

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

Meeting Minutes

5:30 PM Chairman Donna Clark called the meeting to order.

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

Attendees: Shawn Higgins, Steve Sears, Daniel Mercurio, Robert Latini,
Keith Howlett, Jean McNally, Maryanne MacLeod, Peter Senge,
Pamela Queeney

No One recorded the proceedings of the meeting.

Approve Available Minutes:

A motion to approve minutes of the January 11, 2018 meeting was made by Allen Hoffman and seconded by Donna Clark. The vote was unanimous.

In Gary Menin's absence, approval of the February 8, 2018 meeting minutes was put on hold.

Correspondence:

None

Health Agent Report:

Report on 3/3/18 Meeting with Finance Committee regarding FY19 Budget:

Health Agent Favreau noted that TA Perry has asked for a salary range for the Associate Food and Septic Inspector position, in order to allow for an annual adjustment. Member Hoffman commented that additional monies for the FY 19 budget, amounting to \$1200.00, is needed to cover hours the new Associate Inspector is now working. He would like to meet with the Town Administrator for guidance on proper funding for this position. Allen Hoffman made a motion to increase the Associate Food and Septic Inspector FY 19 budget by \$1,200.00 from the previously approved budget. Donna Clark seconded the motion. All in favor and the motion carried.

Allen Hoffman made a motion that a salary range be set at \$30.00 to \$35.00 per hour.
Donna Clark seconded the motion. All in favor and the motion carried.

Petrogas Sterling Food Service Inspection:

A food service inspection was done after complaints about no domestic water. Domestic water has been restored to this facility after repairs were performed on internal heating and cooling system.

Environmental Testing and Research Labs, Inc., Leominster - MA DEP Certification:

The Health Agent commented that there are concerns regarding lab testing at ETR Labs, which the BOH is using to test the town beach water quality. Mr. Favreau said the Board is now using Analytical Labs in Ayer.

Report: Use of Herbicide Spraying:

David spoke with DPW Superintendent Bill Tuttle regarding this topic. Mr. Tuttle advised him that spraying is done on an as-needed basis.

Report: Liability Insurance Requirements for Haulers, Installers:

Health Agent Favreau spoke with David Boyer of MA DEP, who noted it is not in the jurisdiction of the Board of Health to require liability insurance for haulers and installers, unless this requirement is in the town's local regulations. According to Mr. Boyer, to the best of his knowledge, there are no towns in MA that currently implement this requirement.

Signatures Required: Installers Dan Mercurio and Don Mathews:

Signatures were completed.

Public Session:

None

Appointments and Agenda Items:

Discussion: Aquifer and Water Resource District Regulations:

In regard to aquifer districts, prohibitions exist in some areas, such as underground tanks. Health Agent Favreau remarked that the Board of Health needs to understand where these regulations apply. Members will review the aquifer districts on a map and discuss at a future meeting.

18 Hall Ave Variance Request:

Section IV(a) to reduce the leaching bed square footage, 1000 sq. ft. required, 780 sq. ft. proposed and eliminate stone beneath the lateral pipes. 310 CMR 405 (1)(i) a local upgrade approval request from 310 CMR 405(1)(i) a sieve analysis in lieu of a percolation test. 310 CMR 405 (1)(j) a reduction in separation between inlet and outlet tees of septic tank and pump chamber to high ground water.

Designer Steve Sears of David Ross Associates and homeowner Shawn Higgins appeared before the Board to speak on this variance request, to replace a cesspool for this 3-bedroom home. Several abutters/neighbors were present to express concerns about trucks driving through the area. The installer, Dan Mercurio, noted he is working with the neighbors to address these concerns. A motion to approve the variance request was made by Allen Hoffman and seconded by Donna Clark. All in favor and the motion carried.

109 Clinton Road Variance Request:

To reduce the minimum separation distance of 10' from a septic tank to a water supply line 6' proposed as required in 310 CMR 15.405 (1)(g). 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, 619 sq. ft. proposed and eliminate stone beneath the lateral pipes. Section IV(k) systems shall be located 100' from a water body, 51' offset proposed. A local upgrade approval request from 310 CMR 405(1)(i) a sieve analysis in lieu of a percolation test.

Chris McKenzie came before the Board, representing the engineer and homeowner on this variance request. After discussion, Allen Hoffman made a motion to approve the request and it was seconded by Donna Clark. The vote was unanimous.

Discussion on Recommended Mobile Food Trucks Regulations:

Board members received draft regulations for their review. Allen Hoffman expressed his thoughts that CORI checks should be done on Sterling Fair vendors, if done on food truck vendors. This subject is not in the jurisdiction of the Board of Health.

Appoint Interim Burial Agent Denise MacAloney:

Health Agent Favreau recommended that the Board appoint Interim Town Clerk Denise MacAloney as Interim Burial Agent, until a permanent Town Clerk is hired. Allen moved to appoint Denise and the motion was seconded by Donna Clark. All in favor; motion carried.

Gary Menin - Discuss School Shootings:

In Mr. Menin's absence, the Board passed over this topic.

Input to Planning Board on updating the Subdivision Rules and Regulations:

As requested by the Planning Board, BOH members reviewed the current subdivision rules and regulations and determined they are adequate as written, no changes proposed.

Discuss FY19 BOH Budget Multifunction Printer/Copier/Scanner Expense:

Town Administrator Perry suggested a new copier be absorbed into the budget. After discussion, Allen Hoffman made a motion to amend the budget to include a line item in the amount of \$2,970.00. Donna Clark seconded the motion. The vote was unanimous.

Discuss FY19 BOH Budget Alternate Health Agent/Food and Septic Inspector:

The budgeted amount for this position was \$5100.00. Allen Hoffman made a motion to amend the line item for the contracted Alternate Health Agent/Food and Septic Inspector by adding \$1350.00, for a total line item of \$6,450.00. Donna Clark seconded the motion. The motion carried.

Allen - Summary re: Jim Morin, Installer:

Member Allen Hoffman reviewed executive session minutes from November 12, 2015 pertaining to a Certificate of Compliance which had been signed by the installer, prior to all inspections being completed. Mr. Hoffman suggested a voluntary agreement for a 3-month suspension if Mr. Morin admitted wrongdoing. Mr. Morin did not agree to the suspension. In a BOH meeting on December 10, 2015, Mr. Hoffman made a motion to suspend the installer's license for three months. A vote was taken, with all in favor. An official letter was sent to Mr. Morin on February 25, 2016, notifying him of this suspension. Mr. Morin did not apply for a renewal of his license, until recently, well beyond the suspension period. Mr. Hoffman made a motion to grant Mr. Morin an installer's license at this time. Donna Clark seconded the motion. All in favor, motion carried.

Adjourn:

Donna Clark made a motion to adjourn the meeting, which was seconded by Allen Hoffman. The vote was unanimous and the meeting adjourned at 7:03 PM.