

Becket Board of Health Meeting
Wednesday, July 1st , 2015
Town Hall, 557 Main Street, Becket Ma.01223

Board Members present: Gale LaBelle, Laurel Burgwardt, Howard Lerner.

Board Members absent: None

Public Present: Colleen O'Conner, Helen Mullary, Susan Naventi, Gerry Galliher, Beth VanNess.

Meeting is opened at 10:10 am.

Ms. LaBelle opens the meeting at 10:10 stating the date and time. Ms. LaBelle advises that there are agendas on the table for anyone who wants them.

Ms. LaBelle advises that this meeting is being held in accordance with Massachusetts General Laws regarding Public Health and the Department of Environmental Protection as well as the bylaws of 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 usual cases the Rule of Necessity may be invoked to reach a decision.

Ms. LaBelle goes on to introduce the board members present. Ms. LaBelle explains the Open Meeting Law, MGL c. 30A subsection 20, and asks if anyone in the audience is going to make an audio or video recording of this meeting, hearing none, she moves the meeting ahead.

Lastly, Ms. LaBelle advises the public present that it is the intention of the board to proceed with the posted agenda in the order in which the items are listed, and again reminds all present that agendas are available for anyone who wants one. Ms. LaBelle advises that everyone has the right to attend this meeting and observe the board as it deliberates but the public does not have the right to speak out or participate as they see fit.

Board Re-organization:

Chairperson- Ms. Burgwardt nominates Ms. LaBelle to be Chairperson, Mr. Lerner seconds the nomination. Ms. LaBelle accepts the nomination. No discussion. Ms. LaBelle is the Chairperson of the Board of Health.

Vice Chairperson- Mr. Lerner nominates Ms. Burgwardt to the Vice Chairperson position, Ms. LaBelle seconds the nomination. Ms. Burgwardt accepts the nomination. No discussion. Ms. Burgwardt is the Vice Chairperson of the Board of Health.

Clerk- Ms. Burgwardt nominates Mr. Lerner to the Clerk position, Ms. LaBelle seconds the motion. Mr. Lerner accepts the nomination. No discussion. Mr. Lerner is the Clerk to the Board of Health.

Old Business:

1048 Benton Hill Road- Ms. LaBelle states that the septic system was inspected by Mr. Scott McFarlane and was in failure. Ms. LaBelle goes on to explain that now they have an application and plan in front of them requesting 4 variances. Ms. LaBelle states that she has been in contact with Health agent, Scott Kryznik to discuss this very important matter. Gale explains that it was Scott's opinion that 2 of the variances could be easily granted, however the remaining two need to be seriously considered.

Board of Health members discuss the idea of putting in a rubber lined retaining wall, as well as the installation of a jet bat system. Mr. Lerner advises that putting in the retaining wall would be a much less expensive alternative. Ms. O' Connor states to all present, the pros and cons for both systems being proposed.

Concerned abutter, Susan Naventi advises the Board of Health that over the weekend, the owner's son stayed at the property.

Mr. Lerner makes a motion stating that no one should be allowed to stay at the home at all until this matter is resolved. Ms. Burgwardt advises that they have 2 years to act on a failed system; motion fails. Ms. VanNess adds that only when the septic is bubbling out of the ground, there is reason to condemn the dwelling. Ms. Naventi states that the wall is very concerning to her as a family member of her's owns a home on Shaw Pond and that water was ruined by their neighbor who put up a retaining wall. Mr. Lerner advises that he is concerned about setting a precedent with the jet-bat system. Ms. Naventi further adds that if they put up a wall then they will have nowhere to park. Mr. Lerner suggests that the owner/seller of 1048 Benton Hill Road could offer to drill a new well, at her expense, for the abutter, which in turn would still be cheaper than installing the jet-bat system. Ms. LaBelle advises that she intends to speak with Mr. Peter Franz to further discuss other possibilities. Ms. LaBelle reminds Board of Health members that they need to make a decision on the plans that are being proposed.

Mr. Lerner makes a motion to deny the plans as submitted and reviewed. Gale advises that they need to vote separately on each of the variance requests.

Ms. Burgwardt makes a motion to approve the slab variance from 10 feet to 5 feet, Mr. Lerner seconds the motion; Unanimous Approval.

Mr. Lerner makes a motion to approve the proposal of 6 feet from the property line instead of 10 feet, Ms. Burgwardt seconds the motion; Unanimous Approval.

Mr. Lerner makes a motion to install a jet bat system at 1048 Benton Hill Road, Ms. Burgwardt seconds the motion; Unanimous Approval.

Mr. Lerner makes a motion to allow the change of ground water from 4 feet to 3 feet, Ms. Burgwardt seconds the motion; Unanimous Approval.

Mr. Lerner makes a motion for the setback to the well be approved from 100 feet down to 80 feet, Ms. Burgwardt seconds the motion, Unanimous Approval.

The Chairperson declares that all four of the variances pass with the exception that the homeowners must put in the jet bat system.

New Business-

Board members briefly discuss the health agent's and the secretary's hours for the new fiscal year. Mr. Ronzio reminds Board members that there needs to be at least three bids taken for any contract over \$10,000.

Ms. LaBelle advises Board members that on July 21st, Porchlight will be presenting "Healthy eating on a budget".

"Tobacco 21" briefly discussed. Ms. Burgwardt states that she is not necessarily in favor of this, comparing it to the military's legal age is 18 rather than 21. Mr. Lerner suggests that the Town should be the first to consider moving the age up to 25. Board members briefly discuss.

Beach Permit Updates- Ms. LaBelle advises that all beach permits are up to date.

Board members to review plans:

Howard makes a motion to approve all plans that have already been reviewed and approved by Scott, to include: 91 Wade In Road, 211 Captain Whitney Road, 508

Seneca Drive, 422 Bonny Rigg Hill Road, 550 County Road, 894 Moberg Road, 445 Beech Tree Lane, and Stoney Brook Road.

Next, Ms. LaBelle presents all recent Title V's to include: 31 Lyman Street, 1027 Fred Snow Road, 707 Benton Hill Road, and 17 Trout Close.

Ms. Burgwardt makes a motion that the Board of Health makes it very clear that the Board must receive an "As built" plan for their file. Mr. Lerner seconds the motion. Board members briefly discuss. Ms. Burgwardt briefly explains the Mr. Lerner the sign-off process and the sequence of events. Mr. Lerner in turn amends the motion to state, drawn by the installer but signed off on by the Engineer, Ms. Burgwardt seconds the amendment. Unanimous Approval. Ms. LaBelle calls for a vote on Laurel's original motion, Mr. Lerner seconds the motion; Unanimous Approval.

Mr. Ronzio advises the Board members of the pending issue of the contamination of the adjacent beach where the Fire Truck went into Excalibur Lake. He gives Ms. LaBelle further information so that she may discuss it with the Conservation Commission as well as the Fire Department.

Any other business to come before the Board – Board members briefly discuss office hours and how they would best be covered. Mr. Lerner suggest that Ms. Hunt have regular office hours on Monday and Thursday from 11am-2pm and on Wednesdays from 9am-1pm and that Ms. VanNess have office hours on Tuesdays and Fridays from 9am-1pm.

Mr. Lerner makes a motion to adjourn the meeting at 12:25 pm, Ms. Burgwardt seconds the motion, Meeting is adjourned.

Schedule next meeting for July 15th, 2015.

Respectfully Submitted,

Heather Hunt

Gale LaBelle

Date

Laurel Burgwardt

Howard Lerner

Date