



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

Meeting Minutes for March 14, 2018

Board Members Present: Gale LaBelle and I. David Krawet

Board Members Absent: Laurel Burgwardt

Health Agent: Jayne Smith

Administrative Assistant: Jessica Perotti

Public Present: John Kozinski, Steve Nelson, Jeff Gamelli, Andras Sala, Gail Kusek, Laura Kittross, Michelle Kenney

Call to Order

Gale LaBelle calls the meeting to order at 5:06 PM and reads the rules of the meeting. Ms. LaBelle introduces the Board, Health Agent and Administrative Assistant before she proceeds with the meeting.

Review of meeting minutes: December, January and February

Ms. Perotti lets the Board know that December and January are ready for approval. Ms. Perotti reminds the Board that Mr. Krawet was not present for the December meeting so those minutes cannot be approved yet. The Board reviews the minutes of the January meeting. Mr. Krawet makes a **motion** to accept the minutes of the January 3, 2018 meeting. Ms. LaBelle **seconds the motion**. All in favor. **Motion passes**.

Any other business to come before the Board

Ms. LaBelle wants to first talk about a complaint that was received regarding 3417 Main Street. Ms. LaBelle recognizes John Kozinski, who lives next door to 3417 Main Street. Mr. Kozinski explains they can't enjoy their yard or tend to their garden due to the odor from the septic system. Ms. LaBelle asks Mr. Kozinski to explain what has been done regarding the complaint from last year. Mr. Kozinski says that someone did come to look at things last season but wasn't sure who it was that was there. Ms. Perotti confirms that she went with Charlie Kaniecki to look at the system. Ms. LaBelle asks if the system was pumped at that time. Ms. Perotti says it was not because there was nobody home when Mr. Kaniecki was there for the inspection. Ms. LaBelle asks if the property has changed hands since the complaint was first received. Ms. Perotti confirms that it has changed hands. Ms. LaBelle says that the new homeowners actually install septic systems and she suspects they were aware of the failure when they bought the property. Jayne Smith asks the Board to review a letter that was drafted to send to the homeowners regarding what their options are to take care of the septic failure. Ms. Smith reminds the Board that it is quite clear the septic system is in failure and requests that a couple options be given to the new homeowners: to have a licensed inspector do an inspection of the system to confirm it is in failure or that they provide the plans for an upgrade within thirty (30) days of receipt of the letter to remedy to situation as quickly as possible. Ms. Smith explains it



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

Meeting Minutes for March 14, 2018

would only be an added expense that isn't really necessary since they are sure the system is in failure. Ms. LaBelle agrees with the options and the rational. Mr. Krawet wants to clarify if the thirty (30) days starts from the date of the mailing or when it is received. Ms. Smith says it can be whatever the Board would like it to be. Ms. LaBelle makes a **motion** that an enforcement order letter be sent out, via Certified and First Class Mail, to the new homeowners of 3417 Main Street giving them the options to have a Title V inspection of their septic system or to provide plans of an upgrade of the septic system within thirty (30) days. Mr. Krawet **seconds the motion**. All in favor. **Motion passes**. Ms. LaBelle asks Mr. Kozinski if this is acceptable. Mr. Kozinski agrees with the proposal.

Reports from the Health Agent

1909 Jacob's Ladder Road: more information is required from the applicant before it can be reviewed.

107 Chippewa Drive: The Board recognizes Steve Nelson regarding 107 Chippewa Drive. Mr. Nelson lets the Board know the septic system here was inspected by Jeff Gamelli in July and it was found that the system was a two trench system and that the d-box had been overtaken by roots getting into all the pipes. Mr. Nelson proposes to remove the existing trenches, pipe, stone, and any other unsuitable materials in that same area. He would like to bring it back to an elevation which is three feet (3') above the estimated seasonal high groundwater. Mr. Nelson says they are really close to groundwater if not in groundwater. He says they could bring it up using infiltrator chambers and make a leach field out of it. Ms. LaBelle asks if he will need a variance. Mr. Nelson says they are looking for local upgrade approval. He goes on to explain that a sieve test, results included, was done because there was so much water. He confirms it was a loamy sand. He says they are also asking for a one foot (1') reduction to seasonal high groundwater because it is on a hill. Mr. Nelson says they were a little confined because there is a well there; he confirms they are more than one hundred feet (100') away from the well and explains that in this neighborhood, there was a fifty foot green belt setback placed on all the lots so they feel it would be safe to put it back in the original location. Ms. LaBelle asks Ms. Smith if she has any questions about the plan. Ms. Smith asks about the condition of the sub-straight underneath. Mr. Nelson says that the sand underneath was actually pretty clean; he doesn't think that the system actually got a lot of use. He says he heard that the owner of the property is a widow now, hasn't been there for a couple of years and wants to sell it. Mr. Nelson explains that the inspection was done last July and was handed off to an engineer who never got around to doing a design for it. Ms. Smith references the second page of the plan and says there are no existing elevations listed for that area and asks how he got the elevations for the inverts for the separation to groundwater. Mr. Nelson says that the original plan was surveyed so they went from that and were planning on using the



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

Meeting Minutes for March 14, 2018

existing 1500 gallon septic tank and pump chamber. Mr. Nelson claims that all the elevations checked out. Ms. Smith looks for further clarification regarding elevations for the existing grade. Mr. Nelson says it goes up the hill at the same grade. Ms. Smith reminds Mr. Nelson that the elevation should be pulled from the outer most trench and questions where Mr. Nelson got his elevation data. Mr. Nelson says they verified the elevations that were listed on the original surveyed plan and everything checked out. Ms. Smith wants to be sure that the system will not be cutting into the slope. Ms. Smith asks for the original survey. Mr. Nelson hands the survey over to Ms. Smith. Ms. Smith says she wants to be sure there is three feet (3') all the way around. Ms. Smith says that Charlie Kaniecki has reviewed the plan and recommended approval and Ms. Smith recommends confirmation that there will be a 3' separation from the edge of that highest trench. Ms. LaBelle questions if there are any other variances for this system that need to be addressed. Ms. Smith says with the local upgrade approval, they need to get a soil sample from the field and the 1' reduction to estimated high groundwater. Ms. LaBelle makes a **motion** to approve the plan for 107 Chippewa Drive with a 1' separation to seasonal high groundwater. Mr. Krawet **seconds the motion**. All in favor. **Motion passes.**

298 Long Bow Lane East: The Board is waiting for some more information for this plan before it can be reviewed.

Old Business

a. Route 20 Spring

Ms. LaBelle says there are almost two hundred (200) signatures on the petition to keep the spring open. Before starting the discussion, Ms. LaBelle wants to update everyone about what has happened with the spring on route 20 so far to date. She reminds all that the town is under an enforcement order to either decommission the spring or to put a filtration system on it due to the unknown source of coliform contamination. Ms. LaBelle says she had the spring tested for Title V levels and found there was no E. coli, nitrates, or urine in the samples collected. A survey will be done on the property to verify the owner of the property. Ms. LaBelle says that Steve Salvini did a survey but since he wasn't able to actually get onto the property, the town has hired a survey company to do another survey to determine the owner. Ms. LaBelle tells everyone that she has also hired a consultant that deals with water. Ms. LaBelle says that the state cannot fine them though because the town doesn't own the land. While it has been assumed that Deerhaven owns the property, there is a chance it may belong to someone on Route 20. Ms. LaBelle adds that the possible owner on Route 20 has also signed the petition to keep it open. Ms. LaBelle says everyone has to come to the table to work together. While Ms. LaBelle has addressed the fact that people are coming with tank trucks and attaching hoses to the pipe to collect water to sell or make beer with it, she can't guarantee that someone else



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

Meeting Minutes for March 14, 2018

won't come in and do the same thing. Gail Kusek is recognized and lets the Board know she's been collecting signatures down at the spring and people are coming from as far as New York and Connecticut to get water. Ms. Smith brings up the fact that with all the signatures that have been collected, it's clear that a lot of people use the spring and that's why it's so important to ensure that the spring is a safe water supply. Ms. LaBelle says that Chester only tests their water four (4) times a year and wonders why Becket needs to test every month. Ms. Smith explains that when standards are met, requirements are different. Since Becket had some failures, they are required to test more often. Ms. Kusek wants to know how the state can prove this a public water supply. Ms. Smith tells Ms. Kusek that she can't answer her question but she does know that it was declared a public water supply. Ms. Kusek says that since she's been sitting at the spring to collect signatures, she hasn't seen that many people, per day, coming to collect water. Ms. Kusek says she is unclear how it should be counted: if one (1) car comes with four (4) people but only one (1) is actually collecting water, is that counted as four (4) or one (1)? Ms. Smith says that if the spring water is interacting with surface water, it's very important to test the water because there could be any number of contaminates in there.

Next, Ms. Kusek tells the Board that the *Country Journal* reported that there were twelve (12) out of forty (40) samples that tested positive for coliform and wants to know if the Board would be sending in a correction. Ms. Kusek thinks that the *Country Journal* did not translate the test results properly. Ms. LaBelle doesn't want to act at this time until there is more to confirm regarding the status of the spring.

Michelle Kenney came to the meeting late and was updated on the status of the spring when she arrived. Ms. Kenney expressed her concerns for keeping the spring in operation following her findings of water in the town of Chester.

b. Full Circle

The Board recognizes Laura Kittross of **Berkshire Regional Planning Commission (BRPC)** to talk about the updates with Full Circle and BRPC services in general. Ms. Kittross introduces herself and explains that she manages the Public Health Program at BRPC and as part of that position, she also acts as director the **Berkshire County Boards of Health Association (BCBOHA)**, which is also the Emergency Preparedness Coalition in Berkshire County and she is also the director for the Berkshire Public Health Alliance. Ms. Kittross explains that the **Berkshire Public Health Alliance (BPHA)** provides the Health Inspector services of both Charlie Kaniecki and Jayne Smith. She further explains that it is a member organization consisting of twenty-four (24) municipalities in Berkshire County that have signed an intermunicipal agreement with each



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

Meeting Minutes for March 14, 2018

other having the BRPC as the fiscal host of the agreement. The agreement basically says that they can, but don't have to, share public health services. As the fiscal host, BRPC hires, centrally, qualified good people to do the inspections and also nurses for public health nursing for the towns that contract for that. The towns are mostly small towns that aren't able to hire qualified inspectors for the low number of hours that are needed. Usually, they are contracted for a lump sum and most if not all services needed are provided by BRPC. Ms. Kittross explains that being paid this way works out best for all because the towns will already know how much they'll need to pay up front and BRPC will know how much income they will have and how much work they will have for their inspectors. Some years, towns might come out a little ahead; some years the BRPC will come out a little ahead. BRPC tries to make sure it all breaks even in the end as they are not trying to make money off of the towns but don't want to lose money on any of the towns either. Rates will be adjusted based on the previous year's activity. Ms. Kittross says that Becket does not receive public health nursing services but has been getting inspectional services for about two and a half (2 & ½) years and thinks it is going well. Ms. LaBelle agrees that it is going very well. Ms. Kittross lists the types of inspectional services they provide for Becket: Food Inspections for anyone serving prepared foods; camps; Title V inspections; percolation tests; reviewing septic plans and ensuring the system is built according to the plan that is approved; making sure that when property is transferred, the appropriate inspection is done to make sure the septic system is working correctly; and housing inspections. Mr. Krawet says it seems to cost the town less to do it this way. Ms. LaBelle agrees. There is some confusion by some attending why services are needed by the BRPC. Ms. Kittross explains that all regulations are made at state level but enforced by local boards. Ms. Kittross next explains that in addition to the inspectional services and nurses that are provided, the BPHA also applies for and administers grants on behalf of the towns in the alliance communities. They often partner with Tri-Town Health who covers the towns of Lenox, Lee and Stockbridge. Ms. Kittross says that even without partnering with Tri-Town Health, BPHA still covers about ninety percent (90%) of the population with the twenty four (24) towns they cover. For example, covering that many communities, they were able to apply for the large opioid prevention grant over the last several years. Other grants that have been useful are the Food Protection Grants and the online permitting with Full Circle. Through those grants, Ms. Smith has been able to give some food inspector classes around the county as well as Boards of Health that want to understand what their inspectors are doing. Ms. Kittross says that representing 24 towns makes it easier to be approved for the grants as compared to being only one (1) city or town trying to get it. She says there were several grants that were approved because BPHA covered so many communities. Ms. Kittross says there is a governing board of the alliance that consists of one (1) participating member from each town and one (1) alternate. Ms. Kittross says they are also working on tick education regarding the growing tick



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

Meeting Minutes for March 14, 2018

population. Ms. Kittross says that Ms. Smith will be taking over some administrative duties from the current administrative assistant for the BRPC. Ms. Kittross lastly says that one of the things they do under the Emergency Preparedness Funding is something called Emergency Dispensing Sites. These sites will be set up in the event that vaccines or medications need to be given to a larger part of the population due to bioterrorism or just something that happens. This was started following the anthrax attacks following 9/11. So far, this has only been executed when the H1/N1 flu epidemic hit in 2009. That was when they realized that it really needed to be done regionally instead of just town by town. Ms. Kittross says that while Ms. Smith is out in the field doing inspections or reviewing septic plans, all final decisions are made by the Board. Ms. Kittross encourages everyone to call her with any questions, complaints or compliments.

Ms. Smith explains that the renewal period is coming for Food Service Establishments. She would like to reach out to the various businesses in town to introduce herself as an inspector that may or may not come with someone from the Board to do inspections.

Ms. Smith says that the new camp regulations are not out yet but Ms. Smith would like to get things going for those renewals also. Ms. Smith tells the Board about a training seminar in April that will bring everyone up to date with the new regulations; she also has information to give to the camps regarding the new regulations for this season. Ms. Smith tells the Board she would like to go along on the camp inspections to get to know the camps. Ms. Smith asks the Board that with all the new changes, if it would be alright with them if she visits all the camps to help them with the new permitting process giving them the option to still hand in a paper application or electronically through Full Circle; this is alright with the Board. Ms. Smith would also like to go out and do beach inspections. Ms. LaBelle says some are in private communities; Ms. Kittross tells Ms. LaBelle that if a beach is semi-public, it can be inspected. Ms. LaBelle says that there is no charge for Beach Permits since they need to do weekly water testing.

Ms. Smith says she is working on the Title V reconciliations with the help of Ms. Perotti. Ms. Smith explains that unless it is a foreclosure or a transfer between family members, any title transfers need to have a Title V inspection of the septic system on the property. Ms. Smith says that Becket is not the only town behind on Title V inspections. Ms. Smith explains that she is working with the **Massachusetts Department of Environmental Protection (MassDEP)** and has requested a guidance document so that once it's been determined that a Title V inspection is required, a Notice of Inspection can be sent out to those that need an inspection including homeowners, attorneys and real estate agents. Ms. LaBelle questions why Title V inspections are not being done with cash sales. Ms. Smith explains that the way the regulations were set



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

Meeting Minutes for March 14, 2018

up, banks ended up being the “gate keepers” of property transactions. When there is not a bank involved, it doesn’t mean Title V inspections are not required, there just isn’t a “gate keeper” overseeing the transfer to ensure the inspections are done. Cash sales still require Title V inspections. Ms. Smith feels that if an attorney or real estate agent is overseeing the sale, they are really doing a disservice to their clients by not making sure these inspections are done correctly.

Ms. Smith moves on to discuss scheduling witnesses for inspections. Ms. Smith would like to have a better way to keep track of this information. She asks the Board if emails could be sent to septic installers, engineers and Title V Inspectors to have all requests for BOH witnesses go through the office for traceability to avoid having to do the match up process that’s happening now. Ms. Smith says that she is working with Full Circle to have a scheduling program in the system and hopes to have it ready within six (6) months. Ms. Smith asks the Board if it could be required that all witness scheduling go through the office instead of installers, engineers and inspectors calling witnesses directly. Ms. LaBelle would like to vote on this and makes a **motion** that witnesses for inspections be scheduled through the BOH office only for tracking purposes- no more calling witnesses directly for scheduling. Mr. Krawet **seconds the motion**. All in favor. **Motion passes.**

Ms. Smith would like monies to be collected through the office also and not in the field. Ms. Kittross recommends this for all the towns they represent. Ms. Kittross explains that it isn’t because witnesses can’t be trusted it’s because it saves monies from being lost in between; sometimes they aren’t able to get back to the office right away to get checks to the appropriate person. There is too much room for assuming things were paid and then permits are issued when they shouldn’t be. Ms. Kittross confirms that the Board should never issue a permit where it hasn’t been confirmed that fees have been paid or that plans have been reviewed for approval or an inspection is complete. Ms. Smith asks that the Board make a motion that monies not be collected in the field. Ms. LaBelle makes a **motion** to have a policy that applications and monies are submitted to the office directly or through the Full Circle program only. Mr. Krawet thinks they should add that no permits be issued until it has been confirmed that all fees have been paid, plans have been reviewed and inspections have been done. Ms. LaBelle adds to her motion that the health agent and clerk need to sign off on all permits. Mr. Krawet **seconds the motion** with the addendum. With no further discussion, Ms. LaBelle calls the motion to a vote. All in favor. **Motion passes.**



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

Meeting Minutes for March 14, 2018

New Business: 125 Main Street

A complaint was received regarding the unsightly condition of this property. Ms. LaBelle explains that the property owners have changed hands a few times over the years due to deaths in the family; one was just recently. Ms. Smith asks the Board how Charlie Kaniecki should proceed on the complaint. Ms. LaBelle says she would first like to find out the status of the property owner so that a letter can be sent to them to give notice that an inspection needs to be done on the property. Ms. Kittross agrees that the proper steps need to be taken and that it can't just go right in to receivership. First, it needs to be determined if the structures will be condemned and then the property owners are given a time period to make corrections to bring it up to code. Ms. Smith suggests that for the process to start, the property owner needs to be determined and then send a letter to request information from them regarding the plan for the property or to request a representative of the property to be present for the inspection. Ms. LaBelle agrees with Ms. Smith's suggestion.

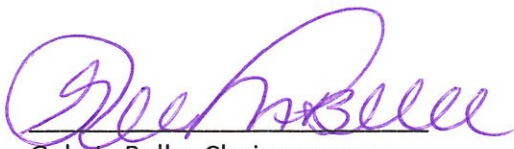
Budget

Ms. Perotti tells the Board that she ordered some ink cartridges for the printer and that business cards were ordered for her. The invoice for the ink cartridges is: \$177.44. The business card invoice was split three (3) ways leaving the Board to pay \$15.00. Housatonic Basin has two (2) outstanding invoices: \$185.00 and \$265.00. All invoices total \$642.44. Ms. LaBelle makes a **motion** to pay all outstanding invoices totaling \$642.44. Mr. Krawet **seconds the motion**. All in favor. **Motion passes**. Ms. LaBelle asks how much is left in the budget; Ms. Perotti confirms that there will be \$11,274.42 in the expense account after these invoices are paid.

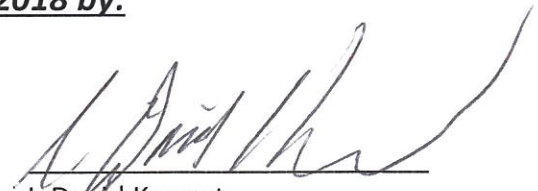
Adjournment

Mr. Krawet makes a **motion** to adjourn; Ms. LaBelle **seconds the motion**. All in favor. **Motion passes**. Meeting is adjourned at 6:48 PM.

Meeting Minutes Reviewed and Approved on July 2, 2018 by:


Gale LaBelle, Chairperson -




I. David Krawet