Board of Health Minutes

August 14, 2019

As Approved – September 25, 2019

Present: Diane Dietzen, MD, Chair; Walter Wolf, DPM, Clerk; Sharon Hart, Public Health Director; Jennifer Jernigan, Assistant Public Health Director; Stephanie Strand, Mom’s Demand Action for Gun Sense in America

The Board of Health Meeting was called to order at 4:34 p.m. by Dr. Dietzen.

1. Acceptance of Minutes:

Dr. Wolf motioned to accept the minutes of the June meeting. Dr. Dietzen seconded that. All were in favor.

2. Announcements/Open Forum:

Rudy Ternbach spoke on the Hydrologic Study proposed from UMASS. Director Hart asked if he is proposing this with the Planning Board. Rudy stated that he went to the Water Department first. But the cost is $20,000 for the study and Rudy was told that it was not in the Water Department’s budget right now. A discussion then took place on how a project like this normally occurs. Director Hart stated that they need to know exactly what the study is looking for. Rudy stated “sustainability.” Dr. Dietzen and Dr. Wolf told Rudy that he has their support from the Board of Health but the issue is funding. There was a general consensus that there should be an article on the Town Meeting agenda for this.

3. Director’s Report:

Dr. Dietzen asked Director Hart to discuss any issues off of the report. Director Hart stated that retail establishments are trying to sell edible CBD products and that this topic goes along with our Retail Food Establishment Regulations that will be looked at tonight.

The School Department did the testing and changed out the needed bubblers and it was paid for. Director Hart just received a quote for appliances for the next run. She is still waiting on labor costs. Debbie Boehner stated that the schools eliminated positions so this impacts timeliness. Director Hart stated that there were no PFAS found in anything. The day cares
tested were good. She needs labor costs because this impacts what can be done right now. Then Mike Sullivan, Town Administrator, requests more money at fall town meeting.

Director Hart then proposed banning plastic water bottles in the school or even so far as in the whole town. She stated that the department could get the Water Districts to help with costs, perhaps. The Town of Concord and Great Barrington did a bylaw like this. One of the towns did a map of all the public water faucets. Director Hart stated that this must be done as a town bylaw, however. She proposed to the audience that if anyone wanted to take this on, they could.

Director Hart brought in her drone and surveyed the building, taking pictures for the Town Administrator and architects to get a better look at the building/roof condition.

The Town converted to a new on-line permitting system called ViewPoint Cloud. They also converted to a new website. Jennifer has been working to get the Board of Health agenda and meeting information up-to-date, at times working both sites. Director Hart has also been updating the Board of Health website and Emergency Preparedness.

The Reusable Insulated Bag Grant that Director Hart spearheaded was discussed. She is waiting on the bags to be done. She is looking for an event that she could distribute the bags at that involves Neighbors Helping Neighbors. Debbie Boehner will check on an event with Neighbors Helping Neighbors that the bags could be used at.

Dr. Dietzen then asked if anyone wished to discuss Skinner Woods. Now is their opportunity. Walter Hamilton then asked if the Board of Health has a role in Skinner Woods. Director Hart stated that they do. The Health Department is involved in the preliminary design of the septic systems. Walter Hamilton then wanted to know if individual systems are the best for that area and Director Hart responded that they meet the requirements. There are 10 units. It will now depend on how the soils perc. There was a gravel pit there previously so she doesn’t anticipate any issues. Walter Hamilton then asked if cluster systems are better because of the smaller lots. Director Hart responded by stating that the applicant determines if a cluster housing would be better, through the Planning Department. If they did an aggregate flow, then the Board of Health could look at nitrogen. Zone 3 is involved, per Director Hart. Rudy Ternbach then asked why the town is not taking a safer approach. DEP allows stricter regulations. He feels that they are being rushed to avoid Town Meeting and the Attorney General’s decision on Article 23. He doesn’t feel they are meeting the requirements. The area around the well is all clay and he feels that it is a very unusual situation and the Water Supply District bylaws are intended to protect. Rudy said that DEP stated we can make stricter bylaws if we desire.
Dr. Dietzen responded to the discussion by stating that the Board of Health needs a concise idea of what the speaker wants the Board of Health to do to in order to change the septic that is planned, making sure that it relates to public health and then they must determine if the Board has any ability to change them. Director Hart added that it needs to meet DEP regulations. This is Zone 3. This Board does not have a bylaw more restrictive then DEP. Rudy stated that you have 25535 in place. Director Hart will check with the Town Council on this. Dr. Dietzen and Dr. Wolf agreed. Director Hart went on to say that 5 feet separation is needed and we won’t know till excavated. She feels that the soils will be like North Pole Estates, based on her experience. Rudy then asked if there should be a sewer line instead. He feels that the Board of Health should be questioning this. Director Hart then discussed the new approach of doing septic versus sewer. Septic failure concerns were also reviewed.

4. Public Hearing: Board of Health Public Hearing to Institute Food Establishment Regulation Addendum - 5:16 p.m.

Director Hart reviewed the new State Food Regulations with everyone there and how retail food no longer needs to be permitted. She explained how Health Departments are concerned about this and want it back in. It is important because of CBD showing up in food products, which is illegal. Also, Health Departments can’t monitor recalled food items this way as well. The Board of Health then reviewed the regulation. Dr. Wolf made a motion to accept the regulation. Dr. Dietzen seconded. All were in favor.

The public hearing was closed at 5:21 p.m.

5. New Business: Gun Safety Presentation by Stephanie Strand – 5:30 p.m.

Stephanie did the presentation. The presentation dealt with when someone is in crisis, facts about firearms suicide, what can be done and Red Flag orders.

It was discussed that Stephanie may want to do presentations at the Police Department, School Department, Drug and Alcohol Task Force and the PTO. Mount Holyoke College, the Council on Aging, and the Veterans Agent may be interested as well. Director Hart will email Stephanie the contact information for these departments.

6: Old Business: North Pole Estates: Chicopee Concrete Services

Director Hart opened in the topic by stating that in regards to Article 23, the Attorney General is asking for 60 more days to review the town bylaw. Dr. Wolf asked about fines if there is work done without a permit, like at the gravel pit. Director Hart responded that this
the Building Department’s purview. Dr. Wolf wants Director Hart to ask Mike Sullivan, Town Administrator, to ask the Selectboard on the ramifications to the gravel pit operating without a permit. Director Hart reviewed the situation with the Board and how the town never called them on it. Other situations, like a camp, have not been fined when not permitted, just closed down, as the State has directed, with no fining mechanism.

Director Hart reviewed how the company has paid all the fees now for the perc tests being done for North Pole Estates. She is not sure where it is at with the Planning Board now. It is their timeline now and Director Hart and Dr. Dietzen have a meeting tomorrow on it with the Working Group.

**The next Board of Health meeting was set for September 25, 2019 at 4:30 p.m. per Dr. Wolf and Dr. Dietzen.**

7: **Adjournment:**

Dr. Wolf motioned to adjourn the meeting at 5:52 p.m. Dr. Dietzen seconded and all were in favor.

Respectfully submitted,

Jennifer J. Jernigan
Assistant Director of Public Health
**ATTACHMENT A**

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<thead>
<tr>
<th>DOCUMENT</th>
<th>RECORD LOCATION</th>
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<tbody>
<tr>
<td>Petition to the South Hadley Board of Health to Begin Regulatory Proceedings to Protect South Hadley Drinking Water – September 25, 2019</td>
<td>BOH File</td>
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<tr>
<td>Dr. S. C. Frantz – Talking Points – Glyphosate</td>
<td>BOH File</td>
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