

Manchester Board of Health

Meeting Minutes

Thursday, July 13, 2022

Hybrid Meeting (virtual and in person, room #7 Town Hall)

Members present in person:

Paula Filias, Peter Colarusso, Joan Cottler

Members participating virtually:

Martin Hahn, Tonya Colpitts (joined at 11:32 a.m.)

3 King's Way, Cannistraci

Members reviewed septic system upgrade plans submitted by Landplex Engineering for the property at 3 King's Way in Manchester. Ms. Lufkin informed the Board that these were revisions to an approved septic system plan on file and that the revisions were to enlarge the system to match the buyers proposed house plans. Ms. Filias read the plan review letter from H.L. Graham Associates dated 06/22/22 which stated that the requested plan revisions had been made, that the plan did not require any variances, and that plan approval was recommended. Ms. Cottler made a motion to approve the revised septic system plan for 3 King's Way, dated 06/13/22 as presented for 3 King's Way. Mr. Colarusso seconded the motion. Members, by roll call vote were unanimous to approve the motion for plan approval:

Ms. Filias, in favor

Mr. Colarusso, in favor

Mr. Cottler, in favor

Dr. Hahn, in favor

Memorandum of Understanding

Ms. Filias explained that there was a draft Memorandum of Understanding between the Board of Health and the Board of Selectmen. She read thru the document and asked members to identify areas they had questions or concerns about. During her reading of the draft MOU, members identified the following areas as needing further discussion:

- 1.) Paragraph 3, “accountable to”, needs definition
Mr. Colarusso noted that by State law, the Board of Health reports to Department of Public Health. Dr. Hahn suggested this item go to Town Attorney for review. Ms. Cottler asked if the Board of Health has the ultimate authority, then why does this MOU state that the Town has the authority? Ms. Filias explained that the issue is multi layered, so the Board needs to work with the Town on the administrative side but needs to also have the Board of Health be independent.
- 2.) Page 2, #3 “under the day-to-day supervision of the Town Administrator with guidance and direction from the Board of Health” Members agreed that the sentence should be flipped to reach “under the day-to-day supervision of the Board of Health with guidance from Town Administrator” Ms. Filias said that that would help the Board to define the responsibilities but also be cooperative with the Town
- 3.) “Hiring of Health Agent” Members questioned ratification by Town Administrator and Board of Selectmen. Members agreed clarification was needed. Dr. Hahn suggested more broad language possibly “using the assistance of”.
- 4.) Page 2, #4 change timesheets may be reviewed to timesheets are reviewed
- 5.) Page 2, #5 meeting and frequency unnecessary, communication already happening.
Input from TA will be obtained as part of BOH conducting BOH staff performance review process

Ms. Filias asked if anyone had any further questions. Dr. Hahn replied no further questions or additions. Mr. Colarusso suggested an addition to identify how the document would change if needed in future. Ms. Filias agreed that an item #11 be added starting with “if needs to be amended or revised ...”

Ms. Cottler stated that she thought the Board had discussed the Health Agent reporting to the Board of Health instead of the Town Administrator. Ms. Filias replied that Mr. Colarusso’s research shows that it is very clear that State law provides the Board of Health as an independent governing body. But also noted that there is a connection to the Town Charter. Mr. Colarusso noted that Chapter 111 states “Board of Health screened from influence of Town Government”. Ms. Cottler referenced the recent Town referendum (on dispatch) and the Board of Selectmen voting otherwise (against the referendum vote results). Ms. Filias said the goal is to function under the home rule petition and remain independent. Dr. Hahn suggested an additional item be added which notes the Board of Health can seek legal advice from D.P.H., in addition to Town Counsel. Mr. Colarusso added that in cases where there is disagreement between the Board of Selectmen and the Board of Health, the next step is D.P.H. arbitration.

At 11:32, Ms. Filias welcomed Board of Health member Dr. Tonya Colpitts into the meeting via Zoom. Ms. Filias reviewed all the changes or clarifications that had been requested as well as the two suggested additions. She noted that the changes would allow for the Board of Health to maintain the independence that the State is asking for. In response to a question on next steps, Ms. Filias replied that she would be taking the meeting results back to the Town Administrator and asking him and the Board of Selectmen to respond to the request for clarifications and additions.

At 11:40, Mr. Colarusso made a motion to adjourn the meeting. Prior to seconding, Ms. Filias allowed for Erika Brown to ask a question. Ms. Brown, who operates the Manchester Cricket noted that the online posting of the Boards minutes was not up to date. Members noted that the minutes were reviewed and approved, if not up to date on the online posting. Ms. Brown asked the Board if they could identify the/their policy for online posting of the minutes and to whom she would go to obtain them. Members, and staff member Ms. Lufkin replied that she could go to Ms. Lufkin to obtain documents. Ms. Lufkin stated that the online posting of the already reviewed and approved minutes is solely her responsibility and that she will work to put that at the top of her priority list moving forward. Members agreed to review or set a policy for the online posting of minutes when they next meet on July 21st.

Ms. Filias asked the Board members if they wanted to review the Health Agent job descriptions distributed prior. Ms. Lufkin said that that item was not on today's meeting agenda. Ms. Filias asked the Board members to please review those previously distributed job descriptions and to come prepared to discuss them at their next meeting on July 21st.

Dr. Hahn reminded members that he would not be attending the 07/21 Board meeting. Ms. Filias reminded the members that the 07/21 meeting would be an evening meeting that would include the review of the 2022 Mosquito Control plan.

At 11:45 a.m. Mr. Colarusso made a motion to adjourn the meeting. Ms. Cottler seconded the motion to adjourn the meeting. Members, by roll call vote were unanimous to approve the motion to adjourn the meeting:

Ms. Filias, in favor
Mr. Colarusso, in favor
Ms. Cottler, in favor
Dr. Hahn, in favor
Dr. Colpitts, in favor

There being no further business to come before the Board, members adjourned the meeting.

As submitted,

Ellen D. Lufkin
Administrative Assistant