

<b>PLYMPTON BOARD OF HEALTH</b>	<b>OPEN MEETING NOTES</b>	<b>June 22, 2021</b>	<b>Next Meeting 7/13/21 @ 5:00 PM</b>
Present/Absent	Present/Absent		Place: BOH Office
Chair: Brad Cronin P			
Vice Chairman/Treasurer Harry Weikel, Jr. P	Health Agent: Kevin Forgue P	Guests: Antonino Caponigro, Dana Chiles,	
Clerk: Art Morin, Jr. P	Administrative Assistant: Cathleen Ferguson P	Attorney Greg Koldys representing 159 Center St.	
TOPIC/AGENDA---NAME & ADDRESS			
ASSESSOR'S MAP - BLOCK - LOT	SUBJECT/DISCUSSION	FINDINGS/RECOMMENDATIONS	
Call to Order 5:00 p.m.	Minutes of June 8, 2021	Approved.	
<b>OLD BUSINESS</b>			
<b>Approved Septic Plans</b>			
0 Maple Street (M7-B2-L28)	New Septic System	Plan approved; to be installed.	
0 Winnetuxet Road (M21-B1-L14A)	New Septic System	Plan approved; to be installed.	
51 Cedar Street (M15-B1-L9)	New Septic System	Plan approved; to be installed.	
12 Brackett Terrace (M22-B1-L29)	Repair of Septic System	Plan approved; to be installed.	
19 Heather's Path (M24-B1-L20)	New Septic System	Plan approved; to be installed.	
20 Montello Street (M24-B1-L6)	Upgrade of Septic System	Plan approved; to be installed.	
165 Palmer Road (M6-B1-L3)	New Septic System	Plan approved; to be installed.	
122 Main Street (M7-B1-L40)	New Septic System	Plan approved; to be installed.	
72 Prospect Road (M23-B2-L6B)	New Septic System	Plan approved; to be installed.	
55 Elm Street (M16-B4-L2A)	New Septic System	Plan approved to be installed.	
12 Ring Road (M7-B4-L7)	Repair of Septic System	Plan approved to be installed.	
<b>Approved Plans/Out for Installation</b>			
21 Crescent Street (M12-B3-L6)	Repair of Septic System	Bottom Hole Inspection complete.	
177 Main Street (M12-B4-L11)	Change Location & Replace Septic Tank	No update.	
19 Main Street (M7-B4-L7)	Installation of New Septic System	Out for installation.	

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<b>Pending Septic Plans</b>		
0 Center Street (M12-B2-L27)	New Septic System	Waiting for plan.
0 West Street (M15-B1-L14)	New Septic System	Waiting for plan
0 Maple Street (M7-B2-L29)	Installation of Septic System	Waiting for plan.
0 Upland Road (M12-B5-L1B)	Installation of Septic System	Waiting for plan.
25 Oak Street (M1-B2-L8)	Upgrade - Replace Septic tank	To be installed.
0 Elm Street (M17-B1-L11A)	Request for Perc Test	Waiting for plan
36 Parsonage Road (M17-B1-L1)	Repair of Septic system	Waiting for plan
0 Palmer Road (M11-B2-L15)	New Septic System	Waiting for plan
0 West Street (M15-B1-L14)	New Septic System	Waiting for plan.
228 Main Street (M12-B1-L7)	Repair of Septic System	Waiting for plan.
0 Main Street (M12-B1-L8A)	Installation of Septic System	Waiting for plan.
0 Parsonage Road (M17-B4-L12)	Installation of Septic System	Waiting for plan.
0 Center Street (M11-B5-L12)	Installation of Septic System	Waiting for plan.
47 Mayflower Road (M17-B6-L9C)	Application for Disposal System Construction Permit	Waiting for Plan
0 Prospect Road (M20-B1-L10)	Installation of Septic System	Waiting for Plan
48 Prospect Road (M20-B1-L10)	Installation of Septic System	Waiting for Plan
11 Soule Street (M23-B1-L3)	Dbox Replacement	
112 West Street (M16-B1-L2)	Perc done.	Waiting for plan
0 Lake Street (M3-B2-L10)		Waiting for plan
56 Main Street (M4-B1-L26)	Installation of Septic System	Waiting for revised plan.
<b>Perc Tests</b>		
43 West Street (M16-B1-L14)	Application for Perc Test	Scheduled.
1 Grove Street (M1-B3-L11)	Application for Perc Test	Perc Test passed.

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<b>3. OTHER</b>		
0 Pleasant Street (M12-B5-L6)	Illegal Trailer	Zoning Enforcement Officer reports trailer will be removed.
0 Crescent Street (M7-B4-L2B)	Application for Disposal System Permit	at ConCom.
O'Donnell, et al. v. Plympton BOH, et al.	Litigation	No discussion.
1 Winnetuxet Road (M21-B1-L10)	Follow up on housing issues.	Health Agent has called landlord. No reply.
43 Winnetuxet Road (M1-B1-L26)	Fuel Oil Spill	Waiting for final DEP inspection.
159 Center Street (M11-B1-L7)	Owner attempting to rent uninhabitable property	BOH has invited Mr. Caponigro to discuss the Title 5 Inspection
		from May submitted to the BOH. The last 2 inspection reports
		show failure in 2001 and 2013. No permits for work on that
		system have been filed. Application for Title 5 Inspector permit
		was filled out and turned in by Dana Chiles. Permit does not have
		Mr. Caponigro's signature and application was not complete.
		Missing insurance information and copy of Title 5 License
		from the state. When the BOH office contacted Mr. Caponigro,
		he stated he did not apply for a Title 5 Inspector permit.
		Based on that, no permit was given to Mr. Caponigro.
		Mr. Caponigro said he did not fill out or approve this application.
		Mike did it. Mr. Chiles states Mr. Caponigro gave him
		permission to apply for permit. Mr. Caponigro authorized
		Mr. Chiles to draft Title 5 Inspection Report. Mr. Chiles states
		his office didn't know about insurance information or Title 5
		State License info. Admin states that the Title 5 Inspector
		permit process is between the applicant and the BOH Office.

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159 Center Street (M11-B1-L7)	continued	Attorney Koldys asks if Mr. Caponigro submits an Application
		with his signature and supporting documents, can he be
		licensed. Answer is yes, going forward but he was not
		licensed to do the Title 5 Inspection at 159 Center Street in May.
		Attorney Koldys asks if Mr. Caponigro submits an Application
		Attorney Koldys asks if the Board wants Mr. Caponigro to go
		and do another inspection? Chairman replies yes, witnessed
		by our Health Agent. Mr. Chiles states that he asked Mr.
		Caponigro if he had heard from the BOH about his application
		and could they proceed with the inspection. Mr. Caponigro
		stated to Mr. Chiles that it was fine. Attorney Koldys
		states that the inspection was done. Mr. Weikel states that
		the inspection was done without our Health Agent which was
		required. Mr. Cronin states that there is a question of how a
		septic system that has been in failure, in the water table since
		2001 now passes inspection with no repairs. Mr. Chiles states
		that pictures were included with the report showing water levels.
		Admin says on page two of the inspection report it states that
		tank shows signs of a leak. This would not allow for a passing
		inspection. On page six the inspection report states pump
		information gathered from BOH. There is no pump information
		for this address on file with the BOH. On page seven of the
		inspection report it states that there are 2 residents at the property.
		The property cannot be inhabited. On page 17 the inspection

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159 Center Street (M11-B1-L7)	continued.	report it asks "how was the high water level established"?
		Mr. Caponigro's answer is "from the design plans in the BOH
		file. There are no design plans in the BOH file. Mr. Chiles
		states the house is not uninhabitable, it is beautiful.
		Mr. Chiles states there is a design plan. Board corrects him;
		there is no design plan according to the Health Agent.
		Mr. Caponigro asks if BOH did not accept his report. That is
		correct. The information in your report does not support a
		passing report. Health Agent says pictures show without any
		question that the septic system is in the water table.
		The town hired another Title 5 inspector in 2013 after the 2001
		failure, and the system was still in failure. Bottom of trench
		in the water table. To date the questions around the property's
		septic system have not been resolved; therefore another inspection
		must be done in my presence. Mr. Chiles did not realize that
		the Health Agent needed to be there; did not know about that
		stipulation. Admin: there was no stipulation, you were sent
		a letter in 2016 stating that. Mr. Chiles asks where did you send
		the letter. Admin answers: to all your PO boxes and addresses.
		Mr. Chiles asks where do you get all these addresses? Admin
		states that all addresses, emails and names of Dana Chiles are
		gathered from the hundreds of LLCs you are involved with
		according to the Commonwealth of Massachusetts.
		Mr. Chiles states he called Mr. Morin 3 times on the date of the
		inspections in case he wanted to stop by.

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159 Center Street (M11-B1-L7)	Continued	Mr. Morin states I have a letter dated May 2, 2016 from the BOH
		addressed to Mr. Dana Chiles P.O. Box 93 Plympton, MA
		re: 159 Center Street. We did mail it and mailed it to some
		addresses that the Assessors Office and Tax Office had.
		Attorney Koldys states that he talked to the treasurer about the
		correct address. Admin states that the Treasurer has informed
		the BOH that taxes are owned on this property and it is our
		protocol that no work is allowed until taxes are taken care of.
		Attorney Koldys asks if this the only property in Plympton that
		owes taxes? Chairman Cronin states we don't proceed until
		taxes are paid. Mr. Caponigro asks if he did the Title 5
		inspection in 2001? Answer is no. You have never inspected
		this property. Mr. Caponigro states that he was not told that
		the property had failed an inspection previously. Mr. Chiles
		states that the BOH has his email. He will not say it out loud
		he will give it to us after the meeting.
		Chairman Cronin states that the plan of action is as follows:
		Once taxes have been paid a Title 5 Inspection will be scheduled
		through the Health Agent and the report will be submitted by
		by Mr. Caponigro. Mr. Chiles states he will help Mr.
		Caponigro with the documents. Mr. Caponigro states he would
		not have done the inspection if he had known the property had
		failed Title 5 inspections. Mr. Caponigro would like to say
		they should get another inspector. Mr. Chiles tells Mr.
		Caponigro "we will discuss that separately".

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159 Center Street (M11-B1-L7)	Continued	Mr. Cronin tells Mr. Caponigro it does not need to be you who
		does the inspection, just an inspector permitted in Plympton.
		Motion made and voted 3-0 to require another inspection with
		our health agent after taxes are paid and all applications complete.
25 Oak Street (M1-B2-L8)	3 bedroom septic system being advertised as 5 bedroom home.	Letters sent re: realtor advertising property in error.
<b>5. ADMINISTRATIVE UPDATES</b>	Mail & Bills/Warrants for payment	Mail reviewed.
	Warrants for payment	Warrants signed.
		Motion made and voted 3-0 to adjourn. Adjourned at 6:10 p.m.