

**ANDOVER BOARD OF HEALTH**  
**Minutes**  
**January 11, 2016, 6:00 P.M.**  
**CD&P First Floor Conference Room**  
**36 Bartlet Street**

The Board of Health Meeting was called to order at 6:00 p.m. Present were Gopala K. Dwarakanath, M.D, Chairman, Ms. Carolyn Dymond, Clerk and Mr. Thomas G. Carbone, Director of Public Health. Ms. Pamela Linzer, Vice Chairman, was not present.

**I. Approval of Minutes**

- **December 14, 2015**

*Motion by Dr. Dwarakanath, seconded by Ms. Dymond, to approve the Minutes of December 14, 2015. Unanimous approval*

**II. Appointments & Hearings**

- **6:00 p.m. – Gerard Feeney for 1 Cardinal Lane – Appeal of Condemnation Order** – Mr. Carbone explained that in December he received a complaint from the tenant concerning a failed septic system and water damage due to the ice buildup from last year’s snow storms. Mrs. Patricia Crafts, Health Agent, performed an inspection on Monday, December 28, 2015 verifying the complaint. Mr. Daniel Tremblay, R.S., Sanitarian, assisted Mrs. Crafts in the inspection of the septic system and determined that it was overflowing onto the ground surface. Mrs. Crafts then made the determination that the house should be condemned. Someone was living there at the time, but were in the process of moving out. Mr. Carbone stated that he has not spoken with the homeowner because Mr. Carbone was out of town at the time, but Mr. Feeney spoke with both inspectors and Ms. Joanne Belanger, Assistant Director of Public Health, as well. The septic system is 45 years old and in the last two pumping records from March of 2013 and April of 2014, the Pumper noted that the water in the tank was high. Water seeks its own level and should be below the pipe. The homeowner requested a Hearing before the Board of Health, and was told to contact Mr. Carbone after the New Year, but the homeowner did not respond. Mr. Carbone then sent Mr. Feeney a letter to tell him to come to the meeting, but received an e-mail on the weekend stating that he could not attend. Mr. Carbone recommended that the Board uphold the Condemnation Order and in the meantime he would try to work things out with Mr. Feeney.

*Motion by Dr. Dwarakanath, seconded by Ms. Dymond, regarding 1 Cardinal Lane was made as follows:*

1. *A violation of 105 CMR 410.300 and 310 CMR 15.000 does exist due to an overflowing and failed septic system.*

2. *The house remain condemned as unfit for human habitation until such time as the septic system is upgraded or an alternative compliance plan is approved by the Health Director.*

*Vote taken: Dr. Dwarakanath, Aye; Ms. Dymond, Aye. Unanimous approval.*

### **III. Discussion**

- **Training – Municipal Finance** – Mr. Carbone explained to the Board Members that he wanted to give them an idea of how budgets are formulated and what the rules are. State Laws dictate how we develop our municipal budget. Town Meeting is our legislative body and any money appropriated for the fiscal year cannot be spent outside that fiscal year. All our outstanding bills have to be paid by mid-July of the previous year. We can file special paperwork to hold some money aside if contracts are not finalized or we are waiting for a final bill. If we do not spend all the money, it goes back into the General Fund and then becomes free cash. We have just started the budget season, so the budget has just been submitted to the Town Manager, and he will make his presentation to the Finance Committee. By law, the budget is broken into two parts; Salary and Operating Expenses of which Salary is the vast majority of our budget. Money cannot be moved across these two categories without going to Town Meeting for approval. Revenues collected by all Departments go into the General Fund and cannot be spent until Town Meeting approval.

There are two other types of funds we use: Revolving and Enterprise Funds. Revolving Funds are authorized by Town Meeting or State law. We use this type of account for the Nurses. Money collected from clinics goes into the account, then it is used to buy the next year's flu vaccine, clinic related items and also to pay the salary for our Public Health Nurse for one day per week. Throughout the Community Development and Planning Department we have other Revolving Funds that are used to pay for Peer Reviews and advertising as well. Enterprise Funds are authorized by Town Meeting and are set up to run like a business. Utility fees, such as for water and sewer go into these funds and are used to operate those utility systems.

There are special town meeting articles for Capital Improvement projects that go to such costs as the purchase of police vehicles or fire trucks. The purchases are authorized by Town Meeting. We also have rainy day funds where the Town banks the money for future spending, such as stabilization funds.

- **CD&P Budget Overview** – Mr. Carbone informed the Board that the current Community Development & Planning Department (CD&P) operating budget is \$1,640,545, without FY2017 request at \$1,689,695. \$1,495,275 would go toward salaries, while \$174,495 would be for operating expenses. When we put out the bid for Food Service Inspector this year, we estimated \$25,000.00, but the lowest bid came in at \$30,000.00, so there was an increase in this year's budget. Mr. Carbone explained that the operating costs have increased from the 2015 to the 2016/17 budgets and is due to updates for permitting software, which also has an annual fee.

This is our level services budget; however, we have been talking to the Town Manager about additional funding for the Building Division. Within this budget we allocated a little money for a Wiring and Plumbing Inspector for one day a week to help with the anticipated workload. We have also requested to bring in an additional Building Inspector for part-time hours because our workload has increased significantly.

#### **IV. Old Business**

- **Update on 2016 Permit Renewals (not on Agenda)** – Mr. Carbone explained to the Board that we had issues with some renewals that came in with checks that combined fees from other departments. At this point we cannot accept checks with permit fees that are sent in for two different Town departments. The Backflow Preventer testing bills were sent out at the same time as our renewals and that is what caused the problem. When we catch a combined check, we don't accept the check; however, one check did get cashed, and we had to trace who cashed it. We determined that another department in the Town cashed the check. We then issued our permit and attached a memo to it. Mr. Carbone will look into a solution to this issue if it happens again in the future.

#### **V. Subdivision Definitive Plans**

- N/A

#### **VI. Plan Review**

- N/A

#### **VII. Staff Reports**

##### **A. Director's Reports:**

- **Important Dates:**

- February 22, 2016 at 6 p.m. – Board of Health Meeting
- March 14, 2016 at 6 p.m. – Board of Health Meeting

**B. Nurses' Report for December, 2015** – The Nurses' Report for December, 2015, was for informational purposes only.

**C. Inspectors' Reports for December, 2015** – The Inspectors' Reports for December, 2015, were for informational purposes only.

#### **VIII. Board Member Reports**

- N/A

**IX. Adjournment**

*Motion by Dr. Dwarakanath, seconded by Ms. Dymond, to adjourn at 6:39 p.m. Unanimous approval.*