

Board of Health
Meeting Minutes
March 14, 2013

6:30 p.m.	Present: Allen Hoffman, Donna Clark, Gary Menin and David Favreau
6:35 p.m. Codification D.Michanowicz Town Clerk	<p>Codification of Board of Health by-laws</p> <p>Town Clerk stated that they are in the process of updating the Town Web Site for all departments so residents can easily access all information. She stated that no wording would be changed. However, Allen Hoffman said that the Board of Health is required to register all changes to the State under Chapter 111. He also stated that the only change to the BOH by-laws was in July 2011 for Title V. The Board of Health will review information before it is included on the web site.</p>
7:00 p.m. Public Session: McDermott 18 Sherwood Drive	<p>Mr. & Mrs. McDermott of 18 Sherwood Drive questioned the Board as to why they had received the February 9, 2013 letter.. Mr. Menin moved to go into Executive Session to discuss the matter. Mr. Hoffman reviewed the conditions for granting executive session and ruled that Mr. Menin's did not meet the narrow requirements for granting Executive Session. David Favreau stated after a review of the facts resulting from a Housing Court ruling dated 11/26/12 required Mr. McDermott to arrange a Title 5 inspection at this property within 30 days. A subsequent court hearing and a preliminary injunction dated 01/09/13 required Mr. McDermott to comply with Title 5 requirements within 60 days. The McDermott's questioned who went on their property without their knowledge and disagreed as to the findings of the Board of Health Agent. It was explained that no trespass occurred. Through the formal application permit process for a Title 5 inspection by Michael McDermott, a permit application had been signed and fee paid for by Michael McDermott granting permission for the BOH to go onto the property. Subsequent an official Title 5 inspection (on the third found septic system on his property) conducted on 12/21/12 by Russell Leblanc and witnessed by the BOH. Within his report, Russell LeBlanc stated that a soil evaluation should be. Conversation continued as to the ground water elevation with respect to the elevation of the septic system. The McDermott's didn't agree that soil evaluation needed to be performed. Allen Hoffman stated that soil testing could be done to determine the ground water level in comparison to the septic system. McDermott's could not understand why they couldn't use tests that were done in neighboring properties. Allen Hoffman stated that the 12/21/12 Title 5 inspection report states, soil testing needs to be performed to determine if the system is in the ground water, this is stated several times within this inspection report; however, Gary Menin didn't feel that the McDermott's should have to do a ground water test. He was shown the page of Mr. Leblanc's report where soil evaluation is recommended. There was a long discussion about using the septic system in the front of the house for all of the septic system flow. The Board indicated that this could be allowed as it has a passing Title v5 inspection report but that there was no guarantee that the system has the capacity to handle the flow from the entire house. If such a course of action was taken and the system in the front of the house failed, then the owners would have to replace that system. All appropriate permits (plumbing and BOH permits for abandoning existing systems)) would have to be obtained to pursue this course of action. Mr. McDermott stated that he could not perform soil evaluation due to the current conditions with snow on the ground. Mr. Favreau noted that he had observed several soil evaluations in recent weeks. The Board requested that Mr. McDermott attend the April meeting and report the progress he has made toward resolving this issue. An agenda item to discuss this matter was scheduled for April 11, 2013 at 7:15pm. Mr. and Mrs. McDermott agree to this date.</p>

342 Redemption Rock Trail George Pape	George Pape questioned the Board as why there is no Title V for the property as it just transferred ownership. David Favreau said that he has no way of knowing if a Title 5 inspection is being done unless an application for the BOH to witness a Title 5 inspection has been applied for (Sterling regulation). It was noted that the BOH does not have the staff to monitor/track the real-estate transactions. In addition, George Pape said that there was sewage outbreak into the stream from the septic. David Favreau said he visited the area and found this not to be the case and has discussed this with DCR as this parcel abuts the Still River.
Business updates: 2/14/2013, 2/28/2013, and 3/2/13 Minutes	February 14, 2013 minutes...Gary Menin wanted to include a verbal complaint from Mr. Wood on East Park Road. Allen Hoffman wanted a letter from Mr. Grieve concerning 17 Hall Avenue included in the February 28, 2013 minutes. Gary Menin made a motion to accept February 14, 2013 with amended changes and include Mr. Grieve letter to the February 28, 2013 minutes; Donna Clark seconded, no discussion, all approved Minutes as amended. March 2, 2103 Minutes. Donna Clark made a motion to accept the March 2, 2103 minutes, Allen Hoffman second, both approved. Gary Menin did not attend the March 2, 2103 meeting.
Future Wells Gary Menin	Gary thought that it would be a good idea for the DPW to put an article on the town warrant. However, Allen Hoffman stated it is up to the DPW to create that as it is in their jurisdiction not the BOH jurisdiction. Allen cautioned that the BOH can't tell another Board what they need to do, as this recommendation has recently occurred at a joint meeting between the two Boards within the past six months.
e-mails	Allen Hoffman stated that e-mails going back and forth between members should be just for fact finding with no discussion. All members agreed.
Finance Committee	Allen Hoffman, Donna Clark and David Favreau met with the Finance Committee on March 2, 2013. They are looking for a 3% reduction of budgets from all Boards. Allen presented the following: <ul style="list-style-type: none"> a. There is significant savings to the Town when the Board goes to Housing Court as it isn't necessary to use Town Counsel. b. The Board has already returned \$6300 to the Town. c. Discussion between all members agreed that pursuing to have a Board of Health Member work in the BOH office would be a conflict of interest, all agreed not to pursue this theory. d. Allen Hoffman will be the spokes-person for the mosquito article in a meeting with the Selectmen regarding the town meeting article on mosquito control.. It was to be made clear that the Board is in favor of presenting this to the town, but no decision is being made by the Board as to go forward or not. Allen Hoffman will write a letter to the FinCom regarding their request for a BOH budget reduction. as t
Open Meeting Regs. Mike Rivers	Next meeting will be March 28, 2013 with a regular meeting on April 11, 2013. Michael Rivers stopped in and indicated that the Board was in violation of the 'Open Meeting Law' as to not having the meeting agenda posted within 48 hours. The Board noted that their regular meetings are always the second Thursday of the month which is on their web site.
8:00 p.m.	Meeting adjourned