



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

August 30, 2017 Meeting Minutes

Board Members Present: Gale LaBelle and David Krawet

Board Members Absent: Laurel Burgwardt

Health Agent: Charlie Kaniecki

Administrative Assistant: Jessica Perotti- taking the minutes

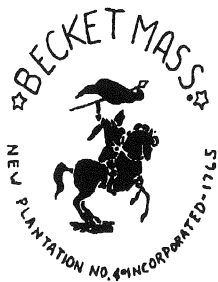
Public Present: None

Call to Order

Ms. LaBelle opens the meeting at 10:16 AM.

Hearing for Well Regulations

Ms. LaBelle announces the Hearing for the Well Regulations is now open and recognizes Charlie Kaniecki, the Health Agent for Becket asking him to talk about the Well Regulations draft. Mr. Kaniecki informs the Board that the regulations came through Berkshire Alliance and are a standard form regulation. Mr. Kaniecki says the only change that the general population will see will be when they sell their homes: their wells will need to be tested. Ms. LaBelle references quick claim deeds. She feels that these homes are being sold without the proper tests being done. There are too many to check to ensure they are being done properly. Some homes are being sold to family members for as little as one dollar (\$1). Ms. LaBelle asks Mr. Kaniecki if septic checks could be part of the well regulation. Mr. Kaniecki told her that it could be added to the well regulations but thought it would be better on its own as a septic regulation. Mr. Kaniecki recommends that the town adopt the state Title V regulation, 310 CMR 15, as its own. Mr. Kaniecki adds that while the town has not adopted the regulation as its own, it really doesn't need to because it's already the general law. He continues on to say that the Title V regulation specifically calls for Title V inspection at the time of sale or ownership transfer. Ms. LaBelle agrees that it is required but inspections are slipping through without being done. Mr. Krawet asks for clarification as to how the Board knows when a home has been sold. Mr. Kaniecki tells Mr. Krawet that basically the Assessors' Office notifies the Board of Health when there is a change in ownership and then it becomes the Board's responsibility to go after the new



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home owner to let them know they haven't done a Title V inspection. Mr. Kaniecki continues and says that with cash sales, there is no one there to police the situation to ensure things are being done properly. That's where it falls back to the town. Mr. Kaniecki explains that when there is a cash sale, sometimes the Title V inspections are being done but they take 30 days to receive the report sometimes. The Board of Health starts the process to inform them they need the inspections only to find out it has been done. There is also a flip side to that being that the Board enforces the order of the inspection only to discover that the system fails. Now, the new property owner wants to go after the old home owner because they don't want to be left with such a big expense. Then, that becomes a civil matter between the new and prior home owners. Mr. Kaniecki recommends that a monthly record be kept of Title V inspections and the Quitclaim Deeds and to compare the logs at the end of the month sending out notifications to the homeowners that did not have the inspections. Ms. LaBelle moves on to the disinfection and decommissioning of wells. The well driller should be disinfecting the wells. Mr. Kaniecki adds that it is standard. Ms. LaBelle talks about wells that she believes are abandoned and need to be decommissioned. Mr. Kaniecki recommends sending notices to the homeowners giving 60 days to comply with the order. If the homeowner does not respond to the order and the Board feels it is a health concern, a petition needs to be filed with the court to get a court order allowing entrance onto the property to decommission the well. A lien would then be placed on the property owner for costs. Depending on how many wells need to be decommissioned, monies may need to be allocated to ensure the wells are decommissioned properly. Ms. LaBelle asks Mr. Kaniecki if there is anything else that could be a problem for water quality standards. Mr. Kaniecki says no and continues that the only thing that will stick out to people is on page 9, section 8: **Prior to selling, conveying, or transferring title to real property, the owner shall have tested the water of every private drinking water well serving that property. A water sample from each well shall be submitted to a Massachusetts certified laboratory for testing for the parameters listed in the Water Quality section of this document. This water quality testing shall have been performed**




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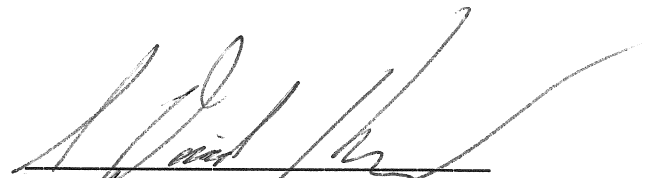
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not more than one (1) year prior to transfer of the property. Results of the water quality testing shall be submitted to the Board of Health prior to property transfer. Mr. Kaniecki says that the property transfers with Quitclaim Deeds also need to be tested. Ms. LaBelle and Mr. Krawet agree that the draft for the Well Regulations seems to be in good order. Mr. Krawet did say there was one typo that he feels needs to be corrected. On page 3, Section A2: it says decrease when it should say decreased. Mr. Kaniecki agrees that this typo should be corrected. Ms. LaBelle makes a motion to make this correction to the draft. Mr. Krawet seconds the motion. All in favor. Motion is approved to correct a typo on the draft. Mr. Krawet makes a motion to accept the draft for Well Regulations as amended. Ms. LaBelle seconds the motion. All in favor. Motion to accept the amended draft for Well Regulations is approved. Mr. Krawet makes a motion to close the Hearing for Well Regulations. Ms. LaBelle seconds the motion. All in favor. Ms. LaBelle closes the public hearing on Well Regulations at 10:40 AM.

Meeting Minutes Approved and Signed on September 13, 2017 by:



Gale LaBelle, Chairman



I. David Krawet