

BOARD OF Health MEETING MINUTES

July 14, 2022
Town Hall 1 Main St., Upton, MA 01568

The meeting was called to order at 4:00 p.m., by Chairman, Richard Desjardins. Also in attendance were; Member, Al Holman; Member Stedman (Ted) Briggs, and Asst. Public Health Supervisor, Diane Tiernan.

Agenda was reviewed and accepted.

Minutes were reviewed.

Motion one – Ted made a motion to approve of the minutes from 5/31/22. Al seconded the motion and Richard made the motion unanimous. Minutes were approved.

4:02 p.m., Public Hearing to discuss the rodent issue at Upton Ridge was opened.

Mark Mastrioni stated he was present today representing both Pulte Homes and the trustees of the Upton Ridge Condo association and is here today at the request of the Board. He was surprised with today's meeting request, because at the last onsite meeting, attended by the BOH, Pulte employees, trustees, ACO, Westboro Pest Control, and the Upton Building Inspector, it was stated that the Condo Association is doing everything that needed to be done and will continue with a pest control contract for another year. The rats were on site before Pulte. It's a process to remove them.

Resident, Mark Donnelly, stated that the plan was to place bait boxes in certain locations marked on a plan. None of the boxes are where they were supposed to be.

Mark M. stated that he numbered every wall to identify the locations. He gave Westboro Pest Control the latitude to move them around as needed, you don't want to keep them in one place.

Mark D. stated he offered his expertise to bait the boxes where we could watch the activity. It was not accepted so he started trapping on his own. He is now being told he is over baiting.

Richard Desjardins asked Mark D. what type of bait he was using, there are laws that protect wildlife in the area. Some bait will kill everything in the area. If the owl or hawk eats the rat that were baited, they will die too. Mark stated that's not his problem, he is simply trying to kill the rats. He is using bait that is perfectly legal.

Richard stated the harborage in the walls is the problem of the association and Pulte. Harborage can occur in any wall. The rats have been removed and the Building inspector approved the walls. Kelly Bilinsky of the Condo Assoc. was asked if the walls can be cemented where the holes are. She stated you can put the request in, but it would be at your expense. What we've learned however is that once a wall is filled in, they will just move to the next wall.

Mark M. stated the Association has approved the plan drawn up by the pest control. Pulte is not going to do the walls. If you fill the walls they will go under the deck, or find another source to live in.

4:30 p.m., Mike Moran arrived.

Mike stated there hasn't been a line of communication. I checked the bait boxes but they weren't baited. Mark M. stated he has been in touch with the Pest Control.

Janice Begin asked if the Dartmouth Association was firm with the area residents about no bird feeders or tomato plants.

Mark M. stated they strongly suggested to remove tomato plants and bird feeders but did not want to make it mandatory.

Kelly B. stated obviously there are people that aren't listening. If there is still a problem and the BOH commands us to remove the items then we will issue an order. Bd stated they will not be doing so.

Tom Clinton stated we had the discussion to strongly suggest instead of making up new rules. No one wanted to make another rule.

Richard stated he cannot speak too much about the Westboro Pest Control because it is his son and he works for him, so he's been leaving this situation up to the rest of the Bd, but we are having the same issue with rodents in Northbridge as well. They have told residents to stop feeding anything outside.

Al stated at our last site meeting it was agreed to run the traps for a year and review the results. If there not being hit, just move them. He agrees with Mike M. on delineating zones to identify the walls - then we can tell what's been hit. As for the harborage question, it appears the Condo Assoc. would need to rebuild the walls paid for by the residents, not Pulte, not the BOH. Code Enforcement said the walls are ok. He also suggested that Mark D. let the professionals do the trapping. Putting poison out anywhere you want is not a good idea.

Bob Wakelin agreed. It seemed the rat problem was being eliminated, but now that all the extra baiting is going on, it seems to be drawing the rats out.

Mark D. stated he has professional knowledge and knows what he is doing.

Mike M. stated this is also the wrong time of the year to be trapping. You will get a few, but you need to continue with a 12 month program with a pest control. You won't get the true numbers until the fall.

Charles Digloria stated he understands the walls were built to spec, making the area charming. The walls however have been shown to be a harborage and a health issue. Pulte is not changing the walls and they can just keep traveling. It's understood that Pulte will just walk away once the project is finished.

Kelly B. answered more questions from the residents pertaining to a solution.

Ted stated the residents need to wait the year – if nothing changes then you can do what needs to be done.

Mike M. stated he would be willing to put his personal game cameras up, but if anyone touches them I'm all done. They are only there for me.

Al read the housing code, pertaining to a harborage. We know that this is not the time of year you're going to get a lot of action. That's the reason there is a 12-month plan. The pest control will be checking and moving the traps. We suggest you make a spreadsheet of where the hits are, Mark M. can put the map on the condo website. At this point in time, I can't say if we have eliminated the problem but in December, we will have a better idea.

Andrew Bennett of 8 Caden court stated he doesn't understand that this is something the homeowners are responsible for. Isn't it Pultes responsible to give us a safe home? Mark M. stated this area is completely maintained by the Association. The walls meet the building code, they are built like every other town.

Janice Begin stated we know phase 2 of the project which is bigger than us is already seeing rats. People don't know. Mark M. stated he has sent pest control to the area of the resident that is always complaining. There are no rats in the trap. The homeowner is putting peanut butter on the traps and drawing them out.

Al reiterated that we track the traps and then revisit it. If there's a bunch of rats we can talk about meeting again.

Richard stated every time there is a development you disturb the living area of wildlife. Have patience. In Natick it took a little over a year to get rid of them completely.

Mark D. stated the BOH can order Pulte to fill the walls. Richard stated no, we are not going to do that. The walls meet the code. We will notify you if there is additional information that we need to advise you of. We strongly suggest you stop over baiting the area. There is a conflict of what you are doing and what the pest control is doing. We are not tracking your personal traps.

5:00 p.m., residents of the Upton Ridge, Mark Mastrioni, and Kelly Bilinsky left.

Requests for installer permits were reviewed for Michael Johnson of Westboro and Steve Cenedella of Sutton.

Motion two – Al made a motion to approve of the above permits and Ted seconded the motion. Richard made the motion unanimous. Permits were approved.

105 A request for a well permit was reviewed for Keith Usher of 278 Mendon Street.
106 **Motion three** - Al made a motion to approve of the well permit and Ted seconded the motion. Richard made the motion
107 unanimous. Permit was approved.
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109 A septic design was reviewed for Alycia Miller, 64 Warren street. The plan was previously approved by BOH Agent, Paul
110 McKeon.

111 **Motion four** - Ted made a motion to approve of the Septic permit and Al seconded the motion. Richard made the motion
112 unanimous. Permit was approved.
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114 Diane stated that due to the fact that the private composting operation on Christian Hill Road is closing, residents are
115 requesting another option be offered. She will be meeting with the town of Milford to request that Upton residents be allowed
116 to use their facility as well if they pay the required fee. The facility is located near the Upton line and would be convenient for
117 most residents. She will keep the Board apprised of the outcome.
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119 **Motion five** – Ted made a motion to adjourn, and Al seconded the motion. Richard made the motion unanimous.
120 5:17 p.m., the meeting was adjourned.
121

122 Respectfully Submitted,
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124
125 Diane Tiernan
126 Asst. Public Health Supervisor