

## BOARD OF HEALTH MEETING

**Tuesday February 5, 2019 – 5:00 PM – Richmond Town Hall, 1529 State Road**

**PRESENT:** Ms. Louise Maron, Chair; Mr. Peter Cohen; Mr. Andrew Fisher; Mr. John Olander, Agent; Mr. Anthony Segal; Mr. Fred Schubert; Ms. Phyllis LeBeau, Recording Secretary

**ABSENT:**

**GUESTS:** Mr. Trevor Bartlett, Bartlett's Orchard; Mr. Erick Bartlett, Bartlett's Orchard; Mr. James Gop, Heirloom Fire Catering; Mr. Chris Pratt, Heirloom Fire Catering, Ms. Jayne Smith, Berkshire Public Health Alliance

The meeting was called to order at 5:00 PM.

**Approval of the Minutes of January 9, 2019:** Ms. Maron noted that Mr. John Olander was identified in the minutes as the Clerk of the Board of Health and asked that it be changed to read "Agent." That change will be made. Mr. Fred Schubert moved that the minutes of the January 9, 2019 meeting be approved as revised. The motion was seconded by Mr. Andy Fisher and adopted by unanimous consent.

**Bartlett's Orchard:** Ms. Jayne Smith provided some background on the situation. After the last meeting of the Board, Ms. Smith had been requested to speak to the DEP about Bartlett's water supply issues. Ms. Smith had been advised that Bartlett's Orchard was no longer considering upgrading the UV system as the DEP was demanding but had decided to de-commission their water supply as a public water system.

In response to a question from Mr. Cohen as to what the reason was for the DEP's position on the water system for Bartlett's Orchard, Ms. Smith replied that the problem is that the installation of the UV system was done without the DEP's permission or advice and the system does not fit into their model. The water from the originating spring goes first to two houses and then to the store. The UV system is in the Bartlett's Orchard building. The DEP also takes issue with the frequency of water sampling. Mr. Bartlett remarked that the sampling frequency being required of Bartlett's by the DEP is greater than the Town of Egremont, which uses a brook as their water source. In addition, the DEP is demanding that the water be tested at the home of Mr. Bartlett senior, at three spots in the orchard and that a sampling tap be installed at the spring, which would require excavating the water line, bringing a sampling tap to the surface and then providing a heated building in order to sample the water monthly. There is already a sampling tap before the UV unit at the Orchard and one directly after. The DEP's objection to the UV unit currently in use is that it does not supply a reading of the dosage. It will shut off the water if the dosage is low and has all the error lights if the ballast becomes a problem or if the intensity meter isn't reading or if there is a problem with the light. It is rated for DEP specifications of years ago, when it was installed.

Ms. Smith noted that her conversation with the representative of the DEP was that they will continue to demand that their requirements be met. Ms. Smith then was advised that Bartlett's Orchard had decided to de-commission their water supply and there is a role that the Richmond Board of Health would have in that process.

Mr. Bartlett has come before the Board at this time to explain their position, advise the Board of their intention going forward and ask for the Board's support for what they are trying to do. Mr. Bartlett explained that the basis for the water system being designated a Public Water System is that they serve coffee from a machine that is plugged into the water system piping. If the coffee machines are unhooked from the domestic water system, that would eliminate one issue. Additionally, there are never more than 25 employees at the Orchard at any one time and water is never used in the preparation of food as it is a bakery and not a restaurant. The only thing being washed in that water is baking pans, which go through an oven and the water for cider-making goes through a UV system meant to sterilize cider.

Ms. Smith drew the Board's attention to the form that Bartlett's would be filling out to de-classify their water system. Under Section C it reads "For Board of Health Use Only," which is the sign-off for the Board, supporting Bartlett's application. (See attached)

Bartlett's water system would become a Transient, Non-Community Water System (as described in the application form): Bartlett's would use bottled water to make the coffee, there are no public restrooms, and they have fewer than 25 employees. The water is being used to wash dishes, but those dishes are not being used to serve food.

Mr. Bartlett reiterated that they are simply de-classifying the water system, they are not shutting it down and they are perfectly willing to follow a reasonable sampling schedule and submit the results to the Board of Health who would take on the responsibility for oversight of the system from the DEP.

Ms. Smith asked the Board if they would support the application to the DEP to de-classify Bartlett's water supply. There was a discussion that resulted in Mr. Fisher moving that the Board accept the plan for Bartlett's Orchard to de-classify their water system. The motion was seconded by Mr. Tony Segal and passed by unanimous vote.

It was decided that the application form be signed by Ms. Louise Maron as the Chair of the Board of Health. There was a discussion of some of the answers that should be included in the form to complete it appropriately, including stating all the reasons for the request to de-classify the water system.

Once the application is completed, it will be emailed to Ms. Maron for her signature. She will return it to Bartlett's who will arrange for the application to be submitted to the DEP.

**Heirloom Fire:** Ms. Smith introduced Mr. Chris Pratt and Mr. Jim Gop from Heirloom Fire Catering. Ms. Smith explained that the reason she had invited them to attend this meeting is that the foods that they prepare are considered high-risk foods, such as pickling, charcuterie, or

curing of meats, etc. She had discussed with the two gentlemen the need for them to meet the requirements for some of those higher-risk foods with a Hazardous Analysis Critical Control Plan (HACCP) and they had advised her that they are monitoring those foods and meeting the requirements of the law.

Mr. Gop described the operation of their catering business and some of his background in the food industry. He noted that for the next meeting of the Board, in March, he will submit a complete HACCP plan covering the entire operation and all safety measures that will be installed for each of the processes.

Mr. Schubert asked, "what is the water source for the Catering Service?" Their water comes from a well on the adjacent property. The well is a drilled well, which is sampled once a year as part of their permit. There is no issue with the water supply.

**Recreational Camp Documents:** (See attached) Ms. Smith noted that she has 15 camps in the area that these documents went to in an effort to be sure that they all understood exactly what is required and which forms they must maintain on premises.

**Private Well Manuals:** Ms. Louise Maron requested a copy of the manual and Mr. Olander has had a request for a copy from someone on East Road.

**FY'20 Budget Request and Annual Report: (See attached)** Mr. Schubert went over the line items in the budget for the Berkshire Public Health Alliance with Ms. Smith. The sum of \$10,000 has been divided into three separate line items, which Mr. Schubert asked Ms. Smith to review. Their discussion resulted in the decision to have Ms. Smith consult with Laura Kitross on the way the budget is written and get back to Mr. Schubert with any changes.

In other discussion about the budget with the Board members, Mr. Schubert was able to answer the questions raised to everyone's satisfaction.

Mr. Orlando is still working on the Board of Health Report for the Annual Town Report, which he will submit to Mark Pruhenski when it is completed.

**Agent's Report: (See attached)** Mr. Orlando went over the agent's report to expand on and clarify the items listed.

**Next Meeting:** March 5, 2019 – 5:00 PM

There being no further business before the Board, Mr. Tony Segal moved to adjourn. The motion was seconded by Mr. Andy Fisher and adopted by unanimous consent.

The meeting was adjourned at 6:30 PM

