

**Town of Sturbridge
Board of Health Meeting
December 2nd, 2013
MINUTES**

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

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

The Agent's report: The septic system proposal for upgrade at 17 Glendale Rd. is discussed. Ms. Rusiecki reminds the Board that she had previously brought in a sample of the soil, from the site, which contained many course fragments. The proposed plan was designed by Mark Farrell, Sanitarian, who proposes using a 10 minute-per-inch design rate instead of a 3 minute per inch design rate. Ms. Rusiecki explained that the proposal is not the best solution for the site due to high concentration of weathered bedrock and course fragments present in the soil and that an Innovative/Alternative pre-treatment system would be a better solution for such a limited site and poor soil conditions. The Board agreed and a letter will be written to the owner, Mr. Rea and the designer, Mark Farrell. It is suggested that if the owner and/or designer wishes to have the site re-evaluated under the DEP Site & Soil Evaluation process, that then the Board could re-consider if an expert feels that the soils are appropriate for treatment utilizing a basic Title 5 soil absorption system. The Board agrees. A letter will be written proposing a revision or a re-evaluation, with any costs of the third party to be split between the Board of Health revolving account and the owner/designer.

Ms. Rusiecki reports that an inquiry was made by an outside party for landfill engineering, but that she hasn't had time to follow-up yet. For the time being, CME will be used.

There are also four job announcements (part-time (PT) clerk, PT recycling center assistant, PT public health inspector, and PT backfill public health/food inspector) that will need to be advertised and the cost will go over the usual annual Board of Health budget for advertising. Inspector Pollender resigned for personal reasons. Ms. Cocalis notes that she knows two people who are interested in applying for the position(s). Ms. Rusiecki states that, relative to past discussion with the Chair, it may be prudent to develop a policy for new hires, that utilize Board of Health funding for certification and then leave the position. The Chair concurs and suggests that any new hire that obtains paid training within the first year of full-time employment, and then leaves, shall re-imburse the Board of Health budget for the cost of said training. Additionally, any training education, certification, workshop or conference taken within six months of departure, that is paid for by Board of Health budget shall be reimbursed to the Board of Health budget. The Board agrees and asks that a draft policy be reviewed by Shaun, Town Administrator.

Old Business:

Hylands Orchards, 195 – 199 Arnold Rd. Ms. Rusiecki notes that three contractors will be submitting bids; she strongly recommended to the owner, Mr. Eugene Damon, that he submit bathroom modification plans to the Building Inspector's office. The Board agrees that no Board of Health Food Establishment permits will be issued for any business at this address until the septic system is either installed or an agreement, with timelines for construction, is approved.

181 Shepard Rd., Town Counsel has notified the office that he may have found a receiver.

31 So. Shore Rd. (Mrs. Seguin of 35 So. Shore Rd. is present).

Chairman LC states: "That when we put out an Order, the Conservation Commission is supposed to do an emergency certification. I talked to Glenn (Conservation Commission Agent) and he was supposed to do it, but the Conservation Commission said to ask DPW to clean out the culvert, but the ConCom doesn't have jurisdiction over the DPW. I talked to Shaun and Greg and neither feels that it is the Town's jurisdiction, because 1) it's a private road, and 2) working in wetlands is a ConCom violation. All parties were copied on the BoH letter." Rich Volpe asks "What authority do you/they have to tell DPW to do?" LC states Shaun doesn't want to take responsibility of private property and beavers located thereon; the Conservation Commission was supposed to contact the Board of Health but they didn't. LC talked to Town Administrator (TA) Shaun.

Suhoski. LC has reviewed the Wetlands Protection Act. LC notified the Conservation Commission, DEP and Ed Goodwin when “the activity” (building the dam) commenced, back in spring of 2012. LC states that Town Counsel should write a letter to remove the nuisance. LC states that she will ask Town Counsel. LC states that the Town could notify the owner (Mr. Allard) that they (the Town or other sub-contractor) will do the work, bill the owner, and lien the property. LC states that we will notify the owner that the Board of Health shall take any all available legal remedies available to the Board of Health if work is not commenced by December 9, 2013. After December 9th, the Board of Health shall engage Town Counsel. RV said the Conservation Commission said that they did not receive the Board of Health letter. Ms. Rusiecki said that she gave the Conservation Commission Agent the letter.

Recycling Center/Landfill:

Per memo of John Booth, the Board agrees that roll-off maintenance and tops can come out the roll-off budget, as that was clarified last year during the budget process.

Regarding the Police Department using the landfill for shooting practice, LC states that she told Lt. Saloio, that since they used to use the Hamilton Rod and Gun Club, that the Police Dept. should get quotes from actual gun ranges; and that perhaps it could be part of their training budget.

The paper/cardboard compactor is not working and cannot be repaired. Parts cannot be obtained because it is so old. Quotes will be obtained by Mr. Booth.

Correspondence:

- Southbridge landfill weather report
- Kopelman and Page response to Open Meeting Law complaint
- Outdoor World water/sewer report
- Sturbridge Hills sanitary report
- Wells State Park DEP letter regarding tight tank installation
- Southbridge Landfill DEP letter stating that they are working on Sundays to begin another phase of the landfill. The Chairman wants is noted that there was supposed to have been a prohibition on Sunday work at the Southbridge Landfill, aka Southbridge Recycling and Disposal Park.

Old Business (Continued, Mrs. Seguin of 35 So Shore Rd attending meeting at 7:10pm)

31 So. Shore Rd. Con't.

The Board wants an Enforcement Order update, with the work to commence no later than December 9, 2013. LC makes a motion that Mr. Allard of 31 So. Shore Rd will be notified that the Board of health will take any and all legal action available to them and will contact Town Counsel to work with them. RV seconded. Approved (2 – 0). LC states if Allard is doing work in wetlands he needs to contact the Conservation Commission for an Emergency Certification and to please give him an Order of Conditions and that our deadline is December 9th, 2013. Tell him that all legal remedies will be used and that we are contacting Town Counsel.

Mrs. Seguin asks what happens if he does nothing? She says, “I believe he thinks he is off the hook.” LC states that a separate memo will be sent to ConCom.

LC states Town Administrator (TA) Shaun and the Town DPW do not want to do the required work on private property.

Mrs. Seguin states he is manipulating the town to do it.

LC states that we will start fines and legal action.

Mrs. Seguin asks, “If you build a beaver dam, aren’t there huge fines for that? When Mr. Barnicle suggested that DPW take down the dam, one order had already been violated and deadlines missed already.”

LC stated that we voted to enforce the Board of Health Order, and it stands.

Meeting adjourned at 7:25pm

DRAFT