PRELIMINARY MINUTES

TOWN OF LUDLOW
BOARD OF HEALTH
MEETING

July 18, 2011

BOARD MEMBERS PRESENT:

Howard Barton, Jr., Chairman	Brett Sanderson	Bruce Schmidt

BOARD MEMBERS ABSENT:

John Neal	Douglas Ficken

STAFF PRESENT:
Frank Heald

OTHERS PRESENT:

George Fairchild	Ralph Pace	Laura Wyman
Lawrence Gray	John Paige	KP Whaley (LPC-TV)
Glen Heitsmith	Ted Reeves	
Margot Martel	Terry Thayne	

1. **Call to order**

   a. Chairman Howard Barton called the meeting to order at 7:00 p.m. All members present except John Neal and Doug Ficken.

2. **Sewer Problem**

   a. John Paige advised that he had sent a packet to board members. This is not a septic system problem. About 2 years ago, the Sewer department took care of the problem. Laura Wyman owns the property above and the sewer lines goes down across property belonging to Alan Thomas then to property owned by Brandy Parker. Brandy Parker called in the problem and sent pictures. On May 2nd, John Paige went to look at the problem and it was not that bad. He has since returned twice and now the area is completely dry. Two years ago, the Sewer department ran a snake under the trailer and hit a snag. John Paige said that he does not know who is responsible for the problem. The sewer line starts on one property and ends on another. He said that he thinks that Alan Thomas put in the sewer line himself. John Paige said he expect that the leak will appear again and that is why he called this meeting.
   b. Howard Barton asked what Loran Greenslet has said.
   c. John Paige said that Loran Greenslet said that the problem is not the Sewer Department's problem because it is on private property. John Paige said that no one has actually fixed the problem. He added that right now it is not a health problem, but will be one again.
   d. Bruce Schmidt asked where the line starts.
   e. John Paige said on Soapstone Road – he thinks Alan Thomas' property. He said that there is an abandoned trailer and another trailer occupied by Brandy Parker, but owned by Alan Thomas.
   f. Laura Wyman said that she had owned her property for 19 years and there was never a problem until that last trailer was added. She said that the abandoned trailer is not connected to the sewer line.
   g. John Paige said there is no paperwork on the trailers, but they pay sewer fees.
   h. Frank Heald said that he thinks that the sewer line was a "midnight" line and does not function properly. He said that John Paige is asking for a Fix or Be Shut Down notice. Laura Wyman is at the end of the line. John Paige has done all that he can do and has called Alan Thomas on various occasions with no cooperation. Frank Heald suggests that they issue a Health Order to Fix or Be Shut Down.
   i. Laura Wyman said that she thinks that when they took the older trailer away, they did not seal the lines properly.
   j. John Paige said the issue, at this time – is more legal than health risk.
   k. Brett Sanderson said if the effluent bubbles on Thomas' property, it is his responsibility. He should be the first person to get a notice.
   l. Laura Wyman said that she has an easement in her deed, across Thomas' property for her driveway and water/sewer lines. They found out that all of the lines were connected under the trailer. There was only one there then. The problem started two years ago.
   m. Bruce Schmidt said that Alan Thomas is the provider of the easement.
   n. Laura Wyman said the deed says easement, but she does not remember the exact words.
   o. Brett Sanderson said that if there is a blockage, there may be a question as to whose responsibility it is. If the line is crushed, it could be different.
   p. John Paige said that Alan Thomas lives in Sudbury and is not cooperative.

q. Frank Heald said that if Mr. Thomas opts to do nothing, we could take him to court.
r. John Paige said that Brandy Parker is not having any problems with part.
s. Brett Sanderson said the problem is surfacing on the ground.
t. Frank Heald said the Health Order should be on the property owner. The order can require that he do a certified fix. If he refuses, we can take court action.
u. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to issue a Health Order to Alan Thomas to have the leak repaired by a certified contractor or site technician as per ordinary and customary practices. Motion passed unanimously.**
v. Meeting adjourned by Howard Barton at 7:18 p.m.

Respectfully submitted,
Lisha Klaiber

Howard Barton, Jr., Chairman

Brett Sanderson

Doug Ficken

Bruce Schmidt

John Neal