

**Lincoln Board of Health**  
**Meeting Minutes**  
**Wednesday, February 12, 2020**  
**Donaldson Room, Town Offices**

Members Presents: Frederick Mansfield, MD  
Steven Kanner, MD  
Patricia Miller

Others Present: Gregg Corbo, Esq., Kopelman & Paige, Stan Sosnicki, Asst. Public Health Director and Elaine Carroll, Adm. Assistant

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The meeting was called to order at 7:30 p.m. Steven Kanner made a motion to approve the minutes from the January 22, 2020 as amended. Patricia Miller seconded the motion. The vote to approve was unanimous. The next meeting will be on March 11, 2020 in the Donaldson Room.

At 7:35 p.m., Steven Kanner made a motion to enter into Executive Session in accordance with MGL, c.30A, §21(a), Exemption 3, to discuss strategy with respect to the matters listed below where an open meeting may have a detrimental effect on the litigating position of the public body, and the chair so declares, and in particular: “Oak Ridge Realty Trust 1X u/d/t/, plaintiff v. Frederick L. Mansfield, MD; Steven Kanner, MD; and Patricia Miller as they constitute the Lincoln Board of Health and Elaine Carroll, as the Lincoln Board of Health Administrative Assistant, defendants” and return to the regular meeting. The motion was seconded by Frederick Mansfield. Roll Call: Frederick Mansfield – aye; Steven Kanner – aye; and Patricia Miller – aye.

At 9:15, Steven Kanner made a motion to adjourn the Executive Session and return to the regular meeting. Patricia Miller seconded the motion. Roll Call: Steven Kanner – aye; Patricia Miller – aye; Frederick Mansfield – aye

The Board of Health received an Open Meeting Law complaint filed on January 28, 2020. Steven Kanner made a motion to acknowledge receipt of the complaint and to have Town Counsel take the necessary actions to answer this complaint. Patricia Miller seconded the motion. The vote to approve was unanimous. The members discussed the wording of the first three sentences under the heading of “Horse Odor Complaint”. The approved amended meeting minutes are as followed:

Steven Kanner read the following:

**Horse Odor Complaint:**

The members were informed that the Land Court will hear a motion to dismiss the court case between the Board of Health and Oak Ridge Realty Trust on January 27, 2020. Town Council is also looking into the Board’s obligation to license barns. The Town has never licensed barns before but this was brought up by Oak Ridge Realty Trust during Public Records requests. The Board will await Town Council’s opinion on licensing the barns. We have learned that the Animal Control Officer cannot give out the addresses of barns because the State considers this information confidential. If we need to license barns in the future, the Board will need to coordinate this with the Animal Control Officer. The members would like a copy of the State Regulation that says Towns with a population of over 5,000 needs to license barns and also get information from surrounding towns on their policy for licensing barns. The barns are inspected yearly by the Animal Control Officer and reported to the State along with the animal count in Town, which is also posted in the Town Report. The Board would also like a copy of the Zoning Bylaw which states that residents can keep animals for personal use by right.

Frederick Mansfield read the following:

**Minuteman Commons, 82 Virginia Road:**

Stan reported that the septic system is running down the road from cracks in the asphalt and it has been ignored since the summer. A resident of the complex took pictures of the leakage and reported it to Stan, who has now informed them that they have 5 days to let him know how bad it is and what they are doing about it. The contractor did a lot of damage doing site work and may have resulted in broken pipes under the driveway. This is

a pressure distribution system with 5 lbs. of pressure coming up. There are three sections to the system and they were planning on shutting down two of them. There are 2,500 gallons a day going into the system. The Trustees for the Association are not being forthright in what they are doing. The management company is expecting to get bids tomorrow to fix the problem. Stan said he can file in court if it is not fixed. The Trustees have been ordered to keep the tank pumped down. There is a 23,000 gallon tank and pumping it down gives them 8 days before having to do it again. Stan will keep the Board posted on this.

Patricia Miller read the following:

The meeting was called to order at 7:30 p.m. Patricia Miller made a motion to approve the minutes from the October 16, 2019 meeting as written. Steven Kanner seconded the motion. The vote to approve was unanimous. The next meeting will be on January 22, 2020 in the Donaldson Room.

Bills Paid: Town of Lexington for Sept. 15 Hazardous Waste event for \$148.66; Emerson Hospital Home Care for Town nurse for Sept., Oct. and Nov. for \$1,167.00 each; East Middlesex Mosquito Control 2<sup>nd</sup> Quarter for \$2,575; and Town of Lincoln for Public Safety Detail for flu clinic for \$216.00.

Patricia Miller made a motion to approve the minutes from the December 18, 2019 meeting as amended. Steven Kanner seconded the motion. The vote to approve was unanimous. The amended minutes will be posted on the Town website.

There being no further business, Steven Kanner made a motion to adjourn the regular meeting. Patricia Miller seconded the motion. The vote to approve was unanimous. The meeting was adjourned at 9:25 p.m.

*Submitted by Elaine M. Carroll*

*Approved: March 11, 2020*