

TONY JUDGE, Chair
CHRISTINE MCKIERNAN, MD, Vice-Chair
KAREN WALSH PIO, LICSW, LADC 1, Clerk
JESSICA COLLINS
STEPHEN FRANTZ

SHARON D. HART, Public Health Director

Board of Health Minutes

February 14, 2023

As Approved May 16, 2023

Present: Tony Judge, Chair; Dr. Christine McKiernan, Vice Chair; Karen Walsh Pio, Board of Health Clerk; Stephan Frantz, Board Member; Sharon Hart, Public Health Director; Jennifer Jernigan, Assistant Public Health Director; Monasia Ceasar, Health Compliance Specialist

The Board of Health Meeting was called to order at 6:08 p.m. by Chair Judge.

1. Acceptance of the Minutes of the January 10, 2022, Meeting:

Chair Judge introduced the minutes from the 01/10/23 meeting and questioned if there were any comments or changes to be made. No changes were brought forth to the Board. Dr. McKiernan made a motion to accept the meeting minutes and Walsh Pio seconded it. All present members approved the minutes.

2. Announcements and Open Forum:

Chair Judge asked if there were any notions to be considered for the open forum. There were no notions brought forward for consideration.

3. New Business

A. COVID Update:

Director Hart shared that there were 8 reported cases last week and the state is set to stop COVID follow up this May. Upcoming vaccine clinics will be hosted in Holyoke and Chicopee at various locations. Participates will be eligible for a \$75 gift card while supplies last. Clinic information is posted on the Town website and shared with Neighbors Helping Neighbors. Walsh Pio questioned if there were any updates regarding boosters. Hart noted that this fall an annual vaccine will become available with the latest strains.

B. Director's Update:

Director provided an overview of the Department's major occurrences from the previous month. She noted a couple fires in town, an issuance of a condemnation and frozen pipes that occurred during the cold chill. The department hosted a Narcan training at the Council of Aging in response to the installation of Narcan at the facility. The department hopes to host additional training and programming at the Senior Center in the future. Hart presented the department's budget proposal before the Select Board and Appropriation Committee as well as outlined her goals and objectives during a department Head meeting.

C. Health Equity Policy Framework:

Director Hart reported that she had sent out the Health Equity Policy Framework to Attorney Marjorie Hurst with the Point of View Publication. The publication curates stories from surrounding areas with a community perspective. Hart requested that the publication be distributed more widely in Town as it is only currently available at Iona's Kitchen.

Dr. McKiernan noted that she appreciated that the framework established the policy in writing but suggested some modifications. Dr. McKiernan proposed defining the 6 social determinants of public health earlier in the policy. Walsh Pio mentioned that the policy will be discussed further once it has been thoroughly reviewed.

Stephen Frantz joined the meeting virtually.

Discussion about South Hadley Human Rights Commission pursued:

Chair Judge questioned that the difference between this and the Human Rights Commission be defined. Hart referred to Article 17, a Town bylaw provided by the Town Administrator, outlining the scope of the Human Rights Commission. Hart mentioned that the Board must nominate a Board member or resident to the Commission. Collins had previously shared interest in joining. The Board members agreed to nominate Collins and await her response.

D. Overview of Buttery Brook Watershed Restoration Report from Fuss & O'Neil Inc. :

Chair Judge introduced the Buttery Brook Watershed Report as the next topic of discussion. Director Hart referred to the summary provided by Fuss & O'Neil Inc. outlining the Titus Pond project at Buttery Brook. The summary provided an overview of the project as they try to establish free flow of the dam. There is a list of notification requirements that must be met. Chair Judge mentioned that there have been some community concerns shared regarding not only the restoration project, but the proposed

wildlife sanctuary at the BATTERY Brook. Neighbors are concerned with space limitations for the proposed project and have concerns about the accumulation of algae in the summer. Hart shared that the Conversation Committee had issued public notices years ago to surrounding residents advising them of the harms associated with fertilizer application and algae growth.

Hart added that the Conversation Committee is overseeing the development proposals for recreation and educational additions to BATTERY Brook. Dr. McKiernan questioned if there were any public health issues that needed to be discussed regarding the restoration project. Direct Hart confirmed that there were no public health threats that needed to be reviewed and the report was provided for informational purposes.

(E) Skinner Woods Estate Update on Septic System:

Director Hart mentioned that the developer went before the Planning Board to address the unapproved changes made to the original plans for the condo development. Following confirmation that the septic system was moved from the engineer of the original plan, the Health Department conducted another perc test for the new location of the system. Perc tests will have to be redone for all the systems that were moved. The developer had to request permission from the Planning Board, to install the septic systems in a no work zone to accommodate for the unapproved changes made to the plan. The Planning Board approved the changes and issued provisions and penalties that the developer would have to comply with. Hart confirmed that an occupancy permit will not be granted without approved septic systems.

(F) Cannabis Industry and Overview of Cannabis Control Commission:

Chair Judge introduced the cannabis industry and Cannabis Control Commission as the next topic for consideration. Walsh Pio shared that representatives from regional coalitions are coming together to join sub committees that focus on categories relative to the cannabis industry. Some of the sub committees include billboards, cannabis cafes, regulation, enforcement and monitoring, and guidance.

Walsh Pio noted that due to the efforts of the South Hadley Drug & Alcohol Coalition, the commercial sale of marijuana is not permissible in town. Neighboring towns that do allow the commercial sale of marijuana will have to begin discussing potential regulations, enforcement, and monitoring that will be implemented to oversee cannabis cafes.

Walsh Pio highlighted the influx of billboards advocating for cannabis sales and the need for regulation to limit it. Chair Judge added that one of the dispensaries in Northampton is set to close and suggests that the economy will self-regulate. Although somewhat true, Walsh Pio noted that it is important that the Commission be held accountable for effective preventative measures.

Discussion regarding medicinal use of psychedelic mushrooms pursued:

Walsh Pio noted that representative Oliveira attended the town's candidates' event at the library. She was able to bring his attention to a proposed bill that would recognize the medicinal use of psilocybin, psilocyn, dimethyltryptamine, ibogaine, and mescaline for those 18 years and older. Walsh Pio expressed her disapproval and concerns associated with the proposed bill. Director Hart noted that the proposed bill does not legalize, but instead decriminalizes the use. Walsh Pio highlighted that drug legalization typically follows the path of decriminalization and allowance of medicinal use as the gateway for commercial sale of such drug. Hart shared the 2021-2022 bill SD1727 proposing the ban of billboards advertising alcohol and marijuana. Walsh Pio advised the Board that this is something possibly being considered.

Walsh Pio mentioned the challenges faced when navigating the different interest groups associated with the commercialization of such products. She referred to the book written by Michael Pollen summarizing his experiences with hallucinogenic mushrooms. Frantz shared that indigenous communities have historically used hallucinogenic mushrooms for spiritual practice and medical use. Walsh Pio noted that she fears the permissance of medicinal use will only be the beginning and open the door for recreational use of hallucinogens. Walsh Pio advised the Board members that is something to be aware of as developments and updates arise.

(G) Rental Registry

Chair Judge introduced the rental registry as the next matter of business. Director Hart reported that the draft rental registry regulation has been sent to Town counsel for review and opened the floor up for comments from the Board members. Frantz suggested defining the adult age allowed to act as the owner's representative with a proposal of 21 years old and older. Frantz also shared concerns about the possibility of guests finding a loophole to bypass the 28 day stay maximum allowed for short term rentals, by continuously renewing their stay following a break in the sequential stay. Frantz referred to nearby areas that have an influx of properties turned into short term rentals. This negatively impacts the housing availability for the community. Hart agreed to follow up with Town Counsel regarding the proposed changes.

Hart mentioned that Planning Board is currently curating provisions for short term rentals in hopes of preserving the integrity of the housing stock in South Hadley. This would include identifying zones in which short term rentals would be allowed and setting a limit for the amount of short-term rentals allowed in town. The Building Commissioner is the acting enforcement agent for Zoning and would oversee compliance of the short-term rental regulation.

Hart confirmed that the rental registry policy is for long term rentals only. Owners would confirm that they have read and understand the provisions outlined in the MA Sanitary Code and their properties meet the minimum standards of habitation. Director Hart clarified that the Department only completes housing inspections upon request of the occupant. Hart shared that there are approximately 1700 long term rentals in Town according to the Assessor's office. Hart received information from the Clerk's office regarding death's certificate that could provide insight on trends relative to one's residence and their cause of death. The rental registry would help in mapping areas in Town that have rentals as well as identifying environmental justice groups in Town. This would help with easy distribution of education materials and available resources to those who could benefit to it. The establishment of the equity framework would help support policies like this. Hart requested that the Board members thoroughly review the regulation and send forth any comments.

(4) Old Business:

(A) Board Members Sign-Off on Glufosinate/ Glyphosate Regulation

Chair Judge questioned if the Board members needed to sign the glufosinate and glyphosate regulation. Director Hart reported that the regulation had been reviewed by Town Counsel and cleared with the understanding that the definition of pesticide would be modified to the state's definition. Hart added that the regulation would have to be re-signed by the Board members. Jernigan requested that the Board members sign three copies for the Department's records. Frantz suggested removing the mention of including all GBH's in the fourth paragraph under the protocol section as it seemed redundant. Hart agreed to verify proposed changes with Town Counsel and to wait for Board members to sign until those changes have been made. Chair Judge agreed to accept amotion to approve the regulation with the understanding that those changes would be made. Dr. McKiernan made a motion and Walsh Pio seconded it. All Board members were in favor.

(5) Set Next Meeting Date – (TBD) at 6:00 p.m. at South Hadley Library

The next meeting date was set for March 14th at 6:00 pm in the Trustees room at the South Hadley library. All present members were in consensus with the next meeting date being March 14th at 6pm at the library.

7. Adjourn the meeting:

Chair Judge mentioned he would accept a motion to adjourn the meeting. Dr. McKiernan made the motion and Walsh Pio seconded it. All members were in consensus.

The meeting was adjourned at 7:31 p.m.

Respectfully,

Monasia Ceasar

As Approved – Board of Health
Meeting Minutes
February 14, 2023

ATTACHMENT A

RECORD LOCATION

BOH Meeting Minutes 01.10.23	BOH File
Director's Report	BOH File
Rental Registry Regulation Draft	BOH File
Glufosinate/ Glyphosate Regulation	BOH File
Health Equity Policy Framework	BOH File
Buttery Brook Watershed Restoration Report	BOH File