

April 12, 2018  
Sterling Board of Health Meeting  
Butterick Building, Room 205  
1 Park Street, Sterling, MA 01564

Meeting Minutes

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

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

**Attendees:** Town Administrator Ross Perry, Matthew Creek, Barry Lein, Chris Knuth

Mr. Hoffman volunteered to take the minutes of the Meeting.

Mr. Menin noted he was recording the meeting. David Favreau indicated he was recording the meeting as well.

**Approve Any Available Minutes:**

The minutes of the March 8, 2018 meeting were accepted as written. Clark and Hoffman – aye. Mr. Menin abstained, as he did not attend that meeting. Motion carried.

Mr. Hoffman moved to postpone consideration of the February 8, 2018 meeting minutes since he had just received them with Mr. Menin's comments. Mr. Menin seconded the motion. All in favor, motion carried.

**Health Agent Report:**

Mr. Favreau reported that he had posted links for several additional websites related to the opioid epidemic on the BOH website. Mr. Knuth was in the audience and offered to forward links on the same topic that are used by the City of Leominster.

Health Agent Favreau noted there will be a meeting regarding the Sewer Feasibility Study on April 19, 2018. The meeting will include a question and answer period.

**Signatures Required:**

Signatures will be done at the end of the meeting.

**Appointments and Agenda Items:**

Mr. Perry, Town Administrator, attended the meeting and announced that the house at 3 Princeton Road will close with new owners next week. It appears that the building will be renovated. Mr. Hoffman recused himself from the discussion that followed, as he is an abutter to the property. The discussion centered on how the new owners will be notified of the Title 5 requirements for transferring the property. It was generally agreed that a building permit would be required and that would result in the Health Agent and the new owners being notified through that process.

Mr. Perry announced that he is “hoping” that the Board of Health office will move into the renovated basement area later this month.

Mr. Perry also reported that on Monday night, April 9, 2018, the Finance Committee had voted to capture the remaining funds. \$139,000, from a grant award to the Board of Health to assist lower income families to repair their septic systems. The original grant was written by Mr. Hoffman in the late 1990’s and signed off by Town Administrator, Tim Brogan. As the loans were paid back, money accumulated in the account and was available to be reloaded to others. As Board membership changed, knowledge of the grant was lost. Mr. Perry had told the Health Agent previously that the BOH would have one year to reinstitute the program. Mr. Perry stated that the Finance Committee had voted to capture the funds and use it in the FY19 budget.

A long discussion ensued about the need to reinstitute the program. It was generally agreed that while the Board was unhappy with the outcome it would be difficult to reverse this action on the floor of the annual town meeting. Mr. Menin then moved to accept the Finance Committee’s action. There was no second.

Mr. Perry left the meeting at this point.

28-32 Clinton Road Variance Request:

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 & as required in Sterling Subsurface Sewage Disposal Regulations IV (f). 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.

Mr. Chris Knuth represented the homeowner on this variance request. After a short discussion, Mr. Menin moved to grant the variance request, motion seconded by Mr. Hoffman. All voted in favor.

Recognize Efforts of Public Health Emergency Preparedness Coordinator Barry Lein:

Mr. Menin requested that the Town recognize the efforts of Public Health Emergency Preparedness Coordinator, Barry Lein. Mr. Lein had recently conducted a walk-through of Houghton School, outlining how the school would serve as an emergency dispensing site, if needed. All Board members attended the walk-through and were impressed with Mr. Lein’s efforts on behalf of the Town. The Board voted unanimously to inquire as to whether the Town Administrator would consider a gift certificate for Mr. Lein, in recognition of his efforts.

Allen Hoffman: Discuss Ruth Potee Event – Presentation on Addiction:

Mr. Hoffman presented a summary of a presentation by Dr. Ruth Potee on drug addiction that was sponsored by the West Boylston Police and Board of Health. Her presentation noted adverse lifelong effects of becoming addicted in the teenage years.

Discuss: Citizen’s Petition “Notification of Parties on Agenda”:

Mr. Hoffman brought up the issue of the unintended effects of Article 37 on the Town Meeting Warrant, (Citizen’s Petition – Notification of Parties on Agenda). He noted specific examples from his tenure on the BOH in which the Board’s actions on hazardous waste and housing was or would have been affected. In the case involving hazardous waste – barrels containing waste oils/fluids were stored next to a public way. The Board notified the property owner to attend the next BOH meeting to discuss proper means of

disposal. The property owner contacted the Health Agent just before the meeting and stated that there were no barrels at that location and claimed to have no knowledge of barrels ever being at that location.

In another case, renters advised the Board of Health that there was sewerage in the basement of their house. Fearing retribution from the property owner, their notification came a few days before they were moving out. This allowed the BOH to condemn the house on the day the tenants moved out and thereby prevent it from being reoccupied.

After some discussion, Mr. Menin moved to have Mr. Hoffman prepare a statement summarizing the potentially unintended consequences of Article 37 for presentation at the Annual Town Meeting. Seconded by Ms. Clark. All voted in favor.

Preliminary Subdivision Plan Review – Primrose Lane (previously approved October 2004):

Board members reviewed the Preliminary Subdivision Plan for Primrose Lane, previously approved October 2004. Mr. Hoffman moved to once again approve the plan, second by Mr. Menin. All voted in favor.

BOH Appointments: Agent and Associate Agent, Animal Inspector, Burial Agent, Plumbing Inspector:

The Board made the following appointments:

- Burial Agent – Barbara Bartlett
- Plumbing Inspector – Robert Janda
- Animal Inspectors – Louis Massa and David Favreau, alternate
- Health Agent – David Favreau
- Food and Septic Inspector – Robert Moore
- Associate Health Agent – Kathie Nickerson

Gary Menin – Discuss RAPTORSARETHESOLUTION.ORG:

Mr. Menin presented material from the organization, Raptors are the Solution, regarding the toxic effects of rat poisoning on raptors. He broached banning the sale of rat poison in Sterling. There is only one seller of these products in Sterling. Mr. Hoffman stated that while he is sympathetic to the issue, he opposed instituting a ban since the product is easily available just beyond the Sterling borders.

Discuss Permitting and Licensing Late Fee Policy Adopted August 2014 (REVISION):

Mr. Favreau discussed the need to change the date that completed annual Food Service Permit Applications are received by the BOH in order to issue licenses by January 1. The current submission date is December 31; the proposed date is November 30. This proposed date would allow time for processing, which includes signing by Board members at the December BOH meeting.

A motion to accept this change, as noted, was made by Allen Hoffman and seconded by Gary Menin. All were in favor and the motion carried.

Review of Future Agenda Items and Set Meeting Date:

Agenda items include:

- Approaching the Planning Board with respect to requiring a one-time permit for keeping farm animals on lots of less than 50,000 square feet, as proposed by Mr. Hoffman.
- The adverse effects of rat poison on the wildlife food chain. Proposed by Mr. Menin

- Scheduling the annual review of the Health Agent.
- Ms. Clark suggested a discussion on mosquito control.
- Mr. Menin – smart growth approaches.

The next Board of Health meeting will be held on May 10, 2018, at 4:00 PM.

Adjourn:

Mr. Hoffman moved to adjourn the meeting and the motion was seconded by Mr. Menin. All in favor.  
The meeting adjourned at 7:43 PM.