

## **BOARD OF HEALTH MEETING**

**Tuesday August 6, 2019 – 5:00 PM**

**Richmond Town Hall – 1529 State Road**

**PRESENT:** Mr. Andrew Fisher, Chair; Mr. Peter Cohen; Mr. Fred Schubert; Mr. John Olander, Agent; Ms. Jayne Smith, Agent; Ms. Phyllis LeBeau, Recording Secretary;

**ABSENT:** Ms. Louise Maron; Mr. Anthony Segal

**GUESTS:** Ms. Claudia Ryan; Ms. Emilie Jarrett, RN, Comm. Health Assn.;

Mr. Fisher called the meeting to order at 5:00 PM.

**Review of the Minutes of the July 4, 2019 meeting:** Mr. Fred Schubert moved that the minutes of the July 4, 2019 meeting be accepted as read. The motion was seconded by Mr. Peter Cohen and carried by unanimous consent with Mr. Schubert's recusing himself as he was not present at that meeting.

### **OLD BUSINESS:**

**Hilltop Orchards – Application for Temporary Housing Permit.** Regarding the trailer at Hilltop Orchards that housed its summer help. Ms. Smith provided an application form for Hilltop to obtain a Temporary Housing Permit from the Board of Health for the trailer. Hilltop has not filled out or submitted the application or provided plans for correcting the water and sewage situation.

A Letter of Violation, demanding a remedy of the situation, will be sent Certified Mail. If Hilltop ignores the letter, it can be brought to Housing Court, which usually proves to be effective.

Ms. Smith requested authorization from the Board to send the Letter of Violation, with an Order of Correction to Mr. John Vittori and/or Mr. Dave Martell and to the occupant of the trailer.

**Bartlett's Orchard – Ongoing Water Issue:** Mr. Rick Bartlett approached the Board to provide an update on the situation. The Bartlett's met with Mr. Brian Harrington and Mr. Mike Gorsky of the DEP. The situation was discussed, and Mr. Gorsky and Mr. Harrington agreed with some of the points the Bartletts made, including that the sample tap in the woods was unnecessary. It will still be necessary to obtain a raw water sample, but they may decide to use the tap that exists in the store. If something is found to be wrong, the next step would be to check the Bartletts' houses that are on the system.

Metering of the water – there already exists a meter in the store, and there is one in Mr. Rick Bartlett's house. One can also be installed in the second house. The Bartletts questioned why there is a need for metering at all, when the water is not pumped, but is a gravity well.

The UV system: Mr. Bartlett received an email from Mr. Harrington in which he agreed that the store's record of water quality has been consistently excellent. When there was a single bacterial test result, the Bartlett's installed a UV system to forestall needing to chlorinate. The system they installed does not quite match the DEP's guidelines, but there is some indication that the DEP may be willing to allow Bartlett's to keep the current UV system, which has worked perfectly since inception. Until a final decision is made on the system, Mr. Harrington wants to contact an expert on UV systems to determine if this one is adequate. Eventually, Bartlett's will receive a letter of approval from the State, which the Board will likely be copied on.

Mr. Smith asked if Mr. Bartlett had received a Certificate of Occupancy for the Farm Labor Camp, which is a 65-foot mobile home behind one of the Bartlett houses and has been there since 1985. There are four men from Jamaica who come every year to work the Orchard who live in the mobile home during the season. The Department of Career Services and the DPH do a combined inspection of the housing for Farm Labor. The C of O for the trailer has been issued.

**Hilltop Orchards Issue-Revisited:** Mr. Schubert moved that the Board authorize Ms. Smith to send the Letter of Violation to Mr. John Vittori. The motion was seconded by Mr. Cohen and adopted by unanimous vote.

**Beach Signs and the Algorithm for Water Testing Results Dissemination:** Mr. Schubert distributed copies of the algorithm he devised for the dissemination of water testing results. He reiterated his understanding of the list of people who were to be notified of water test results directly by the Lab. After some discussion, it was decided that Mr. Andy Fisher would be the first contact person, with Mr. Antony Segal as his back-up and Mr. Peter Beckwith, Highway Superintendent, as the second contact person. Other people to be copied with results would be the current Chair, the two Agents, the Town Administrator and the President of the Richmond Shores Association, Mr. Paul Brown. Mr. Beckwith will be advised to close the town beach immediately upon receipt of a positive e-coli presence test result and post the appropriate signs. He will then be responsible to advise Mr. Fisher (or Mr. Segal in Mr. Fisher's absence) that the beach has been closed. Mr. Schubert will revise and clarify the algorithm and bring it to the meeting next month, at which time Mr. Beckwith will be invited to attend.

Ms. Smith introduced a new sign that the State requires be posted at all beaches. It contains the name of the beach, when it is open, the phone number for more information and an advisory that the bacteria levels are not monitored outside the specified dates. Ms. Smith will send the information about ordering the signs to the people in charge of the other two beaches and advise them to have signs made for their beach with the appropriate information.

Ms. Jarrett noted that there is a legal timeline from the receipt of test results to posting a sign and closing the beach. Ms. Smith will research what that time limit is.

**NEW BUSINESS:**

**Zoning Board of Appeals Applications:** Ms. Smith reported on some applications she received from the ZBA to see if any action from the Board of Health was required:

1013 Dublin Road – requesting variance to erect a garage – Ms. Smith recommended that the Board have no comment.

35 Firehouse Lane – Requesting permit to build a garage – recommendation to have no comment.

1653 Dublin Road – As adequate information was not available the issue was tabled to the next meeting when further information is expected to be available.

**Office Flow – Procedures:** Ms. Smith asked whether the Board would like to have add Ms. Jayne Smith as authorized to sign warrants to pay bills for the Board along with Mr. John Olander. Consensus was that, given how many towns Ms. Smith works for, it would be best to continue to have Mr. Olander alone warrant bills.

Board of Health Account Numbers: Ms. Smith reported that she has been working with the Town Treasurer on the list of account numbers relating to the Board of Health. The list has now been simplified as follows: Board of Health Witnessing Fees, All Permit Applications, Revolving Account and an Expense Account with a Town Beach line item added. (See attached). Mr. Schubert will change his Budget Development Worksheet to reflect the new account numbers.

Mr. Olander noted that the biggest item in the BOH budget is the monthly trash collection bill, which the Town Administrator has always handled. Mr. Schubert said that he felt it inappropriate for the Board to carry the fiscal responsibility for the trash collection funds, when it is at no time consulted about the dispensation of that money. He believed it should be taken out of the Board's purview completely and not show up as a line item in its budget as it currently does. Mr. Fisher added that not only is the Board not consulted about spending the money, it is not included in negotiations with the vendor. The budget item should be placed under the Town Administrator's budget.

Mr. Fisher moved that the Trash Collection Budget be moved out from under the Board of Health and moved into General Funds. Mr. Cohen seconded the motion, which was passed by unanimous vote.

Permit Fee Schedule: Ms. Smith noted that the fees charged by Richmond for permits, etc. are very low in comparison to other towns. Her question to the Board was whether they would like to have her restructure the fee schedule to cover the cost of the processes and present it to the Board for approval. This item will be on the agenda for the October meeting.

Ms. Helen Febbo, a resident of Richmond, approached the Board for assistance with issues she is having with the septic system at her home. She is trying to sell her home and the required Title V failed. She explained the history of the problems encountered in trying to establish a proper septic system. Ms. Smith explained the details of the issue and asked the Board if it would consider allowing a soil sample versus a perc test be used and a leach field with strip tubing be built on the site of the lowest perc test obtained. The only alternative would be to have a tight tank installed, which is not a desirable outcome and is usually only used as a last resort.

There was a discussion that resulted in the Board allowing the soil sample and tabling a final decision to the next meeting at which time a design for the system will be available for review.

**Community Health Assoc. Report:** Ms. Emilie Jarrett reported that the flu vaccine clinic will begin the second week of October (Oct. 7<sup>th</sup>).

Dr. Cohen will present a talk on all aspects of marijuana use under the new laws. The talk will be in West Stockbridge in October.

Ms. Jarrett has only one recorded case of anaplasmosis caused by tick bites. She noted that people are becoming very proactive in protecting themselves from ticks and in seeking treatment for exposure.

**Agent's Report:** Mr. Olander expanded on the items in his report. (See attached).

**Correspondence:** There were no issues for discussion.

**Citizens Speak:** Ms. Smith explained that in other towns that she works for has that notation on their agendas to provide an opportunity for the public to address the Board. Mr. Fisher noted that the Board of Health agendas use "Walk-ins Welcome" to accomplish the same thing.

**Next Meeting:** September 3, 2019 – 5:00 PM.

There being no further issues before the Board, Mr. Schubert moved that the meeting be adjourned. Mr. Cohen seconded the motion, which was carried by unanimous vote.

The meeting was adjourned at 6:25 PM

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