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

Meeting Minutes for July 10, 2019

Board Members Present: Gale LaBelle, I. David Krawet, Laurel Burgwardt
Board Members Absent: None
Administrative Assistant: Jessica Perotti
Public Present: Michael Fudge, Patricia Fudge, Mike Kulig, Tim Hilts, and Tina Schmid

1. **Call to order**
   Gale LaBelle calls the meeting to order at 10:12 AM. Ms. LaBelle reads the rules of the meeting and introduces the Board and Administrative Assistant.

   Items have been kept in the order of the agenda for easier reference.

2. **Board to review meeting minutes for June 5, 2019**
   Laurel Burgwardt notes on pages 9 + 10 that she did the Title V inspection at 609 Main Street and Jayne Smith did the percolation test there. Ms. Burgwardt **makes a motion** to accept the minutes for June 5, 2019 as corrected. Ms. LaBelle **seconds the motion.** All in favor with I. David Krawet abstaining from the vote. **Motion passes.**

3. **Board reorganization**
   Ms. Burgwardt **nominates Gale LaBelle** to continue as Chair. Mr. Krawet **seconds the nomination.** All in favor. Ms. LaBelle accepts the nomination. Ms. Burgwardt **makes a motion** for Ms. LaBelle to remain as Chair. Mr. Krawet **seconds the motion.** All in favor with Ms. LaBelle abstaining from the vote. **Motion passes.**

   Mr. Krawet **nominates Laurel Burgwardt** to continue as Vice Chair. Ms. LaBelle **seconds the nomination.** All in favor. Ms. Burgwardt accepts the nomination. Ms. LaBelle **makes a motion** for Ms. Burgwardt to remain as Vice Chair. Mr. Krawet **seconds the motion.** All in favor with Ms. Burgwardt abstaining from the vote. **Motion passes.**

   Ms. LaBelle **nominates** I. David Krawet to continue as Clerk. Ms. Burgwardt **seconds the nomination.** All in favor. Mr. Krawet accepts the nomination. Ms. LaBelle **makes a motion** for Mr. Krawet to remain as Clerk. Ms. Burgwardt **seconds the motion.** All in favor with Mr. Krawet abstaining from the vote. **Motion passes.**

4. **Reports from Health Agent, Jayne Smith**
   a. **29 Chester Road**: Ms. Perotti reports there has been no response from **MassDOT** (**Mass**achusetts **D**epartment **o**f **T**ransportation) or Conservation Commission. It is Ms. Perotti's understanding that Mr. Zaarur has not submitted anything to the Conservation Commission regarding his septic system. Ms.

LaBelle asks if any water test reports have been submitted for June, 2019. Ms. Perotti lets the Board know water tests were not done in June. Ms. LaBelle says she will call Mr. Zaarur to find out what is going on there.

b. **375 Long Bow Lane East – waiting on application fee**

c. **68 Lake Shore Drive – request for a tight tank, waiting on application fee and septic plans**: The Board recognized Mike Kulig of Berkshire Engineering. Mr. Kulig claims Manifest Injustice regarding this septic system. The tight tank installation will cost much less. Ms. LaBelle asks if they will be residing there full time. Mr. Kulig confirms this is not their full time residence; they only stay there a few times a year. The Board reviews a septic plan review checklist submitted by Jayne Smith. Following the Board's review, they find the following conditions should be placed on the permit:
   - 6 (six) month deed restriction
   - Pumping contract
   - Alarm needs to be installed

   Mr. Kulig confirms all will be submitted before they request a sign-off on the **COC** (**C**ertificate **o**f **C**ompliance).

   Ms. LaBelle **makes a motion** to accept this septic plan as proposed. Ms. Burgwardt **seconds the motion**. Mr. Krawet confirms all conditions are on the permit. All in favor. **Motion passes.**

d. **751 King Richard Drive**: Ms. Perotti passes the application to Ms. LaBelle and lets her know this is another tight tank proposal. The Board reviews the septic system review checklist submitted by Jayne Smith. Following their review of Ms. Smith's checklist, Ms. LaBelle **makes a motion** to table this until revisions are submitted. Mr. Krawet **seconds the motion**. All in favor. **Motion passes.**

e. **325 Friar Tuck**: The Board recognizes Mr. Kulig. Mr. Kulig says this is a repair replacement of the tight tank. It will be in approximately the same location. Mr. Kulig says the tank will be sixty five feet (65') from the well. Ms. LaBelle says she would like to have the water tested because the old tank was leaking. Ms. Kulig notes that **MassDEP** (**Mass**achusetts **D**epartment of **E**nvironmental **P**rotection) approved this tight tank when it was first installed and it is an active permit; there is no deed restriction. Mr. Kulig says they will provide a copy of the pumping contract. He asks Ms. Perotti if she knows who's been pumping it. She confirms Mount Everett Landscaping and Construction has been submitting the pumping records.

Ms. Burgwardt **makes a motion** to accept the septic plan with the condition there is a maintenance contract on file. Mr. Krawet **seconds the motion**. All in favor. **Motion passes**.

f. **164 Moberg Road**: Ms. Perotti lets the Board know that this was a d-box (distribution box) replacement. Jayne Smith was approved to issue this permit. Ms. LaBelle **makes a motion** to table 164 Moberg Road until Jayne Smith can be present. Mr. Krawet **seconds the motion**. All in favor. **Motion passes**.

5. **Title V inspection:**
   a. **22 Wade Inn Road- Kevin Kuehner, Laurel Burgwardt**: The Board reviews the Title V inspection for 22 Wade Inn Road; it is a passing inspection. Ms. Burgwardt submitted a passing witness report.
   b. **173 King Richard Drive- Paul Willis, Laurel Burgwardt**: Ms. Perotti lets the Board know that the report has not been submitted by Paul Willis yet. Ms. Burgwardt reported that it failed but did not list any reasons for the failure in her report.
   c. **10 Mallard Drive- Jesse Giardina, Laurel Burgwardt**: The inspection done at 10 Mallard Drive was a pass. Ms. Burgwardt submitted a report stating that was a passing inspection.
   d. **99 Friar Tuck Drive- Jesse Giardina, Laurel Burgwardt**:
   e. **84 Whistling Arrow- Jack Conboy, Laurel Burgwardt**: Ms. Burgwardt submitted a passing witness report for this inspection.
   f. **1246 Jacob's Ladder Road- Paul Willis, Laurel Burgwardt**: Ms. Perotti tells the Board that the inspector has not submitted this report yet. Ms. Burgwardt reports that it passed.
   g. **151 Excalibur Drive- Jesse Giardina, Laurel Burgwardt:** This inspection also passed. Ms. Burgwardt did not submit a witness report for this inspection.

   Ms. Burgwardt asks Ms. Perotti to give her a list of the outstanding witness reports following the meeting.

6. **Percolation tests**
   a. **300 Bonny Rigg Hill Road- witness fee to be determined:** Ms. Perotti explains that the witness fee has been submitted for this perc test but the actual test has not been done yet. When they went out originally, it was too wet. Ms. Perotti lets the Board know she is holding the check until the perc test is done and all fees have been determined. The re-test has not been scheduled yet.

b. **323 Wells Road – report submitted**: Ms. Perotti says a perc test was attempted but because it was so wet, soil samples were sent to Berkshire Engineering instead.
c. **173 King Richard Drive**: Ms. Perotti lets the Board know this perc test is being done today. Charlie Kaniecki will be witnessing it.
d. **163 Carter Drive**: Ms. Perotti informs the Board that the perc report has not been submitted- only a witness report from Jayne Smith.

7. **Housing:**
   a. **3071 Main Street – update on repairs**: Ms. LaBelle **makes a motion** to table all housing items until Jayne Smith can be present. Ms. Burgwardt **seconds the motion**. All in favor. **Motion passes**.
   b. **61 Porcupine Court:** Tabled.
   c. **2442 Main Street:** Tabled.
   d. **323 Wells Road:** Tabled.

8. **Complaints:**
   a. **593 Woodmere Road – dog bite**: Ms. LaBelle says she called the Department of Public Health (DPH) about the dog bite that was reported. She reports that because the child was bit by their own dog, they have the right to keep the dog at the house in a pen/cage or have the animal control officer take the dog.

9. **Full Circle- applications received:**
   a. **Tobacco Permits: informal discussion regarding the start of issuing them**: Ms. LaBelle reminds the Board that the town has not issued them in the past. Ms. Burgwardt notes there is a fee for this on the fee schedule. Ms. LaBelle says she would like to get some more information from Jayne Smith before they have a discussion about it. Ms. LaBelle **makes a motion** to table this discussion to the August meeting. Ms. Burgwardt **seconds the motion**. All in favor. **Motion passes**.
   b. **Beach Permits:**
      i. **Camp Lenox:** Ms. Perotti reports this beach permit has been issued.
      ii. **Camp Greylock**: Ms. Perotti reports this beach permit has been issued.
   c. **Camp Permits:**
      i. **Camp Lenox**: Ms. Perotti lets the Board know their camp permit has been issued.
      ii. **Camp Greylock**: Ms. Perotti informs the Board this camp permit has also been issued.

iii. **Berkshire Outdoor Center**: Ms. Perotti explains that the Berkshire Outdoor Center is part of Chimney Corners so they do not require a separate permit for this facility.

Ms. LaBelle asks if all camps have been inspected. Ms. Perotti confirms they have been but did not receive any reports back from Ms. Burgwardt. Ms. Burgwardt confirms that Ms. Smith did a round of inspections and she did the second part of them. Ms. Perotti clarifies that she did not get any inspection report back from Ms. Burgwardt.

Ms. Perotti asks Ms. LaBelle and Ms. Burgwardt if they would be entering the inspection information directly to Full Circle since they have the tablets from the office. Ms. LaBelle confirms she doesn't feel they are training enough to be using the tablets. Ms. Burgwardt confirms she has never used Full Circle.

d. **Food Service Establishments**
   i. **Camp Becket**
   ii. **Camp Greylock**
   iii. **The Old Inn on the Green at the Pillow**: Ms. Perotti lets the Board know an email came in from the owner wanting to discuss the inspection directly with Ms. Burgwardt. Ms. Burgwardt reports that during her inspection, she determined they need to have a sink for hand washing only.
   iv. **The General Store- outstanding information needed for application, unable to issue permit**: Ms. Perotti lets the Board know that while an application was submitted for the General Store, the insurance portion of the application was not completed. The owner, Heather Anello, was asked to submit the paperwork at her earliest convenience. Ms. Anello sent a message not to worry but has still not submitted the required information. Ms. LaBelle says she too sent an email to Ms. Anello.

e. **Septic Installers**
   i. **Delaney Excavation & Trucking, Inc. – Thomas Delaney**: Ms. Perotti lets the Board know an installer's permit was issued to Thomas Delaney.

f. **10 day emergency beaver permit**
   i. **MassDOT: requesting pond levelers to be installed at MM 24.6 because of possible road flooding**: Ms. Perotti informs the Board that she and Mary Stucklen, Conservation Commission Agent, went to the area where the water was rising near Greenwater Pond. Ms. Perotti was able to

show Ms. Stucklen the benefits of another pond leveler that was previously installed across the street. Ms. Stucklen agreed it would be a benefit to install it and approved the permit for issue. Ms. Perotti informs the Board that Ms. Stucklen sent an email to MassDOT informing them that she felt they were abusing the 10 day emergency permit because it was not an emergency situation.

10. **Permit Eyes- sign-offs: 128 YMCA Road- an addition to be built in the back, a two (2) car garage and kitchen remodel**

11. **Robinson Farm: review of mock Title V inspection done to determine if system can withstand additional flow for farm stand inquiry**: Ms. Burgwardt reports that the Title V inspector was supposed to send a letter describing what was found during the inspection. Ms. Perotti confirms she has not received a letter from the inspector, Ron Lavigne. Ms. Burgwardt reports that he didn't see a problem with having additional flow. The system was built larger than it needed to be. Ms. Burgwardt reports that the owner, David Robinson, told her that he could install a tight tank without getting an approval. Ms. Burgwardt did not reveal the name of the individual who advised the installation would be alright but said they have inquired about a tight tank in the past. Ms. Burgwardt said she would only discuss the situation in an executive session.

12. **Old Business**
    a. **Receiverships:**
        i. **2442 Main Street**
        ii. **58 Depot Street**

13. **New Business: informal discussion regarding 25 Leonhardt Road**: The Board recognizes Tim Hilts and Tina Schmid. They let the Board know they are interested in purchasing this property but realize there is a problem with the septic system and would like to know as much about the property before making an offer on it. They are thinking about taking out the garage or part of it and putting a traditional septic system there instead of a tight tank. They want to know if they can build out. The Board advises them to ask the Planning Board about building out.

14. **Public Input**: As discussed throughout.

15. **Budget**: Ms. Perotti lets the Board know the new budget information has not been entered yet but confirmed that $30,000.00 was approved at the Annual Town Meeting.

16. **Correspondence**:
    a. **Invoice for Full Circle Program**: Ms. Perotti presents an invoice for $2,530.00 from Full Circle for the permitting program for fiscal year 2020. Mr. Krawet **makes a motion** to pay the invoice for fiscal year 2020. Ms. Burgwardt **seconds the motion**. All in favor. **Motion passes**.
    b. **Jewel Environmental Corporation: Permanent Solution Statement Report, I-90 MM 18.6**:
    c. **MassDEP: Notice regarding the Web Emergency Operations Center (WebEOC)**: Ms. LaBelle explains this is a network used for emergencies. Notices are sent periodically to be sure all involved are prepared.
    d. **Lead and Copper Rule Training at MassDEP**: Ms. LaBelle reports she was unable to attend this training yesterday.
    e. **MassDEP: NON sent to Camp Lenox (2)**: Ms. LaBelle looks over the notice of noncompliance and reports that Francis Clark is no longer the water operator there. She says they will also need to have a Title V inspection done. Ms. Perotti confirms their beach water is being tested through Housatonic Basin. She also lets the Board know she was contacted by someone at Camp Lenox about getting copies of the septic plans on file. It is Ms. Perotti's understanding that the inspection is being put off until after camp season.

17. **Any other business to come before the Board:** Ms. Perotti lets the Board know about a Title V inspection done at 36 Forest Lane by Jesse Giardina and witnessed by Ms. Burgwardt. The inspection passed; Ms. Burgwardt did not submit a witness report.

    Ms. Burgwardt reports she witnessed another inspection at 411 McNerney Road yesterday. The inspection was a fail. Ms. Burgwardt did not submit a witness report.

    The Old Inn on the Green at the Pillow was inspected by Ms. Burgwardt. She did not submit a written inspection report but let the Board know that they need to have a sink for handwashing only.

    The next meeting is set for August 7, 2019 at 10:00 AM.

18. **Adjournment**: Ms. LaBelle **makes a motion** to adjourn. Mr. Krawet **seconds the motion**. All in favor. **Motion passes**. Meeting is adjourned at 11:32 PM.

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Meeting Minutes reviewed and approved on September 4, 2019 by:

Gale LaBelle, Chair

I. David Krawet, Clerk

Laurel Burgwardt, Vice Chair