

October 20, 2016  
Sterling Board of Health Meeting  
Butterick Building, Room 205  
1 Park Street, Sterling, MA. 01564

Meeting Minutes

6:30 PM                      Chairman Donna Clark called the meeting to order.

**Roll Call:**                      Donna Clark, Chair - present  
                                        Allen Hoffman, Member - present  
                                        David Favreau, Health Agent - present  
                                        Elaine Heller, Admin. Asst. - present  
                                        Gary Menin, Vice-Chair - Absent

**Attendees:**                      Laurey Cousins  
                                        L.R. Favreau  
                                        Jamie Rheault, Whitman & Bingham  
                                        Marty Piermarini, LKQ Building  
                                        Chuck MacKenzie, LKQ Building

The proceedings were not recorded.

**Approve Available Minutes:**

Approval of minutes was placed on hold, at the request of member Gary Menin, who was not able to attend the meeting.

**Health Agent Report:**

Mr. Favreau noted the matter of Commonwealth of MA vs. Mike Cove has been continued to October 28, 2016.

At the last hearing, on September 19, 2016, the attorney for Mr. Cove requested additional information, an independent engineer's report on 14 Glendale Ave. It should be noted that Mr. Menin was present, sat beside and had discussions with Mr. Cove during this hearing.

MPHN update from September 14, 2016:

Mr. Favreau attended this meeting and indicated the fee schedule has not been adjusted to date. A base fee for each service may be implemented. The next meeting of the MPHN will be held on November 11, 2016, in the Westminster Town Hall at 8:30 AM.

215 Worcester Road - NEADY Cats Corp. response:

Owners of NEADY Cats Corporation provided a written letter in regard to questions raised by the Board of Health at their last meeting. Questions were answered to the satisfaction of the BOH. The Sterling ZBA has given their approval.

Title 5 Inspection Report - 64 Albright Road garbage grinder:

According to Health Agent Favreau, there is a garbage disposal at this location. The septic design does not support a disposal and it must be removed. Mr. Favreau will send a letter to the homeowner.

Flu Clinic on September 20, 2016:

The clinic yielded 43 persons at the Senior Center and 22 at the Fire Department.

Formal letter response to complaint dated August 11, 2016, from Paul Belair:  
A formal letter response was written and sent to Mr. Belair on October 3, 2016.

**Other Items:**

The fee charged by Fay Spofford to review nursing homes may be increasing from approximately \$2600 to approximately \$3200. Mr. Favreau noted he would like the Board to consider raising the budgeted amount for this service.

The building at 33 Main Street, owned by Gary Griffin, is currently being re-sided.

Effective January 1, 2017, the public records law is changing. Town Counsel Kopelman and Paige will be holding a seminar sometime at the beginning of the year to explain the changes.

**Public Session:** None

**Appointments and Agenda Items:**

15-21 Chocksett Road: variance request from Sterling Subsurface Sewage disposal Regulations IV d. all septic tanks shall be monolithic precast concrete units. Monolithic tanks this size are not commercially available.

According to member Allen Hoffman, variances are not allowed for new construction but the request could be accommodated by an alternate procedure. Jamie Rheault, of Whitman & Bingham, represented the owner of the property and indicated a monolithic tank in the size needed is too big and heavy for commercial use. He noted a water-tight tank could be done and would do the job.

Mr. Hoffman indicated this change could be accepted by requiring a deed restriction that the system be inspected every three years to be sure it is not leaking. He made a motion for a deed restriction stating LKQ must file an inspection report every third year. The motion was seconded by Donna Clark; all in favor.

Discuss 6 Goulding Road complaint:

A formal complaint was received by the Board of Health from Laurey Cousins, representing her mother, the owner of the property at 6 Goulding Road.

The alleged violation pertains to a breach of contract by Michael Cove of Cove Septic Corporation. Ms. Cousins paid \$6000 to Mr. Cove to repair, if possible, the septic system at this address. If not possible to repair, the money would be used toward a replacement of the septic system. The BOH has never issued a permit which would allow work on the septic system. To date, the system has neither been repaired nor replaced.

Ms. Cousins provided documentation to support her complaint. Board members reviewed the documentation. Mr. Hoffman suggested Ms. Cousin's attorney contact the Assistant District Attorney, Mr. John O'Leary, in Worcester, regarding the actions of Mr. Cove, as the situation is not resolvable by the Board of Health.

**Adjourn:**

A motion to adjourn the meeting was made by Allen Hoffman and seconded by Donna Clark. The meeting adjourned at 7:57 PM.