

KINGSTON BOARD OF HEALTH
MEETING MINUTES
May 1, 2023

Present: Chairman Joe Casna, Vice Chairman Bill Kavol. Members Dennis Randall, Janet Wade (via Zoom) and Heidi Whipple, Interim Health Agent Arthur Boyle.

6:15 p.m. Kingston Board of Health Meeting was called to order by Joe Casna.

DISCUSSION:

- Cassie Hannigan, owner of Key Nutrition, asked the Board for the 6-month extension on the Plastic Bag ban so she can use up her supply.

6:18 pm Motion made by Heidi Whipple to give Key Nutrition a 6-month extension on the plastic bag ban in order to use up their current supply.

Second: Bill Kavol

5-0-0

6:19 pm Motion made by Dennis Randall this being the first meeting after the Town Election, moves to reorganize.

Second: Bill Kavol

5-0-0

6:20 pm Motion made by Dennis Randall to nominate Joe Casna as Chairman.

Second: Heidi Whipple

5-0-0

6:21 pm Motion made by Dennis Randall to nominate Bill Kavol as Vice Chairman.

Second: Heidi Whipple

5-0-0

BILLS:

- Bills from April 19, 2023, reviewed.

ACCEPTANCE OF MINUTES:

6:21 pm Motion made by Dennis Randall to accept the meeting minutes of April 19, 2023.

Second: Janet Wade

5-0-0

SHARED EXCELLENCE GRANT:

- Joe stated that today, Kingston signed off on Plymouth being the host community going forward. Kingston will no longer be the host community.
- Joyce Krystofolski will be starting at the end of May as the new health agent.

Janet would like to create an orientation manual for Joyce. She will get together with Lori Jones, Joe, and Arthur to start off on the right foot. Joe, Janet and Lori will create an outline for the next meeting.

ADMINISTRATIVE ASSISTANT REPORT:

Approved Septic Plans:

- | | |
|----------------------------------|-------------------------|
| • 6 Autumn Lane | Permit expires 8/31/25 |
| • 41 Brookdale | Permit expires 12/20/24 |
| • 7 Charles Drive | Permit expires 3/16/26 |
| • 15 Charles Drive | Permit expires 3/16/26 |
| • 23 Charles Drive | Permit expires 3/16/26 |
| • 2 Cooper's Run | Permit expires 5/19/25 |
| • 55 Longwood Circle | Permit expires 12/19/25 |
| • 3 Nava Landing | Permit expires 2/17/25 |
| • 112 Parting Ways | Permit expires 3/23/26 |
| • 9 School Street | Permit expires 2/21/26 |
| • 20 Sequoia Drive | Permit expires 2/28/26 |
| • 8 Smelt Pond Road | Permit expires 3/6/26 |
| • 123 Wapping Road w/ conditions | |

Pending Construction Permits

- 6 Charles Drive
- 22 Charles Drive
- 26 Charles Drive
- 31 Charles Drive
- 34 Charles Drive
- 35 Charles Drive
- 38 Charles Drive
- 39 Charles Drive
- 42 Charles Drive
- 43 Charles Drive
- 46 Charles Drive
- 47 Charles Drive
- 51 Charles Drive
- 54 Charles Drive
- 55 Charles Drive
- 60 Country Club Way
- 21 Kennedy Road
- 6 Sequoia Drive
- 49 Winthrop

Perc Tests

- 13 Perc test applications received

Title V

- 71 Three Rivers Drive

Retail Permits

- Only a couple of Retail/Establishment Permits are outstanding or pending opening dates
- Farmer's market applications are now coming in
- 1 Motel permit outstanding.
- 1 Tanning permit outstanding

Complaints

- 0 complaints received
- Principal Whipple at Kingston Elementary School called regarding the certified letter sent April 21st concerning parents sending sick children to school.

Department

- An offer letter was sent to Joyce Krystofolski on April 26th for the Health Agent position. Joyce signed and returned the letter on April 27th.
- I am working consistently with Trash and Septic Haulers for their monthly and quarterly reporting records.
- I am working with Senior Tax Work Off volunteers each week.

HEALTHY KINGSTON:

- The next episode will be coming out next week. Joe Casna talked about maintaining septic tanks. Bud Loring, Chairman of the Water Commission talked about the quality of the water in the Town. Jean Naumann spoke about the plastic bag ban, the exchange program at the library, and the Swap Shop on June 3rd, and the organics pilot – buckets for recyclables.
- She is going to do an episode about a program on Grandparents Against Gun Violence and Sue Woodworth from the Recreation Department to talk about healthy things to do this summer. Joe suggested a topic of swimming pool safety.

APPOINTMENTS:

6:30 pm Motion made by Dennis Randall to open the Public Hearing on the Keeping of Non-Commercial Farm Animals Kingston Board of Health regulation.

Second: Janet Wade

5-0-0

John Wheble, member of the Kingston Agricultural Committee, discussed the purpose of the proposed regulations. It is not to take or prevent anyone from having animals. Every member of the Agricultural Commission is engaged in farming of one type or another. They have worked on the regulations for over a year and what they have put together are very straight forward and gives some recourse. Himself, the former Health Agent Paula Rossi-Clapp, Animal Inspector Deb Mueller, and Animal Control Officer Joanna Boudreau fine-tuned the proposed regulations.

Joe C stated that he is concerned about Part 1 Section F about eggs. People that sell eggs. Other than that, he didn't find the regulations to be that restrictive. Dennis asked what the process on the sale of eggs in Kingston is. Heidi is concerned on how guidance will be given on nuisance complaints. Janet feels the regulations were well thought out.

Deb Mueller, Animal Inspector, stated she inspects anyone that has a sign selling eggs. Depending on the type of complaint would determine who would address it. Most can be resolved by having a discussion with people. The step process in the regulations is reasonable. Joe asked what she sees the Health Agent's role in this. She replied everyone would work together. Once a year she is mandated by the State Division of Animal Health to take a census of the animals. She inspects the premises and animals once a year. Dennis states it is interesting that residents are not required to have permits to sell eggs. The State Board of Health said they are not required.

Joe Casna opened the floor up to the public.

Matt Lanza, of Country Club Lane, stated he is confused by the regulations. That it states it is trying to protect the health of residents from the animals. A lot of the complaints are going on is people not controlling their animals. If manure piles and flies are everywhere, and rats are the size of dogs....ML then insulted the Board of Health. Joe asked him if he made the remark and ML confirmed that he did. Joe asked him to sit down. ML would not and became aggressive. Joe asked him to leave the room. ML did not leave right away but eventually did.

Dennis reminded the public on behalf of the Board that discussion is free and open but asks everyone to please be respectful.

Don Alcombright, Vice Chairman of Board of Selectmen, resides on Indian Pond Road, has a general question on Item G: all buildings, fences, and other structures built within 50 ft of neighbors' dwelling. Was any research done? Jean Naumann answered that this is subjective. For some lots it's not possible to abide by the 50 feet. This would come down to a discussion with all parties. The intent is to not put it next to your neighbor's house. The nuisance portion is a grey area. Grey area with a regulation – a regulation should be black and white to be able to deal with it. He feels this should go before Town Meeting. John Wheble stated on two occasions the Town voted not to ban roosters. There needs to be some sort of recourse if your neighbor is 20 feet away with a rooster crowing. Don asked do we fine someone daily? JW stated it's a 4-step process and usually all it takes is a discussion between the parties and can be resolved peacefully. He suggests a change in the nuisance regulation to read 'sunset to sunrise'.

Joe C. stated he is looking at the regulations as guidelines for the Health Agent in the event there is a problem. Joe said he would like to hear from anyone who feels the regulations would adversely affect their current lifestyle.

Megan Hickey, member of Conservation Commission, of Winthrop Street, asked if Town legal counsel has looked at the regulations. She stated there is no mention of protection of vernal pools. Page 2 – Wetlands. This should be listed in there. Joe responded that a vernal pool is a wetland. Megan stated she would like it specified as it can be used as a loophole. Under General Requirements, she feels it contradicts wetlands protections. John Wheble said that the Conservation Agent, Matt Panella, did go over these. She is concerned that Matt has not gone over these recently. JW will have Matt take another look at it. She also questioned the section on loose livestock and the fines for violations. Animal Control Office Joanna Boudreau stated that the violations Meghan is referring to are By-Laws. These are not By-Laws they are recommendations.

Joe asked John Wheble questioned Pest Management reads that it should be taken by the permit holder, but he has not seen that some of these activities have been permitted. What does this reference mean? JW agreed that it should probably read “the animal owner” and will have it corrected.

David Chuckran of Nottingham Drive, page 4 manure management. He agrees but asks when a neighbor doesn’t comply, there is no penalty. What kind of penalty is there? They have had problems with flies and rats. He would like this to be covered in the regulations. Penalties and who will enforce it. Joe C. said there will be enforcement if the regulations get adopted.

Rui Santos of Pembroke Street, egg and chicken farmer. There is no need for a rooster. They do not protect hens that run around yards. The free-range hens put their scent in the air attracting predators. Joe C. asked if he sees the regulations in a negative light. RS sits on the Agricultural Commission board, and it is for people to take care of their animals and be good neighbors.

Teresa Cazeault, of Wapping Road, owns chickens and a rooster. She understands what Rui said. She does free-range when she is in the yard. She asked on page 3 section L, does “running at large” mean running off your property? She also stated she has a neighbor that does not want to hear the rooster at all. She has done everything possible to be a good animal owner and there are still complaints. The Animal Control Officer agreed that she had done everything possible. They will not take the rooster away if she has been complying and doing everything necessary. Animal Control is always the first to be contacted. There are no laws they can enforce and that is why they put together these regulations. She does not have the power to write a citation. The Board of Health is the only one that has the power to do that. JW said removing a rooster would be for an extreme situation. Jean Landis-Naumann said it is “upon receipt of the evidence to substantiate the complaint.” A neighbor that does not do what is needed to do. If you have taken all the steps required, it goes no further. JLN mentioned that the same language is used for dog hearings. Don Alcombright said that removal being the hard end is subjective and needs to be clarified in the regulations. Joe C. stated these guidelines give the complainant a place to go. He asked if Janet Wade had anything to add. She feels Animal Control ought to lead the charge. She doesn’t feel it is a

Board of Health issue but an Animal Control or Agriculture and Conservation. JLN said the ACO, the Animal Inspector, the Agricultural Commission cannot write regulations only the Board of Health can. Other communities she investigated go through the Board of Health.

Scott Glover, of Montclair Ave (via Zoom), stated that guidelines make sense and made to correct issues. Regulations are more like rules that need to be followed from the very beginning. The guidelines will be used to correct issues and not regulations used to enforce something that had been worked out between neighbors.

Sheryl Antoine, Nottingham Drive, has concerns about manure. Can manure piles be covered or treated and covered? Fly and mosquito infestations are overwhelming. Beth Corbett, of Wapping Road, stated you cannot cover manure. It would become a bomb with the methane buildup. You can remove or turn it to compost it. Once it dries out, there will be no flies. They breed in wet manure. Mosquitos do not breed in manure.

Joe C. said another meeting with Conservation is in order to tighten things up. He asked if anyone else has concerns, to please speak. If not, will ask for closing remarks from the drafters of the regulations.

John Wheble thanked the Board for their consideration and thanked the residents who contributed and helped. Corrections can be made for some of the verbiage. There should be regulations for the enforcement power.

8:06 pm Motion made by Bill Kavol to close the Public Hearing.

Second: Janet Wade

5-0-0

Janet Wade left the meeting at this time.

5-minute recess called by Joe Casna.

8:13 pm Public Hearing called back to order.

Joe Casna would like to have the Board table this to think things over and have some corrections made and to the Conservation Agent. There was no vote on the Agenda tonight.

8:15 pm Motion made by Dennis Randall to reconvene the Public Hearing at 6:30 pm on June 5, 2023.

Arthur Boyle commends the Board of Health.

8:17 pm Dennis Randall Amends his motion to continue the Public Hearing and reopen on June 5, 2023, at which point the public can comment on only the changes made to the regulations.

Second: Heidi Whipple

4-0-0

NEXT MEETING:

- **May 15, 2023**

ADJOURN

8:24 p.m. Motion to Adjourn made by Dennis Randall

Second: Heidi Whipple

4-0-0

Lori Jones, Administrative Assistant
Kingston Board of Health

Approved: May 15, 2023