

PERU BOARD OF HEALTH MEETING MINUTES
Monday December 13, 2021 11:00 AM
Community Room 3 E Main Rd

1. The meeting was called to order at 11:06 AM
2. Roll call: present Peggy White, Nanette Mone, Darryl Darby, Ed Fahey, Colin Sykes and Bruce Cullett.
3. State Recording Peggy and Nanette
4. The minutes from the previous BOH meeting 11/15/21 were reviewed and a motion was made and seconded to approve the minutes, all in favor.
5. Ed Fahey's report: Trash complaint 29 North Road, Ed contacted the owner and given permission to inspect the property. The pile of lumber was from an old shed on the property, the complainer's well is 150-200 feet away and presents no public health risk. Ed reached out to Mr Goyette regarding the inspection results. Well permit for a new 4 bedroom home design on Haskell Road but no installer provider and so no DSCP at this time. Probably will be issued in the Spring. Well permit for 2 Kreutzer Rd inspected and issued COC. 127 Windsor Road: application for grant has been completed with Hilltown CDC. The system has a complete failure by resident's report and a porta potty is being used at the present time. The question is what action if any should be taken? Ed suggests we formalize something from the board with a letter to the home owner. But Ed states we need to know the system has failed officially, part of the letter will state the need to pump, invite the residents to attend our next meeting. There is a pumping record from September that stated the metal tank is weak and field is slow with imminent failure. As ownership is being clarified Ed suggests we send a letter that we are aware of the problem and the owner when identified will need to repair the septic system. The letter will state that the first step is a deadline to perform a perc test by June 1, 2022, offer formal Title 5 inspection and invite them to the next meeting. 8 Baumann Rd issued COC. Ed introduced Colin Sykes new inspector from the Berkshire Public Health Alliance who will be doing some of the office hours, perc tests and working with Ed. Colin has 8 years experience as a Health Inspector in Pittsfield. Clarified with Bruce Cullett that Colin does not need to be sworn in as he works for the Alliance and keep Ed as only appointed Health Inspector.
6. Update on mold in the community room: Bruce Cullett report: a vendor account is being set up with the Company EMSL. The air sampling pumps and sampling media are being ordered. Plan to sample each room used upstairs and downstairs and the outside hopefully by next week. We will receive the report when completed and follow up by the board as needed.
7. Follow up Hogweed 55 E Windsor Road: No further communication with the board and the owner. Bruce Cullett reports the home is owned by a LLC and Mr Zhan is the resident agent but the property is no longer occupied, there was an unpermitted commercial agriculture issue there that has ended. Ed reminded the board that the property needs a new septic system. Darryl feels we need to move on the hogweed issue. Nanette stated that issue of removal of the older plants along the road reduces the threat to the greater town population. There is still the option of hogweed removal in the town ROW but that would require contracting a licensed pesticide applicator. There is an option to claim the house uninhabitable, but Ed suggests to encumber the property and issue an order in a letter to the LLC that a new septic be installed by June 1, 2022 as the property has been perched and has a septic design. Motion made, seconded and all in favor to approve Ed sending a letter stating the deadline for septic completion to be June 1, 2022.
8. Follow up complaint on 29 North Road Do we need to reach out to the Zoning Board? the BOH has had complaints regarding trailers on property and usually not a BOH issue. Do we reach out to the Zoning Board stating this has been an issue and has potential to be a public health hazard but is

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often more of a zoning issue? Is the best option to enact bylaws or a permitting process. The BOH gets involved in a complaint driven process where inspection occurs after a complaint to determine if a public nuisance case by case. Nanette has previously talked to the Building Inspector and the presence of the trailer would have to be determined to change the nature of the neighborhood to allow action to be taken. May be more of an issue for the Planning Board for a new bylaw. Bruce commented that he is aware of 2 households that rent an RV as year round housing with a hook up to the households septic which could tax the system and about 8-9 properties with trailers parked on their properties. Nanette does not want to have a ruling created that inhibits people from parking trailers on land and wants people to be treated fairly. Permitting process is an option re how sanitation is handled but need to work in conjunction with other boards to prevent conflict. Recommendation to have a joint meeting with the Planning board in the upcoming Spring for discussion of possible bylaw vs permitting options for trailers parked on people's land. Motion made, seconded and all in favor to arrange a joint meeting.

9. Garnet Lake Ownership Ed does not have the property cards and has asked to defer this issue to the next meeting. Ed clarified that Garnet Lake qualifies as a semi-public beach and a letter needs to be sent re requirements to test the water.
10. Harm Reduction: the letter to the DPH was signed and a copy of the minutes with the letter will be sent to DPH and Jennifer Kimball re approval of syringe services in Peru.
11. Update Governing Board from 11/18/21: New hiring, inspector Colin, admin asst, and full time epidemiologist and Community Health Worker, multiple other grants in the process including a contact tracing grant, Sandra Martin sent an email as well re Peru will be part of a regional grant opportunity to get more public health services to small rural towns called the rural health equity grant including hiring a part time person to handle the COVID response and mitigation strategies and address other issues to improve rural health outcomes in rural communities. Still in the application process.
12. Continued discussion re private well regulation. Nanette wanted to reach out to the DEP with question before further discussion, still pending. Nanette inquired what the Select Board feels about well regulation, Bruce is aware that there are guidelines and not regulations for private wells. He inquired if there had been a need for regulation and that the Select Board wanted to know if regulations would benefit the town wondering if we haven't had an issue is there really a reason to go forward on well regulations. Many towns have adopted the DEP guidelines for private wells as written. Ed stated that specific regulations make enforcing, tracking and permitting a lot easier and better to have regulations to fall back on but up to the town and towns have adopted the whole DEP guidelines or adopt issues specific to the town ie decommissioning abandoned shallow wells. Nanette questioned: Don't we have as the BOH authority and why we can't fall back on our authority? but Ed clarified we can use more general authority like declaring something a nuisance and following Title 5 guideline re well setbacks. Ed states a permit is requested from licensed well diggers and he needs to know setback from the septic field. When a new well is drilled Ed recommendation is to decommission the old well but can not pin the property owner to do that. Well Drillers need a permit and there is some control re location of the well. A shallow well can be permitted by the Building Inspector. Banks also mandate type of water source. Peggy states The key with adopting regulations extend beyond the Title V regulations, to assure the water source is not contaminated for the present use and for future, adopting regulations is a protective forward looking measure. Nanette asked If we adopt something static would we not be able adopt changes if the state presented new guidelines? Could those new guidelines be accepted automatically? Darryl asked Do we need to have that kind of control? Its up to each town. The process involves a public hearing, the board then considers feedback from the town at the public hearing votes re accepting the regulations or not at a BOH meeting, file with DEP. This is an ongoing discussion. Peggy would like to move forward in accepting the regulations and start the process. Nanette would like more

clarification with permit for well drillers and enforcement mechanism. Nanette shared a document about DEP enforcing authority. Darryl and Bruce clarified that may not be relevant as there are no well regulations in place from DEP only guidelines. Darryl is in favor in passing guidelines but not sure if all of the DEP guidelines should be accepted, though they do not seem too restrictive or unrealistic, recognizes experts have put time into the development of these guideline, but wants to be careful what we pass as in essence we are taking people's rights away and ie impact value of lots if the lot is determined to be unbuildable. Peggy wondered is it possible to have someone from the Alliance like Ed or Charlie Kaniecke attend the public hearing, and before the public hearing could Charlie attend a future meeting via Zoom or separate educational meeting. Nanette wants to call the DEP before the next meeting. Nanette is concerned that guidelines restrict other possibilities to do things as equally effective. Will continue this discussion focusing on specific questions as we are in no rush.

- 13.COVID update: a large vaccine clinic is scheduled, push is to get people boosted in light of case numbers increasing and less follow through with booster doses. Does the board want to take any formal role in encouraging getting boosted and vaccinated, ie mailing or call?

Consider use of the new electric sign when functioning to post event like flu clinic, mobile unit visit, also for public service notice recommending COVID vaccination and booster and arrange a follow up visit with the mobile health unit. Changes in contact tracing priorities.

- 14.The next meeting will be scheduled on February 7, 2022 at 11:00AM. The agenda items will include: Ed's monthly activity including follow up letter to 127 E Windsor, Garnet Lake property ownership, Update on the mold analysis in Town Hall, update on Hogweed: estimate from private pesticide applicator and Ed's letter to 55 E Windsor Rd, Follow up Garnet Lake ownership, further discussion on well regulations, Covid update, Defer further discussion re joint meeting with planning board to discuss possible bylaw re trailer's on land.

- 15.Motion was made, seconded and all in favor to adjourn the meeting. Meeting was adjourned at 1:51 PM

Articles used: Peru BOH Monthly Log for November submitted by Ed Fahey
Letter to Kevin Cranston DPH re syringe services.

Minutes respectfully were submitted as a draft by Peggy White 12/26/21

Approved 2-14-22

Nanette Mone

Peggy White

Darryl Darby