

Ware Board of Health Meeting Minutes

July 20, 2022 / Selectmen's Meeting Room

Present: John Desmond, Katrina Velle, Jennifer McMartin

In Attendance: Andrea Crete, Betty Barlow, Judy Metcalf

John called the meeting to order at 6:00 PM and announced the meeting is being audio recorded.

APPOINTMENT

NONE

DISCUSSION/ACTION

1: John Desmond recommends the Ware Board of Health vote to appoint Judy Metcalf, RS., CHO as a special agent of the Ware Board of Health pursuant to MGL Chapter 111 sec 30. for duties associated with Ware ReSource Site Assignment modification due to her previous experience and knowledge with the regulatory process and the site.

Judy explained to comply with Massachusetts Pension Regulations, her hourly rate as an employee is equal to her previous salary adjusted to the current year which equates to \$53.94 per hour, with withholding for Federal, Medicare, and State taxes. As a retiree there is no cost to the Town of Ware for health insurance, pension or social security.

Then she would be paid using the provided Technical Fee funds. Jennifer supported this proposal. John motioned to appoint Judy Metcalf per C 111, sec 30 as Special Agent for the site assignment modification at the rate of \$53.94 per hour, Katrina seconded, all in favor.

Unknown prior to posting meeting John informs every one of the engagement letter received in office today from David Wojcik for his services for the site assignment modification hearing. Betty provided board with copies of this letter. Judy stated that Stuart left her a note saying town counsel KP Law would charge \$220.00/hour yet David will charge \$350.00/hour. Both John & Judy remind the board of all the past experience and knowledge David has from the past three (3) assignment applications at this property. Legal fees are paid either 100% for Technical Fee or 50% for Technical Assistant fee depending on service such as attendance at hearing. Jennifer feels that a new attorney would charge for the extra time spent to become familiar with the past hearings and decisions that David would not need to charge for with his experience therefore saving money. John motioned to hire David and his firm to represent the board with this hearing, Jennifer seconded, all in favor.

Judy informed board, office received the site assignment modification application on July 5th and so far still has not seen the required legal notice regarding DEP receiving the application. ReSource Waste is required to place this legal ad. Once DEP received the application they have 60 days to issue their site suitability report, then the Board of Health has to provide 21 days' notice of 1st hearing date, place, notice and process of the hearing in the newspaper and mail notice and process to all abutters. They must start hearing within 30 days of report. She also informed board that they will need to hire at least 3 professionals:

1. A Traffic Engineer, she recommends Carrie Pyke of Howard Stein & Hudson, as previously used

2. An Air pollution/Noise specialist, this she would have to research before making any recommendations
3. A Hearing Officer, Wayne LeBlanc was Hearing Officer for past 3 applications. Andrea received a call from Tom Spade of DEP this week asking if hearing officer had been chosen and when told no he recommended Attorney Christopher Myhrum of Springfield saying he had recently handled a similar case in Wilbraham. John feels the previous attorney was good and already has the history so suggests Judy check if Wayne LeBlanc is available, if not then go elsewhere, Katrina and Jennifer agreed.

John Motioned to appoint Kirsten Krieger Public Health Nurse effective July 5, 2022 – June 30, 2023, Katrina seconded, all in favor.

Plumbing permit process – It takes approximately 30 minutes to process each plumbing permit plus adding time to creating money turn-overs to Treasurer. We issue approximately 100-110 permits annually. Andrea asked Judy about the history as to why the Board of Health issues plumbing permit in Ware. We do have a building department that processes building permits, electrical permits, gas permits using an online permitting system and plumbing permits is something they could easily roll into their permitting system. The Building Department is also more than happy to take over this permitting process. Andrea is confused as to why the Board of Health handles plumbing permits when we have a building department with a Building Commissioner. Judy says its about 50/50 across the state with Boards of Health issuing Plumbing & Gas permits vs Building Departments issuing them. Enforcement of the plumbing code will always come back to the Board of Health; the Building Commissioner cannot issue a variance to the plumbing code. Jennifer asked if there is anything negative to allowing the Building Department to take over issuing plumbing permits, Judy responded that it's just day to day activity that the Board of Health would not have oversight on. When as place needs a variance from the plumbing code it goes through the local Board of Health then on to the State Board of Plumbing Examiners. John questioned if Andrea has spoken with the plumbing inspectors about this yet which she has not. John suggests Andrea speak to the inspectors prior to making any changes. This discussion will continue at next meeting.

Processing of Septic permits – Andrea states that at last month's meeting the board voted to approve her to sign septic permits not requiring a local upgrade however she feels it is more appropriate if the staff member that is reviewing the plans to sign the permit if according the title regulations. John agreed with this so made motion to allow staff member that reviews the septic plans to sign the septic permit with the exception of those requiring a local upgrade, Jennifer seconded, all in favor.

John motioned to approved meeting minutes of June 15, 2022, Katrina seconded, Jennifer abstained.

Directors Report

Andrea provided board with a list of inspections completed from 6/10/22 – 7/12/22. List is attached. This list does not include plan reviews. Katrina questioned the Misc Beaver listed. Andrea informed her they have to handle emergency trapping permits, which we have received a few requests so she connected with Conservation Agent John Prenosil to do a site visit to see how bad the flooding is, where the dam is and is there a real need to trap during breeding season with pregnant and newborn beavers present. When trapping they trap all beaver and kill them, it's not a trap and release, so it really needs to be an emergency for her to issue trapping

permits. A real emergency would be if the flooding is encroaching the septic system, well or the structure of the house to cause flooding inside the house. These cases were not found to be an emergency so she issued permits for doing flood control and with conservation approval breach the dam install flow levelers.

As previously requested Andrea also provided board with a list of issued septic permits. List is attached.

Andrea gave board update on Covid from 6/1 – 7/15 total cases of 69 with 1 death of an elderly male. She provided the board with list of Covid Data created by our Contact Tracer Bethany Ames. List is attached.

Andrea gave update on Public Health Nurse stating that Kirsten and her are going to be on the Quaboag Connection and they will talk about the Quabbin Health District, what we provide for the community. Andrea will introduce the community to Kirsten to let them know that she will be holding active clinic time at the senior center twice a month for blood pressure, wellness clinics, public health presentations. Kirsten will also be going for CPR and First Aid training so she can be a trainer to train others so they can get their certificate. We will offer this training to all the local food establishments that have 25 or more seats because that triggers the need for them to have somebody that is trained for choke saver. We would be charging for this training. Jennifer mentioned how Mary Lane used to offer babysitting classes so people could get certified so this may also be another option due to Mary Lane now being closed.

Andrea also talked about the National Night Out Tuesday August 2nd at Grenville Park from 6pm-8pm. The Quabbin Health District and other town departments will be there along with businesses. We have 100 grab bags filled with covid-19 test kits, face masks, thermometers, plastic goggles and some fun things for kids such as emergency preparedness coloring books, cell phone pop sockets, cell phone card holders, tick identification cards, West Nile & EEE info, etc. and everything was free except the bags.

Andrea informed the board of her and Kirsten meeting with Town Doctor Dr Siege because we are looking to get enrolled in the vaccine for children program with the state so we can provide state supplied vaccine. He advised them to include the flu vaccine. The only issue with being involved with this program is that any state supplied vaccine must be stored in a pharmaceutical refrigerator which we do not have. The Excellence Grant will not pay for this so Andrea spoke with Stuart to see if we could use ARPA Funds and is waiting on confirmation. Before any vaccine is ordered Kirsten will be talking with the community and pharmacies to research what the need is. We will also be providing TB testing for EMT's and charging only for price of vaccine. This could also be offered to public with added administration fee.

Katrina states she will not be available for 3rd Wednesday in August and Jennifer also states she will not be available week of 8/22/26. John motioned to move next meeting date to August 31, 2022 at 6:00PM, Katrina seconded, all in favor.

John motioned to adjourned at 7:15 PM, Jennifer seconded all in favor. Next meeting to be August 31, 2022 at 6:00PM

Respectfully Submitted,
Betty Barlow

Meeting minutes approved 8/31/2022

Christopher, Hays, Wojcik & Mavricos, LLP

ARTHUR J. GIACOMARRA
DONALD C. KEAVANY, JR.
MARVIN S. SILVER
CHRISTOPHER R. MITCHELL
ANDREW P. DICENZO
JOHN E. SHIELDS

ATTORNEYS AT LAW
370 MAIN STREET, SUITE 970
WORCESTER, MASSACHUSETTS 01608
TELEPHONE (508) 792-2800
FAX (508) 792-6224
www.chwmlaw.com

Of Counsel
CHRISTOPHER CHRISTOPHER
DAVID A. WOJCIK
JOHN A. MAVRICOS

WILLIAM W. HAYS - Retired
WILLIAM C. PERRIN, JR. 1947-1997
STUART A. HAMMER 1943-2021

July 20, 2022

Board of Health
Town of Ware
126 Main Street
Ware, MA 01082

Re: Resource Waste Services of Ware, LLC, G.L.c 111 §150A
Permit Application

Dear Members of the Board:

My firm would be pleased to represent the Ware Board of Health relative to the G.L.c. 111 §150A application filed with the Ware Board of Health by Resource Waste Services of Ware, LLC on or about July 5, 2022. This permit application concerns the property and operations located at 198 East Street.

The scope of representation includes review, analysis, and advice concerning the application and all attachments, exhibits and submissions and will also include representation of the Board of Health and examination of witnesses at the public hearing all as more specifically set forth in 310 CMR 16.00.

As you know, my firm and I have experience and expertise representing the Board of Health concerning G.L.c. 111§150A applications including the past 3 public hearings with respect to this facility.

Attorney Andrew DiCenzo and I will be primarily responsible for this work with Attorney Donald Keavany providing additional help if needed. We will be charging an hourly rate of \$350. Additionally, we will bill for out-of-pocket costs including charges for copies, exhibits, enlargements, binders, etc. and we will charge for mileage at the standard IRS rate for business use which is presently 62.5 cents per mile. I have a number of prior commitments for the first two weeks of September that will need to be accommodated in scheduling.

If you desire to hire us on this basis, please pass a vote at your meeting agreeing to hire Christopher, Hays, Wojcik and Mavricos, LLP on the terms set forth in this letter and email me a copy of this letter with your approval. If you have any questions, please do not hesitate to contact me.

Very truly yours,
/s/ David A. Wojcik
David A. Wojcik

Date: _____

Approved By Ware Board of Health:

Member –

Member –

Member –

Date	Address /Location	Inspection Type	Inspector
6/10/2022	16 Murphy Rd.	Septic Final	SP
6/13/2022	28-0-51 walker rd	perc test	SP
6/14/2022	Lot 6 Coldbrook Dr.	perc test	SP
6/14/2022	140 Shoreline Dr.	Septic Final	SP
6/15/2022	277 Palmers Rd.	perc test	SP
6/15/2022	282 Old Gilbertville Rd.	perc test	SP
6/15/2022	181 Monson Turnpike Rd.	perc test	SP
6/16/2022	12 Mountainview Dr.	Septic Final	SP
6/16/2022	12 Church St.	Housing	SP
6/16/2022	103 Old Poor Rd.	Perc Test	SP
6/18/2022	Grenville Park-Kettle+Pine	Food insp	SP
6/18/2022	Grenville Park-Ware Knight's of Columbus	Food insp	SP
6/18/2022	Grenville Park- Holyoke Hummus	Food insp	SP
6/21/2022	11 Webb Ct. Apt A.	Housing	SP
6/22/2022	23-25 Cummings Rd.	Septic Final	SP
6/23/2022	16 Bellevue Ave.	Housing	SP
6/23/2022	Memorial Field-Manuel Amusements	Food	SP
6/23/2022	Memorial Field-Cummingford Fries	Food	SP
6/23/2022	Memorial Field- Cumminford:Candy apples	Food	SP
6/23/2022	Memorial Field- Knights of Columbus	Food	SP
6/23/2022	Memorial Field-Jack's Fries, Melenium Chips	Food Insp	SP
6/27/2022	235 Belchertown Rd.	Septic Final	SP
6/27/2022	350 Belchertown Road	Misc-Beaver	AC/JP
6/28/2022	62 Church St.	Nuisance	SP
6/28/2022	27-29 Eddy St.	Nuisance	SP
6/30/2022	41 Fisherdick Rd.	Perc	SP
7/1/2022	Pig Park, LLC	Food	SP
7/1/2022	Honeyland Farms	Food	SP
7/5/2022	282 Old Gilbertville Rd.	Septic Plan Review	SP

7/6/2022	Pepper mill Pond Rte 9	Miscl-Beaver	AC/IP
7/11/2022	12 Beach St.	Perc- deep hole	SP
7/11/2022	16-1 Otis Ave.	Voucher Housing Inspection	SP
7/12/2022	24 Parker St.	Nuisance Complaint	SP

Date	DSCP #	Installer	Address	Owner	Engineer	Repair / New
2/9/2022	22-01	DW Equipment Rentals	50 Webster Rd	Derek Witt		Repair
3/7/2022	22-02	PM Construction	44 Greenwich Plains Rd	Heirs of Evelyn Baird/Lasurie Holdan		Repair
4/15/2022	22-03	PM Construction	21 Westbrook Ave	DAS Leasing/Wlater Smola		Repair
4/20/2022	22-04	TBD	1 Doane Rd w/easment on 1 Greenwich Plains	Falling Water Realty Trust/Joel Pentlarge		Local Upgrade
4/29/2022	22-05	R DeSantis Jr & Sons	87 River Rd	David Kozlik		Repair
5/18/2022	22-06	DW Equipment Rentals	Lot W Coffey Hill Rd (19-0-47)	Coffey Hill Properties LLC		New
5/18/2022	22-07	Quaboag Construction-Jim Vaill	12 Beach Road	Stephen & Kathy Cronin		Local Upgrade
6/15/2022	22-08	R DeSantis Jr & Sons	168 Old Belchertown Road	Keith Russell		Repair
6/15/2022	22-09	NorthEast Classic Engineering/Jim Morin	23 & 25 Cummings Rd	Denise Chenevert	NorthEast Classic Engineering/Jim Morin	Repair
7/5/2022	22-10	Excavation Plus - Jerry Talbot	282 Old Gilbertville Road	Michael Wisnoski	Lorri McCool	Repair
7/5/2022	22-11	Excavation Plus - Jerry Talbot	181 Monson Turnpike Road	Brent Scott	Lorri McCool	Repair
7/19/2022	22-12	Paul Lussier	99 Coffey Hill Road	Roy Bergeron	Neil Jackson	Repair
7/19/2022	22-13	Marion Excavating	11 Coldbrook Dr (Old Lot 6)	Evergreen Design Build	Neil Jackson	New
7/19/2022	22-14	Marion Excavating	18 Coldbrook Dr (Old Lot 26)	Rob & Kathy Karrasch	Neil Jackson	New

Ware Covid Data
June 1, 2022-July 15, 2022

Total Cases

6/1/22-7/15/22- 69 cases

Weekly Breakdown:

06/01/2022-06/08/2022- 11 cases

06/09/2022-06/15/2022- 8 cases

06/16/2022-06/22/2022- 15 cases

06/23/2022-06/29/2022- 4 cases

06/30/2022-7/6/22-13 cases

7/7/22-7/15/22-18 cases

Active cases in isolation (7/10/22-7/15/22) 12 cases

ONE death reported on 6/26/22 (88 year old Male)