



Town of Becket
Board of Health
557 Main Street
Becket, Massachusetts 01223
(413) 623-8934 ext. 22 fax 623-6036

Meeting Minutes for February 5, 2018

Board Members Present: Gale LaBelle, I. David Krawet

Board Members Absent: Laurel Burgwardt

Administrative Assistant: Jessica Perotti

Public Present: Geraldine L. Galliher, Diane DeMoss, John DeMoss, Michele Kenney, Sally Kusek, Gail Kusek, Linda Shaw, John & Julie Marcoulier, Andre Ledoux, Barbara Huntoon, Annette LaMountain, Terry Murphy, Stephen Salvini, Geri Walter, Andras Sala, Eddie Harada, James Higby, Jody Lampro, Sandra Sayward, Jayne Smith, Gene B. Watters, Meredyth Babcock

Call to Order

Gale LaBelle, Chairman, calls the meeting to order at 5:00 PM. Ms. LaBelle reads the rules of the meeting. Ms. LaBelle introduces herself and I. David Krawet. Ms. LaBelle informs all that Laurel Burgwardt said she would be here tonight but is not here yet. Ms. LaBelle also introduces the Administrative Assistant, Jessica Perotti. Ms. LaBelle lets the public know that they will hear everything that everyone has to say and to please stand, state your name, where you are from and to act civilly towards one another.

Review of Meeting Minutes from December 6, 2017 & January 3, 2018

Ms. LaBelle moves on to review the minutes. Ms. LaBelle asks Ms. Perotti for these; Ms. Perotti lets her know she only has the December minutes. Ms. LaBelle says that since Ms. Burgwardt isn't here to review, they will need to be tabled until next month. Ms. LaBelle asks for a motion to table the minutes. Mr. Krawet makes a **motion** to table the December 6, 2017 minutes until next month. Ms. LaBelle **seconds the motion**. All in favor. **Motion passes**. Ms. LaBelle says that if Ms. Burgwardt arrives, they will review them at that time. Ms. Perotti tells the Board that a motion is needed for the November minutes. Mr. Krawet makes a **motion** to accept the minutes of November 1, 2017. Ms. LaBelle **seconds the motion**. All in favor. **Motion passes**.

Ms. LaBelle announces that they will skip ahead to New Business and talk about the spring on Route 20.

New Business: Spring on Route 20 at the Becket/Chester town line

Ms. LaBelle gives some history on the spring. She states that the spring has been in use for around 100 years and has been, for some, a primary water source for homes without wells and for those who have poor water supplies. Ms. LaBelle informs all that it became a public water supply in 2006 and is overseen by the Select Board with the standards being monitored by the Board of Health through Housatonic Basin Sampling and Testing. Ms. LaBelle further explains that water testing standards became more stringent in 2016 requiring a zero percent (0%) tolerance for coliform. She says that the tests have come back bad a few times in 2016 and



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2017. Signs were placed at the spring to inform users of the results. Ms. LaBelle says the types of coliform have not been identified; it could be from trees or many other different things. Ms. LaBelle says the pipe has been cleaned however, coliform is still being found during testing. Ms. LaBelle tells everyone there are copies of the owner/operator contract that was signed as well as the notice from **MassDEP (Massachusetts Department of Environmental Protection)**. Ms. LaBelle says she will be collecting the information from everyone here tonight and may also hire a consultant, if needed, to resolve this situation. Ms. LaBelle asks who would like to comment first about the spring and what could be done to resolve the situation. Mr. Krawet says he would first like to clarify the consent order received by MassDEP. He says that because there were water tests that came back as "bad", MassDEP issued the consent order that gave the town two (2) options: to put a filtration system on the spring to remedy the situation or to close it down. Mr. Krawet says that the town is about sixty (60) days late in remedying the situation and it hasn't been shut down. Mr. Krawet says he spoke to someone at MassDEP and they are open to certain suggestions in connection with the spring. However, if the suggestions to remedy the situation fail, Mr. Krawet thinks that MassDEP may come back with an order that may be even stricter. Mr. Krawet wants everyone to know that this order came directly from MassDEP; it did not come from the Select Board or the Board of Health. Ms. LaBelle recognizes Linda Shaw of Becket. Ms. Shaw recalls an ice storm that hit the area in 2008. She said that many homes in the area were without a well during that storm because there was no electricity and many people were going there to get water. Ms. Shaw stated that some people were able to get out and get to the grocery store to buy bottled water but that all those bottles are now in the landfill. She asks the Board what will happen if that type of situation were to happen again. She feels that because of these types of situations, natural resources need to be preserved. She asks that the Board think of those situations when coming up with a solution; she realizes that that type of situation isn't an everyday occurrence but they do happen. Mr. Krawet says the main problem is funding; he lets Ms. Shaw know that the funds needed to maintain the spring would need to come from the Select Board. Mr. Krawet informs everyone that the Select Board will be having a meeting on Wednesday and that this matter is on their agenda and suggests to all that they also attend that meeting. Ms. LaBelle recognizes Stephen Salvini, a registered land surveyor from Chester. Mr. Salvini says he's got a couple of issues. First, he believes that MassDEP has overreached claiming that the spring is a public water supply. He did a survey and can show that the spring is on private property and not in the right of way for Route 20. Mr. Krawet asks who owns the property. Mr. Salvini says that it belongs to the Deerhaven Homeowners Association. Mr. Salvini also says that he's been drinking the water for 60 years and feels fine. Mr. Salvini, while not sure of the exact requirements, doesn't think that it meets all the criteria required for a public water supply. Ms. LaBelle says that it requires 25 people per day. Mr. Salvini doesn't think that that many people go there on a daily



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basis. He says they may come more on one day and less on another but not that many. He also talks about the seasonal residents. He says that he does work for a lot of them and knows that some of them have problems with other septic systems being too close to their wells and they get their water from the spring and rely on it. Mr. Salvini suggests putting up a sign to use at your own risk. There is a light applause from some in attendance. He wants the government to leave it alone. Mr. Krawet questions who will test the water. Mr. Salvini says that on one hand, by testing the water, you're owning what is wrong with it and sort of liability for the results or whatever happens to someone else by drinking it; by testing it you're claiming a sort of oversight on it and he doesn't think the government has the right to overreach on to that because it's on private property and doesn't fall under the guidelines of a public water supply. He believes the town can alleviate itself from liability by saying they're not going to test it and to drink at your own risk. Mr. Krawet questions if it will still be open to the public. Mr. Salvini says it's on private property and there's a turnoff there with a catch basin. That is considered public access and also access to the private land. He says unless the land owner puts up a fence that prohibits people from accessing the spring but can't imagine that happening. Mr. Salvini finishes up his statement by saying that he thinks putting up a sign to use at your own risk would be good and that he would be more than happy to keep using the spring at his own risk. Ms. LaBelle next recognizes Jody Lampro of Washington. He says he's been using the water for over fifty (50) years. Mr. Lampro talks about a spring in Washington that was protected by putting up a sign that says to use at your own risk. Mr. Lampro said it is on a road that is hardly used that comes out as a "Y" that the town wanted to turn into a ninety (90) degree angle instead. Mr. Lampro says that the residents put up a big stink about it and the whole thing went away; they had to put up a concrete block to restrict cars from coming down through to it. He says it's great because there's only foot traffic going to it. Mr. Lampro says the town would be off the hook. He suggests having towns taking turns to test it from month to month. Mr. Lampro also says that he's been worked with water for a long time and knows that you can go well over 1/100mL before you could even become sick from it. He says the coliform is from the leaves rotting and all the stuff hanging around on the ground in the woods. Ms. LaBelle asks Mr. Lampro how he thinks the water tastes. Mr. Lampro says it's great. Mr. Lampro says he is like others who can't drink the water from his well because it has a lot of iron and sulfates. It is fine for bathing, washing laundry and doing dishes but not good as drinking water. Mr. Lampro finishes his statement by saying he and others have been depending on this water for years. Ms. LaBelle recognizes Diane DeMoss. Ms. DeMoss questions why the water needs to be tested since it is on private property, why is the state involved? Mr. Krawet clarifies that the spring being located on private property is relatively new information; the town accepted responsibility a long time ago. Ms. LaBelle repeats that it has been deemed a public water supply since 2006. She further clarifies that while the Select Board oversees the overall running



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of the spring, the Board of Health monitors the water testing on a monthly basis. Ms. LaBelle informs everyone that there haven't been a lot of failed tests until the regulations changed to a zero % (0%) tolerance allowed for coliform in 2016. Someone from the audience questioned what the prior standard was for coliform. Ms. LaBelle was not sure but the current standards are zero. The Board recognizes Michele Kenney, a Chester resident. Ms. Kenney wants to know how long Becket has been testing the water at the spring. Ms. LaBelle says she can confirm it's been done since 2013 when she started on the Board but she believes that it's been tested by Becket since 2006 when it was regarded as a public water supply. Ms. LaBelle says there have been reports of tanker trucks that attach hoses to the pipe for the purpose of getting water to make beer and also to sell. Many people in the audience are upset to hear about tanker trucks getting water this way and agree that that needs to stop. Ms. LaBelle says that isn't something that the Board can control. Someone from the audience suggested that letters be sent to the companies doing this. Ms. LaBelle says she doesn't know how to do this because she doesn't know all that are doing this and it is too difficult to monitor. The Board recognizes John and Julie Marcoulier, residents of Chester. Mr. Marcoulier suggests a solution to prevent anyone from attaching a hose to the pipe. He proposes to weld a plate to the pipe that would prevent anyone from attaching a hose. He says he too has seen people with hoses attached to the pipe. The Board recognizes Sandra Sayward of Becket. Ms. Sayward suggests putting a back flow preventer on it. Ms. LaBelle thinks that if a plate is attached, that will prevent people from creating a back flow. Ms. Sayward thinks that people may break it. Mr. Maroulier says that to break that off of the pipe would take a lot of work to do it. The Board recognizes John DeMoss of Chester. Mr. DeMoss says that he's also been drinking the water for many years. From what he understands from listening to others comments, there is a backflow that happens when they are switching their jugs. He says this produces a buildup of sand in the water which he has dumped out many times from his water jugs. Ms. LaBelle asks him what he thinks is causing sand to be showing up in the water. Mr. DeMoss answers that he thinks the backflow from the hoses is getting things all riled up from within and forcing it out. Mr. DeMoss feels that Mr. Marcoulier's idea will work in preventing hoses from being attached. Mr. DeMoss also suggests putting up trail cameras to see who is putting hoses on the pipe. Gail Kusek of Becket suggests stopping to get license numbers as well as any names that may be on the side of the truck. She continues to say that during emergencies like the storm in 2008, it's not only a source for water but a source of information as to what is going on from others at the spring. The Board recognizes Andre Ledoux of Becket. Mr. Ledoux says that he agrees with what Mr. Salvini said. Mr. Ledoux said it needs to be verified for sure who the owner of the property is so that they can be included on future conversations as to what will be done with it. He feels like the might state has something against spring water because it's free. He thinks the town should meet with a representative of the owner when discussions are held to figure out what to do. He talks



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about people that come and cause destruction by carving their names into the trees and painting their company names on the rocks there. He thinks it would be good to somehow get notice to big companies that are coming with tanker trucks to stop what they are doing. Ms. LaBelle confirms that as a public water supply, those companies are allowed to collect water there. Ms. Kenney says that tampering with a public water source is illegal and questions if attaching a hose to the pipe would be considered tampering. Mr. Krawet asks everyone what they think the members of Deerhaven might think about this. He says that because of the possibility of liability, they may be in favor of closing it down. Mr. Salvini says that as the land owner, that would be their right; he hopes that they wouldn't do that. Mr. Salvini thinks that some that come to the spring come for their whole neighborhood and they take turns coming to fill jugs. The Board recognizes Julie Marcoulier who says that while she can't prove it, she thinks that from drinking water from the town of Chester, she got breast cancer. She says that everyone on her end of the street on Route 20 has some form of cancer and are also convinced that it is from the Chester water. The Board recognizes Barbara Huntoon, Select Board member from Chester. She says that she's been drinking from the spring for a long time too; not to make a special trip but if she's going by the spring she sometimes gets some. She hears what Ms. Marcoulier is saying and wants to remind everyone that there was a factory there for many years and she can only imagine some of the wastes that were coming from there. Ms. Huntoon says that she and her father both drink the Chester water. She wants everyone to know that contrary to what has been printed, MassDEP holds the town of Chester to the same standards as Becket. She says that it's not poison; it may not taste better but they are held to the same standards. Ms. DeMoss says that while Chester water may not be poison, she can't get it passed her nose to drink it. Ms. Huntoon doesn't think that MassDEP will just allow the water to run as it is now. She thinks that the fight should really be with MassDEP. She thinks that while the signs sound like a great idea, they probably won't be legal because they probably won't be worded with the right language, they probably won't be the right size and people could take them down. While it may make sense to put up these signs, it probably won't be enough to cover the town. Others comment that if it's on private property, it's not up to the town. Ms. Huntoon says that you would need to talk to the owner. The Board recognizes Andras Sala of Becket. Mr. Sala says that he spoke with someone from MassDEP and that the water standards come from the Safe Drinking Water Act of 1996. Mr. Sala says that the representative also told him that they believed most of the contamination was coming from the groundwater up on the hill because there was some activity up there. Mr. Sala asked for more time to come up with solutions, possibly cleaning the pipe out once a week with a bottle brush. Mr. Sala says he's specifically talking about the green algae that is in the pipe. He thinks that even if people were attaching hoses, contaminants caused from backflow would be cleared out once the water was allowed to flow again; if someone came right afterwards, the contaminants



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wouldn't have a chance to rinse out. Ms. LaBelle says they are looking to have other tests done to verify if ammonia and other things are in there or not. Mr. Sala says that he also spoke with an engineer who used to test their water. The engineer told him that coliform by itself is not poisonous to you; it's when it's grown into colonies that it becomes harmful. Mr. Sala agrees that they need to take their suggestions to MassDEP with the hope that they would allow more time to see if the suggestions do in fact work to remedy the situation. Mr. Sala's final suggestion is to put a smaller pipe within the spring pipe. Someone comments that it would create a backflow; Ms. LaBelle agrees that it may cause backflow. The Board recognizes Michele Kenney of Chester. Ms. Kenney presents two (2) years of testing from the spring she acquired from MassDEP. Ms. Kenney charted the information. She also talks about a petition that includes 126 names from citizens of various towns in the area; it was suggested to be saved to be presented to the Select Board. Ms. Kenney reports that the samples tested in 2016 show no E. coli but there were a few spikes of coliform. She references Professor Lavigne, of UMass, who she consulted about the test reports. He told her that coliform is not a harmful thing. She moves on to the 2017 reports. She says there are some massive spikes of coliform and also some E. coli in extremely small amounts. She reports that the E. coli found in the samples is not fecal E. coli - the same as you would find in a septic system. She shows spikes in the results and explains that if the coliform and E. coli were coming from a septic system up on the hill, the results would be constant. She feels that the spikes are caused by "an event" such as a hose being attached to the end of the pipe and pumping the water out. She claims this causes a disturbance and stirs everything up within the pipe. She says the lab results support the fact that the contamination is not coming from groundwater or septic systems but from an unnatural event. Ms. Kenney says that the pipe cleans itself out, over time, after such an event. Ms. Kenney, along with Professor Lavigne, came up with an idea to attach a plate to the pipe that would prevent anyone from being able to attach a hose to it. Ms. Kenney was also in contact with State Representative Pignatelli who told her that if she had a plan that was acceptable to both the Board of Health and Select Board, he would take it to MassDEP to ask for its approval and to keep the spring open for another year to see if it works. Given the data presented, Ms. Kenney feels that the idea of a plate being welded the end of the pipe would solve the problem and allowing a year's time to test it will prove it. Ms. Huntoon, from Chester, further clarifies that coliform itself isn't dangerous; it is an indicator that there may be something in the water. Various questions came from some in attendance including:

- Where is the source of the spring; is it located on the same piece of land where the pipe is located?
- How is the pipe cleaned?
- Is the pipe really the problem?



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Ms. LaBelle says they will need to consult with the Select Board after more stringent testing is done on the spring. They will also need to meet with State Representative Pignatelli to go over the plan they will propose to MassDEP. The Board recognizes again Mr. Salvini. Mr. Salvini asks Ms. Kenney if there is any type of pattern in the test results for the coliform. Ms. Kenney confirms that there is not a pattern in the coliform spikes. Someone suggests to put up a surveillance camera to find out what is going on there. Mr. Sala stands to say that he suggested to clean a small section of the pipe where you could see the green algae; he doesn't think the entire pipe needs to be cleaned. The Board recognizes James Higby of Chester. Mr. Higby would like to know if there is a liaison at MassDEP that can be contacted directly. Ms. LaBelle confirms that she spoke with someone from MassDEP today but that they don't like getting calls from the public. She further clarifies that the contact names are listed on the order and invites him to review the order. Mr. Higby suggests that the takeaway point from all of this is: everyone's motivation here is to see the spring get saved while MassDEP's motivation, to him, seems a bit dicey because it's been said by some that MassDEP just wants to close down fresh water springs. Mr. Higby doesn't believe that they want to just go shutting down springs because they are the state and are only trying to uphold the law. Mr. Higby thinks that if they could get an arrangement such that they're not breaking any clean water acts, etcetera, so that MassDEP won't suffer any litigation if something were to happen, then he thinks they can come up with a solution. They need to focus on placating the state. Ms. LaBelle lets everyone know that she will be looking into hiring a consultant to put all the information together to present to MassDEP. They will be consulting with the Select Board also. Someone suggests that the spring is also good for joggers, bikers and cross country skiers that go through there and use the water. Mr. Krawet points out that a water source that is private could still be considered a public water supply if it is servicing twenty-five (25) people a day for 60 days of the year. Mr. Krawet clarifies that no matter who owns it, MassDEP will consider this a public water supply and transfer the order over to them when the owner is determined. Mr. Salvini asks if MassDEP is considering this a public water supply, wouldn't the burden of proof be on them? Mr. Krawet says that would need to be determined through litigation; that can't be answered now. Mr. Lampro asks if a meeting could be held with MassDEP and concerned residents. Mr. Krawet says it is possible with the town corresponding it; he doesn't feel they will meet with residents but it's possible. Mr. Higby feels it would be good for the concerned residents to meet with MassDEP and that this meeting should happen but he feels it's important to not pick a fight with them at the meeting. He feels that if they can get through to them that they would like to take responsibility for the water and they don't want anyone to get sick that MassDEP would be willing to work with them to keep it open; if residents come all up in arms then they won't be open to suggestions. Mr. Krawet wants clarification from Mr. Higby of who he thinks will be



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taking responsibility for the water. Mr. Higby says the owner of the spring- but this will need to be determined for certain before a meeting can take place. Ms. LaBelle asks Ms. Kenney how many signatures have been collected, so far, on the petition. Ms. Kenney says there are one hundred thirty (130) signatures on it. Ms. LaBelle gives everyone in attendance the email address for the Board of Health: health@townofbecket.org. She suggests that people send in their thoughts and comments on why the spring should stay open so it can be presented to the Select Board. Ms. LaBelle thanks everyone for coming and sharing their ideas on how to keep the spring open. She lets everyone know that the Select Board will be meeting on Wednesday, February 7, 2018 at 7:00 PM, and suggests that everyone attend this meeting too. Meredyth Bobcock came to the meeting late after the discussion regarding the spring had finished but asked the Board if she could talk about it a little. Ms. Babcock says she understands the basic overall concern is to have access to water when there is no electricity. She realizes this is only a small percentage of need. Ms. Babcock questions if the town would consider testing water from another spring that people could have access to instead. Mr. Krawet feels that would put the town in the same position they are now because the spring in question on Route 20 isn't on town property either. Ms. Babcock inquires if the town's liability would be lifted if what has been found out about the water is posted on site. Ms. LaBelle tells Ms. Babcock that signs have been put up but people keep taking them down. Ms. Babcock tells the Board that the people have shown an obvious interest in keeping the spring open and suggests writing a letter to the Select Board letting them know that she would organize a core of volunteers to help maintain the spring. She also suggests coming up with a way to keep track of how much water is taken and also a way for people to donate to help pay for testing.

Berkshire Public Health Alliance Update

Jayne Smith, Health Inspector with BPHA, announces that she will be increasing her hours so Becket will be getting assistance from both Charlie Kaniecki and Jayne Smith.

Geraldine Galliher to discuss septic system at 1048 Benton Hill Road

The Board recognizes Geraldine Galliher of Benton Hill Road. Ms. Galliher explains that back in 2015, she received a notice that her neighbor (at 1048) would be having a new septic system installed. Ms. Galliher talks about another neighbor (to 1048) who was concerned about what may happen to her well water when the system is installed. Ms. LaBelle interrupts Ms. Galliher to ask Ms. Smith if she had been out to 1048 Benton Hill Road to check out the complaint. Ms. Smith says that she went there and met with the engineer, the installer of the system and the representative for Perc Rite systems. Ms. Smith confirms that there was not a smell detected when they were there. Ms. Galliher suspects they didn't smell anything because it was 22 degrees when they were there. Ms. Galliher believes the smell isn't noticeable unless it's over



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35 degrees. Ms. Galliher reports that when she went out to shovel her driveway, the smell was so horrible it made her feel so sick to her stomach that she had to wait 3-4 hours before she could eat her lunch. Ms. Smith asks Ms. Galliher where she thinks the smell is coming from exactly. Ms. Galliher believes it is coming directly from the septic system. Ms. Galliher says that she had 12-13 people to her home for dinner and the first thing they noticed was the horrible smell. Ms. Galliher reports that there are two (2) pregnant women on the street, young children as well as elderly people on the street. Ms. Galliher says that back in 2015, a Jet Bat system was approved to be installed here. Two years later, the realtor said that nobody will install a septic system that costs more than the house is worth. Ms. Galliher thought the Board of Health made a decision to put in the Jet Bat system and the abutting neighbors were satisfied with this system. Ms. Galliher says the Board shouldn't go changing what was already approved to save money for someone from New York who already has three (3) million dollar houses. Ms. Galliher says the four (4) houses there are suffering with the smell from the septic system that was installed. Ms. Galliher goes on to say that the installation obviously didn't go right because it's leaking. Ms. Galliher reports that there is green water coming from the system and going down the driveway making a big rut in it and then going down the road. Ms. Smith takes out a map to show Ms. Galliher to get some clarification about the locations of the septic system that she is talking about. They go over the map. Ms. Smith reports that the lid on the riser didn't have a good seal and odor is coming out from there. Ms. Galliher says that if it is leaking outside, she wonders what will stop it from leaking underground and contaminating wells. Ms. Galliher asks why the distance from the well was changed from 100' to 80'. Ms. LaBelle answers that the system was installed in a different location from the old system. Ms. Galliher disagrees and says it was installed in the same place because that's what they wanted to do. Ms. Galliher goes on to say that the system is also 65' from another neighbor's well; Ms. Galliher's well is more than 100' away. Ms. Smith informs Ms. Galliher what she found when she was there. Ms. Smith shows Ms. Galliher how the system operates and also lets her know that the leach field appears to be functioning properly. Ms. Smith suspects that because there is a crack in the riser, there may be odors coming from there. Ms. Smith thinks that the septic tank itself may not be water tight because when nobody is home, you can hear water trickling into the system and then into the pump chamber. Ms. Smith suspects that since the owners are parking their car over septic system that when it settled, a pipe may have been cracked or broken. Ms. Smith explains to Ms. Galliher that because the ground is frozen now, it's difficult to do anything there. Ms. Galliher argues if the ground may be thawed enough with the warmer weather they've had because if it's leaking and stinking, it's got to be warm enough for the water to be flowing. Ms. Smith says that the tank is not too deep down and explains that the seller did not want to have a riser. It was discussed to put up stones and some sort of barrier to prevent cars from being parked over the system. It was also discussed with the



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installer to have the system pumped to check for leaks. Ms. Galliher confirms that neither of those things happened. Ms. Smith suggests that there is an airtight riser on the pump chamber as well as looking into the tank itself. Ms. Smith speaks about a letter that was issued to the realtor for the property in 2016. The health agent then said that the system was encroaching on the neighbor's well and so the motion to deny the plan was submitted and engineer resubmitted another septic plan that was ultimately approved. Ms. Galliher questions why the system isn't working. Ms. Smith explains that it's not that the system isn't working, but there is something going wrong with the septic tank. Ms. Smith lets Ms. Galliher know that problems with tanks are the easiest to repair. Ms. LaBelle explains that the only system that would work here is the Perc Rite system. Ms. Smith thinks the Board should issue something and include the contractor on it also. Ms. LaBelle questions who will be paying for this. Ms. Smith said that the contractor indicated that they are willing to do what needs to be done for this system to work properly. Mr. Krawet suggests that the buyer go back to their lawyer to find out if there was something in the contract for the sale of the house that says the septic system needs to be installed and functional before it is sold. Ms. Galliher thought that the new owner did do that but the lawyer kept coming back saying they couldn't do this or that and thinks that because of the response she got, she should get a new lawyer. Ms. Smith says that a **COC (Certificate of Compliance)** was issued for this system when it was installed last July. Ms. LaBelle explains that this is done with the engineer, the installer and the health agent. Ms. Galliher wants to know if this type of inspection is done before the septic system is covered. Ms. LaBelle agrees that it is done before it is covered. Ms. Galliher insists that that this inspection was not done before the septic system was covered because it was installed and covered up on the same day; there was nobody there to inspect it. Mr. Krawet explains that what Ms. Smith is trying to say is that at the time it was installed, it was working properly but something happened afterward that is preventing it from working correctly now. Ms. Galliher questions how they could be certain of this because nobody inspected it before the system was covered back up. Ms. Smith says that sometimes, it's hard to know if a system is working correctly when it hasn't ever been used. Ms. Smith circles back to the fact that she thinks the installer wants to see that this system is functioning properly. Ms. Galliher wants to know what the Board will be doing to make things right with this septic system. Ms. Smith informs Ms. Galliher that she will be following up with the contractor, White Wolf, who also wants this to be resolved. Ms. Smith explains they will be doing exploratory inspections to find out what is going on with it and will be updating the Board on their findings. Ms. Smith says a condition will need to be placed that says cars cannot be parked over this septic system. Ms. Galliher looks for clarification regarding the 65' measurement she has from a neighbor's well to the septic system. Ms. Smith lets her know that the setback requirement for a septic system from a well is only 50' and that the 100' requirement she is referring to is actually meant for the distance between the well and the



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leach field. Ms. LaBelle asks Ms. Galliher to call Ms. Smith directly when she notices the smell again. Ms. Galliher agrees that she will and thanks the Board for their time.

Reports from Health Agent, Charlie Kaniecki

1909 Jacob's Ladder Road- well permit application: Ms. Smith informs the Board that she sent an email to the drafter about this and explained that they need to take information regarding neighboring wells into consideration. Ms. Smith further expresses her concerns about the way the plumbing to the system is laid out. She says that with the way the pipes are proposed now, the raw sewage coming down would need to make a ninety (90) degree turn. There are no cleanouts so if and when the pipes get clogged, there is no way of cleaning it out. So, Ms. Smith told them they need to come up with a better plan. Next, Ms. Smith reports on **23 Algeria Road**. The tenants of this property reported there was a septic overflow into their house that was not cleaned up properly by the landlord. Ms. Smith and Mr. Kaniecki went out on separate occasions to do their inspections. Ms. Smith explains that they can only report what they observe during the inspection. She then explains that during their inspections, they did not see any stains on the carpet. The only thing they saw that was an active violation was some leaking from the skylight. The homeowner/landlord was cited for this violation. Ms. Smith lets the Board know she did speak with the person that fixed the septic at the time of the overflow and he reported to her that he cleared a blockage in the pipe between the house and the septic system which had caused damage to the system. He advised them to not flush baby wipes and diapers; Ms. Smith reports that this report is consistent with reports of two (2) other septic systems that have been damaged under their control. Ms. Smith moves on to report on **78 Pine Dale Circle**. Ms. Smith reports the house was in very poor condition when she was out on the inspection. She reports some of the things that were observed during the inspection:

- No safe heat source
- No running water
- Broken hot water heater
- Foundational issues
- Mold

Ms. Smith explains further that the interior plumbing wasn't built correctly; it was basically just conduit pipe. Anytime the house would shift, the air would come right into the house because the foundation blocks had fallen away. This was causing the pipes to freeze. There was also purple sealant all over the pipes. Mr. Kaniecki issued an order to vacate and will be going back on Thursday to follow up on the order to be sure they have left. They anticipate that the tenant



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and landlord will be going to housing court on Wednesday and set up an agreement through mediation services there to find somewhere for them to stay.

Any other business to come before the Board

Becket Motel- 29 Chester Road: Ms. Smith tells the Board about the Title V inspection that was done here and failed. Ms. Smith explains the causes of the failure: there were three (3) tanks coming out that were falling in each other, the pipe coming out was clogged and there was also some seepage. There seems to be a potential buyer who is working out what the design is going to look like along with understanding the regulations. Ms. Smith explains that there was a **PWS (Public Water Supply)** here but it was able to have it decommissioned by removing one (1) of the twelve (12) rooms here. The interested buyer was concerned why this was done. Ms. Smith explains that as a PWS, the required distance needed to place a new septic system from their well would need to be at least 400'. To be considered as a PWS, the well would need to service, on average, twenty-five (25) people per day for at least sixty (60) days of the year or have at least fifteen (15) fixtures. By eliminating a room, the average person, per day, drawing from the well was reduced below this threshold. The area to put a septic system is very limited and by decommissioning the PWS, it will be easier to place the septic system the required distance away from the well.

Old Business: Full Circle

Ms. LaBelle moves on to discuss Full Circle and asks Ms. Smith to talk it. Ms. Smith reminds the Board that there will be a training session next Wednesday for Full Circle. Ms. Smith explains that she is now an FDA Standardized Inspector. Now, when she goes out on inspections to various food establishments to train Board members or other inspectors, it will be covered under a grant so it won't cost the town any hours from their contract from **BCBOHA (Berkshire County Boards of Health Association)**. Ms. Smith says she realizes there will be some transition time since people will be not used to the new system and will need some time to adjust. Ms. Smith says to make the transition easier, paper applications will be accepted as well as online submissions. Ms. Smith says she is willing to reach out to the various businesses to help them with this transition. Accounts can also be set up at the Board of Health Office if they would rather do it that way.

Budget

There was not a copy of the budget on hand to review; they will review the budget at the next meeting.

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Ms. LaBelle goes over the many letters that were received regarding the Spring located on Route 20 by the Becket/Chester town line. All of the correspondence received was in favor of keeping the Spring open. Various suggestions were given including putting up a sign saying to drink at your own risk, attaching a device to keep people from attaching hoses to the pipe, and cleaning the pipe more often. Ms. LaBelle says she has hired Ron Lavigne, who has many credentials, to consult with to help keep it open. Next, Ms. Perotti tells the Board about an invoice for \$177.44 that came in for some ink cartridges. Mr. Krawet makes a **motion** to pay the invoice for the ink cartridges. Ms. LaBelle **seconds the motion**. All in favor. **Motion passes**.

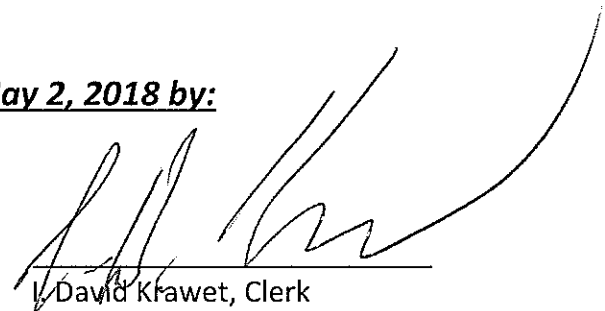
The next meeting is set for March 7, 2018 at 5:00 PM.

Adjournment

Ms. LaBelle makes a **motion** to adjourn. Mr. Krawet **seconds the motion**. All in favor. **Motion passes**.

Meeting Minutes were reviewed and approved on May 2, 2018 by:


Gale LaBelle, Chairperson


David Krawet, Clerk