

NOVEMBER 13, 2014
STERLING BOARD OF HEALTH MEETING
BUTTERICK MUNICIPAL BUILDING
1 PARK AVENUE, ROOM 205
STERLING, MA 01564
MEETING MINUTES

BOARD MEMBERS: Gary Menin (Menin) , Chairman
Allen Hoffman (Hoffman), Vice Chairman
Donna Clark (Clark), Clark

BOH Staff: David Favreau (Favreau), Health Agent

MINUTES: Jane Brunetta (Brunetta)

ATTENDEES: Jim Annoamorati
Gary Griffin
John Kilcoyne, Sterling Selectman
Whitman & Bingham Associates
Rock Breakers, Owners

6:30 p.m. Menin called meeting to order, **Roll Call Attendance, Menin present, Hoffman present, Clark present**

Gary Menin noted that he was recording the proceedings as a member of the public and it will be available on 'the cloud' for those who wish to listen to it.

1. Approval of October 9, 2014 minutes. Hoffman made a motion to approve minutes as amended, Clark seconded, no discussion, Menin aye, Hoffman aye, Clark aye
2. Correspondence:
Discussion of concerns that the Board of Health was not being kept in the loop concerning septic systems being tested by the Montachusett Regional Inspector without notifying the BOH. Hoffman requested Favreau draft a letter to Steve Curry explaining that the BOH be notified before any testing be conducted.
3. Health Agent Report
 - a. 15 Still River Road, Permit was issued for new tank as old tank was leaking.
 - b. 23 School Street, Title 5 inspection failed due to ground water elevation.
 - c. 14 Quail Roost Run – Favreau received several complaints about the odor from pigs, turkeys, and chickens. Favreau did visit the property on October 21, 2014 and again on October 23, 2014 with Allen Hoffman identifying scattered debris and odor during this visit. The owner informed Favreau that he would be relocating the animals to a different location on the property to distance the odor from the complainants and that the turkeys and some chickens were going to slaughter prior to the holiday. After discussion, it was decided that Menin would visit the site.

- d. Sterling Deli complaint – Menin informed the BOH that he had received a complaint of a chef smoking in the kitchen area of this establishment and then put out the cigarette in the sink. Menin would not reveal the name of the individual making the complaint as he asked to remain anonymous. Members all agreed that no action can be taken by the Board on an anonymous complaint, however, establishments are inspected twice yearly.
- e. Salary Survey – Human resources, Don Jacobs previously shared statistical data of salary wages for Board of Health Agents from neighboring towns.
- f. 57 Lakeshore Drive – Mr. Annoamorati stated that when the well was drilled at 57 Lakeshore Drive that they hit the same vein that supplies his well water. During the drilling, he had a back up that spilled dirty water into a room in his house. Right now his cost to clean the area is \$1200.00. Favreau stated that the water quality test at 57 Lakeshore does not pass; however, this doesn't mean it won't in the future. Mr. Annoamorati requested that the Board notify the drilling company that no hydro-fracking is done on the well. Mr. Annoamorati stated that he had a water test of his well taken and would have the results on Monday. The BOH requested that they receive a copy of the test results. Members requested Favreau to draft a letter to the drilling company stating that the well at 57 Lakeshore Drive is non-compliant and may not be placed in service due to the water quality.
- g. 10 Sunset Drive was granted a Certificate of Compliance for the septic tank.
- h. Recommendation letter regarding BOH regionalization.

6:50 p.m. Public Session –

Menin asked if plastic D-Boxes are accepted in Sterling, Favreau stated yes

7:00 p.m. Agenda Items

- 1. 33 Main Street – Lead Paint – John Kilcoyne, Sterling Selectman, requested support from the Board of Health concerning commercial buildings with lead paint falling on public areas and buildings that are not appealing and in need of repair.
Kilcoyne stated that they have the support of the Planning Board and are in the process of drafting a by-law concerning this issue and would be bringing it to a town meeting for a vote. Hoffman noted that 33 Main Street has been reviewed and discussed at several recent meetings of the BOH. On each of these occasions, the BOH has concluded that the conditions at 33 Main Street do not rise to a level where they are actionable by the BOH. Hoffman is concerned that this proposed by-law for lead paint would be just for a certain areas of Town and could be the start of spot checking. Members asked Kilcoyne to forward the by-law for them to review.
- 2. Menin... request an article on the spring warrant for the siting of a package sewerage treatment in the downtown area...after reviewing the number of dwellings in the downtown area, it was found that out of 124 dwellings, 90 meet Title 5 compliance while there is no confirmatory record to compliance for the remaining 34 buildings. . Members agreed to table the issue for now as it would not seem justified that further study is warranted at this time.
- 3. Site Plan – 15-21 Chocksette Road – Members reviewed the plan presented by Whitman & Bingham, Associates. All agreed that with this plan, no additional buildings would be allowed; they are at the maximum usage. It was noted that they were not looking for approval at this time since no local variances were being sought, but did mention that the Conservation Committee did approve the plan.

8:10 p.m. Hoffman motioned to adjourn, Clark seconded, no discussion, Menin aye, Hoffman aye, Clark aye

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November 13, 2014

Sterling Board of Health
Butterick Municipal Building
1 Park Street
Sterling, MA 01564

Dear Sterling Board of Health Team,

It is my understanding there is discussion by the current Board to explore the possibilities of regionalizing its health department. As a resident, system inspector and licensed disposal works installer in the town of West Boylston, I would like to share my thoughts and experiences on a regional board of health vs a localized board. Please note that my point of view will strictly be regarding issues related to Title 5.

In 2011 my home town of West Boylston joined the Central Mass Regional Public Health Alliance. To the best of my knowledge there are two health agents employed by the CMRPHA that would conduct septic system inspections and witness soil testing. From my experience these individuals have proven to be qualified. The concerns are raised due to the fact they all live outside of West Boylston, service other towns in addition to West Boylston, and at the end of the day report the CMRPHA back to their employer and overseer.

2014 saw an embarrassing oversight and lack of due diligence during a septic system upgrade. An installer from eastern Mass was hired to upgrade a system in West Boylston in January of 2014. A partial certificate of compliance was issued due to the time of year and in-climate weather which prohibited seeding and soil stabilization. Fast forward to August of 2014, the design engineer contacts the West Boylston Board of Health to issue an enforcement order on the installer to correct the slopes, spread loam, and seed the system. In no instance should 8 months have passed by for a system upgrade to be brought into compliance. This was also not the responsibility of the design engineer, thankfully for the Town and the new homeowners, he is extremely diligent. Clearly this issue should have been corrected months earlier. Does the oversight fall on the West Boylston Board of Health or on the CMRPHA? Has the WB BOH washed their hands with respect for Title 5 because well over 50% of our town has been connected to a centralized sewer system? Does the Board now assume all matters are executed by this regional group? The answers can vary, however, it's undeniable that this type of gross negligence would not have occurred if we had an independent and local Board of Health agent.

Another concern with BOH agents serving multiple towns is the issue of availability. Through no fault of the CMRPHA agents, it is impossible for them to be in multiple places at once. Serving multiple towns in the Greater Worcester Area, it severely limits an agent's time in one area. I would suggest this be given a substantial evaluation considering 100% of Sterling is served by septic systems, in addition to your public beach and considerable amount of farmland.

As a fourth generation excavating contractor, and as a family who was installing cesspools in the 1930s and 1940s, an abundance of knowledge and information has been passed down from generation to generation. It goes without saying that every aspect of a septic system installation or repair is a much more positive experience when dealing with a local Board of Health agent.

I would also like to take this opportunity to express my tremendous satisfaction with Sterling's current Board of Health Agent David Favreau. His accessibility is imperative and I cannot express enough how essential, convenient and effective is it having a local Health Agent who lives in the town they are serving. Just this week we had installed a new tank and distribution box at 15 Still River Road. The empty nest couple had not lived in the house for sometime due to an elderly and ill family member who ultimately passed away. They are looking to make any necessary repairs to get the house on the market as soon as possible. With an appreciation for the homeowners' position, and given the time of year and knowing that the numbers of good working weather days are limited, I reached out to David to see if he would be available for an inspection on Tuesday November 11, Veteran's Day. Even though the Board of Health's office was closed, along with banks, government facilities, and the Post Office, David made himself available knowing we wanted to take full advantage of the good weather. This would not have happened with the CMRPHA, as they are all employees of the Worcester based consortium, not to mention they reside out of town.

It has been our experience the grass is not always greener on the other side, and the initial figures, with respect to dollars and cents, don't always represent the clearest picture. We personally prefer the services and system currently conducted by the Sterling Board of Health as opposed to the regional system that West Boylston is currently a part of. It is my hope that this letter demonstrates the fundamental need for a local BOH and that the decision to move regionally is erroneous.

I am happy to speak with you further or answer any questions you may have. Thank you for your time and consideration.

Kind Regards,

Daniel P. Mercurio

SI#: 13570