

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

November 14, 2023
6:00 p.m.

Join Zoom Webinar from your Computer:

Please click this URL to join:

<https://us02web.zoom.us/j/81023097688?pwd=Q0VGdGRMYkVaQ1M3ZG56RIFMN0hGdz09>

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Webinar ID: 810 2309 7688

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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, November 14, 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 September 12, 2023 meeting.
- 3: Announcements and Open Forum (10 Minutes)

4: New Business:

- (a): Presentation of Books to Senior Center
- (b): Director's Report
- (c): Human Rights Commission Report – Lori Souder
- (d): Master Plan Goals – Review with Master Plan Implementation Committee – Nate Therien and Michelle Theroux
- (e): Firearm Injury Prevention - Christine McKiernan, M.D., and Jessica Collins
- (f): Emergency Orders to Vacate – Ratify

28 Camden Street, 2nd Floor
170 Riverboat Village Road
12 Sycamore Parc
12 Lawn Street
51 Prospect Street
36 South Street



5: Old Business

- (a): COVID-19 preparedness
- (b): Vaccine Updates – Christine McKiernan, M.D.
- (c): Update - Conservation Commission – Pollinator Resolution – Bill DeLuca and Tom Dennis
- (d): Update – Syringe Services Program – Sharon Hart
- (e): Update - South Hadley Drug & Alcohol Prevention Coalition – Karen Walsh Pio

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

7: Adjourn Meeting

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

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

SHARON D. HART, Public Health Director

Board of Health Minutes

September 12, 2023

Present: Christine McKiernan, MD, Chair; Jessica Collins, Vice-Chair, Karen Walsh Pio, Clerk; Tony Judge, Board of Health Member; Stephen Frantz, Board of Health Member; Jennifer Jernigan, Assistant Public Health Director; Tamara Gheit; Health Department Assistant, Joanna Brown; public.

The Board of Health Meeting was called to order at 6:03 p.m. by Chair McKiernan.

1. Acceptance of the Minutes of the July 10th 2023, Meeting:

Chair McKiernan introduced the minutes from the July 10th meeting and asked for a motion to approve the minutes. Karen Walsh Pio made the motion and Tony Judge seconded it. All members were in favor.

Karen Walsh Pio = Aye

Tony Judge = Aye

Stephen Frantz = Aye

Christine McKiernan = Aye

2. Announcements and Open Forum:

Joanna Brown is a South Hadley resident. She pointed out questions/comments regarding overall pandemic preparedness. Brown mentioned how challenging it was during the pandemic to find appropriate PPE and suggested to the Board of Health in possibly looking into purchasing masks in bulk. She suggests to better prepare for any future pandemic to purchase good quality masks and have them stockpiled so that they can be available for people to buy or to be distributed to public health clinics and other senior sectors. Chair McKiernan suggests discussing this in next months agenda when more data is gathered. Brown announces there will be a Regional Conservation Partnership (RCP). RCP is a conference that is held annually and this year it will be on November 9th, 2023 at UMass campus. The conference focuses on environmental justice and people who are interested are welcome to attend.

6:18 p.m. Jessica Collins arrived to the meeting.

3. New Business:

Draft – Board of Health
Meeting Minutes
September 12, 2023

A. Director's Update:

Will be discussed in next meeting.

B. Emergency Orders to Vacate- Ratify

Jernigan introduces the ratification of two emergency orders to vacate. She shared that all were condemned due to disconnection of utilities. Judge was concerned about how delinquent one must be before utilities are shut off. Jernigan explained that typically the utility provider gives quite a few chances before notifying the Health Department. The Health Department, per the State Sanitary Code, must condemn dwellings that are deemed uninhabitable, which includes the lack of utilities. Jessica Collins made a motion to ratify the emergency orders and Pio seconded it.

- 20 Spring Street
- 28 Camden Street

Board members in consensus.

Tony Judge = Aye
Stephen Frantz = Aye
Christine McKiernan = Aye
Karen Walsh Pio = Aye
Jessica Collins = Aye

C. RSV Vaccine- Christine McKiernan

McKiernan announced there are several new RSV vaccines. She mentioned a monoclonal antibody that will be available for all infants under eight months of age and those between eight and nineteen months who are considered a higher risk. In addition, a new vaccine has been approved for individuals over the age of 60 called RSVpreF or RSVpreF3, which has a couple of versions. McKiernan informed it is unclear when the State is planning to make it available but hoping this will be rolled out sometime in October separately or with the flu and covid vaccines in Fall. McKiernan is excited to announce a new RSV vaccine has been newly approved for expecting mothers. This vaccine is given to women while pregnant for infants to be born with antibodies. In next months meeting more information will be discussed regarding information on vaccine rollouts.

D. Update- South Hadley Drug & Alcohol Prevention Coalition (Karen)

Karen Walsh Pio states Drug & Alcohol Prevention had a panel presentation and will be meeting again September 13th at 6:30pm in the South Hadley High School. More information will be gathered after attending the meeting and will be provided in the November meeting.

4. Old Business:**A. Skinnerwoods Estates Septic System Information- Status**

Jernigan states the status is ongoing. Director Hart will be doing perc tests for the other side of the street. More information will be available.

B. Syringe Services Program-Update

No update.

C. Pollinator Resolution Study- Update- Stephen Frantz

Have no feedback yet, will discuss in future meeting

D. Dry Brook Aquifer Study- Update

Director Hart sent email stating that sampling started in July. McKiernan informs there will be one year of data collection before any results are available.

E. Migrant families- Update

The Town of South Hadley and the surrounding towns (Chicopee, Holyoke) were mentioned in a Mass Life article informing the town of an influx of migrant families. The article mentioned the possibility of the State offering assistance to the Town in order to house and feed the families. Director Hart reached out to Lisa Wong who is the Town Administrator and as of right now she has not been notified of any families that will be brought to the South Hadley area.

F. Board Member Final Approval of updated Tobacco Regulations

Jernigan sent the approved updated tobacco regulation and stated it was reviewed by Town Counsel. She explained minor changes were made and noted. This regulation is focused on the disposal of lithium batteries. Jernigan explained this regulation is taking our normal tobacco regulation and adding a proper disposal plan for retail business owners who are selling the batteries. The Board of Health all agreed and signed.

Tony Judge = Aye
Stephen Frantz = Aye
Christine McKiernan = Aye
Karen Walsh Pio = Aye
Jessica Collins = Aye

5. Set Next Meeting Date- October 10th @ 6:00 p.m.:

All present members were in consensus with the next meeting date being October 10th at 6pm at the library.

6. Adjourn the meeting:

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

The meeting was adjourned at 7:51 p.m.

Respectfully,
Tamara Gheit

Draft – Board of Health
Meeting Minutes
November 22, 2022

ATTACHMENT A

RECORD LOCATION

BOH Meeting Minutes 07-10-2023

BOH File

Tobacco Regulation

BOH File

| Summary | August 2022 | September 2022 | October 2022 | November 2022 | December 2022 | January 2023 | February 2023 | March 2023 | April 2023 | May 2023 | June 2023 | July 2023 | August 2023 | September 2023 | October 2023 |
|------------------------------------|-------------|----------------|--------------|---------------|---------------|--------------|---------------|------------|------------|-----------|-----------|-----------|-------------|----------------|--------------|
| Complaints Received | | | | | | | | | | | | | | | |
| housing complaint | 13 | 5 | 12 | 11 | 15 | 10 | 6 | 10 | 4 | 5 | 3 | 2 | 5 | 10 | 1 |
| food complaints/questions | 6 | 10 | 7 | 2 | 5 | 6 | 1 | 3 | 5 | 5 | 4 | 2 | 0 | 5 | 4 |
| COVID inquiry/reporting | 2 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 |
| animal control | 9 | 4 | 9 | 3 | 2 | 3 | 3 | 3 | 4 | 5 | 3 | 3 | 2 | 5 | 0 |
| dumpster permit | 6 | 1 | 2 | 2 | 0 | 0 | 0 | 2 | 0 | 0 | 5 | 2 | 2 | 0 | 0 |
| hauler permit | 1 | 1 | 1 | 0 | 0 | 1 | 0 | 1 | 1 | 1 | 3 | 1 | 1 | 0 | 0 |
| septic permit | 1 | 2 | 5 | 3 | 3 | 2 | 0 | 6 | 7 | 7 | 2 | 3 | 2 | 1 | 0 |
| property care complaint | 1 | 3 | 0 | 2 | 1 | 0 | 2 | 2 | 1 | 1 | 5 | 4 | 5 | 3 | 1 |
| miscellaneous | 3 | 13 | 11 | 7 | 8 | 4 | 3 | 3 | 6 | 6 | 0 | 0 | 0 | 0 | 0 |
| Total | 42 | 40 | 48 | 30 | 34 | 26 | 15 | 30 | 29 | 31 | 25 | 17 | 17 | 24 | 6 |
| Notices Issued | | | | | | | | | | | | | | | |
| housing orders | | 1 | 0 | 1 | 0 | 3 | 3 | 2 | 5 | 5 | 3 | 3 | 4 | | 2 |
| condemnations | 1 | 1 | 0 | 1 | 0 | 0 | 1 | 2 | 0 | 2 | 6 | 1 | 1 | | 3 |
| property care notices | 1 | | 0 | 0 | 0 | 1 | 0 | 1 | 4 | 3 | 5 | 4 | 5 | 9 | 0 |
| compliance | 2 | 1 | 3 | 1 | 0 | 5 | 2 | 4 | 1 | 0 | 4 | 2 | 2 | 2 | 2 |
| educational/best practice material | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 2 | 2 | 3 | 0 | 1 | 1 | 0 | 0 |
| dumpster violations | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 3 | 3 | 0 | 0 | 2 | 0 | 0 |
| Total | 4 | 4 | 3 | 5 | 0 | 9 | 6 | 14 | 15 | 16 | 18 | 12 | 14 | 23 | 7 |
| Inspections Conducted | | | | | | | | | | | | | | | |
| food inspections | 4 | 1 | 6 | 0 | 0 | 7 | 9 | 13 | 17 | 14 | 3 | 2 | 3 | 6 | 1 |
| lodging/housing inspections | 4 | 3 | 1 | 0 | 4 | 3 | 4 | 4 | 5 | 5 | 4 | 3 | 4 | 4 | 1 |
| site observations | 2 | 2 | 0 | 0 | 0 | 0 | 2 | 4 | 5 | 7 | 2 | 1 | 1 | 2 | 0 |
| perc tests/septic installs | | | | | | | | | | | | 2 | 2 | 2 | 0 |
| Total | 10 | 6 | 7 | 0 | 4 | 10 | 15 | 21 | 27 | 26 | 9 | 6 | 8 | 16 | 2 |
| Miscellaneous | | | | | | | | | | | | | | | |
| records requests | | 6 | 9 | 18 | 9 | 1 | 1 | 2 | 3 | 1 | 1 | 2 | 1 | 3 | 3 |
| food plan reviews | | 1 | 1 | 1 | 2 | 2 | 1 | 1 | 1 | 2 | 2 | 0 | 0 | 0 | 0 |
| summer camp permits | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 3 | 2 | 0 | 2 | 0 | 0 | 2 |
| animal quarantines | | | | | | | | | | | | | | | 3 |
| Total | | 7 | 10 | 19 | 11 | 3 | 3 | 4 | 7 | 5 | 3 | 4 | 1 | 3 | 8 |

A sweeping gun bill aimed at tightening firearm laws passes in the Massachusetts House

The Massachusetts House has approved a sweeping gun bill aimed at tightening firearm laws, cracking down on unregistered “ghost guns” and strengthening the state’s assault-style weapons ban.

By STEVE LEBLANC Associated Press
October 18, 2023, 6:44 PM



FILE - House Speaker Ronald Mariano and fellow Democratic Senate President Karen Spilka speak at an event at the Massachusetts Statehouse in Boston, Sept. 26, 2023. The Massachusetts House approved a sweepin... [Show more](#) ✓

The Associated Press

BOSTON -- The Massachusetts House approved a sweeping gun bill Wednesday aimed at tightening firearm laws, cracking down on unregistered “ghost guns” and strengthening the state’s assault-style weapons ban.

The bill, which passed on a 120-38 vote, would also prohibit individuals from carrying a gun into a person’s home without their permission and require key gun components to be serialized and registered with the state.

The 125-page bill — a priority for Democratic Massachusetts House Speaker Ronald Mariano — is in part a response to a 2022 U.S. Supreme Court ruling that U.S. citizens have a right to carry firearms in public for self-defense.

The proposal would create new laws that bar firing guns at or near homes and outlaw carrying firearms while intoxicated. It would also prohibit carrying firearms in schools, polling places and government buildings.

The bill expands the state’s ban on assault weapons by prohibiting new purchases of AR-15-style weapons. It would also ban someone from turning a legal firearm into an illegal automatic weapon.

The proposal includes an enhanced system to track firearms used in crimes to help curb the flow of illegal guns into the state. It would also modernize the existing firearm registration system while increasing the availability of firearm data for academic and policy use, lawmakers said.

Massachusetts, which already has tough gun laws, had the lowest rate of gun deaths in the country, at 3.4 deaths per 100,000 people in 2021, compared to Mississippi, which had the highest rate, at 33.9 deaths per 100,000 people, according to the most recent statistics listed on the website for the U.S. Centers for Disease Control and Prevention.

The state Senate has yet to release its version of a gun bill. It will be up to both Democratic-led chambers to hammer out a single bill to ship to Democratic Gov. Maura Healey's desk for her signature before it can become law.

Gun owners opposed to the bill say the measures outlined in the legislation do more to target gun owners than to reduce crime.

"All of it goes against us, the lawful people. There's nothing in there that goes after the criminals," said Jim Wallace, executive director of the Gun Owners' Action League.

Wallace also said the bill is an overreaction to last year's Supreme Court decision.

"This is a tantrum. This is a flat-out tantrum," he said.

Supporters of the bill say it will help address holes in the state's gun laws, while also responding to the Supreme Court ruling.

One response is a measure in the bill that would prohibit guns in safe spaces such as schools, polling places and the Statehouse, said Jennifer Robinson of the Massachusetts chapter of Moms Demand Action for Gun Sense in America.

Robinson said the bill also contained what she called commonsense steps.

“We believe that if you’re going to have a license for a gun, you should have live fire training, much like if you’re going to drive a car, we don’t just throw the keys at you and walk away,” she said. She also pointed to a section of the bill that would transfer to the state police the responsibility of inspecting gun dealers.



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MEMORANDUM

TO: Sharon Hart, Public Health Director
Board of Health

CC: Anne Capra, Director of Planning & Conservation
Conservation Commission

FROM: Rebekah Cornell, Conservation Administrator/Planner

DATE: October 6, 2023

RE: General Bylaw §179-4 Property maintenance

The Conservation Commission is approaching the Board of Health to work jointly on a General Bylaw Amendment. The proposal is to remove §179-4 Property maintenance from the General Bylaw.

Bylaw §179-4 was adopted at Town Meeting on May 9, 2015. It was approved by the Attorney General with two comments. The first was that terms were not defined to provide minimal guidelines to govern enforcement. The second was there is no exemption for those that may not be able to care for their property due to age, disability, sickness, or absence. I have included the AG review with this correspondence.

The current General Bylaw language is below.

§ 179-4 Property maintenance.

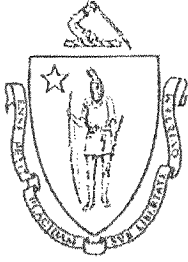
A. All property owners will be responsible to keep their property in a reasonable state of repair. Grass will be kept no higher than six inches; leaves, excessive grass clippings will be removed, composted or otherwise properly disposed of; damaged branches will be addressed; and other debris or litter will be eliminated from the property.

B. Violation of this bylaw may result in a fine of \$100 per day. The enforcement authority for this bylaw shall be the South Hadley Police Department or South Hadley Health Department.

The Conservation Commission has started an initiative called "Growing Wild South Hadley". The goal is to promote biodiversity through planting native pollinator species. Pollinators are a crucial part of our ecosystem. This initiative follows guidance from others such as Douglas Tallamy's Homegrown National Park, DCR's Growing Wild Massachusetts, and the Western Massachusetts Master Gardener Association. This year, the Commission collaborated with the Massachusetts Pollinator Network and the Western Massachusetts Master Gardeners for a public outreach campaign on the

importance of biodiversity in the community. Educational lectures about the benefits of pollinators were held at the library. Two recommendations to promote biodiversity are to restrict mowing to every 2-3 weeks or convert your lawn into a meadow that is mown only 1-2 times a year. However, Bylaw §179-4 Property maintenance prohibits grass being kept longer than six inches. Regulating the length of grass is in contradiction with the benefits Growing Wild is working to promote. The Conservation Commissions asks you to consider proposing the removal of this Bylaw as a joint effort to create a stronger message about promoting pollinator habitats. This proposal would need continued outreach efforts within the community and to Town Meeting members before the 2024 Annual Town Meeting. The Commission would be open to holding additional lectures, issuing press releases, and continuing the conversation with friends in neighbors in the community. The Commission is of the opinion that collaborating this outreach with the Board of Health will have a stronger message than if either entity presented the proposal individual.

Thank you for your consideration.



THE COMMONWEALTH OF MASSACHUSETTS
 OFFICE OF THE ATTORNEY GENERAL
 CENTRAL MASSACHUSETTS DIVISION
 10 MECHANIC STREET, SUITE 301
 WORCESTER, MA 01608

MAURA HEALEY
 ATTORNEY GENERAL

(508) 792-7600
 (508) 795-1991 fax
 www.mass.gov/ago

August 7, 2015

Received
 Town of South Hadley

Carlene C. Hamlin, Town Clerk
 Town of South Hadley
 116 Main Street
 South Hadley, MA 01075

AUG 10 2015
 Town Clerk
[Handwritten signature]
 10:20

RE: South Hadley Annual Town Meeting of May 9, 2015 - Case # 7529
 Warrant Article # 9 (Zoning)
 Warrant Articles # 10, 11, 12, 13 and 14 (General)

Dear Ms. Hamlin:

Articles 9, 10, 11, 12, 13 and 14 - We approve Articles 9, 10, 11, 12, 13 and 14 from the May 9, 2015 South Hadley Annual Town Meeting. Our comments regarding Articles 10 and 13 are provided below.

Article 10 - Article 10 adds to the Town's general by-laws a new subsection 1007.3, "Property Care" which provides:

All property owners will be responsible to keep their property in a reasonable state of repair. Grass will be kept no higher than six (6) inches, leaves, excessive grass clippings will be removed, composted or otherwise disposed of, damaged branches will be addressed and other debris or litter will be eliminated from the property. Violation of this by-law may result in a fine of \$100 per day, enforcement authority of this bylaw, South Hadley Police Department or South Hadley Health Department.

A. Attorney General's Standard of Review

During the course of our review, we received several oppositions urging us to disapprove the by-law, citing, among other reasons, that the by-law is unfair to the elderly or disabled residents of the Town; the fine is excessive and unreasonable; and the by-law risks arbitrary or inconsistent enforcement. We appreciate these letters as they have aided our review of the by-law. However, as discussed below in more detail, under our standard of review, we must approve Article 10.

Pursuant to G.L. c. 40, § 32, the Attorney General has a limited power of disapproval of town by-laws with every “presumption made in favor of the validity of municipal by-laws.” Amherst v. Attorney General, 398 Mass. 793, 796 (1986). In order to disapprove any portion of a proposed by-law, the Attorney General must cite an inconsistency between the by-law and the Constitution or laws of the Commonwealth. Id. When reviewing by-laws for consistency with the Constitution or laws of the Commonwealth, the Attorney General’s standard of review is equivalent to that of a court performing a facial review. Because the adoption of a by-law by the voters at Town Meeting is both the exercise of the Town’s police power and a legislative act, the vote carries a “strong presumption of validity.” See Durand v. IDC Bellingham, LLC, 440 Mass. 45, 51 (2003). If the reasonableness of a by-law is fairly debatable, the judgment of the local legislative body responsible for the enactment must be sustained. Id. quoting Crall v. City of Leominster, 362 Mass. 95, 101 (1972)).

B. Comments on Specific Provisions in Subsection 1007.3

1. Undefined terms

The by-law requires that property owners keep their property in a “reasonable state” of repair, that “excessive” grass clippings be removed, and that “other debris or litter” be eliminated. However, none of these terms are defined. Although we approve Subsection 1007.3 based upon our limited standard of review of town by-laws, the by-law may be challenged in court as impermissibly vague. A law that requires that people “of common intelligence must necessarily guess at its meaning and differ as to its application violates the first essential of due process of law.” Connally v. General Constr. Co., 269 U.S. 385 (1926). “[P]erhaps the most meaningful aspect of the vagueness doctrine is not actual notice, but the other principle element of the doctrine - the requirement that the legislature establish minimal guidelines to govern law enforcement.” Smith v. Goguen, 415 U.S. 566, 574 (1974). Legislative bodies must “set reasonably clear guidelines for law enforcement officials and triers of fact in order to prevent arbitrary and discriminatory enforcement.” Id. at 573. The Town may wish to amend the by-law at a future Town Meeting to insert definitions for these terms in order to avoid a void for vagueness challenge. The Town should consult with Town Counsel on this issue.

2. Notice and Hearing

We also note that the by-law does not provide an exemption for those people that may be unable to care for their property due to age, disability, sickness or absence. The by-law is also silent as to any notice or opportunity for a hearing if someone one is found to be in violation of the by-law. The Town should discuss these issues with Town Counsel.

Article 13 - Article 13 amends the general by-laws, Section 302.2, “Delivery of Warrants,” to:

allow electronic transmission of warrants, revision, updates and necessary material to an electronic email address to each Town Meeting member.

The vote on Article 13 does not state where in Section 302.2 the amended text will be added. In addition, the vote on Article 13 did not appear to delete any portion of the existing Section 302.2, which provides:

Attested copies of warrants for all Town Meetings shall, at least seven (7) days before the Annual Town Meeting and fourteen (14) days before a Special Town Meeting, be (i) mailed by first class mail, postage prepaid, to each Voting Member (as hereafter defined) at his or her residence as set forth in the office of the Town Clerk, and (ii) directed to a constable or a police officer of the Town for posting in at least one public location in each precinct. The Town Clerk shall also request any provider of local cable television access to provide notice of any Annual or Special Town Meeting. Nothing herein shall preclude the Selectboard from employing any additional methods of communicating the contents of the warrant.

The Town may wish to consult with Town Counsel regarding the proper construction of the new text in light of the existing text in Section 302.2, and consider a future clarifying amendment if needed.

Finally, the new text in Section 302.2 cannot be used as a substitute for the warrant posting requirements in G.L. c. 39, § 10. The Town should consult with Town Counsel to ensure it is complying with the statutory requirements.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

MAURA HEALEY
ATTORNEY GENERAL

Margaret J. Hurley

by: Margaret J. Hurley, Assistant Attorney General
Chief, Municipal Law Unit
Office of the Attorney General
Ten Mechanic Street, Suite 301
Worcester, MA 01608
508-792-7600

cc: Town Counsel Edward J. Ryan