

**BRAINTREE BOARD OF HEALTH**

**MINUTES**

**June 11, 2009**

**IN ATTENDANCE:** Dr. Philip Nedelman, Chairman  
Dr. Mark Samuelson, Vice Chairman

**ALSO PRESENT:** Marybeth McGrath, Director of ML & I

Dr. Nedelman called the meeting to order at 7:00pm.

**MINUTES:**

**Motion By:** Dr. Samuelson approve the minutes of May 14, 2009.  
**Second By:** Dr. Nedelman

**OLD BUSINESS:**

**1. Motel 6 Public Hearing/Request for continuance of hearing**

Dr. Nedelman advised that the Board has received a letter from Peter Morin, Chief of Staff and Operations requesting a continuance of the hearing to August 13, 2009.

**Motion By:** Dr. Samuelson to continue the public hearing until Thursday  
August 13, 2009 at 7:00 pm.  
**Second By:** Dr. Nedelman

**NEW BUSINESS:**

**2. Town of Braintree-Yearly Operational Plan/Vegetation Management**

Present: Daryn Brown, Director of Golf Operations with the Town of Braintree  
Department of Public Works.

Mr. Brown advised the Board that he holds supervisory licensure for pesticide application for the Town of Braintree, and he has been asked by the Mayor to oversee the vegetative management plan for the 2009 season.

Mr. Brown advised that he is before the Board tonight to discuss the Yearly Operational Plan (YOP) which he is submitting to the state. He advised that he had come before the

Board prior to discuss the Vegetative Management Plan (VMP), which is the overall Town wide synopsis of what the program entails and the 5-year renewal process that it goes through once it is filed. Mr. Brown advised that they are now filing the Yearly Operational Plan. The YOP needs to be filed each year, it needs to be updated. It is a fairly small plan that in essence tells more precisely what they are going to do. It does involve a map that will be on display and the Health Department will have that.

The YOP could not be completed until the public comment period for the VMP had expired, and that just expired not too long ago. It is a process that they are trying to expedite. This plan was filed today with the state and there is a 45 day comment period for it. So, on day 46, he hopes to be out with the spray bottles of Roundup addressing curbs and islands in the town. There presently is a crew out there with weed wackers trying to take care of some of the issues that the Mayor would like to see done.

Dr. Nedelman asked where he does the poison ivy.

Mr. Brown advised that that is one stipulation that the state is relaxing their standards on. On the YOP mapping, they just basically highlighted the main roads and islands on all the major intersections, so that is the only place that they can apply this year. No side streets or neighborhoods. This is just sidewalk crack application where Roundup concentrate will be used to spray any crabgrass that has emerged.

The plan also outlines the chemicals that would be used with Roundup to prevent re-growth from occurring in those cracks. They would never do any large area applications. It will be a small backpack sprayer or small hand pump sprayer with applications being made in the pre-dawn hours of the just the main roads, sidewalks, curbs and islands.

Mr. Brown advised that in years past the DPW Director or Director of Parks and Recreation have received a tremendous amount of complaints about poison ivy especially along sidewalks and walking paths to parks or to schools. The Town was able to get a provision and understanding with the state that will allow them to go out and apply to areas of poison ivy that are not highlighted on the areas of treatment on the map. Even if poison ivy is found in a residential area along a public sidewalk, they will be allowed to go out and treat that area for public safety. School/park property is not covered under this YOP. The YOP under the right-of-way regulations only covers anything 4' off of the edge of a public sidewalk or the edge of a public roadway.

Dr. Nedelman asked if the parks department has a similar program for control of such poison ivy.

Mr. Brown advised the Board that he is able to go out to non-school fields at this point and time. School fields he is only able to treat in the summer time because school has to be out of session for at 5 days before they can go on it because there is very specific legislation, the Child Protective Act that regulates schools while they are in session.

Once school is out of session then they can address some of those areas but that is only during the summer months.

Dr. Nedelman asked about the golf course.

Mr. Brown advised that they treat fairways and ruffs for crabgrass once a year. Broadleaf weeds and dandelions they treat for every five years. They treat for grub weeds every other year.

Dr. Samuelson asked how often do they spray the cracks in the sidewalks.

Mr. Brown advised that they are only allowed to do one application a year with no more than 25% retreat. The problem with sidewalk cracks is the granite and asphalt heats up and no matter how great your chemical control is the extreme heat that builds up breaks down almost all chemical barriers that inhibits crabgrass and weed growth.

He advised that they can go back and retreat, but didn't expect it to be much. It is a very small operation with likely only Mr. Brown and another person applying.

Dr. Samuelson asked if the Town will then fill the cracks.

Mr. Brown advised that they could, but with the integrated VMP does include street and sidewalk sweeping, which is supposed to when done in an aggressive manner clean out and reduce the amount of dirt, debris and organic matter in the cracks which is what leads to the weed growth. So, that is stated in the VMP and will be the cultural practice by the Highway Department to minimize the use of herbicides within the town.

Mr. Brown advised that the plan was submitted to the state today and there is a 21 day notification that has to be published in the environmental monitor, a state publication. Then a notice has to be published in the Patriot Ledger and Braintree Forum 48 hours prior to the first application. They do have a 90 day window after the publication is made to apply.

Dr. Nedelman asked if he will try to apply during a dry period.

Mr. Brown advised that herbicides work best after a wet period and explained some of the scientific reasoning.

**Motion By:** Dr. Nedelman to endorse the Yearly Operational Plan  
**Second By:** Dr. Samuelson

**3. Request for Variance of Well Regulations (Roadway Setback)**  
**a. Adame-72 Sterling Street**

Ms. McGrath advised the Board that Mr. Adame, the owner of 72 Sterling Street, would like to install an irrigation well and is requesting a variance of the roadway setback which

normally requires a 100' roadway setback. He can only make a 40' setback from Sterling Street. He meets all of the other setback requirements. Mr. Collins, department inspector has conducted a site inspection and foresees no problem with the issuance of the variance requested. There is only one abutter notification that is outstanding and they are trying to contact, so any approval should be contingent upon receipt of proof of notification to that abutter.

**Motion By:** Dr. Samuelson to approve the variance request contingent on the last abutter signing off.

**Second By:** Dr. Nedelman

#### **INFORMATIONAL:**

#### **4. Future Board of Health Meeting dates**

Ms. McGrath advised the Board that once she is able to contact the individual that schedules the meeting rooms, she will schedule the meeting rooms for the September through December meetings and forward that information to the Board.

#### **MATTERS BY THE BOARD:**

#### **5. SSBOHC-Compliance Inspection at Charlie's Shoe Repair**

Dr. Nedelman advised that the South Shore Board of Health Collaborative conducted a follow up compliance check. He also advised that he has been inside Charlie's Shoe Repair shop twice in the past two weeks and observed that there has been a big improvement.

Ms. McGrath also advised that the owner paid the \$ 100.00 fine.

Ms. McGrath advised that beach testing began on Tuesday June 9, 2009 and results came back fine. She also advised that testing normally occurs on Tuesday, except for this coming week which will occur on Monday as a weed control application will be done next Tuesday.

Dr. Samuelson advised that he contacted the Norfolk County Mosquito Control Project for treatment of mosquitoes on his own property, and that they came and sprayed. Further, that NCMCP will spray if the property owner considers it a nuisance.

**Motion By:** Dr. Samuelson to adjourn the meeting at 7:25 pm.

**Second By:** Dr. Nedelman