

TONY JUDGE - Chair  
CHRISTINE McKIERNAN, M.D., Vice-Chair  
KAREN WALSH PIO - Clerk  
JESSICA COLLINS  
STEPHEN FRANTZ

SHARON HART, Director of Public Health

**NOTICE**

**BOARD OF HEALTH MEETING  
(Hybrid – attend via Zoom Webinar or in person at South Hadley Library)  
&  
AGENDA**

**April 11, 2023**

**6:00 p.m.**

Join Zoom Webinar from your Computer:  
Please click this URL to join:

<https://us02web.zoom.us/j/81917801432?pwd=bmU2TTNIT2RDcEJWMi9CYmowYTZkUT09>  
Passcode: 914469

Or join by phone:  
US: +1 646 558 8656  
Webinar ID: 819 1780 1432  
Passcode: 914469

**NOTE: Not all the topics listed in this notice may actually be reached for discussion. In addition, the topics listed are those which the Chair reasonably expects will be discussed as of the date of this notice.**

**To: Board of Health Members**

**From: Sharon D. Hart, Director of Public Health**

**Re: A Board of Health Meeting (Hybrid) will be held on Tuesday, April 11, 2023 at 6:00 p.m. at the South Hadley Library.**

- 1: Chair to Call the Meeting to Order**
- 2: Acceptance of the Minutes of the February 14, 2023 meeting.**

- 3: **Announcements and Open Forum (10 Minutes) – NOTE: Persons wishing to submit written comments/questions regarding items which are not a subject of a public hearing are encouraged to use the following Google form:**

<https://forms.gle/mDfjN5a27cVwEvfP6>

4: **New Business:**

- (a): **COVID-19 Update**
  - **COVID-19 Report (Sharon)**
    - **Wastewater testing**
    - **Vaccine clinics**
- (b): **Director's Report**
- (c): **Emergency Order to Vacate – 76 Alvord Street – Ratify**
- (d): **Emergency Order to Vacate – 100 Abbey Street – Ratify**
- (e): **Emergency Order to Vacate – 13-15 Canal Street - Ratify**
- (f): **Emails – Town Provided emails**
- (g): **Master Plan – Update**
- (h): **PFAS – discussion**
- (i): **Remote Meetings – Policy and Practice**
- (j): **Proclamation in Support of Asthma Awareness Month**
- (k): **Rental Registry - Update**

5: **Old Business:**

- (a): **Health Equity Policy Framework - Status**
- (b): **South Hadley Human Rights Commission – Status**
- (c): **Glufosinate/Glyphosate Regulation – Sign**

6: **Adjourn Meeting**

\*\*\* Please note: Meetings are recorded\*\*\*

Summary	August 2022	September 2022	October 2022	November 2022	December 2022	January 2023	February 2023	March 2023
<b>Complaints Received</b>								
housing complaint	13	5	12	11	15	10	6	10
food complaint	6	10	7	2	5	6	1	3
COVID inquiry/reporting	2	1	1	0	0	0	0	
animal control	9	4	9	3	2	3	3	3
dumpster permit	6	1	2	2	0	0	0	2
hauler permit	1	1	1	0	0	1	0	1
septic permit	1	2	5	3	3	2	0	6
property care complaint	1	3	0	2	1	0	2	2
miscellaneous	3	13	11	7	8	4	3	3
<b>Total</b>	<b>42</b>	<b>40</b>	<b>48</b>	<b>30</b>	<b>34</b>	<b>26</b>	<b>15</b>	<b>30</b>
<b>Notices Issued</b>								
housing orders		1	0	1	0	3	3	2
condemnations	1	1	0	1	0	0	1	2
property care notices	1		0	0	0	1	0	1
compliance	2	1	3	1	0	5	2	4
educational/best practice material	0	0	0	2	0	0	0	2
dumpster violations	0	0	0	0	0	0	0	3
<b>Total</b>	<b>4</b>	<b>4</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>9</b>	<b>6</b>	<b>14</b>
<b>Inspections Conducted</b>								
food inspections	4	1	6	0	0	7	9	13
lodging/housing inspections	4	3	1	0	4	3	4	4
site observations	2	2	0	0	0	0	2	4
<b>Total</b>	<b>10</b>	<b>6</b>	<b>7</b>	<b>0</b>	<b>4</b>	<b>10</b>	<b>15</b>	<b>21</b>
<b>Miscellaneous</b>								
records requests		6	9	18	9	1	1	2
food plan reviews		1	1	1	2	2	1	1
summer camp permits	0	0	0	0	0	0	1	1
<b>Total</b>		<b>7</b>	<b>10</b>	<b>19</b>	<b>11</b>	<b>3</b>	<b>3</b>	<b>4</b>

**Town of SOUTH HADLEY****Board of Health****Glufosinate/Glyphosate Regulation on Town-Owned/Operated Property  
Amended February 2023**

...

**A. Purpose:**

Glyphosate is the primary active ingredient in glyphosate-based herbicides (GBHs) -- such as RoundUp® and Rodeo. Glyphosate poses harm to developing children and humans generally, bees and other pollinators, pets, domestic animals, wildlife and other living resources. Many glyphosate restrictions or bans throughout the world have been introduced following the 2015 glyphosate report by the World Health Organization International Agency for Research on Cancer (IARC) that concluded "Glyphosate is probably carcinogenic to humans (Group 2A)", that there was a positive association between glyphosate exposures and non-Hodgkin lymphoma (NHL) and that glyphosate exposure caused DNA and chromosomal damage in human cells, as well as genotoxic, hormonal and enzymatic effects in mammals.

Glufosinate (GA) is the primary active ingredient in glufosinate-based herbicides. Studies demonstrate that GA causes adverse health effects in animals (dogs are especially sensitive); it is toxic to fish, clams, oysters, birds, amphibians, and reptiles. It has not been thoroughly studied but is apparently not proven to be a carcinogen.

Because it is in the best interest of public health and the environment to eliminate the use of glufosinate and glyphosate-based herbicides (e.g., GBHs) on town-owned/operated lands, ponds and waterways: to encourage the reduction and elimination of the use of such herbicides on private property: and to introduce and promote ecologically sound, organic and other management practices to prevent and/or manage unwanted vegetation on town owned/operated land, the South Hadley Board of Health adopts the following regulation.

**B. Authority:**

This regulation is promulgated to the authority granted to the South Hadley Board of Health by Massachusetts General Laws Chapter 111, Section 31 that "Boards of Health may make reasonable health regulations."

**C. Definitions:**

For the purpose of this regulation, the following words shall have the following meanings:

**Glufosinate: Glufosinate (GA)** is a neurotoxicant in mammals and through dermal absorption or ingestion can cause a range of effects in humans from eye injury, skin irritation, seizures, respiratory failure, to death. It is used as an “alternative” to glyphosate-based herbicides and is the primary active ingredient in glufosinate-based herbicides, such as *Basta*, *Challenge*, *Finale*, *Ignite*, *Liberty* and *Rely*.

**Glyphosate:** a systemic organophosphate herbicide C<sub>3</sub>H<sub>8</sub>NO<sub>5</sub>P used to control herbaceous and woody weeds and the primary ingredient in many broad-spectrum herbicides (e.g., Roundup®, Rodeo®, Ranger Pro®, Bonide® Ground Force® Vegetation Killer).

**Herbicide:** a substance that is toxic to plants, used to destroy unwanted vegetation.

**NOFA:** the Northeast Organic Farming Association, Massachusetts Chapter, a non-profit organization that provides guidelines for Organic Land Management.

**Organic Materials Review Institute:** The Organic Materials Review Institute (OMRI) is an international nonprofit organization that determines which input products are allowed for use in organic production and processing. OMRI Listed products are allowed for use in certified organic operations under the USDA National Organic Program.

**Organic land management:** a method of preventing and managing unwanted vegetation problems that does not use GBHs. This includes only NOFA's Standards for Organic Land Care: Practices for the Design and Maintenance of Ecological Landscapes and/or Beyond Pesticides' Products Compatible with Organic Landscape Management or another comparable equivalent to be determined by the South Hadley Board of Health.

**Pesticide.** A substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, and any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant; provided that Pesticide shall not include any article that is a "new animal drug" within the meaning of section 201(w) of the Federal Food, Drug and Cosmetic Act [21 U.S.C. § 321(w)], or that has been determined by the Secretary of the United States Department of Health, Education and Welfare not to be a new animal drug by a regulation establishing conditions of use for the article, or that is an animal feed within the meaning of section 201(x) of such act [21 U.S.C. § 321(x)].

#### **D. Protocol**

The use and application of glufosinate and glyphosate-based herbicides by town employees and/or by private contractors for managing lawns, turf, ornamental beds, and trees is prohibited on all town-owned/operated lands.

This shall include, but not limited, to the following spaces owned and managed by the Town of South Hadley park commissioners, school committee, conservation commission and library board of trustees on the grounds listed below, but not limited to: athletic fields, playgrounds, grounds of town buildings (police, fire, town hall, department of public works, council on aging), town museums, greens, parks, picnic areas,

cemeteries, conservation areas, water protection districts, traffic islands, parking lots, beaches, roadsides, golf courses, and food production plots.

Organic Land Management (OLM) shall be the methodology of choice to understand, prevent and manage unwanted vegetation problems on town-owned/-operated properties. This limits management products and interventions to those approved by NOFA, Beyond Pesticides and/or Organic Materials Review Institute (OMRI) or another comparable equivalent determined by the South Hadley Board of Health.

All glufosinate and glyphosate-based herbicide products currently stored in or on town-owned premises shall be compiled by the Director of Public Works or Solid Waste Coordinator, who shall have the authority to dispose of any such products through a Massachusetts Department of Environmental Protection (MassDEP) approved method.

This regulation shall only apply to properties owned and operated by the Town and not to private property. Accordingly, it shall not infringe upon any state laws or regulations including Massachusetts General Law Chapter 132B (the "Massachusetts Pesticide Control Act") and Chapter 333 of the Code of Massachusetts Regulations, nor any Federal Laws or regulations.

#### **E. Exemption:**

A request for an exemption shall be made to the South Hadley Board of Health in writing.

An exemption can only be granted by the South Hadley Board of Health, or its designated agent(s), due to an imminent threat to public health. An exemption shall only be granted after all non-toxic interventions have been exercised and failed to produce a tolerable outcome.

#### **F. Enforcement:**

Enforcement of this regulation shall be by the South Hadley Board of Health or its designated agent(s).

Any person who desires to register a complaint pursuant to this regulation may do so by contacting the South Hadley Board of Health or its designated agent(s) and the Board shall investigate.

#### **G. Severability:**

If any provision of this regulation is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.

**H. Effective Date:**

**This regulation shall take effect on \_\_\_\_\_.**

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**Tony Judge, Chair**

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**Christine McKiernan, Vice Chair**

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**Karen Walsh Pio, Clerk**

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**Jessica Collins**

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**Stephen Frantz**

TONY JUDGE, Chair  
CHRISTINE McKIERNAN, M.D., Vice-Chair  
KAREN WALH PIO, LICSW, LADC 1, Clerk  
STEPHEN FRANTZ  
JESSICA COLLINS

SHARON D. HART, Public Health Director

January 10, 2023

**HEALTH EQUITY POLICY FRAMEWORK –**

**PURPOSE:**

This Health Equity Policy Framework is designed to help the South Hadley Board of Health and Health Department be more intentional in addressing all forms of health inequities.

We seek to address historical and contemporary injustices, overcome economic, social, and other obstacles to health and eliminate preventable health inequities.

**DEFINITIONS:**

**Health equity:** is the state in which everyone has a fair and just opportunity to attain their highest level of health. Achieving this requires ongoing societal efforts to:

- \* Address historical and contemporary injustices.
- \* Overcome economic, social, and other obstacles to health and health care; and
- \* Eliminate preventable health disparities.

**Health disparities:** are preventable differences in the burden of disease, injury, violence, or opportunities to achieve optimal health that are experienced by populations that have been disadvantaged by their social or economic status, geographic location, and environment.

**Social determinants of health:** are the conditions in the places where people live, learn, work, play, and worship that affect a wide range of health risks and outcomes. Long-standing inequities in six key areas of social determinants of health are interrelated and influence a wide range of health and quality-of-life risks and outcomes.

**FRAMING:**

Communicating about racism and other inequities – both internally and externally – can be challenging, due to fear, lack of tools, and widely held frames about race, class, and fairness.

South Hadley Board of Health and Health Department (BOH/HD) commits to becoming a thought leader on the impacts of racism and other health inequities on public health outcomes, as well as in action to eliminate these inequities. We commit to being disrupters and truth tellers about the personal, family, community, state, and national cost of institutional racism on health.

In order to overcome barriers of racism and other forms of health inequities, we will use these principles:

- \* **Be explicit about racism.** We will use explicit language and data to communicate about the impact of structural racism and proposed solutions, stressing that racism, not race, is the problem.
- \* **Frame structural and historical nature of issues.** We will use clear language and examples that highlight the structural and historical nature of the problem and avoid framing that individualizes the problem. It is important that we expose the past and current policy and legal structures that perpetuate inequities. Historically, without a structural frame, many people, including policymakers, will revert to an unfair individual frame of reference.
- \* **Support narrative change:** We will support narratives that tell stories about the impact of structural inequities on communities, including amplifying voices from communities most impacted by inequities. Their narratives can educate and offer keys to solutions. We will also support coming from an asset-based approach which lifts up the gifts, value, and benefits of having diverse communities.
- \* **Provide hope and solutions – and an urgency for change.** The structural barriers for achieving health equity often seem overwhelming or even inevitable, we must communicate hope, provide examples of important progress, and focus on how our members and partners can join and build strength to win policy changes that solve real problems. In doing so, we will communicate and validate the urgency of making these changes, as structural inequities impact the many lives within our community.

**POLICY DEVELOPMENT:**

To guide the development of policies, programs, and practices, we will

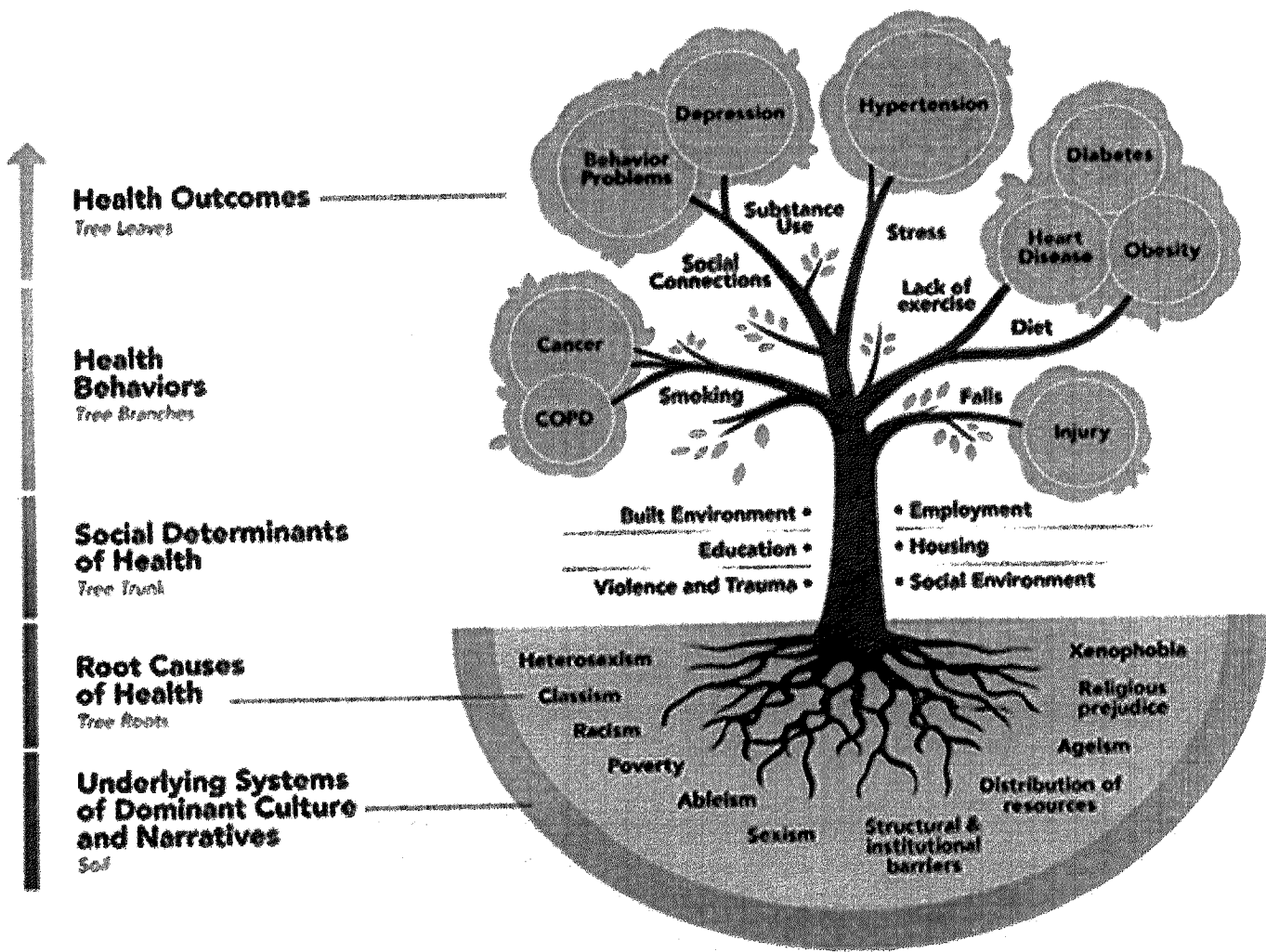
- \* Recognize, respect, and support the diversity of the community they serve.
- \* Evaluate the potential positive and negative impacts to our communities of color and other marginalized populations (ageism, sexism, ableism, socio-economic status see visual).
- \* Reinforce and expand relationships with local partners to identify problems, develop solutions, support, or lead policy campaigns, identify and implement successful measures.
- \* Include community engagement efforts that can help strengthen partnerships between community members and public health entities, building trust, and promote social connection.
- \* Enhance capacity and workforce engagement to ensure diversity and health equity competencies in existing and future staff.
- \* Ensure that our communities have equitable access to resources (e.g., housing, health foods) and services to meet their physical, spiritual, and mental health needs.
- \* Demonstrate this work to other departments and sectors so that ultimately South Hadley has ability to integrate Health Equity into all policies.

South Hadley Health Equity Policy Framework is designed to support staff and board members to operationalize these goals and enable us to act in more powerful ways to promote health equity and racial justice. All staff and board members, will be committed to continued education, including an openness and commitment to self-study as well as formal discussions and trainings.

We will intentionally invite and include all staff and other volunteer/elected boards to join us.

We will support staff and board members to lead by example and to provide assistance to partner organizations that aspire to like-minded goals.

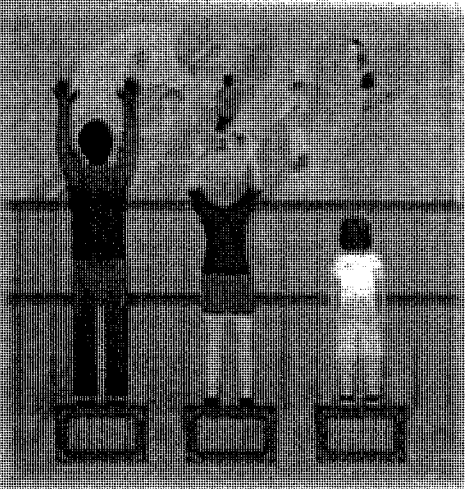
We will use this Health Equity Policy Framework to guide our actions.



Health Tree Model by Health Resources in Action (HRIA)

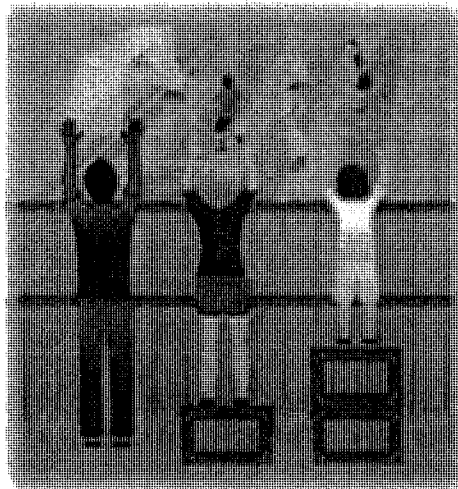
# The differences between Equality and Equity

## Equality



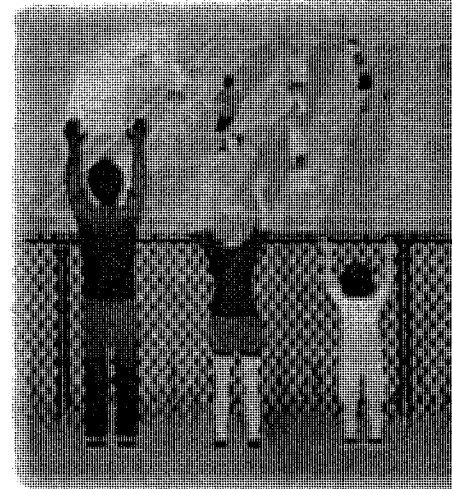
The assumption is that everyone benefits from the same supports. This is equal treatment.

## Equity



Everyone gets the supports they need (this is the concept of "affirmative action"), thus producing equity.

## Justice



All 3 can see the game without supports or accommodations because the cause(s) of the inequity was addressed. The systemic barrier has been removed.

## Status Update Instructions – March 2023

Here are instructions for reporting on actions assigned to your board, committee, commission, or department in the Town's Master Plan. The Town Administrator has requested that the status of the tasks – progress, and concerns - be updated by each entity with tasks under the Master Plan three times per year, in July, November and March. The place for doing this is in the column labelled "Status March 2023" in the chart. You should then return the chart to us by April 1 for forwarding to the Town Administrator.

You'll note that each action item has its own line with several columns. Information in columns A through F comes from the Master Plan.

Column A identifies how the task is associated with one of the four main goals of the Master Plan. It also identifies where the task is listed in the Master Plan. So, a designation of G3-27 means that the task pertains to Goal 3 and it's the 27<sup>th</sup> task on the overall list.

Column B describes the task assigned to your entity. (Entities may be primarily responsible for a task or identified as a collaborating entity responsible for accomplishing the task.)

Column C shows the entity that is primarily responsible. This is the entity that is supposed to take the lead on this particular task. That should include reaching out to any collaborating entities identified in Column D.

Column D: If your group is a collaborating entity rather than the primary entity, it will appear here.

Column E offers suggestions for measuring progress towards accomplishing the task. The metrics proposed here are suggestions, not requirements, but it will be important as you proceed to develop some ways of measuring progress. If you have already identified some metrics you can describe them in the Status column.

Column F: Priority, e.g., is this action something to undertake immediately (I), in the short term (ST), in the mid-term (MT) or long term (LT)?

Column G: This is where you entered your comments in July. If your entity didn't return the November 2022 update, this column is blank and should remain so.

Column H: MPIC's comments.

Column I: This is where you entered your comments in November 2022. If your entity didn't return the November 2022 update, this column is blank and should remain so.

Column J: MPIC's comments

Column K: THIS IS THE SPACE FOR YOUR CURRENT COMMENTS. If you have taken any *new* steps towards a task, here is where you would briefly describe them. If there is no change since November, leave the cell blank. This is also where you could raise *new* concerns about timing, appropriateness, needed support, etc. You don't need to repeat concerns you listed in July or November. If you didn't submit a response in July and/or November, please describe here the status of each action item you have begun to tackle.

If there has been no action on a particular task labelled MT or LT you can leave the status column blank.

This is an excel spreadsheet, so you should be able to make comments as lengthy as you wish by changing the height or width of the column or row and using the wrap text function. Please don't make any changes to the content in Columns A through J; legally, the Planning Board is the only entity that can modify them, though you can suggest changes (in Column K) as they relate to your entity's tasks.

We appreciate your willingness to participate in this system of reporting, and we welcome your suggestions about how the process could be improved. If you have questions, please feel free to contact me at [jgooch@mtholyoke.edu](mailto:jgooch@mtholyoke.edu) and we can set up a time to talk. And please return the completed form as an excel spreadsheet, not a pdf or google doc, to me by April 1, 2023.

Many thanks –

Judy Gooch Dobosh  
Chair, Master Plan Implementation Committee

Health Department and Board of Health Action Items

Priorities: Immediate (I)=within 1 year; Short-Term (ST)=1-3 years; Mid-Term(MT)=3-5 years; Long-Term(LT)=5-10 years  
 NOTE: Priorities may have two time frames and they may start in the shorter time frame, but take longer to complete.

Goal #	Goal Actions	Primary Entity	Subentity(ies)	Evaluation Metrics	Priority	Status July 2022	Comment
G1-26	Identify and encourage conditions that attract and support Black, Indigenous, and People of Color population.	Selectboard	Administration, All entities	Process for identifying issues concerning BIPOC population and for monitoring the experience of Town services across all demographics. Process for identifying challenges and addressing them. Change in Town demographics. Change in diversity of people participating in civic life.	ST/MT	NO INFORMATION PROVIDED	
G1-31	Foster Town engagement with college/university personnel and consultants to provide special expertise.	Administration	Other entities as appropriate	Number of personnel used. Type and effectiveness of services provided.	ST, MT, LT		
G2-24	Monitor and safeguard water safety at point of delivery in all public buildings.	Administration	Health Department	Set standards. Monitor safety. Propose new regulations or appropriations as required.	ST		
G3-11	Review Town regulations and regulatory authority concerning preserving and promoting public health.	Board of Health	Health Department, Commission on Disabilities				COD added 10-17-2022
G3-14	Incorporate addressing climate change/resiliency into routine permitting and operations.	All Boards and Committees		Date new mandate adopted. Changes to Zoning or subdivision regulations adopted. Impact on projects.	ST		
G3-24	Work with boards and committees to produce videos to welcome new members and give them a brief overview of responsibilities.	SHCTV	All boards and committees	Number of videos. Number of boards and committees participating. Feedback from viewers.	ST		
G3-25	Encourage people of diverse backgrounds to run for boards and/or apply for committees to ensure broad representation of all residents in government functions.	All Boards		Number of candidates identified. Number of candidates elected. Change in demographics of candidates.	ST/MT		
G4-1	Create working groups of staff and committee and board members to meet regularly around common priorities to identify and work together toward shared objectives.	All boards, committees, and departments	Administration, Selectboard	Date working group created. Number of shared priorities identified. Number of group actions being pursued. Number of actions completed.	ST		
G4-4	Improve inter-departmental communications within the municipality and to the public.	Administration	All departments	Number and types of communications. Feedback from residents and business owners.	ST/MT		
G4-5	Provide professional development for all departments and committees as appropriate to improve skills in website content development and presentation.	Administration	All departments	Date provided. Number of participants.	ST/MT		
G4-8	Create a central resource directory on the Town website for all listing and linking to all current plans, reports and key data.	Administration	All boards, committees, and departments	Date resource created. Relevance of information provided. Use of information.	ST/MT		
G4-13	Prior to Town Meeting, review proposed bylaws as to legality, consistency with other bylaws, and alignment with the goals of this Master Plan Update and make recommendations for action (recommend or not recommend) to the Selectboard and Town Meeting.	Bylaw Review	All other boards and committees	Date(s) bylaws reviewed. Number of committees and/or proposers consulted. Recommendations made. Votes by Town Meeting.	ST/MT		
G4-21	Procure portable road signs for emergency use.	Health Department	Emergency Management Director	Number of times used. Locations at which signs placed. Feedback.	ST		
G4-22	Post articles in area newspapers, Town's website and social media.	All boards and committees		Number of articles posted. Number of responses or other feedback.	ST/MT		
G4-27	Work with boards, committees and departments to identify baseline data for impact evaluation and standard metrics, as appropriate.	Master Plan Implementation Committee	All boards, committees, and departments	Date baseline data identified. Schedule for collection of baseline data. Date(s) data collected.	MT		
G4-28	Work with boards, committees, and departments to monitor progress towards goals using metrics recommended in this Master Plan Update, as appropriate.	Master Plan Implementation Committee	All boards, committees, and departments	Identify schedule and process for monitoring. Feedback from boards etc. as to usefulness. Dates of progress updates to Selectboard, Planning Board, and Town Meeting.	MT/LT		
G4-29	Work with Town Administrator, Planning Board and Selectboard to determine whether there are additional reporting mechanisms that should be put in place, for example to flag an urgent issue.	Master Plan Implementation Committee	Administration, Planning Board, Selectboard, All Departments	Date additional reporting mechanisms identified. Number of users. Feedback on effectiveness.	ST/MT		

Status Nov. 2022  
 NO INFORMATION PROVIDED

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

SHARON D. HART, Public Health Director

## Board of Health Minutes

February 14, 2023

--Draft-- --Draft-- --Draft-- --Draft--

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 Buttery 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 Buttery 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 permittance 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 a motion 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 14<sup>th</sup> 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 14<sup>th</sup> 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

DRAFT

**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

DRAFT

South Hadley Public Health Department  
PROCLAMATION IN SUPPORT OF ASTHMA AWARENESS MONTH  
in the  
Town of South Hadley

WHEREAS, asthma has reached epidemic proportions in the United States, affecting an estimated 23 million people. The prevalence of asthma in Massachusetts is among the highest reported for states. About one out of every eleven people in Massachusetts currently has asthma — 10.2% of adults and 12.9% children;

WHEREAS, asthma is one of the leading causes of childhood hospitalizations, long-term illness, and school absenteeism, accounting for nearly 10.5 million missed school days each year;

WHEREAS, each year nearly 2 million people are rushed to the emergency room from asthma;

WHEREAS, asthma is a long-term, inflammatory disease in which the airways off the lungs constrict, causing wheezing, breathlessness, chest tightness, and coughing;

WHEREAS, exposure to allergens and irritants such as dust mites, mold, cockroaches, pet dander, and secondhand smoke can bring on an asthma episode;

WHEREAS, secondhand smoke worsens children's asthma in up to one million children;

WHEREAS, there are simple steps people can take to reduce their exposure to environmental asthma triggers;

WHEREAS, the South Hadley Public Health Department and the U.S. Environmental Protection Agency are encouraging Americans to identify and reduce their exposures to environmental triggers in homes and schools and incorporate environmental controls into their asthma management plans.

NOW, THEREFORE, we, the South Hadley Public Health Department do hereby proclaim:

May 2023  
Asthma Awareness Month  
in the  
Town of South Hadley

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Tony Judge, Chair  
South Hadley Board of Health

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Sharon Hart, Public Health Director  
South Hadley

REMOTE PARTICIPATION POLICY  
TOWN OF SOUTH HADLEY

1. PURPOSE.

To enable members of all local public bodies in the Town of South Hadley (“Town Board(s)”) to remotely participate, in limited circumstances, in open meetings. All members of Town Boards should strive to attend meetings in person when possible. The intent of this policy is to establish guidelines on the practice of remote participation of all local public bodies under the Open Meeting Law, M.G.L. c. 30A, §§18-25.

2. AUTHORITY.

In accordance with 940 CMR 29.10(2)(a), the Selectboard, on February 21, 2023, voted to authorize remote participation by members of public bodies.

3. MINIMUM REQUIREMENTS FOR REMOTE PARTICIPATION.

No member of a Town Board shall remotely participate in a meeting unless the following requirements are met:

- (a) Member(s) of the Town Board who participate remotely and all persons present at the meeting location must be clearly audible to each other;
- (b) A quorum of the Town Board, including the chair or the person authorized to chair the meeting, must be physically present at the meeting location;
- (c) Members who participate remotely may vote and shall not be deemed absent.

4. PERMISSIBLE REASONS FOR REMOTE PARTICIPATION.

A member of a Town Board shall be permitted to participate remotely in a meeting if the member’s physical attendance would be unreasonably difficult.

5. TECHNOLOGY.

- (a) Use of only the following media is acceptable for remote participation. Accommodations shall be made for any Town Board member who requires TTY service, video relay service, or other form of adaptive telecommunications.
  - (i) Telephone, internet, or satellite-enabled audio or video conferencing;
  - (ii) Any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another.
- (b) When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.
- (c) The Town Boards shall determine which of the acceptable methods above that its members may use.

- (d) If technical difficulties arise which inhibit the progress of the meeting, the chair or active chair shall elect which reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. Addressing the difficulties may include, but not be limited to, suspending discussion while the technical issues are addressed, discontinuing the participation of the member, or continuing discussion and terminating the connection with the remote participant.
- (e) The time of termination of the connection with the remote participant shall be noted in the meeting minutes.
- (f) The Selectboard shall determine the amount and source of payment for any costs associated with remote participation.

#### 6. PROCEDURES FOR REMOTE PARTICIPATION.

- (a) Any member of a Town Board who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the person chairing the meeting of their desire to do so and the reason(s) for and facts supporting the request.
- (b) If the person chairing the meeting approves the request, the person requesting remote participation shall make all necessary technological arrangements to ensure that required equipment is available. If the necessary equipment is not available, the person chairing the meeting shall deny the request.
- (c) At the start of the meeting, the person chairing the meeting shall announce the name of the person participating remotely. This information shall be recorded into the meeting minutes.
- (d) All votes taken during any meeting in which a member participates remotely shall be taken by roll call vote.
- (e) A member participating remotely may participate in an executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless the presence of the other person is approved by a simple majority vote of the public body.
- (f) When feasible, the person chairing the meeting shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that they reasonably anticipate will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting and shall be listed in the meeting minutes and retained in accordance with M.G.L. c. 30A, §22.
- (g) The member of a Town Board requesting to participate remotely shall be responsible for any out-of-pocket costs associated with such participation. The Town shall not be responsible for reimbursement of such costs.
- (h) Members participating remotely are reminded that the same obligations of consideration apply as in any physical meeting. Remote participants should direct their attention to the meeting and should make comments and decisions based upon information available to all other participants in the meeting.

#### 7. DISTRIBUTION. This policy shall be distributed to all Town Boards who shall acknowledge receipt thereof.

REMOTE PARTICIPATION ADVISORY  
BOARDS AND COMMISSIONS  
TOWN OF SOUTH HADLEY

This advisory provides an overview of remote participation and the Open Meeting Law, G. L. c. 30A, §§ 18-25. A regulation promulgated by the Attorney General, 940 CMR 29.10 (the “Regulation”), allows the remote participation of board members and only after the chief executive officer of the municipality has authorized its use. The Town of South Hadley Selectboard voted to approve a Remote Participation Policy for ALL Boards on February 21, 2023.

The following methods of remote participation are allowed under the Regulation: telephone, internet, satellite enabled or video conferencing, or “any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another.” If video conferencing is used, the remote participant must be visible to all persons present at the meeting. The primary focus of the Regulation is to ensure that all participants of the meeting, both physical and remote, can be heard by all others.

The Regulation allows each individual municipal body to determine which approved method of remote participation it will utilize during its meetings. The chair or acting chair of the meeting is responsible for determining how to handle any technical difficulties interfering with the remote participant’s ability to hear and be heard. The chair is encouraged to suspend discussion at the meeting during any technical difficulties. In the event a remote participant is disconnected from the meeting, the chair or acting chair must note the time of the disconnection in the meeting minutes.

A board member may participate remotely only if a quorum of the board is physically present at the meeting, including the chair or acting chair, and the remote participant’s physical attendance is “unreasonably difficult.” Remote participation will be permitted at the chair of the board or the acting chair’s discretion. We suggest that the chair or acting chair note on the record that he or she has determined that it is “unreasonably difficult” for the remote participant to be physically present at the meeting and therefore has permitted the remote participation.

The following mandatory procedures must be followed any time a municipal board member wishes to attend a meeting remotely:

- (a) Any member who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the chair or acting chair of his or her desire to do so and the reason for and facts supporting his or her request.
- (b) At the start of the meeting, the chair shall announce the name of any member who will be participating remotely. This information shall also be recorded in the meeting minutes.
- (c) All votes taken during any meeting in which a member participates remotely shall be by roll call vote.
- (d) A member participating remotely may participate in an executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless the presence of that person is approved by a simple majority vote of the public body.
- (e) When feasible, the chair or acting chair shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that he or she reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with M.G.L. c. 30A, § 22.

# OPEN MEETING LAW

## 940 CMR 29.10

### Remote Participation

- The Selectboard may authorize the use of remote participation at all future meetings of all municipal boards. Remote participation may not be utilized unless and until it is authorized by the Selectboard. 940 CMR 29.10(2).
- Minimum Requirements for remote participation: [940 CMR 29.10(4)]
  - Members of a public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other;
  - A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location; and
  - Members of public bodies who participate remotely may vote and shall not be deemed absent.
- Remote participation is allowed only when a board member's physical attendance is "unreasonably difficult." [940 CMR 29.10(5)]
- The following methods of remote participation are allowed: [940 CMR 29.10(6)]
  - Telephone, internet, satellite enabled or video conferencing, or
  - Any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another.

Each municipal board shall determine the method of remote participation permitted at its meetings.

- The following procedure must be followed when board members participate remotely:
  - Any member of a public body who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the chair or, in the chair's absence, the person chairing the meeting, of his or her desire to do so and the reason for and facts supporting his or her request.
  - At the start of the meeting, the chair shall announce the name of any member who will be participating remotely. This information shall also be recorded in the meeting minutes.
  - All votes taken during any meeting in which a member participates remotely shall be by roll call vote.
  - A member participating remotely may participate in an executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless the presence of that person is approved by a simple majority vote of the public body.
  - When feasible, the chair or, in the chair's absence, the person chairing the meeting, shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that he or she reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with the Open Meeting Law.

# OPEN MEETING LAW

## CHECKLIST FOR CHAIRS AND BOARD AND COMMITTEE MEMBERS

- Meeting Notice must be posted at least 48 hours prior to the meeting, excluding Saturdays, Sundays and legal holidays.
- In emergency situations, the 48 hour notice period may be waived however every effort should be made to update the Meeting Notice whenever possible.
- Notice must include the agenda for the meeting and any other matters that the Chair reasonably believes will be discussed at the meeting.
- Notice must be visible to the public “at all times.” This has been interpreted as meaning 24 hours a day, 7 days a week.
- The Chair must announce at the beginning of each meeting if the meeting is being tape recorded or video taped by either the Board/Committee or a member of the audience.
- All exhibits presented at the meeting are public records and they become part of the record for the hearing.
- Meeting minutes must reflect all actions taken by the Board/Committee.
- Meeting minutes must include a list of exhibits presented at the meeting.
- Executive Sessions may only be held in accordance with the exceptions found in the Law (see attached). The Chair must announce all subjects that may be revealed during the executive session and whether the Board/Commission will reconvene in public at the close of the executive session.
- Emails are likely to lead to deliberations outside of a public meeting. Emails should therefore be utilized only to distribute meeting materials and to convey logistical meeting information to the Board/Committee Members.

# OPEN MEETING LAW

## EXECUTIVE SESSION

A public body may meet in executive session only for the following purposes:

(1) To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties. A public body shall hold an open session if the individual involved requests that the session be open. If an executive session is held, such individual shall have the following rights:

- i. to be present at such executive session during deliberations which involve that individual;
- ii. to have counsel or a representative of his own choosing present and attending for the purpose of advising the individual and not for the purpose of active participation in the executive session;
- iii. to speak on his own behalf; and
- iv. to cause an independent record to be created of said executive session by audio-recording or transcription, at the individual's expense.

The rights of an individual set forth in this paragraph are in addition to the rights that he may have from any other source, including, but not limited to, rights under any laws or collective bargaining agreements and the exercise or non-exercise of the individual rights under this section shall not be construed as a waiver of any rights of the individual.

- (2) To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel;
- (3) To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;
- (4) To discuss the deployment of security personnel or devices, or strategies with respect thereto;
- (5) To investigate charges of criminal misconduct or to consider the filing of criminal complaints;
- (6) To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body;
- (7) To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements;
- (8) To consider or interview applicants for employment or appointment by a preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening;

(9) To meet or confer with a mediator, as defined in section 23C of chapter 233, with respect to any litigation or decision on any public business within its jurisdiction involving another party, group or entity, provided that:

- i. any decision to participate in mediation shall be made in an open session and the parties, issues involved and purpose of the mediation shall be disclosed; and
- ii. no action shall be taken by any public body with respect to those issues which are the subject of the mediation without deliberation and approval for such action at an open session; or

(10) To discuss trade secrets or confidential, competitively-sensitive or other proprietary information provided in the course of activities conducted by a governmental body as an energy supplier under a license granted by the department of public utilities pursuant to section 1F of chapter 164, in the course of activities conducted as a municipal aggregator under section 134 of said chapter 164 or in the course of activities conducted by a cooperative consisting of governmental entities organized pursuant to section 136 of said chapter 164, when such governmental body, municipal aggregator or cooperative determines that such disclosure will adversely affect its ability to conduct business in relation to other entities making, selling or distributing electric power and energy.