

**ACUSHNET BOARD OF HEALTH
PJ KEATING CONT. APPEAL HEARING
AT ACUSHNET COUNCIL ON AGING**

AUGUST 2, 2022

PRESENT: Thomas J Fortin, Chairman
Robert Medeiros, Clerk
David M Davignon, Inspector
Joseph Correia, Health Agent
Patrick Hannon, Assistant Health Agent
Wanda L Hamer, Clerk
Attorney Jeff Blake, KP Law

6:37 P. M.

D. Davignon made a motion to open the meeting, R. Medeiros seconded the motion, all were in favor, so voted.

Hearing

To hear & consider an appeal filed by PJ Keating Co., 72 So Main St., Acushnet, of a Cease & Desist Order issued by Assistant Health Agent pursuant to G.L. c 111, s 122, and 310 CMR 7.00 et. seq., relative to nuisance odor from a Hot Mix Asphalt plant on the property.

Chairman Fortin handed the floor over to Atty. Blake to explain where the board is at this moment.

Atty Blake explained we will not be hearing any evidence today because the time frame to review took longer than anticipated and PJK submitted more documentation for review. We were only able to finish today and it wouldn't be fair to move forward with hours' worth of notes. There seems to be a pattern with everyone exchanging notes just before a meeting. The board has come up with a briefing schedule that it hopes will work. Atty. Luke Leger was present and Atty. Blake asked Atty. Leger if he received the rebuttal to the documents and if 7 days (August 9th) is enough time to respond and we would have 6 days (August 15th) to respond. And to continue the hearing until August 23rd. Atty. Luke Leger said the 23rd will work for whom is present and the others that are not present should be ok with that date.

Atty. Blake suggest to Chairman Fortin make a motion to this schedule outlined and dates suggested.

D. Davignon made a motion to move forward with the dates counsel just outlined, R. Medeiros seconded the motion, all were in favor, so voted.

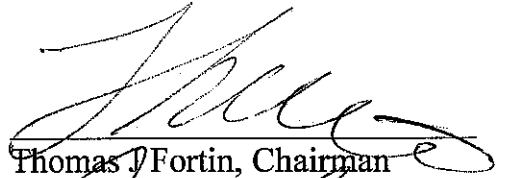
D. Davignon made a motion to continue this hearing till August 23rd at the Council of Aging, R. Medeiros seconded the motion, all were in favor, so voted.

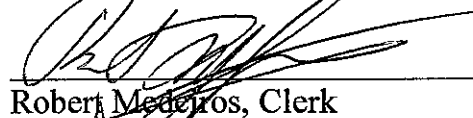
Chairman Fortin let the audience know that if anyone would like any information that we have from Conico and Atty. Leger's Office we do have this in our office and is public information.

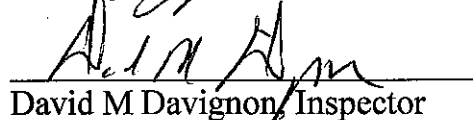
6:43 P.M.

D. Davignon made a motion to adjourn, R. Medeiros seconded the motion, all were in favor, so voted.

Approved: DEC - 6 2022


Thomas J Fortin, Chairman


Robert Medeiros, Clerk


David M Davignon, Inspector