

**Town of Sturbridge
Board of Health Meeting
November 4th, 2013
MINUTES**

Members: Linda Cocalis, Daniel Chaput present. Richard Volpe absent.
Health Agent: Alyssa Rusiecki

The meeting is called to order at 6:00pm.

**Hearing: Septic Local Upgrade Approval (LUA) request, < 100 ft from own well – 50 Streeter Rd.
Owner: Jessica Cooper**

This is an existing dwelling with an existing failed septic system. The Agent explains that there is no place to put a new septic system that is 100 feet from the proposed soil absorption system that will also pass a perc test. Designer Seth Lajoie reviews the plan with the Board. Ms. Cocalis states we will have to require water testing as we have in the past. Ms. Cocalis makes a motion to approve the LUA with the condition that within 6 – 12 months after the soil absorption system gets installed, that the drinking water be tested for conditions at 310 CMR 15.303(1)(c)(4) and shall be delivered to the Board of Health; and for conditions less than allowable by this code shall result in failure. Mr. Chaput seconds, APPROVED (2 – 0).

The Agent's report: (Items of note).

- There are a number of septic plans that under review;
- Hylands Orchards septic issue update - an additional confirmatory perc test and soil evaluation was conducted with \$120 due and a bathroom plan must be submitted with the septic plan in order to show an alternative to porta-potties, which are not a permanent solution for the property and its functions.
- GeoTMS (computerized permitting) will require a lot of data input from the staff and we are already lacking office coverage;
- At least 50% of the Health Officer's conference will be dedicated for emergency preparedness for 50% re-imbursement of the cost;
- Sr. Center flu clinic only had 90 participants as opposed to 160 last year;
- Inspector Pollender reported sub-standard conditions at the Oxhead Tavern, re-inspections will be scheduled. Mr. Chaput asks if the Board will consider "grading" and posting of those "grades" of food establishments. Ms. Rusiecki states that the bigger cities do this, and perhaps it there is a component in GeoTMS that we can use once we get that started, but it may be sometime next year;
- Mr. Woolhouse is switching jobs with Ms. Pollender, who had been a sub-contractor and now is an employee. The Finance Director has stated that Mr. Woolhouse must be an employee. Ms. Cocalis states that most of the money is coming out of the revolving account, so it shouldn't make a difference. There should be a written letter agreement with Mr. Woolhouse for this sub-contractor status.
- Operation and Maintenance reports from Innovative and Alternative septic systems are still outstanding;
- The 10-hr clerk position must be posted, as Mrs. Burbine is leaving; she can finish some projects in the spring but we will need coverage for the routine hours.

6:50pm Complaint, (Open Meeting Law violation complaint) from Gary and Margaret Allard; the Board will get and review the Town Counsel's response, on behalf of the Board.

Mr. and Mrs. Gary Allard enter the meeting. Mr. Allard states he didn't file the complaint with the Attorney General's office but that is just the form he used. The Chair states that since we have received the complaint on the Attorney General's Office form, we have to respond in accordance with the standards set by the Attorney General's Office. We have to use the Town Counsel's response, as they (Town Counsel) are representing us. Mr. and Mrs. Allard understand this is the way the Board has to respond and exit the meeting, (6:55pm).

31 – 35 So. Shore Dr. Follow-up. Ms. Cocalis reviews the memo from the Conservation Commission Agent date October 7th, 2013. The Conservation Commission meeting was on October 3rd, 2013. Town Administrator (TA) Shaun Suhoski sent a memo about the dam shifting. Mr. Chaput asks why all of these submittals come in right before a Board meeting at the last minute? Ms. Cocalis states that we received them so we can review them. Mr. Chaput asks why the Town Counsel's draft refers to a third-party and not to the Allard's directly. Ms. Cocalis makes a motion to approve the Town Counsel's draft. Lengthy conversation ensues over first person vs. third person grammar in the Town Counsel's draft response. Ms. Cocalis amends her motion to ask Town Counsel if they would draft two letters, one to the Allards and to accept the existing one to the Attorney General's Office as written, and to change the date listed on pg1 P2, 6th line, from October 4th to October 7th. Mr. Chaput seconds, APPROVED (2 – 0).

17 Mashapaug Rd. Septic system Local Upgrade Approval request for < 100 feet to own well:

Owner: John Groccia, Designer: Mark Farrell, RS.

Chairman Cocalis asks if the owner is here, he is not. Mr. Chaput asks if he is moving in to the property once it has been remodeled. It will be for re-sale, it is not occupied now. The Agent states that she does not recommend approval of this submittal as proposed because she evaluated the groundwater at five feet below the surface, and Mr. Farrell is using six feet below the surface and that there is not enough vertical separation and decreasing the horizontal distance from 100 feet to 70 feet to the well may be not protective enough. The Agent asks what it would take to raise the system one foot. Mr. Farrell responds that it would cost \$3,000 for a pump and the owner has already sunk a ton of money into it, and now to have to deal with the septic is too much. Mr. Farrell states that the separation distance, vertically and horizontally is not an issue. Mr. Farrell states that they never had a problem with the well. The Board agrees with Mr. Farrell and leaves the groundwater elevation as proposed, at six feet below the surface. Ms. Cocalis makes a motion to approve the plan as proposed, with the condition (with a deed restriction), that the well water must meet the standards of 310 CMR 15. 303(1) (c) 4. within six to twelve months of occupancy and non-compliance shall result in failure. Mr. Chaput seconds. APPROVED (2 – 0). The Agent reminds the designer that a \$60 re-perc fee is due, as well as fees for any plan re-submittals after one. Mr. Farrell understands.

Old Business: The Outdoor Wood Burner/Boiler regulations shall be rescinded and revert to the State Outdoor Hydronic Heater regulations with the same fees per motion of Mr. Chaput, and seconded by Ms. Cocalis. APPROVED (2 -0). Other local regulations will be reviewed in 2014.

New Business: The Personnel Board will take up the Health Agent's job description and rating again, and the Agent would like a copy of the grading manual that is used, but was told by Town Administrator (TA) Shaun Suhoski, that she cannot have it. Ms. Cocalis states that it should be available to us as a public document, not a secret document. Mr. Chaput will review the Health Agent's current job performance and goals with Ms. Rusiecki.

Having no other business, the meeting is adjourned.

Adjourned 8:40pm