

**TOWN OF SHEFFIELD  
BOARD OF HEALTH  
NOVEMBER 10, 2014  
TOWN HALL MEETING ROOM  
6:00 PM**

Board Members Present: Priscilla B. Cote, Chairman  
Scott Smith  
Rene Wood  
Fred Panitz

Others Present: Jill Hughes, Board Secretary  
Members of the public (see sign in sheet)

Chairman P. Cote called the meeting to order at 6:00 pm.

**Hearing: Request for Variance for Septic System Repair 544 Barnum Street:** The Board received a request from Foresight Land Services on behalf of the property owner. The Board has already reviewed and approved the septic plans. *S. Smith motioned, with a second from R. Wood to grant the variance for a one foot from 4 to 3 foot separation of the bottom of the SAS to estimated high ground water. The motion passed 4-0.*

Aaron Becker a potential buyer for the property was present and asked if there were any issues. S. Smith spoke about the DEP regulations and because we do not have a registered soil evaluator on the Board we are required to have the hearing and that there are no issues.

**Race Brook Lodge – Update on Septic:** Owner David Rothstein and the system’s installer Billy Segalla were present and spoke to the Board about the system being fully operational. Mr. Rothstein has requested the certificate of compliance for the system. The Board received a letter from the Engineer stating he will not sign off on the project until Mr. Rothstein hires a company to maintain the system. Ann Bruzzi from Berkshire Engineering was present and informed the Board that they have been testing the system and that they have a wastewater operator on staff who is in the process of being certified. Mr. Rothstein is requesting some extra time so he can hire Berkshire Engineering to maintain the system. S. Smith stated that he spoke to Kurt Boisjolie from MassDEP about the matter and that allowing some extra time would be acceptable. The Board informed Mr. Rothstein that he may have more time, but they will need the Engineer to sign off on the system before the Certificate of Compliance is issued.

**Common Victuallers License/Food Establishment Licenses:** The Board reviewed the letter they received from the Town Administrator stating that they will be switching the Food Establishment Licenses back to Common Victuallers for 2015. A discussion ensued about food inspections and who would control the license. Chairman Cote and the Board secretary will speak to the Town Administrator to ask those questions.

**Milk & Cream License for the Dollar General Store:** The Board reviewed an application for a Milk & Cream License from Dollar General. *R. Wood motioned, with a second from S. Smith to approve the Milk & Cream License for Dollar General. The motion passed 4-0.*

**Draft Tobacco Product Regulation:** R. Wood and F. Panitz worked on the new draft and reviewed the changes with the rest of the Board and a discussion ensued. R. Wood asked the Board to review the document and send any changes/comments to the Board secretary. The Board decided to set a second public hearing date and to send the new draft to all the licensed Tobacco sellers and to those who attended the first public hearing and made suggestions.

**Minutes:** The Board reviewed draft minutes for the October 7, 2014 meeting. *R. Wood motioned, with a second from S. Smith to approve the October 7, 2014 minutes as amended. The motion passed 4-0.*

**Discussion on Sharps Disposal and Rental Property Inspections:** These items were deferred to the next meeting.

**Update on 33 Kellogg Road and 1434 North Main Street:** Chairman Cote stated that these two matters are now with the Building Inspector.

**Hulett Hill Septic:** Chairman Cote informed the Board that they received the signed agreement from the previous owner requesting reimbursement of the septic fees. *R. Wood motioned, with a second from S. Smith to refund the septic fees in the amount of \$150.00 for the septic issue and pay it out of the Board of Health revolving fund. The motion passed 4-0.*

**Update on Ebola Issues:** Chairman Cote stated that there has been a lot of paperwork and news about the issue in the last few weeks and a discussion ensued. R. Wood asked F. Panitz if he would take care of keeping track of the issue. F. Panitz agreed and informed the Board of the presentation he attended at the Berkshire Public Health Alliance.

**Open Appointment to the Board of Health:** Chairman Cote spoke to the Board about the opening on the Board and the letters of interest that have been received. The Board of Selectmen will be making an appointment on 12/1/14. A discussion ensued about making a recommendation to the Select Board. One of the applicants is a nurse and the Board felt it would be a good fit. F. Panitz stated he would like to talk to the applicant.

As the Conservation Commission was scheduled to meet in this meeting room at 7PM and J. Hughes was to take their minutes, R. Wood volunteered to take Board minutes. *R. Wood motioned, with a second from S. Smith, to recess and reconvene the meeting in the second floor conference room. The motion passed 4-0.*

The meeting recessed at 6:58 PM and reconvened at 7:02 PM.

**Sharps Disposal:** F. Panitz raised the issue of sharps disposal and stated he felt the best place for the location of a sharps disposal container was Town Hall, not the Transfer Station, as Town Hall was open more hours and more convenient for the public. The Transfer Station on other hand is more out of the way, opened fewer hours and not everyone has a pass to the Transfer Station. Discussion ensued. R. Wood volunteered to talk with Town Administrator LaBombard regarding Town Hall as a possible site for the location of a sharps disposal container, such as was unsuccessfully applied for in the last DPH grant. The topic will be on the December BOH agenda.

**Budget FY2016:** Chairman Cote next reviewed the upcoming budget process and the Board's current FY2015 budget expenditures, which since no expenditures were shown, other than a credit, was questioned as to its accuracy. Discussion ensued regarding the transition of the Board of Health to a part-time Health Agent and/or the combination of increased hours – up to 4 hours per workday – for the Board's Clerk and keeping the current arrangement of using a Berkshire Public Health Alliance (BPHA) inspector for housing, food and/or septic inspections as needed. Chairman Cote volunteered to find out answers to several contractual issues, such as minimum hours per week and associated costs. She also volunteered to discuss J. Hughes' workload with the Town Administrator.

The Board next discussed the annual issue of contracting for public health services and why this is under the jurisdiction of the Board of Selectmen when it is viewed as a Board of Health matter. It was noted that the Board solicits bids, reviews and makes a selection recommendation to the Selectmen, which has been ignored for the past several years. The Board questioned the value of its efforts and wondered if the Board of Selectmen is going to determine this matter, there may be no role for the Board of Health. There was discussion that such procedures may step from the time when all the Selectmen were also on the Board of Health. **R. Wood motioned, with a second from S. Smith, to authorize the Chairman to sign and send a letter to the Town Administrator clarifying the role of the Board of Health regarding contracting and selecting the public health nursing service provider. The motion passed 4-0.** R. Wood volunteered to write such a draft letter for Chairman Cote.

**Rental Property Inspections:** Chairman Cote stated she has received the landlord/rental unit list which N. Hawver was working on prior to her resignation from the Board. Also reviewed in the discussion of rental property inspections were the changes made requiring a yearly inspection from the Building Inspector for B&Bs, lodging houses, inns, etc. prior to issuance of their permit, as well as the state's building code specifying the requirement for rental properties to be inspected by the building inspector once every 5 years. Per Sheffield's Building Commissioner, it is the responsibility of the rental property's owner to request this inspection. Also noted in the discussion were the potential appropriateness of such an inspection when a rental property was sold – similar to the Title 5 inspection required at property sale time - and the value of education on this matter. The issue was deferred to a future meeting.

**Upcoming Conferences:** Chairman Cote noted there were no conferences on the agenda and S. Smith indicated he would be able to attend the BPHA meeting on November 13<sup>th</sup>.

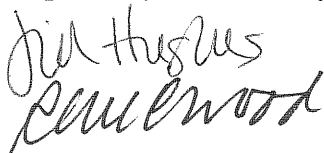
**Clerk's Report:** There was no Clerk's report as J. Hughes was not present.

**Berkshire Public Health Alliance:** Chairman Cote presented the Board of Health Orientation Training books purchased from BCBOHA. *R. Wood motioned, with a second from F. Panitz, to authorize expenditures of \$53.46 for three Board of Health Orientation Training books. The motion passed 4-0.*

*R. Wood motioned, with a second from S. Smith to adjourn the meeting. The motion passed 4-0.*

The meeting adjourned at 7:35 pm.

Respectfully submitted by J. Hughes and R. Wood.

Handwritten signatures of J. Hughes and R. Wood in cursive script.

The following documents were reviewed during the Board's meeting and have been retained as required by the Massachusetts Public Retention Policy: Meeting Agenda; Sign in sheet; 10/10/14 Variance request from Foresight Land Services; 11/7/14 email from Roland Dupuis re: Race Brook Lodge; 10/8/14 letter from Town Administrator re: Common Victualler Licenses; Draft Tobacco Regulations; 10/7/14 draft meeting minutes; landlord/rental unit list; 2/4/14 signed agreement for Hulett Hill septic.