

February 8, 2018  
Sterling Board of Health Meeting  
Butterick Building, Room 202  
1 Park Street, Sterling, MA 01564

Meeting Minutes

5:34 PM In Chairman Clark's absence, Vice-Chairman Gary Menin called the meeting to order.

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

**Attendees:** Jean McNally. David Sadowski arrived at 6:40 PM.

Gary Menin noted that he is recorded the proceedings of the meeting, David Favreau also noted he would record this meeting.

Approve Any Available Minutes:

Approval of the May 11, 2017 Executive Session minutes was deferred pending further evaluation regarding the lack of response from Mr. Morin. Mr. Favreau and Mr. Hoffman will review previous minutes.

Minutes of the January 11, 2018 meeting were put on hold until the next meeting.

Correspondence:

None

Health Agent Report:

Mr. Favreau advised members that the Finance Committee review of budgets will occur on March 3, 2018 for any BOH member who is interested in attending.

Signatures Required:

All necessary paperwork was signed.

Other Items:

Gary Menin raised the question of whether or not haulers and installers are required to have liability insurance. Health Agent Favreau will check with other towns and agencies for input and Mr. Menin will check with the Mass Association of Health Boards. This topic will then be discussed at the next meeting.

**Public Session:**

None

**Appointments and Agenda Items:**

Discuss Proposed Basement Office Space:

Selectwoman Maureen Cranson attended the meeting at this point, to provide details on the intended use of the basement office space. She noted that the BOH will be located there in the

short term, and then possibly the Building Department and Conservation Commission will share the space, which will not have stationary walls.

Gary Menin - Discuss Roadside Herbicide Spraying "Centerpiece Memo":

Mr. Menin had emailed copies of this memo to all Board Members, the Agent, Assistant Agent, Recording Secretary and select additional recipients that had expressed an interest in this subject. Mr. Hoffman noted the memo provided the appearance that it is the position of the entire Board of Health. Mr. Hoffman stated the remaining board members do not reflect the position within this memo as presented. At this time, Mr. Favreau presented a copy of the memo to a woman within the audience of the public meeting, and asked her to read the memo. Mr. Favreau then asked the woman her perception of where this memo came from. She responded that it clearly stated the Sterling Board of Health, as listed at the top of the memo as the header. Mr. Menin responded that anything taken out of context is subject to misinterpretation and this what done, as all correspondence associated with this "CENTERPIECE" memo (see email forwarding message below) clearly indicated that it was a "PROPOSAL" that he had agreed to prepare as a result of a commitment he made at the December meeting.

Mr. Hoffman suggested the Health Agent meet with Bill Tuttle, DPW Superintendent, and inquire as to his process for spraying. Mr. Menin indicated that it was his understanding that this assignment had already been made in December. Mr. Favreau will also check with Vinnie Vignaly from DCR, regarding a memo that the DCR distributed to DPW's on this subject. He will then report back at the March meeting, or sooner if possible. Mr. Hoffman also commented that Mr. Menin Statement / Memo goes beyond roadside spraying. Mr. Menin agreed and pointed out that the content of the memo was borrowed from other Towns that have already adopted such very stringent herbicide/pesticide use restrictions.

Discuss Opioid Epidemic Resources:

Health Agent Favreau suggested posting links to websites for opioid resources rather than documents. After discussion, it was agreed that Mr. Favreau would have approximately 10 links posted.

Gary Menin - Discuss Regulatory Options for Marijuana:

David advised Board members that the Planning Board is working on a bylaw for the town regarding direct sales of marijuana. The Planning Board will prepare an article for the town meeting warrant, proposing no retail sales. The Board of Health could consider a ban or regulating retail establishments if the article does not pass.

Permit Extension Request 42 North Row Road:

The Health Agent noted the permit for this address was for new construction and the applicant is requesting an extension of one year on a septic system permit which is due to expire on May 18, 2018. Mr. Favreau recommends the extension. Mr. Hoffman made a motion to extend the permit as requested and the motion was seconded by Gary Menin. The vote was unanimous.

Gary Menin - Discuss Sterling BOH 24/7 Call-down List:

All BOH members should be part of the notification process for the emergency preparedness call-down list, but Mr. Menin did not receive an email the last time there was a notification. Mr. Menin will check the link through DPH, Health and Homeland, and hopefully resolve the problem.

15 Hall Ave Variance Request (Continuation):

To reduce the minimum separation distance from high groundwater and the SAS as required in 310 CMR 15.405 (1)(h) from 4 feet to 3 feet and as required in Sterling Subsurface Sewage Disposal Regulations IV (f). Section IV (a) to reduce the leaching bed square footage, 1000 sq. Ft. required, 375 sq. ft. Proposed and eliminate stone beneath the lateral pipes. Section 310 CMR 15.211 (1) required offset from soil absorption system and foundation, 20' required, 3' proposed with poly barrier.

Homeowner Jean McNally and Engineer David Sadowski appeared before the Board to address this continuation on the variance request. After discussion, Allen Hoffman moved to accept the revised variance and Gary Menin seconded the motion. Mr. Menin noted that his decision was based on the fact that in the January meeting (which Mr. Menin missed) – both Mr. Hoffman and Ms. Clark had agreed to approve the variance pending the submittal/review of additional information. The “additional information” was received and found satisfactory to Mr. Hoffman and Ms. Clark. The motion carried with Menin and Hoffman in favor.

**Adjourn:**

A motion to adjourn the meeting was made by Gary Menin and seconded by Allen Hoffman at 6:52 PM. A decision was made to rescind the motion to adjourn in order to review Executive Session minutes of May 11, 2017. The meeting was reopened and a motion to approve the minutes was made by Allen Hoffman and seconded by Gary Menin. All in favor; motion carried.

A motion to adjourn the meeting was then made by Allen Hoffman and seconded by Gary Menin. The vote was unanimous and the meeting adjourned at 7:01 PM.