



Town of Sandisfield

Board of Health
66 Sandisfield Rd, Suite 5
Sandisfield, MA 01255

Sandisfield Board of Health Meeting Minutes

Wednesday, November 15, 2023 @ 5:30 pm
Old Town Hall, 3 Silverbrook Rd, Sandisfield, MA
Hybrid Meeting with Zoom Option

Present in Person: Keith Larson (BOH Chair), Steven Rubenstein (BOH), Brigitte Ruthman (BOH), Jayne Smith (SBPHC BOH Agent), Jason Dragonetti (SBPHC Shared BOH Agent), Wayne Keller (Historical Commission)

Present via Zoom: None

Meeting was called to order at 5:41pm

1. Meeting Minutes

- a) **Approval of Minutes from October 18, 2023 Meeting (Discussion/Vote)** No minutes were completed for October 18, 2023 meeting because there still is not clerk to transcribe minutes. No action taken.

2. New Business

- a) **Historical Commission Septic and Well Proposal:** Wayne Keller was present to discuss future plans for a septic system on their property. Currently the historical society would like to put in a indoor bathroom to replace the existing 2-seat privy on the property, that is used for emergency. There appears to be a septic tank and septic system on site but it had not been connected to the building. Wayne wanted to see if there was guidance or a contact that could help him with ensuring ADA compliance. ADA compliance typically falls on the building inspector. It was also suggested to reach out to Steve Seddon.

Jayne Smith had looked in the file and there is an existing septic plan designed by Jay Mustain approved in August 2002 with a 2000-gallon tank that is consistent with what is found onsite. Jayne explained that potential next steps would be for her or Jason Dragonetti to meet out on the site and confirm the components. She also suggested flushing the well and then getting it tested to be sure it is potable. As long as the historical society never meets the requirements for a public water supply then the BOH would have not issues with the use of the existing septic and well.

3. Old Business

- a) **Update on 12 W Hubbard Rd Housing:** Jayne Smith reported that Town Council has put together a petition to the court that will be filed shortly. Jayne is hoping to gather some information on recent fires, tents and activities on the property to demonstrate that the current use of the property is in violation of the BOH Order. Brigitte Ruthman asked if there were any other options to move this along since it has been going on for so long and housing court can take a long time. She is concerned that how long this is taking gives the message that people do not have to comply with the law. Brigitte feels badly for the neighbors because this has dragged on for years and there has been no compliance. Next steps will be the court petition being filed, Jayne will attend the housing court hearing and we hope there will either be a court order or mediation that will need to be complied with.

- b) **Proposal for 12 Dodd Rd Housing Compliance (Discussion/Potential Vote):** Brigitte Ruthman recused herself. Jayne Smith and Jason Dragonetti went back and did a site visit a couple of weeks ago. During the inspection, it was noted that the following items that had been listed on the original order had been remedied: installation of a heat source (pellet stove), installation of smoke detectors/CO detectors, windows had been weatherproof. Items that still are outstanding include the roof is still a tarp, however there is not evidence of leaking. They cannot get a permit to fix the roof until the taxes have been paid. The flooring is still needing repairs. The water line has been wrapped in heat tape, insulated and has been covered. It is assumed that the septic system is in groundwater, which would result in a failed Title 5 inspection when the property owner changes hand. Currently the occupant has a rent-to-own agreement with the owner but no property transfer has happened, but he is still a renter.

Jayne asked the BOH to establish a timeline for compliance with fixing the roof, professional winterization the water supply. Steve wondered if we knew the water was potable. Jayne replied we do not. While there is no information in the file, it is believed that there is a septic system with a metal tank serving the property.

Steve Rubenstein made a motion that the owner and/or occupant correct outstanding items in the Order, including completing professional winterization of the water supply by a licensed individual, the floor structurally fixed and the roof replaced in a workmanship like manner with appropriate permits with applicable code citations. Keith Larson seconded the motion. The motion passed 2-0 with Brigitte Ruthman abstaining.

- c) **Clerk Position:** Jayne had reached out to person suggested by Steve Rubenstein but never hear back from that individual. Jayne emphasized the need to have timely minutes and so we need to focus on figuring out as a board how the minutes are going to be recorded. The meetings are recorded on zoom and so anyone can do them at any time. Keith will touch base with a potential lead that may be interested at the beginning of 2024.

4. **Agent Updates:** Jayne Smith reported that Jason Dragonetti has been doing most of the field inspection and has started to understand and work with the filing system. He will be listed as the primary contact for Sandisfield inspection request.

Jayne wondered if the BOH would be interested in looking into adopting the suggested state well regulations. If so, she will get together a draft to be included in an upcoming meeting. The process would be for the regulation to be sent out ahead of a meeting. Eventually there would be a public hearing to see about updating the regulations, once they were at a point where the BOH was happy with he regulation.

The BOH may also need to take small tweaks to the fee schedule to make it more clear.

Jayne explained that the owner of 60 S Beech Plain Rd had paid for several perc tests and DSCP permits as a result of the incomplete failed T5 inspection. She shared that while both she and Jason had visited the site several times, that it was felt unfair to charge fees for each visit and so had waived additional fees

5. **BOH Member Updates:** Brigitte Ruthman wondered if perc tests were generally passing. Jason shared that most are passing but the depth to ledge sometimes makes it difficult to find suitable areas.
6. **Citizen Speak Time:** No citizen speak participants.
7. **Topics Not Anticipated by the Board:** Keith Larson made a motion to adorned the meeting. Meeting adjourned by a vote of 3-0 at 6:30pm