Board of Health Meeting Minutes December 7, 2023 9:00 am Via Zoom

Call to Order at 9:00 am: Fred Vohr, Chair called the meeting to order. Member, Ron Kelter was present. Others in attendance included CPHS/FRCOG representative, Randy Crochier and Select Board Member, Rick LaPierre.

Acceptance of Minutes: Ron presented a motion to accept the minutes of November 2, 2023 as presented. Fred seconded the motion. The motion passed unanimously by roll call vote.

Appointments:

**9:15am Ed Whitaker RE: Appeal Hearing RE: FRCOG’s Denial of Installers Permit** – According to FRCOG Health Agent, Randy Crochier, Mr. Whitaker has two active Board of Health applications in the FRCOG’s permit system. The first is a Disposal Works Construction Permit for a septic system designed by an engineer. While the plan is approvable, a permit cannot be issued because there is not a licensed septic hauler chosen.

The second application for Mr. Whitaker, is an application for a septic hauler’s license in his name with the hopes of installing the system on his property.

Unfortunately, Mr. Whitaker has not been able to provide suitable documentation in order to meet the eligibility criteria of the FRCOG’s Title 5 Disposal System Installer Policy. The Policy requires the installer to provide the names of three (3) municipalities with whom the applicant currently holds and Installer’s License within the last five years. If the applicant does not have three (3) municipalities to list for current licenses, the applicant must provide the names of municipalities he/she has held licenses for in the past five (5) years. The Policy further states that if an applicant cannot provide proof of prior licenses, he or she can work as an apprentice under the direct supervision of one or more licensed Installers.

Mr. Whitaker feels that he is indeed qualified to install septic systems. He stated that he has significant experience in the field of construction and operating heavy equipment. He has spoken with local installers about the prospect of overseeing his installation and has received a “cold” response. Civil Engineer, Doug Macleay who designed Mr. Whitaker’s septic design is willing to oversee the installation however, that arrangement does not meet the requirements of the FRCOG’s policy.

Attempting to find resolution, Chair Vohr asked Randy for potential solutions. Randy recommended that Mr. Whitaker provide some proof of prior experience, evidence of past licenses held, and letters from Engineers who have worked with him and found his work to be satisfactory.

Mr. Whitaker indicated that he would reach out to the communities of Hopedale and Hopkinton for records. He will also submit certification of a class that he took at the University of Rhode Island involving innovative septic system designs.

Chair Vohr encourage Mr. Whitaker to continue to communicate with Randy and provide reasonable proof of relevant experience.

New Business:

Arrowhead Shops, 1105 Mohawk Trail RE: Notice to Correct Failed Septic System – Randy reported that Gary Pelletier, owner of Arrowhead Shops, Inc. was issued a “Notice of Code Violation, Order” dated October 10, 2023. The Order required Mr. Pelletier to take action by October 20, 2023. The owner has yet to take any action. In the meantime, the owner of Posada restaurant has agreed to hire Bostley Sanitary Service to routinely pump the septic tank twice a week to prevent septic overflow. As a result of the ongoing problems with the septic system, Posada will be relocating to Greenfield in the New Year.

CPHS updates: Randy reported that CPHS remains busy with 200+ license renewals. CPHS has instituted an additional signatory approval so that Shelburne’s Treasurer/Collector, Angel Bragdon can verify that all taxes are paid before a license is issued.

Moonlight Magic was a great success. It was very well attended and no food-related concerns were noted.

Le Peacock, 10 Bridge Street was inspected and is now open for business offering “small plates”.

Other News:

Randy Herk, representing the Opioid Task Force of Franklin County and the North Quabbin Region presented a training to Buckland and Shelburne staff last month. The training covered how to identify a possible overdose and how to administer Narcan. Following the training, each town was given a Naloxbox to be installed at each Town Hall. The Town Administrator will notify the Shelburne Falls Fire Chief when the box needs to be restocked.

Items not anticipated at time of Posting:

Chair, Vohr wanted to remind everyone about the importance of obtaining vaccinations for the flu, Covid, and RSV. Baker Pharmacy and Big Y are offering vaccines on a walk-in basis.

Correspondence: None

Public Comment: Select Board member, Rick LaPierre indicated that he has made a point to attend each and every Board and Committee meeting in Shelburne. He noted that the Board of Health meeting was by far the most fun and complemented members for their thoughtfulness when discussing matters as well as their approach to conflict resolution.

Next Meeting: Next meeting was set for January 10, 2024 at 9:00am

Adjournment: Ron presented a motion to adjourn the meeting at 9:38 am. Fred seconded the motion. Motion carried unanimously by roll call vote.

Respectfully submitted,

Terry Narkewicz, Town Administrator