

November 9, 2023
Sterling Board of Health Meeting
Butterick Building, Room 205
1 Park Street, Sterling, MA 01564

Meeting Minutes

6:00 PM Allen Hoffman, Chairman, called the meeting to order.

Roll Call: Allen Hoffman, Chairman – present
Anne Marie Catalano, Member – present
David Favreau, Health Agent – present
Elaine Heller, Administrative Assistant – present

Attendees: Tim Hardig, Don Brown, Janis Brown, Kirsten Newman, Kathleen Maki,
John Boardman, Don DeAmicis, D. Bratlof, Gail Hassett, Laura Ricci,
Janet Cosgrove, Pat DeAmicis, Patricia Blakeney, Scott Blakeney,
Harold Schobeck, David Farabaugh, William Beck, William Beck, Sr.,
Craig Miller, Lisa Kloczkowski, Joan Kranich, Benjamin Cheslawski,
Dave Fedeli, R.D. Mapp, Paula McCassy, Gary Menin, Jonathan Malewski,
Jay Westbrook, Joseph King, Sandra Taubert, Richard Maki, Steve Damiano,
Richard Lane

General Business Update:

Approve Any Available Minutes: October 12, 2023:

After review of the minutes, Ms. Catalano made a motion to approve the minutes and Mr. Hoffman seconded the motion. Roll call vote: Catalano – aye; Hoffman – aye. Motion carried.

Health Agent Report:

According to Health Agent Favreau, a small combustion fire occurred on October 31 in the kitchen at Chocksett Inn. Serv-Pro did a wonderful cleanup job and the Inn reopened the next day. There was no fire damage.

On October 24, 2023, E-Coli, which is a fecal indicator, was found in a water sample collected from Redemption Rock Well 5. Well 5 is one of five active wells that supplies drinking water to the town's system. It was caught early, before contamination. Mr. Hoffman noted this contamination is an example of what can happen regarding sewage.

The Board received a letter from the Select Board asking them to reconsider their actions in the matter of the observation hole requirement as discussed at the Special Town Meeting, to take this requirement "off the table" for the time being. At a later time in the meeting, Select Board member Kirsten Newman read the letter into the record.

A rabies clinic was recently held at VCA Sterling; approximately 41 animals were vaccinated.

There is now a vacancy on the Board with the recent resignation of Cathie Martin. Applications will be reviewed by the Select Board and the Board of Health.

Signatures Required: None

DPH – Interagency Updates: Ms. Catalano offered to provide updates, after the resignation of Ms. Martin.

Other Items: None

Appointments and Agenda Items:

Variance Request: 92 North Row Road:

Local Upgrade Request: 310 CMR 15.405(1)(i): A Sieve Analysis May Be Performed if a Percolation Test Cannot Be Performed. (Soil sample taken for sieve analysis due to wet conditions at time of testing is proposed).

Civil Engineer John Boardman spoke on this variance request. According to the Health Agent, the plan is done well and meets all state and local regulations. After review of the plan, Catalano made a motion to accept the plan as presented and Hoffman seconded the motion. Roll call vote: Catalano – aye; Hoffman – aye; Motion carried.

Review/Discuss Outcome of Warrant Articles from October 16, 2023 Special Town Meeting:

Ms. Catalano addressed issues she was not able to present at the STM; these include:

- Form 11 is done by the soil evaluator.
- The Board of Health does not wait until there is a problem; public health is proactive, not reactive.
- 2 septic systems failed due to the new regulation, with the system in the groundwater.
- In regard to a quorum of the Board, 2 members is accepted if there are 3 members on the board. There is no Open Meeting Law violation of the Board of Health.

Several attendees spoke on these issues, providing opposing views.

A number of residents in the audience raised the issue of the increased use of the 1835 Town Hall, implying that it was in violation of the MA Sanitary Code (Title 5).

Terry Heinold holds licenses in town as a septic installer and hauler. He noted the Board of Health is required to uphold the state sanitary code. He then provided his insight into the observation hole issues. He stated he did deep holes for many years if he could not find the water table. He also noted the regulation change resulted from problems associated with the septic system at 24 Kendall Hill Road. Mr. Heinold was hired by the homeowners to do a septic inspection and when he wanted to do a deep hole test, he was fired.

Vote on Revisions to Local Subsurface Disposal Regulation:

Ms. Catalano has been in contact with individuals at DEP regarding usage of the term “soil evaluation observation hole”. As of the meeting date, she has not received a reply. She suggested no vote be taken at this time to change the wording regarding “deep hole test” vs. “soil evaluation hole.” The regulation will not be rescinded at this time.

She moved to hold revision of the term until an answer from DEP. Mr. Hoffman seconded the motion. Roll call vote: Catalano – aye; Hoffman – aye. The motion carried.

Mr. Hoffman announced the public hearing will be continued to the next meeting, which is scheduled for December 14, 2023.

Adjourn:

A motion to adjourn was made by Catalano and seconded by Hoffman. The meeting adjourned at 7:28 PM.

Materials: Minutes; Select Board letter

