

**Town of Becket
Board of Health
557 Main Street
Becket, Massachusetts 01223
(413) 623-8934 ext. 122 fax (413) 623-6036**

Meeting Minutes for April 07, 2021

Board Members Present: Gale LaBelle, Robert Ronzio

Board Member Absent: Laurel Burgwardt

Clerk of Committee: Tess Lundberg

Public Present: Michael Lavery, Margaret Rodriguez, Alan Sandstrom, Barabara Liftman, Bill Allen, Bob Tynan, Bruce Lipton, Bruce Soloway, Joyce Anzalone, March Schultz, Mike Kulig, Theresa wright, Jeanette Busch, Charlie Kaniecki, Chris Horton, David Edgecomb, Dean Lagrotteria, Ed Fahey, Fred sears, Geoffrey Barstow, Joan Boccino, Jody Morgan, Karen Brodie, Mike McKeon, Robert Gerstle, Susan Hovani, Virginia Lavery, John Nottar.

Items will be kept in the order of the agenda for easier reference.

1. **Call to order:** Ms. LaBelle calls the meeting to order at 5:00 PM. Ms. LaBelle introduces the Board members present and reads the rules of the meeting.

2. **Board to approve meeting minutes for March 3, 2021 and March 17, 2021:** Mr. Ronzio makes a motion to accept the minute for March 3, 2021. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.** Mr. Ronzio makes a motion to accept the minute for March 17, 2021. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**

3. **Mosquito spraying**

Michael Lavery shares his concern about chemical pesticides/mosquito spraying being used in Sherwood Greens. Mr. Lavery states that the company website states that the spray can spread up to a quarter of a mile.

Mr. Ronzio suggests informing the state agency that we want to suspend all PFAs mosquito spraying until we get water test results back.

Theresa Wright raises the question if this would include all PFAs spraying. Mr. Ronzio states that it would include the Fire Department unless they had no other options in fighting a chemical fire.

Ms. Wright identifies herself as the Chairperson of the Sherwood Greens HOA, She states that they sprayed only once in 2019 and once in 2020.

Robert Gerstle states that it cannot be demonstrated that PFAs is a containment in the mosquito spraying.

Marc Schultz asks if there a time limit on the suspension indicating that it would be re-evaluated after a period of time. Mr. Schultz asks if there is an ongoing investigation or are there results of a completed investigation.

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Ms. LaBelles states that town residents are concerned about the health impact of the spraying. Mr. Ronzio states that residents outside of Sherwood Greens, who could be impacted by the aerial spread of the spraying, were not being notified about the scheduled sprayings. Mr. Ronzio stated that the townspeople had voted at their town meeting to prohibit mosquito spraying in the town.

Dean Lagrotteria states that there is conflicting information on the source of PFAs. He states that the risk of mosquito borne illness such as EEE or west Nile Virus, in the Berkshires is quite low.

Chris Horton states that they are moving forward with non-fluoridated products while the investigation goes on. Ms. LaBelle states that the Board is protecting residents and that Mr. Horton does not seem to be supplying the answers to their concerns. Mr. Horton states that they are following all the regulations and directions of the national regulatory authorities.

Mr. Ronzio asks Mr. Horton how many towns in Berkshire County are currently spraying. Mr. Horton replies 10 out of 32 towns.

Bruce Soloway states that there appears to be conflicting information. Mr. Soloway asks if the board's suspension of spraying will ban the spraying of larvacide if it does not contain PFAs?

Mr. Horton states that integrated mosquito management uses measures at each stage of the life cycle, and PFAs are not in all stages. Mr. Horton states that they only use truck mounted spraying that amounts to one half ounce per acre.

Judy Morgan asks how residents can get their drinking wells tested.

Mr. Horton states that it remains to be seen if the levels are significant, then testing would be done through the Department of Environmental Protection.

Karen Brodie states that a private group should not be allowed to spray when the town voted against spraying. Ms. Brodie states that we should be getting information about the risks, in writing, from an outside source, not from Mr. Horton.

Mr. Kaniecki states that the Department of Environmental Protection has an initiative to conduct PFAs well testing. Mr. Kaniecki states that tPFAs was used in some household chemicals, and you cannot assume that any PFAs contamination is the result of Fire Department or mosquito spraying. Mr. Kaniecki suggest requesting the safety data sheets for the chemicals being sprayed.

Mr. Lavery states that Mr. Horton had said that PFAs will not show up on the safety data sheets.

Mr. Kaniecki states that our exposure to mosquito borne illness is limited, and the use of larvacide is practical until we get answers.

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Ms. LaBelle and Mr. Ronzio agree that more information is needed in order to protect the town.

Mr. Horton states that the attorney for Sherwood Greens had contacted the state and it was determined that the Sherwood Greens Road district would qualify as a separate entity from the town of Becket and could therefore not be subject to the vote by the townspeople to suspend spraying. Mr. Ronzio states he wants to see that decision in writing.

Mr. Horton states that they had isolated west Nile Virus in Sherwood Forest in 2018. He stated that the state does not surveil for mosquito borne disease unless there is mosquito management going on. Mr. Horton stated there is a state website that allows people to opt out of spraying, but an individual request could be overrided if there was a public helth emergency like EEE.

Karen Brodie stated that the warning system in place for spraying is not working well. She states that she had opted out and was sprayed anyway.

Theresa Wright stated that Sherwood Greens send out emails and posts on the town website when spraying is scheduled.

Mr. Soloway asks if the motion being proposed is suspending all spraying or all mosquito control. He states that larvacide provides parital control and it is not sprayed.

Mr. Horton states that larval product is a bacterial product, organically certified and non-toxic.

Mr. Lagrotteria states that they will look at the memo from the lawyer that created Sherwood Forest as a separate entity and the regulations regarding notifications about spraying.

Mr. Ronzio asks what the current spraying schedule is. Mr. Horton states they usually spray pre-dawn, one day a week, and it would be cancelled in the event of rain or wind.

Virginia Lavery states that this is a jurisdictional issue, Sherwood Greens should not be allowed to impact the health of town residents by using a spray that includes neurotoxins. Ms. Lavery asks what test sites are being done for PFAs testing.

Joan Boccino states there are two issues, historical contanminents and control going forward. Ms. Boccino states that banning all mosquito control is jumping too far, Ms. Boccino states that adult mosquito spraying should be stopped, but not all other mosquito control measures.

Mr. Gerstle agrees with Ms. Boccino that there is nothing to implicate larvicide control.

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Mr. Kaniecki suggest that the motion be tabled and the board can meet in a few weeks after getting information and talking with the pesticide bureau.

Mr. Ronzio points out that the board of health meets once a month, and states that he is adamant about suspending the spraying program until data is received.

Mr. Ronzio makes a motion that the use of larvicide mosquito control is acceptable, but truck spraying is prohibited. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**

4. Reports from Ed Fahey/Charlie Kaniecki:

- a. Tobacco Regulations- continued
- b. Separation from groundwater regulations- continued
- c. BCBOHA Food Establishment COVID guide- continued
- d. 260 Alan A Dale- Continued from March 3. Mr. Fahey states that the variance requested is severe, He suggests that the system be redesigned to use a pre-treatment system and reduce the field size. Ms LaBelle makes a motion to require a re-design of the system . Mr. Ronzio seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**
- e. 227 King Richard- Continued from March 3. Mr. Fahey suggest that a survey may be necessary due to the proximity of the system to the road. Mr. Allen states that a survey is in process. Continued to the next meeting.
- f. Alan A Dale 217.186 Continued from March 3. House plans and Cons Com review are pending.Continued to next meeting.
- g. 0 Benton Hill Rd-Revised septic design, Mr Fahey states there are no issues with the revised design. Mr. Ronzio makes a motion to accept the design. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**
- h. 58 Depot – continued from March, Mr. Kaniecki reports he is working with the Attorney general to put the property into a receivership. Continued to next meeting.
- i. 43/44 Pleasant St- continued from March. Mr. Kaniecki reports that 43 Pleasant Street is undergoing repairs. Mr. Kaniecki states that 44 Pleasant Street was condemned over a year ago and it should be torn down. Mr. Ronzio makes a motion to issue an order to raze the building at 44 Pleasant St. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.** Mr. Kaniecki will set up an order compelling the owner to tear the building down.
- j. 2442 Main St- Mr. Kaniecki reports repairs are progressing nicely on the property. A receiver is in charge, the septic has been repaired.

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- k. 799 King Richard Drive- continued from March. Mr. Kaniecki reports that the Building Inspector issued a stop work order due to structural concerns. He will contact the Building Inspector to check on the most recent status.
- l. 50 Beach Rd- Mr. Kaniecki reports that he received an email from the Building Inspector about an abandoned house. Photos were forwarded to members of the Board of Health. Mr. Kaniecki requests that the board authorize him to conduct an inspection of the premises. Mr. Ronzio makes a motion to authorize Charlie Kaniecki to inspect 50 Beach Rd. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**
- m. 189 East Shore Rd -Cons Com March 30, 2021 “approved with conditions”, Mr. Kulig states this is a small lot, under one half acre, with an existing structure. Mr. Kulig states that an official Title 5 has not been done. Mr. Kulig states the owner wants to repair the septic system as well as move and enlarge the existing garage structure. Mr. Kulig states that they did soil percolation pits this spring. Mr. Kulig states they have designed a 3 bedroom system that would use Eljen filters, requesting a reduction in separation from groundwater from 4 feet to 2 feet, a reduction in property line setbacks from 10 feet to 6 feet, reduction in slab location (for garage) setbacks from 10 feet to 3.5 feet, reduction in setback from abutter well from 100 feet to 91 feet. Mr. Kulig states that the property abutters were notified, and they are planning to conduct pre and post construction water testing. Mr. Sandstrom, abutter to the property, asks if his well water will be tested. Mr. Kulig replies that if required it will be done. Mr. Ronzio expresses concern about protecting the well water and discusses water testing requirements with Mr. Fahey. Ms. LaBelles makes a motion to accept the plan with a reduction in separation from groundwater from 4 feet to 2 feet, a reduction in property line setbacks from 10 feet to 6 feet, reduction in slab location (for garage) setbacks from 10 feet to 3.5 feet, reduction in setback from abutter well from 100 feet to 91 feet, with pre and post construction testing of Mr. Sandstrom’s well, and with annual testing of Mr. Sandstrom’s well for three years. Mr. Ronzio seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.** Mr. Sandstrom requests a copy of the plans and Mr. Kulig agrees to supply that to him.
- n. 168 Greenwater Drive- continued to May meeting in order to verify Cons Com status.
- o. Sherwood Forest/Enchanted Cove Todice property-well and septic permits pending Contingency 1) board approval of survey survey pin locations . Contingency 2) Conservation Commission approval.
- p. Conservation Commission approval in February 2021 was verified by Mary Stucklen. A survey was supplied by Mr. Sears. Ms. LaBelle makes a motion to approve the septic and well designs. Mr. Ronzio seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.** Mr. Sears states that he will provide the board with a copy of the deed restriction filed with the Registry of Deeds.

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5. COC sign-offs:

a. 16 Bracken Lane- review of conditional COC contingencies for full COC. Board decides that a repeated Title 5 will not be required, but the system will need to be inspected with designer Mr. Tynan and a board member present. Mr. Fahey will call Mr. Tynan and determine the extent of inspection that should be required. Ms. Lundberg will coordinate setting a date and time when the inspection will be conducted.

6. Title V inspections:

- a. Board decision needed. Charges for rescheduling witness when contractor fails to keep appointment. Board decides to waive the fee for the recent occurrence but going forward all contractors will be required to reschedule the appointment and pay another witness fee in full.
- b. Received reports:
 - 1. 133 Blackfoot- pass
 - 2. 105 County Rd- pass
- c. Pending reports:
 - 1. 226 Huckleberry Lane report pending
 - 2. 254 Skyline Ridge Rd- report pending
 - 3. 186 Old Abbey Lane West- report pending
- d. Refund request \$100 by A1 for cancelled Feb 9, 2021 T5 at 105 County Rd. Ms. LaBelles makes a motion to approve the \$100 refund to A1. Mr. Ronzio seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**

7. Percolation tests:

- a. Received reports:
 - 1. 189 East Shore Rd- report received
 - 2. Friar Tuck Dr - report received
- b. Pending reports:
 - 1. 7 Bowman Lane – multiple attempts to collect payment.
 - 2. 129 Longbow Lane East- report pending
 - 3. 0 Gentian Hollow Road 217.13- report pending
 - 4. 0 Gentian Hollow Road 217.14 – report pending
 - 5. 0 Fred Snow Rd 407.121 - report pending

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8. Full Circle Applications Received:

a. Food Service Establishments:

1. Camp Watitoh
2. Camp Lenox
3. No 2021 permit applications have been received from Papa Bobs, Sherwood Shop, Dreamaway or Route 8 Pub. The board asks Ms. Lundberg to contact all past food service permit holders that have not renewed for 2021.

b. Lodging:

1. Bonny Rigg Hill Campground pending inspection

c. Septic Haulers/Installers

1. Hauler- Sanitary Septic Service
2. Board decides all installer permits will require BCBOHA certificates valid for the full calendar year 2021.
3. Installer permits with BCBOHA certificates pending:
 - a. Installer- All Star Excavation- BCBOHA certificate pending
 - b. Installer- Johns Tractor and Excavation- BCBOHA certificate pending
 - c. Installer – White Wolf- BCBOHA certificate pending
 - d. Installer- B&D Septic- BCBOHA certificate pending
4. Installer- Bill Magni- Mr. Fahey checking on references. Continued to May.

d. Camps

1. Camp Watitoh-
2. Chimney Corners Camp YMCA
3. Camp Lenox
4. Becket Day Camp 170 Lane Rd
5. Camp Becket
6. Camp Greylock

e. Bathing Beach

1. Camp Watitoh
2. Becket Day Camp
3. Camp Lenox
4. Camp Becket YMCA
5. Camp Greylock

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f. Public or Semi-Public Pool Spa

1. Bonny Rigg Hill Camping Club

9. Old Business:

- a. 29 Chester Road/Becket Motel: COC contingency followup
- b. Title 5 inspections on recent property sales for consideration- continued from March.
- c. 61 Porcupine Ct- Order of Correction followup. Mr. Kaniecki reports that there has been no response to the Order of Correction, which has a deadline of April 20, 2021. Ms. LaBelle makes a motion that if there is no response by April 20, 2021 the board authorizes Mr. Kaniecki to take further actions outlined in the Order of Corrections. Mr. Ronzio seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**
- d. 0 Jacobs Ladder Rd 217.1- John Notar states that the Zoning Board of Appeals has issued a special permit to place a camper at his property for use during construction of a new house, contingent upon Board of Health approvals. Mr. Notar states that the waste disposal in the trailer is a self-contained unit. Mr. Fahey states that the major concern of the board would be the disposal of the waste collected. Mr. Notar states that the waste will be taken to camper sanitary disposal sites, Mr. Fahey asks if Mr. Notar will get receipts for the disposals. Mr. Notar states that he will get receipts to provide proof that the waste has been properly disposed. Mr. Fahey states that the Board may want to get copies of any receipts. Mr. Kaniecki states that there is a form available for temporary housing that will give the Board of Health the information they are concerned about and will allow the board to more clearly see what is being proposed. Mr. Ronzio asks if a soil percolation test has been done. Mr. Notar states that a perc test has been conducted. Mr. Ronzio asks if a well has been done. Mr. Notar states that a well is in and he can supply water testing results. Mr. Ronzio states he would like to see a site plan. Mr. Kaniecki supplies Mr. Notar with his contact information and states he will assist Mr. Notar in getting a package of information together for the board.

10. Public Input

- 11. Budget-** Ms. Lundberg notes to the board that some expenses that should have been charged to the Zoning Board of Appeals budget were inadvertently coded as a Board of Health expense. The treasurer is correcting the charges.

12. Correspondence

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- a. DEP Sanitary Survey Report on Papa Bobs 1/29/2021, continued from March

13. Any other business to come before the Board

- a. 89 Lady of the Lake- survey requested by board pending snow cover - continued from March.
- b. 100 Family Court continued from March- pending letter to property owner seeking clarification of the details of repair done without permit.
- c. 0 Deer Trail Rd 214.117- Applicant seeking Board of Health approvals subsequent to Zoning Board of Appeals granting a special permit to install a trailer during house construction. Applicant failed to appear at the meeting. Mr. Ronzio makes a motion to notify the Zoning Board of Appeals and the applicant that the Board of Health denies the request for approval until the applicant comes before the Board of Health. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.** Ms. Lundberg will send the notifications.

14. Adjournment : Next Board meeting will be on May 5, 2021 at 5:00 PM.

Mr. Ronzio makes a motion to adjourn. Ms. LaBelle seconds the motion. Ms. LaBelle votes in favor.

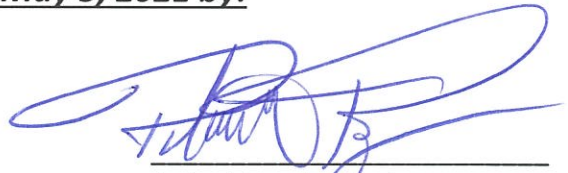
Mr. Ronzio votes in favor. **Motion passes.**

Meeting is adjourned at 7:29 PM.

Meeting Minutes reviewed and approved on May 5, 2021 by:



Gale LaBelle, Chair



Robert Ronzio, Clerk

Laurel Burgwardt, Vice Chair