

Board of Health

Meeting Minutes

December 15, 2010

Present: Rebecca Allen, John Doherty (6:05 – 8:45 pm), Elizabeth Nichols, Karen Brooks, Robert Bourke (6:15 – 9:00 pm).

Public: David Gott (9:00 pm – 9:15).

Meeting Convened: 6:05 pm

OLD BUSINESS:

1. Minutes were unanimously approved with revisions.
2. The Board reviewed the Health agent hours submitted for November.
3. The Bill Schedule was unanimously approved & signed for the third quarter payment for the Health Agent to FRCOG.
4. Betty has spoken with Paul Nietupski (DEP) regarding the property at 15 Rowe Road. Mr. Nietupski says that Title 5 entitles the property owner to install a system as a repair if there was a house on the property on March 31, 1995, even if the house is no longer there. Karen requested that Betty confirm with the assessors that there was a house on the property on that date before discussing whether to accept the results of the perc test conducted in 2004.
5. There has been no response from the John Doherty who owns of 14 Mohawk Beach Drive. Betty will draft a letter advising him that if he does not provide us with a plan for correcting his failed septic system, the Board will schedule an inspection in May of 2011. This inspection may lead to an Order to Correct.
6. The Board reviewed the Certificate for Compliance for the property at 96 Burrington Road and found that a condition of the Permit is that the old trailer be disconnected from the septic system. This has not yet been done because the new house is not yet ready for occupancy. Betty will write to Dawn & Dennis Peters requesting that they notify us when they are ready to disconnect the trailer so that we can witness. The COC will not be released until this has been done.
7. There is no new information regarding 34 Royer Road. Betty recommends that we conduct a re-inspection of the property with Matthew Lynde or Laura Gowdy present and provide them with an inspection report and summary of their legal rights. Betty will draft a sign off sheet to verify that they have agreed to the inspection and received the documents. Karen will contact Glen for advice on how to proceed with a condemnation. She will also contact Brian McHugh from the Housing Authority to be sure that there is no longer interest in repairing the septic system.
8. Becky has completed the on line training required to perform food inspections. She inspected the food at the Artisans' Craft Fair on December 11<sup>th</sup> at the Community Hall. This event was sponsored by the Parent Teacher Partnership of the Heath Elementary School. The Board has not yet received the inspection report.
9. The Board reviewed and approved a letter to Paul & Deborah Plante concerning the sale of food from unpermitted residential kitchens at Peters Store. Becky signed the letter.

At 7:00 pm the Board of Health attended an information session conducted by the Planning Board to discuss Smart Growth. The Conservation Commission was also in attendance. The Planning Board intends to present this plan to the annual town meeting in May. The plan is primarily concerned with back lot development and permits denser development when developers also practice "Conservation Development" to preserve open space. The Board of Health expressed some concerns about whether

the half acre lots proposed as part of this incentive were going to be sufficient to site septic systems and wells.

The Board of Health meeting resumed at 8:00 pm.

10. Betty summarized the information that she has received regarding 3 Ledges Road from David Slowick (DEP) and Brian McHugh (Housing Authority). The oil spill issue is on going and not likely to be corrected immediately. DEP apparently has no objection to the repair of the septic system meanwhile, if a suitable site can be found which is located away from the oil spill area. The Housing Authority will not get involved if the house cannot be brought up to code. They are planning to schedule an inspection to determine whether this is possible.

#### NEW BUSINESS:

11. A Title 5 Inspection Report was received for the property at 38 Brunelle Road. The system was found to fail.
12. The Board reviewed and approved the Beaver Permit form that Becky created. Becky said that the party interested in applying for this permit has decided to wait until spring.
13. The Select Board has approved Becky's proposal for a Reverse 911 System. This will be purchased and paid for by the Board of Health. There was some discussion regarding appropriate use of the service. Becky will draft a proposal addressing this issue for the Board's consideration. Subsequently, the emergency manager, fire chief, police chief and other interested parties will also be consulted before the use policy is finalized.
14. The Board reviewed the fee schedule. Karen feels that the Food Permit fees are too high. Becky pointed out that an annual food permit requires two inspections. Betty feels that we are collecting fees in excess of the cost of the services, particularly in the case of Temporary Occupancy Permit fees. The Board discussed the transfer of \$4,000 from the revolving fund to the McCloud's payoff which occurred at the Special Town Meeting on December 14<sup>th</sup>. The Board does not understand why this fund had an \$8,000 balance. Betty will total the turnovers for FY 10. The Board agreed to make an effort to be more careful about billing hours to this inspection program for office work as well as field work. Increasing the pay of Board members doing inspections to match the fees being charged was also discussed. The Board will review the fees again in six months to see if the costs begin to equal the fees.
15. Betty drafted a letter to Title 5 inspectors, informing them of our plan to witness Title 5 inspections starting January 1, 2011. The letter was approved with revisions. Becky will sign the letters after Betty prints them out. Letters will go to everyone who has conducted a Title 5 inspection in the Town of Heath since the year 2000.
16. Septic pumping reports were received for properties at 82 Flagg Hill Road & 51 Waterfall Drive.
17. A copy of the 2010 Beach Report was received from Berkshire Environmental. This is the report that they submitted to the State on our behalf.
18. A letter was received from the building inspector, Jim Hawkins, concerning the illegal construction of a shed at 13 Eastbrook Drive. Mr. Hawkins also reminded the homeowner of the limitations on trailer occupancy.
19. Revisions to the perc test form were approved. Betty will forward the form to Becky so that it can be added to the website.
20. Becky has completed the Foundations in Public Health training. She presented the Board with a copy of her certificate and a CD containing the material used for the training.
21. The BOH approved a Housing Inspection form specific to the Town of Heath. Becky will send Betty an on-line version as the current document is scanned.

22. David Gott approached the Board of Health about tracking unauthorized construction on protected land. The Board noted that they are informed of new residences, but not of detached structures such as barns and sheds. If the land preservation organizations will provide the Board annually with a list of protected properties in Heath, the Board is willing to consult the list before approving perc testing.

Meeting adjourned 9:15 pm.

Respectfully submitted,  
Elizabeth Nichols

## DOCUMENTS

Minutes 12/01/10

FRCOG Health Agent Report of November hours

Bill Schedule & 3<sup>rd</sup> Quarter invoice for FRCOG health agent

Final Inspection Report & Disposal System Construction Permit for 96 Burrington Road

Draft notice of Laura Gowdy & Matthew Lynde pending reinspection

Heath Board of Health Application for Temporary Occupancy Permit

Letter to Paul & Deborah Plante regarding sale of foods from home kitchens

Emails from David Slowick & Brian McHugh regarding 3 Ledges Road

Title 5 Inspection Report – 38 Brunelle Road

Heath Board of Health 10-Day Emergency Beaver or Muskrat Permit

Reverse 911 proposal

Heath Board of Health Fee Schedule

Draft notice to Title 5 Inspectors regarding BOH witnessing & list of Inspectors

Septic pumping reports: 82 Flagg Hill Road & 51 Waterfall Drive

2010 Beach Report

Letter from James Hawkins, Franklin Co. Cooperative Inspection Program, regarding 13 Eastbrook Drive

Heath Board of Health Perc Test Application Form

Heath Board of Health Housing Inspection Form

Foundations for Local Public Health Practice Certificate issued to Rebecca Allen