

January 13, 2022  
Sterling Board of Health Meeting  
Butterick Building, Lower Level Conference Room  
1 Park Street, Sterling, MA 01564

Meeting Minutes

6:00 PM                      The meeting was called to order by Chairman Allen Hoffman.

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

**Attendees:**                      Richard Maki, Rob Protano, Jeff Sobol, Kelly Jones, Jen Szczuka, Robert Sacco,  
Patrick Wood and Town Counsel Gregg Corbo

Via ZOOM: Carl Nelke, Jake Pettes, Barry Lein, and Carol Hoffman

Health Agent Favreau and Attorney Sacco recorded the meeting.

**Continued from December 2, 2021 – 24 Kendall Hill Road:** discussion and possible vote concerning Title 5 inspection report and application for repair of system:

The main issue with the Title 5 report provided by the Inspector, Jake Pettes, revolves around the fact that information stated at the meeting on December 2, 2021, noted a hole was dug to 43 inches or deeper, but this was not stated in the Title 5 report. This information is used in determining high groundwater elevation. The Board requested an amended report at the last meeting, but the request has been ignored by the applicant.

Mr. Sacco became very heated in the discussion of this topic and Chairman Hoffman called a 5-minute recess specifically for Mr. Sacco, so he could calm down. Mr. Sacco left the meeting at 6:20 PM.

**General Business Updates:**

**DPH – Interagency Updates – Covid Test Kits:**

Cathie Martin provided her notes from interagency meetings. The supply of test kits is low. Once the school systems have received a supply of test kits, there is the potential for local Boards of Health to receive the products.

**Continuation of December 2, 2021 discussion:**

Mr. Sacco returned to the meeting at 6:28 PM. Attorney Corbo advised him that the Title 5 report needs to be amended. Jake Pettes, the Title 5 Inspector, stated he did not observe ground water or mottling at the site. The photos that had been provided to the Board at the last meeting were poor quality and of no help. Chairman Hoffman noted, once again, that Mr. Pettes needs to submit an amended report to include what he observed.

Mr. Nelke, acting as Alternate Agent, advised members that he observed a hole dug to 6 feet +/- and verified no signs of standing water or mottling. The system is not in the groundwater. He offered to put this information in writing.

Mr. Sacco questioned if the Board will make a recommendation to accept the Title 5 of Mr. Pettes with the information provided as an addendum to his report and certified by Mr. Nelke.

Attorney Corbo prepared a motion stating that the Board will accept the report as a passing Title 5 if Mr. Pettes provides a written narrative consistent with the information presented at this meeting, signed by both Mr. Pettes and Mr. Nelke with the certification provided in Part B of the official Title 5 inspection form, said report to be deemed approved upon receipt of the requested information.

Cathie Martin made a motion to accept the motion presented by Mr. Corbo and Anne Marie Catalano seconded. Vote: Hoffman – aye; Martin – aye; Catalano – aye. The motion carried.

**General Business Updates (continued):**

**216 Beaman Road Variance Request:**

**Sterling Subsurface Sewage Disposal Regulations:**

Reg. IV.a., Leach beds to be 1000 square feet minimum, with 12" of stone beneath the pipes (500 sq. ft. of Presby type system provided with no stone beneath pipes). Reg. IV.k.l., leaching facility must be located 100' from nearest wetland (63' provided).

**Local Upgrade Request:** 310 CMR 15.401 (1)(j) Reduction of separation from inlets and outlets of the septic tanks, 12" is required, 10" is proposed.

The Agent for this property, Patrick Wood, provided plans for this proposed Presby system. This is a 4-bedroom home, with surrounding DCR property and wetlands. Conditional approval has been obtained from the Sterling Conservation Commission and approval is pending from DCR. Health Agent Favreau had reviewed the plan submittal and commented they meet local regs, and are in complete compliance. After review of the plans, member Catalano made a motion to accept them and Chairman Hoffman seconded. There was no further discussion. With all in favor, the motion carried.

**Approve Any Available Minutes: December 2, 2021:**

A motion to accept revised minutes was made by Martin and seconded by Hoffman. Unanimous vote.

**Correspondence:** None

**Health Agent Report:** None

**Signatures Required:** None

**COVID Test Kits (continued):**

Resident Dick Maki attended the meeting on behalf of the Sterling Senior Center. He noted there are approximately 80 volunteers at the Senior Center, who are a vulnerable group for contracting the virus. Director Veronica Buckley would like the Center to have test kits available for the volunteers and staff. Fire Chief Hurlbut will help in obtaining some for the Senior Center. Availability of test kits is a continuing problem.

According to Barry Lein, MRPC can get test kits and other towns are obtaining funds for them. Cathie Martin will try to get on the agenda for the Select Board meeting scheduled for January 19, in regard to funding for kits.

Animal Control Officer Update:

ACO Kelly Jones appeared before the Board regarding concerns at 2 places of residence. The first one is 28 Worcester Road, where 2 individuals are residing in a shed on the property, which has no water, plumbing, heat, etc. There are 2 pets, a dog and cat. Photos of the property and shed were presented to Board members. The police have been there numerous times and the Fire Department has provided EMS services. The dog is not licensed in town and is considered dangerous. Mr. Hoffman suggested the Health Agent talk with the fire department personnel and the building inspector and then visit the property. The Board may ultimately condemn the building. Jim Emerton from the Fire Department tried to get the female resident in touch with resources, but she did not contact anyone.

The second residence is on Princeton Road, where a pig is residing in a barn that has partially collapsed. The ACO has had contact with the MSPCA about both cases, but ACO Jones has not been able to get them involved at this time. Mr. Hoffman thought the MSPCA would be the best bet. Mr. Favreau is familiar with the homeowner and suggested ACO Jones contact him to see if he would relinquish the pig. She will try this approach.

23 School Street failed Title 5 inspection and property line concerns:

The owner of the property would like to put up a fence on the property, however a portion of the subsurface disposal system to the property is believed to be on abutting property. Mr. Hoffman noted that he has to recuse himself from any vote on this matter. Both abutter, and the owner of 23 School Street have been to housing court regarding this legal matter. The BOH has no record of survey to confirm or deny property lines relative to location of the existing subsurface disposal system in question. The BOH does have a failed Title 5 Inspection report from 2014.

FY23 BOH and Animal Inspector Budget Discussion:

Health Agent Favreau presented an FY23 Budget Worksheet, which detailed expenses and salaries. He explained any changes and answered all questions. A motion to approve the budget was made by Martin and seconded by Hoffman. All members were in favor and the motion carried.

Review of Future Agenda Items and Meeting Date:

A rep from the DPW water department will be asked to attend the next meeting to discuss a memo that was recently sent to homeowners regarding lead in town water.

A review of stable regulations will also be on the agenda.

The next meeting will be held on Thursday, February 10, 2022, at 6:00 PM, in the lower level conference room.

Adjourn:

Martin made a motion to adjourn the meeting and Hoffman seconded the motion. All were in favor and the meeting adjourned at 8:26 PM.

