inspections.

Ms. Loree concurred with suggestion to implement the permit process allowing quality control. Ms. Loree suggested a selective process of inspections. Dr. Popik commented that a selective process of inspections could be a potential issue of bias.

Ms. Lahtinen, Town Administrator explained the outsourcing process which would be through the Annual budget process and Annual Town Meeting. The Health Agent would submit the budget in January for FY 2023. Ms. Lahtinen explained process of requesting money from the reserve fund and option to utilize money from the Board of Health consulting budget.

Mr. Simoncini explained the Title 5 inspection process; Title 5 Regulations, and criteria for failure. Mr. Simoncini reviewed various actions that some Boards of Health take regarding room count and bedroom count violations and noted the Westminster Board of Health can decide to write a violation of Title 5 letter and can pursue additional action such as fines at their discretion.

Ms. Loree reviewed failure criteria. Number of bedrooms is not a failure for criteria; however, the inspections are still required to go into the house and count rooms and bedrooms. It has been observed that some inspectors use a roundabout way to determine room and bedrooms.

Mr. Simoncini clarified that the Title 5 inspectors' responsibility is to conduct a room count and bedroom count in the home. An interaction between the health agent and inspector is not necessary.

Solution to Title 5 Inspection Issues – A permitting process will be implemented.

Ms. Lahtinen confirmed with Town Counsel that the Board of Health is allowed to require a permit from inspectors. The specific requirements can be stricter but not looser than the state requirements.



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Immediate action – Ms. Loree will work on finding an interim Title 5 inspector to assist with current workload. Mr. Simoncini is willing to do Title 5 inspections on his terms during the busy season. Need to consult with Town Administrator and Town Counsel regarding any conflict of interest. Ms. Loree will reach out to two inspectors who have recently retired regarding interest in assisting with inspections during busy season. If one or both accept the offer, they will attend a Board meeting prior to start of inspections for clarity on regulations and expectations.

Permit Process – To implement the permit, the Board of Health must schedule a Public Hearing to update the septic regulations. Board members reviewed the Public Hearing process and timeline.

Permit Application – Mr. Redkey will work on a draft permit based on the Town of Acton permit application. Permit application to be reviewed at the next meeting and if approved then move ahead with scheduling a public hearing.

Title 5 Inspection Checklist - Mr. Simoncini provided a checklist of what Title 5 witnesses need to do at time of inspection. A checklist will be included as part of the Title 5 permits application. Ms. Loree reviewed the coversheet the BOH staff currently us and the process of comparing the coversheet checklist with the Title 5 report from the inspector.

Room Count and Bedroom Count – Violations – Mr. Simoncini recommended that the Board of Health formulize a notification process when a violation in room count/bedroom count is confirmed. Mr. Simoncini noted that wherever there is evidence that there might be an issue, a form letter be sent to the homeowner requesting homeowner's presence at a Board meeting to discuss the issue.

Health Agent Update:

115 East Road Housing Violation Status – Ms. Loree said that since Mr. Garlisi met the 24-hour deadline, he will not be going to housing court. Mr. Garlisi has two weeks to finish and rectify the rest of the violations.

Town Concert – Ms. Loree informed the Board of the upcoming Town Concert and inquired about the new Port-a-Pottie regulations as it applies to Town sponsored events. Board members made a determination that the Parks and Recreation Commission will need to file for a Port-a-Pottie permit for the Town Concert.

Motion made by Dr. Popik to adjourn. Mr. Redkey seconded the motion. Meeting adjourned at 11:22 am.

Dr. Michael Popik

H. Christopher Redkey

Edward Simoncini

Attachments:

Draft Title 5 Inspector Application

Title 5 Inspection Checklist

Title 5 Inspection Schedule

115 East Road Order Letter