

**Becket Board of Health
Meeting Minutes
Wednesday, July 31st, 2013**

Board of Health Members Present: Laurel Burgwardt, Gale LaBelle, Howard Lerner.

Board of Health Members Absent:None

Meeting opens at: 10:11 am

Members of the public present: Robert Ronzio, Beth VanNess.

Ms. LaBelle calls the meeting to order at 10:12 am and announces that agendas are on the table for anyone who wants one. She advises that this meeting is being held in accordance with Massachusetts General Laws regarding public health and safety , regulations of the Department of Public Health and the Department of Environmental Protection as well as the By-Laws of the Town of Becket. All decisions require approval of a majority of the quorum of the Board of Health members present. Motions ending in a tie will not be acted upon until such a time as a majority can be achieved. In unusual cases, the rule of necessity may be invoked to reach a decision. Ms. LaBelle further advises that it is her responsibility under the open meeting law, to ask if anyone is making a video or audio recording of the meeting, Ms. LaBelle introduces herself as well as the other members of the Board to all present.

Review and Approval of July 17th , 2013 Meeting Minutes- Board of Health members read and review Meeting minutes, making two small modifications; Mr. Lerner states that on page 4, paragraph 2 the words “Health Alliance” needs to be changed to “Health Agent” and Ms. Burgwardt advises that on page 2, the paragraph speaking of her tasks , “completed inspections” needs to be changed to “will be completed”. Mr. Lerner makes a motion to approve meeting minutes as amended, Ms. Burgwardt seconds motion; Unanimous Approval.

Public Input- None

Old Business- Update and Review of Inspections.

Ms. Burgwardt confirms that Jacob’s Pillow has been completed. Board members briefly discuss scheduling the school kitchen inspections.

Ms. Burgwardt also advises that she has completed inspections at the Kushi, the Becket Motel, Berkshire Lakeside Lodge, Becket General Store, Becket Country Store, The Sherwood Shoppe, The Dream Away Lodge, and Uncle Larry’s Tavern . Mr. Lerner stresses how important it is to do more frequent school kitchen inspections. Mr. Lerner makes a motion to make sure that school kitchens are inspected 4 times a year, at the discretion of ms. Burgwardt. Ms. Burgwardt seconds the motion; Unanimous Approval.

Ms. LaBelle advises that she has successfully completed reading over 500 emails. Ms. LaBelle also advises that with the help of Ms. Arlene Adler, much of the filing is now being caught up.

Ms. LaBelle also advises that Ms. Beth VanNess is also going to be assisting with some in-office filing.

Map 211 Lot 25- Title V- 23 Tecumseh Drive- Board members briefly discuss; Ms. Burgwardt advises that this is actually a repair and the work is being done close to the water as well as close to a river. Ms. Burgwardt further advises that she had had conversation with Kathy from the Conservation Commission and is waiting pending approval.

Map 216 Lot 442-Title V-Mystic Isle Way- Board members briefly discuss and update progress. Ms. LaBelle advises that Mr. Scott Kryzsnik is working on this.

Chairperson to report on the progress with the Health Alliance- Board members discuss the benefits to having the help of the Health Alliance as well as some of the charges and costs involved.

Board members continue to discuss their current fee schedule as well as the fees that are charged by other towns. Mr. Lerner suggests that they research the fee schedules of other towns before they sit down and discuss setting the new fees for the Town of Becket. Ms. LaBelle suggests that they complete their research and prepare for a possible public hearing in January.

Center Pond Water testing- Follow Up- Ms. LaBelle reports the last water test has come out fine and that she needs to go to the beach and take down the signs that were put up after the bad water test was received.

Ms. LaBelle advises that she has been researching Yokum Pond and that as far as she can see there is currently not an Association. She further advises that she had been told that the pond is now owned by one family, therefore it would be considered a private beach. Ms. VanNess advises that she thought that there was a new buyer and questions whether or not there is an Association or not.

Ms. LaBelle also advises Board members that Shaw Pond was also tested, she further advises that the test came out fine, however they have yet to pay the \$100 fee that is now due to the Board of Health.

Mr. Lerner brings up the issue of camping in Sherwood Forest, explaining that there is no camping allowed in the Town of Becket and Sherwood Forest is part of the Town. Mr. Lerner states that it seems like a double standard if we continue to knowingly allow camping in Sherwood Forest and further more that is breaking a public law. Board members agree that the bylaws need to be followed and that these isolated instances can not be allowed.

Mr. Ronzio brings up a discussion on all the abandoned properties that are in Sherwood Forest, advising Gale that the wells on these properties really need to be decommissioned. Board members listen to the information presented by Mr. Ronzio and further discuss the issue.

New Business-

Ms. LaBelle advises that Scott has reviewed new plans submitted to the Board of Health and he has contacted the property owner and made appointments as necessary.

Board of Health members discuss having computerized Board of Health records , similar to what the building inspector has.

Ms. LaBelle advises of a letter received by the Board of Health from the Town Administrator. Ms. LaBelle reads letter aloud. Ms. LaBelle further explains that the Town Administrator is requesting that the Board of Health waive the \$100 witness fee for the Title V that has been scheduled at the Becket Washington School. Mr. Ronzio cautions the Board, explaining that they need to be careful as this could set a precedent and others will also request that their fees be waived. Mr. Lerner advises that they may want to get some advice from Town Counsel. Ms. LaBelle explains that it is going to cost the Board of Health money to have Scott present for the Title V, and thinks that keeping the fees in place is reasonable. Board members briefly discuss. Ms. LaBelle makes a motion to respectfully deny the request from the Town to waive the Title V witness fees, Ms. Burgwardt seconds motion; Unanimous Approval.

Ms. LaBelle advises that she will be contacting Mr. Ed McDonald from the Town of Chester, to find out what exactly is going on with the spring and the testing of the water. Gale advises that she has been told that the bill is supposed to be split between the Town of Becket and the Town of Chester. Ms. LaBelle advises that she will do some more research and then report her findings to the Board.

Board members briefly discuss the signs that they had made to be posted at the beaches when a problem was reported. Mr. Lerner confirms that they need to make sure that they have sturdy signs that will be weather proof and water proof as well.

Ms. LaBelle advises of a complaint that was received by the Board of Health as well as the Building Inspector. Ms. LaBelle reports that they went to do an inspection and found numerous violations present. Ms. LaBelle states that she wants everything documented and to make sure a clear paper trail is maintained. Ms. Burgwardt briefly describes what they saw on their visit and details some of the violations that they saw.

Ms. LaBelle advises of another complaint, stating the complaint was made anonymously, stating that people were going to the bathroom in the woods next to his home. The individual would not give Ms. LaBelle any information that can actually be followed up on. Ms. LaBelle advises that until he either emails her or writes a letter with some specific information, there is truly nothing that can be done.

Mr. Ronzio advises that he has a survey for the Chairperson of the Board to please fill out on behalf of the Sherwood Forest Lake District. Mr. Ronzio asks Ms. LaBelle to please fill the survey out as completely as possible.

11 :38 pm - Howard makes a motion to adjourn the meeting, Laurie seconds motion, meeting is adjourned.

Meeting Reconvenes: 11:45 pm.

Town Administrator , Mr. Ed Gibson , advises that by the Board of Health refusing to waive the fees requested, the Board is just charging the tax payers, he further explains that the Town doesn't benefit and the taxpayers really get stuck holding the bill. Board members briefly discuss with the Town Administrator the different options that are on the table; Ms. LaBelle explains that she thought that the Board of Health has the right to charge the Town and that collecting the fees is the only way for the Board to make up for the money it costs them to actually send some one to the site to be the witness .

Mr. Gibson also advises Mr. Lerner that depending on the situation, sitting on both the Board of Health as well as the Sherwood Forest Lake District may be a conflict of Interest. Mr. Gibson further advises that if a conflict situation occurs then it would be in Mr. Lerner's best interest to recuse himself from the meeting and then leave the room. Mr. Ronzio states that he does not understand the reason for the individual to have to leave the room. Mr. Gibson explains that when an individual recuses themselves, they can still influence people in the room if they remain present, leaving the room allows for the individual to be totally removed.

Ms. Burgwardt makes a motion to waive the \$100 Title V fee for the Becket Washington School, Ms. LaBelle seconds the motion; Mr. Lerner recuses himself (leaves the room). Motion passes, Title V fee is waived and will be paid by the Becket Board of Health.

Ms. Burgwardt advises that she was paid \$300 cash from Ms. Valerie Bird and is heading to the treasurer's office to turn it in.

Mr. Lerner re-enters the meeting. Ms. Burgwardt makes a motion to adjourn the meeting, Mr. Lerner seconds the motion, Unanimous Approval.

Respectfully submitted,

Heather Hunt
Administrative Assistant

Signed _____ Date _____
Gale LaBelle

Signed _____ Date _____
Laurel Burgwardt

Signed _____ Date _____
Howard Lerner