

Becket Board of Health Meeting  
Wednesday, October 7th, 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, Fred Patenaude, Daniel Andrews, Heather Anello, Robert Ronzio, Susan Schneider, Herbert Dickson, Craig Willis, Chuck Andrews, Dave Devane, George Roberts.

Meeting is opened at 10:18 am.

Ms. LaBelle opens the meeting at 10:08 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.

**Public Hearing- Charles and Elizabeth Riiska, 43 Brook Lane.**

Chairperson, Ms. LaBelle opens the public hearing and advises that a deed restriction needs to be placed on the property. Ms. LaBelle further advises that she

has spoken to an abutter, Ms. Fournier. Ms. LaBelle states that Ms. Fournier has expressed concern that her well is only 92 feet from the septic system and that she would like to have the water tested twice a year. Ms. Burgwardt states that she needs more information and states that she would like to see a water test before and after so that they can be sure that the water is safe. Mr. Lerner states that he thinks it should be tested once a week as it is a PWS. Ms. O'Conner questions whether or not it is an official water supply. Ms. LaBelle confirms to Board members that the plans were approved by Scott Kryznik. Mr. Lerner makes a motion to continue the public hearing until October 21<sup>st</sup>, Ms. Burgwardt seconds the motion; Unanimous Approval.

### **Old Business- 334 Winter Drive**

Ms. LaBelle advises that in 2012 Mrs. Demers came to the Board of Health, advising that she was going to sell the property to Ms. Noss and that she had hired Mr. J. Mustain who stated that the system needed a new tank but that the field was ok. Ms. LaBelle further explains that in August of 2013 the property was sold to Ms. Noss. At this time, the Health Agent, Scott Kryznik advised the owner that the property had a tight tank and that it needed to be properly filed at the Berkshire Registry of Deeds. At this time, Ms. Demers did nothing.

Member of the public and direct abutter to the property, Ms. Susan Schneider states that she was present when Mr. Robinson witnessed the Title V examination and that there were no fields and no D Box. Ms. Burgwardt advises that on 7/7/2013 an application for a local upgrade approval was submitted. Ms. Burgwardt further states that Jay Mustain did the Title V as well as the perc test. She tries to clarify some of the pending issues, by providing additional background information to those present. Ms. Burgwardt states that the plan for the tight tank was not on the table until Scott Kryznik came on Board, assisting the Becket Board of Health. Mr. Chuck Andrews advises that whomever the owner on record was should have filed with the DEP. Ms. Schneider advises that Erin Kirchner was actually the one who did the Title V and that during the test they found a crushed pipe and no D box. She further explains that the perc test, done by Jay Mustain and witnessed by Mr. William Robinson, did pass however Ms. Schneider had great concern for her well. Ms. Schneider also reminds Board members that the location of the tight tank is not where the property was originally perced. Mr. Herbert Dickson (neighbor) advises that he was also present when the tight tank was put in, advising that his shared well is within the 100 feet, further stating the system is not legal and will surely cause numerous problems in the future.

Ms. LaBelle advises that there is now a cease and desist order on the property, Laurel advises that the order shall remain in place. Member of the public, Mr. Bob Ronzio expresses concern for the cease and desist order.

Ms. Burgwardt makes a motion to continue with the cease and desist order, Mr. Lerner seconds the motion. Discussion: Mr. Ronzio states that this was not an emergency situation. Board members briefly discuss. Ms. LaBelle calls for a vote; Mr. Lerner and Ms. Burgwardt vote in favor of keeping the cease and desist order in place, Ms. LaBelle votes against it.

**Becket General Store- 30 Washington Street, Becket Mass.**

Store owners Heather and Mike speak to the Board of Health members, stating that they intend on working with the local Board of Health in order to put public safety first. Heather initially explains that on September 9<sup>th</sup> routine water samples were collected that they showed ecoli. Mike further explains that they had a “do not use” and a “do not serve” order in place. He further explains that they have put an Emergency Plan in place. Mike explains that again on October 5<sup>th</sup> the water was tested and came back with ecoli and coliform. Heather explains that their customers are aware that they are under a boil water order and that no one has gotten sick. She further advises that they are remedying the issue and stand to lose \$5000 per day for each day of the week that they are not allowed to serve food. Mike also reminds all present that they have signs hanging all over the store. Mr. Lerner advises that he has spoken with Mr. Baumgartner and that he feels that the whole problem should be rectified within 14 days. Ms. Colleen O’Conner explains to the Board of Health members that installing a chlorinator will not fix the bigger problem.

Mr. Lerner makes a motion to continue the “boil and bottled water” order for another 2 weeks and not enforce the “no serving food” order, Ms. LaBelle seconds the motion. Discussion: Mr. Bob Ronzio suggests making signs out of brightly colored paper. Ms. O’Conner suggests that there are monies available in the CPA funds that could be made available and used for something like this. Ms. LaBelle calls for a vote: Ms. LaBelle and Mr. Lerner approve the motion, Ms. Burgwardt abstains. The motion is passed.

**61 Porcupine Court-** Ms. Susan Schneider asks if there was ever a Title V done at this location. Mr. Ronzio advises that he has had the same concern. Ms. LaBelle states that she will research and get some information on the property.

**Old Business-** Ms. LaBelle explains to the Board members that BRPC did not accept Mr. Scott Kryznik’s contract as amended by the Board of Health. Ms. LaBelle further explains that she has a meeting at BRPC later in the day and that she will plan on speaking to someone regarding the contract at that time.

**Public Input-** Mr. Bob Ronzio advises the Board of Health members of three locations, stating that each of the tanks need to be pumped and crushed: 47 Arrow Lane, 76 Kyle Lane, 96 Mystic Isle Way.

Ms. LaBelle makes a motion for the Board of Health to make sure that the tanks at these three locations get pumped and crushed, Ms. Burgwardt seconds the motion; Unanimous Approval.

Mr. Bob Ronzio also advises that on 9 Sir Walter Court, there is a broken, open septic tank, further advising that there should not be any one allowed to live there until the problem is taken care of. Mr. Ronzio goes on advising of two other locations that currently have failed Title V's and should not have individuals living in them either.

Board members briefly discuss 132 Mystic Isle Way, Mr. Ronzio confirms the fact that they have a failed Title V. Ms. Burgwardt makes a motion that the residents; Cortez-Creig need to be informed that they will not be allowed to stay in the house on Mystic Isle Way until the septic system is taken care of. Mr. Lerner seconds the motion, motion is approved unanimously.

Mr. Ronzio briefly speaks to the Board members on plans received, stating that the land surveyor must stamp any plan that needs a variance.

Mr. Ronzio briefly speaks on demolition responsibilities of the Board of Health, advising that these responsibilities are not being taken care of. Mr. Lerner advises that a letter needs to be drafted and sent to the Building Inspector, clearing 47 Arrow Lane for demolition. Ms. Burgwardt seconds the motion; Unanimous Approval.

Mr. Ronzio advises that 211 Maid Marion, 405 Sherwood Drive, 170 Excalibur Drive all need to be followed up on.

12:00 PM- Laurel makes a motion to adjourn, Mr. Lerner seconds the motion, the meeting is adjourned at 12:00 PM.

Schedule next meeting for October 21<sup>st</sup>.

Respectfully Submitted,

Heather Hunt

---

Laurel Burgwardt

Date

---

Gale LaBelle

Date

---

Howard Lerner

Date