

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

SHARON HART, Director of Public Health

NOTICE

**BOARD OF HEALTH MEETING
&
AGENDA**

July 9, 2024

6:00 p.m.

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 will be held on Tuesday, July 9, 2024
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 June 11, 2024 meeting.**
- 3: Announcements/Open Forum (10 Minutes)**
- 4: Director's Report**
- 5: New Business:**
 - (a): Non-binding Resolution for the Protection of Pollinator Species and Enhancement of Pollinator Habitat**
 - (b): Groundwater Protection Draft Regulation**
 - (c): Hybrid Meetings**

6: Old Business:

(a): Update - South Hadley Drug & Alcohol Prevention Coalition – Karen Walsh Pio

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

8: Adjourn meeting

South Hadley
Board of Health Meeting

Date: 6-11-2024

Time: 6:05 p.m.

Members: Christine McKiernan, Chair: Present Dr. Michael Rosner, Vice-Chair Present
Karen Walsh Pio Present Tony Judge Present Stephen Frantz Present

1. **Chair to call the meeting to order @ 6:02 p.m.**
2. **Acceptance of the meeting minutes of 5-6-2024**

Karen Walsh Pio made motion to accept minutes of 5-6-2024 after minor update “*everyone must be audible, quorum must be present in the room to vote*” under Remote Policy Participation “*and change Selectboard to Town meeting*” on Pollinator Species section of the minutes.

Motion: Karen Walsh Pio, 2nd Tony Judge
All in favor: Christine McKiernan - aye
Karen Walsh Pio – aye
Stephen Frantz - aye
Michael Rosner - aye
Tony Judge-aye

3. **Announcements/Open Forum (10 Minutes)**- Stephen Frantz wanted to discuss the Bylaw for pollinator species. Property care under Nuisance Bylaw, currently still writing enforcement letters but is not enforceable.

Stephen Frantz made a motion to not send enforceable letters, Tony 2nd

All in favor: Christine McKiernan - aye
Karen Walsh Pio – aye
Stephen Frantz - aye
Michael Rosner - aye
Tony Judge-aye

Stephen Frantz made motion to pass the Non-binding Resolution for the Protection of Pollinator Species and Enhancement of Pollinator Habitat.

Tony 2nd

All in favor: Christine McKiernan - aye
Karen Walsh Pio – aye
Stephen Frantz - aye
Michael Rosner - aye
Tony Judge-aye

4. **Director’s Report** – Director Hart spoke to the report and provided an update.

Director Hart mentioned mosquito control started on catch basin treatment (BTI), a map will be provided of testing area and results are next week.

BOH is receiving \$2 million in a new PHE grant, Director Hart completed workplan and budgeting for next year.

Raw data of South Hadley opioid survey was reviewed and Director Hart had some concerns. Director Sharon Hart petitioned the state to perform wastewater testing through Biobot, a \$75,000 grant was expended out of the Public Health Excellence (PHE) Grant.

Director Hart applied for a grant through Mass. Office on Disabilities (MOD) for funding for evacuation chairs, bariatric cots, and all-terrain vehicles.

Grant for outside air sensors have been advanced for final approval.

5. New Business:

- (a). Connecticut River Signage-** Funding for signage was obtained through the PHE grant and will be located along the Connecticut River in South Hadley from the Mass. Department of Public Health to warn the community to not eat fish along the Connecticut River. Signs will be in both English and Spanish. Tony Judge mentioned he would check into Heritage River status.
- (b). Annual Drinking Water Program Report from the Department of Environmental Protection-** The report was given to the Board for informative reasons.

7. Old Business:

- (a): Firearm Legislation Update-** Christine McKiernan shared that there are no updates on firearm legislation currently.
- (b): Update-South Hadley Drug & Alcohol Prevention Coalition-Karen Walsh Pio-** Karen Walsh Pio mentioned last meeting of the season is June 12th. Alexis Polokoff will be speaking at the high school about policy and youth prevention.

Set Next Meeting Date: July 9 at 6:00 p.m. at South Hadley Public Library

8. Motion to adjourn.

Christine McKiernan made motion to adjourn meeting, Tony 2nd.

All in favor: Christine McKiernan-aye

Karen Walsh Pio-aye

Stephen Frantz- aye

Michael Rosner – aye

Tony Judge-aye

The Board of Health meeting was adjourned at 7:25 p.m. and then entered Executive Session.

CHRISTINE MCKIERNAN, M.D., Chair
MICHAEL ROSNER, M.D., Vice-Chair
KAREN WALSH PIO, LICSW, LADC-1, Clerk
STEPHEN FRANTZ
TONY JUDGE

SHARON HART, Director of Public Health

July 9, 2024

DIRECTOR'S REPORT

Disease Surveillance

With over 90 diseases being reported to the local health department, it is crucial for the health department to follow up with residents and report to the state (MDPH) in a timely manner. This daily activity was the responsibility of the Public Health Nurse, but the task has now been transferred to the Health Director.

Campylobacter, Cryptosporidiosis, COVID-19, Lyme – follow-up

MOSQUITO CONTROL

Catch basin treatment for South Hadley began this month. A map of the basins treated is attached.

Committee(s)/meetings

Department of Mental Health Advisory Committee

TRIAD

WMPHA

Department Staff meeting – Bi-monthly

Age & Dementia Friendly Committee

Public Health Excellence Regional Grant Committee – Bi-monthly meetings

Public Health Excellence Grant State meetings

MVP 2.0 Committee

Pioneer Valley Tobacco Control

Commission on Disabilities

Council on Aging – participated in Aging in Place Fair

Grant(s)

Public Health Excellence - \$509,000.00 - IMA signed, hired 2 inspectors, 1 nurse

An Agreement Engagement Form was received for a contract amendment to

increase the contract end date from 6.30.2024 to 6.30.2027 for a total amount of

\$2,038,022.72. Workplan and budget for next year has been completed and sent to

MDPH.

Wastewater testing services for a High-Risk Panel (Xylazine, Fentanyl, Methamphetamine, Cocaine, Nicotine) has started and will proceed over the next 26 weeks within the communities of South Hadley, Holyoke and Chicopee – funded through the PHE Grant (cost \$75,000). Data is coming in for the three (3) communities.

We have purchased **Translator Devices** for each of our communities. South Hadley will be receiving seven (7) devices.

We included in our workplan the possibility of hiring a (public relations) consultant to help us get messaging out to our communities. Mass Dept of Public Health has agreed to fund a Public Relations Consultant through the Public Health Excellence Grant.

MassDOT Office of Outdoor Advertising (OOA)

With the PHE Grant we have paid for advertising promoting routine vaccines (Billboard-\$5,000.00, 20 PVTA buses (exterior- \$4,000.00), and 27 PVTA buses (interior-\$780.00)).

I identified an available grant through MassDOT – Office of Outdoor Advertising available to municipal agencies with public awareness message to outdoor advertising companies that hold OOA digital billboard permits and have applied for additional advertising funds.

ADA Improvement Grant Program, Massachusetts Office of Disability (MOD)

I completed and submitted the grant application for Evacuation Chairs, All Terrain Wheelchairs and Bariatric Cot.

The PHE Grant has funded 3 Bariatric Cots.

Commission on Disabilities

We are continuing to strengthen disability inclusion efforts within the South Hadley's Health Department.

Neighbors Helping Neighbors

I shared with them a guide, for local food pantries called "Meeting Neighbor Needs with Culturally Connected Foods" to help identify cultural food preferences. Included was a survey they could provide for their audience. They have reached back out to include the Health Department's input in the survey.

This guide and survey were also passed along to the Council on Aging, who will review in the near future.

Massachusetts Department of Environmental Protection

MassDEP has made available a grant opportunity for tribal organizations, non-profit organizations, community-based organizations, and municipalities to receive between five and ten "PurpleAir" air sensors at no cost to measure PM2.5 levels in their local communities. Grantees can work with residents, schools, and community groups to increase awareness of local air quality and identify strategies to reduce exposure to protect residents' health.

I have applied for four (4) for South Hadley and (4) for Chicopee; a community in our PHE Grant. Holyoke already has eight (8).

I reached out to MassDEP air quality division regarding the grant and they provided a Response:

Thanks for checking in! We are in the final stretches of approvals here at DEP, and we hope to get these out ASAP. I can tell you that South Hadley was well within the application period, with a complete application, and that your application has been advanced for final approval.

- No update.

Tobacco - \$203,000.00 - education visits – 31 communities received first payment of \$50,000.00. Education visits and compliance checks will start in the coming months.

Housing
 1 Riverboat Village
 25 Canal St
 5 Warner 1 R
 13 Grant St, 2nd floor
 41 W. Summit, Apt 24

Septic
 34 Upper River Rd
 125 Amherst Rd

Food Inspections
 16 food inspections

Summer Camps
 NUTC
 Move the Initiative
 Nike Tennis
 Nike Swim
 Nike Field Hockey
 Camp Lewis Perkins

Pool Permits
 Camp Lewis Perkins
 Riverboat Village

Records Request
 19 Landers St
 36 Red Ledge Rd
 576 Amherst Rd

Burial Permits

Six (6) burial permits requested

Dumpster Permits

Five (5) dumpster permits

Animal Control

Voucher request for spay/neuter

Call regarding cats fighting in a neighborhood

Call regarding a weasel that bit a homeowner's glove

Dog bite – request from ACO to Selectboard for a dangerous dog hearing

Animal Quarantines

Eleven (11) animals were released from quarantine

Six (6) animals were quarantined

Rabies/Arbovirus webinar – MDPH

CABLE STUDIO – Met with Cable Studio Director, Dan Pease to review messaging that will be recorded and aired on the **SHCTV** from the Health Department and Emergency Management. This will be scheduled within the next few months.

PUBLIC HEALTH NURSING

Disease surveillance follow up – Sharon Hart & Fiona Cioch

Blood Pressure Clinics – Marge Bernard, R.N. & Tamara Gheit

Fiona Cioch, Central Pioneer Valley Health District, Regional Public Health Nurse will be providing the Blood Pressure Clinics at COA during Marge's absence.

STAFF

Rental Registry Regulation/application/letter – Georgina Maende/Sharon Hart

PHIT, Food Code/Housing Code Pro, Presby Septic, MAVRIC (vital records) and

TRAIN training – Jennifer Jernigan, Sharon Hart and Georgina Maende

Permits & billing/accounts- Tamara Gheit

Messaging and events (website) – Georgina Maende and Sharon Hart

Town of SOUTH HADLEY

Board of Health

Non-binding Resolution for the Protection of Pollinator Species and Enhancement of Pollinator Habitat

WHEREAS, bee species and other pollinators (butterflies, moths, flies, beetles, and wasps, hummingbirds, etc.) are a crucial component of a healthy ecosystem and a vital link in our food system, providing animal-mediated pollination responsible for over three quarters of the world's plant species, and for one out of every three bites of food that we eat; and

WHEREAS, pollinator populations are in sharp decline or are critically endangered due to human land mis-management practices that are causing ongoing habitat loss and fragmentation, the expansion of pesticide use by consumers and professionals (e.g., neonicotinoids, synthetic pyrethroids, chlorpyrifos, 2,4-Dichlorophenoxyacetic acid [2,4-D], glyphosate & various fungicides), the spread of pathogens and parasites, and the global climate crisis; and

WHEREAS, locally grown crops such as apples, blueberries, strawberries, squash and tomatoes depend on pollinators and thus are at risk; and

WHEREAS, extensive research has documented that neonicotinoids and other systemic pesticides have been shown to cause illness and death to bee species, butterflies, moths, other insect pollinators and beneficial insects; and

WHEREAS, guidelines for organic land management practices are available that allow residents, businesses, farms and towns to manage their land in non-toxic ways that increase pollinator forage and nest sites while decreasing maintenance costs;

WHEREAS, the monetary and social costs of maintaining pollinator-friendly landscapes can be less expensive than costs associated with maintaining toxic chemically-treated monocrop (i.e., grass) landscapes.

NOW, THEREFORE, BE IT RESOLVED by this Board of Health that the Town of South Hadley is hereby declared a Pollinator-Friendly Community

and that the town encourages the adoption of policies and practices that protect and support pollinator health by eliminating the use of toxic insecticides, herbicides and fungicides; and by discouraging the commercial sale of harmful lawn chemicals;

BE IT FURTHER RESOLVED that the Town of South Hadley (for all town-owned/operated property by employees and contractors) will set an example by adopting the pollinator friendly practices noted below and encouraging private & rental property owners, residents, business owners and institutions to adopt pollinator-friendly practices including:

- * Planting more pollinator-supporting forage on their property, emphasizing native plant species, and adopting organic lawn and non-toxic landscaping practices as specified by the Northeast Organic Farming Association (NOFA - Standards for Organic Land Care: Practices for the Design and Maintenance of Ecological Landscapes), the Organic Material Review Institute (OMRI), and Beyond Pesticides (Products Compatible with Organic Landscape Management) or another comparable low-toxic equivalent.
- * Avoiding the planting of flowering plants from plant nurseries and other commercial growers that are treated with systemic insecticides, and avoiding the use of seeds coated with systemic neonicotinoids or other toxic pesticides;
- * Avoiding the use of synthetic insecticides (including all toxic systemic insecticides), herbicides such as glyphosate and herbicide-fertilizer-fungicide mixtures (e.g., 2,4-D) on their property.
- * Combining an outdoor patio or deck with lawn-replacement habitat using a mosaic of wildflowers, herbs, vegetables, berries, shrubs and trees that supports biodiversity, including insect pollinators, birds and other wildlife. Note that short-cut grass is basically a desert for pollinator species; taller grass shades weed sprouts from sunlight and helps crowd them out. Obviously, some families need lawns for recreational purposes, young children and pets. If turf grass is needed, it can be managed with the above organic methods (note that the best mowing height can vary with turf grass species, the site and the climate).

- * Growing pollinator gardens, along with herbs, berries, vegetables, etc., meets another critical necessity, the universal human need, that is both physical and psychological, for outdoor time and connection with nature.

This Town of South Hadley “Protection of Pollinator Species..” plan reflects tenets of the “Growing Wild Massachusetts” initiative [effective 07/10/2023] of the Department of Conservation and Recreation (DCR), in partnership with the Massachusetts Department of Agricultural Resources (MDAR), that aims to promote and preserve pollinators throughout the Commonwealth. This local plan should be publicly promoted including posting signage and showing such areas to neighbors and others in the community to help spread the word on the importance of pollinator habitat.

Effective Date: This Non-binding Resolution shall take effect on the date of signing: Voted this _____ day of _____ 2024.

Board of Health Members:

Christine McKiernan, M.D. Chair

Michael Rosner, M.D. Vice Chair

Karen Walsh Pio, Clerk

Tony Judge

Stephen Frantz

GROUNDWATER PROTECTION REGULATION
SOUTH HADLEY BOARD OF HEALTH

Section I. PURPOSE OF REGULATION

Whereas, siting of land uses that have the potential to release hazardous waste, petroleum products, or other contaminants significantly increases the risk of contamination; and
Whereas, poor management practices, accidental discharges, and improper maintenance of these facilities may lead to the release of pollutants; and
Whereas, discharges of hazardous wastes, leachate, pathogens, and other pollutants have repeatedly threatened surface and ground water quality throughout Massachusetts; and surface and ground water resources in the Town of South Hadley contribute to the town's drinking water supplies; therefore, the Town of South Hadley adopts the following regulation, under its authority as specified in Section II, as a preventative measure for the purposes of: preserving and protecting the Town of South Hadley's drinking water resources from discharges of pollutants,
Whereas, minimizing the risk to public health and the environment to the Town due to such discharges.

Section II. SCOPE OF AUTHORITY

The SOUTH HADLEY Board of Health adopts the following regulation pursuant to authorization granted by M.G.L. c.111 s.31 and s.122. The regulation shall apply, as specified herein, to all applicable facilities within the Zone II Area of the Town of South Hadley's Public Drinking Water Supply.

Section III. DEFINITIONS

For the purposes of this regulation, the following words and phrases shall have the following meanings:

Commercial fertilizers: Any substance containing one or more recognized plant nutrients which is used for its plant nutrient content, and which is designed for use, or claimed by its manufacturer to have value in promoting plant growth. Commercial fertilizers do not include unmanipulated animal and vegetable manures, marl, lime, limestone, wood ashes, and gypsum.

Department: The Massachusetts Department of Environmental Protection.

Discharge: The accidental or intentional disposal, deposit, injection, dumping, spilling, leaking, incineration, or placing of toxic or hazardous material or waste upon or into any land or water so that such hazardous waste or any constituent thereof may enter the land or waters of the Commonwealth. Discharge includes, without limitation, leakage of such materials from failed or discarded containers or storage systems and disposal of such materials into any on-site leaching structure or sewage disposal system.

Hazardous Material: A product, waste or combination of substances which because of its quantity, concentration, or physical, chemical, toxic, radioactive, or infectious characteristics may reasonably pose a significant, actual, or potential hazard to human health, safety, welfare, or the environment when improperly treated, stored, transported, used, disposed of or otherwise, managed. Hazardous materials include, without limitation, synthetic organic chemicals, petroleum products, heavy metals, radioactive or infectious materials, and all substances defined as "toxic" or "hazardous" under Massachusetts General Laws (M.G.L.) Chapter 21C and 21E, using the Massachusetts Oil and Hazardous Substance List (310 CMR 40.0000). The definition may also include acids and alkalis, solvents, thinners, and pesticides.

Historical High Groundwater Table Elevation: A groundwater elevation which is determined from monitoring wells and historical water table fluctuation data compiled by the United States Geological Survey.

Landfill: A facility established (in accordance with a valid site assignment) for the purposes of disposing solid waste into or on the land, pursuant to 310 CMR 19.006.

Non-sanitary wastewater: Wastewater discharges from industrial and commercial facilities containing wastes from any activity other than collection of sanitary sewage, including, but not limited to, activities specified in the Standard Industrial Classification (SIC) Codes set forth in 310 CMR 15.004(6).

Open Dump: A facility which is operated or maintained in violation of the Resource Conservation and Recovery Act (42 U.S.C. 4004(a)(b)), or the regulations and criteria for solid waste disposal.

Septage: The liquid, solid, and semi-solid contents of privies, chemical toilets, cesspools, holding tanks, or other sewage waste receptacles. Septage does not include any material which is a hazardous waste, pursuant to 310 CMR 30.000.

Sludge: The solid, semi-solid, and liquid residue that results from a process of wastewater treatment or drinking water treatment. Sludge does not include grit, screening, or grease and oil which are removed at the headworks of a facility.

Treatment Works: Any and all devices, processes and properties, real or personal, used in the collection, pumping, transmission, storage, treatment, disposal, recycling, reclamation, or reuse of waterborne pollutants, but not including any works receiving a hazardous waste from off the site of the works for the purpose of treatment, storage, or disposal.

Use of Toxic or Hazardous Material: The handling, generation, treatment, storage, or management of toxic or hazardous materials.

Very Small Quantity Generator: Any public or private entity, other than residential, which produces less than 27 gallons (100 kilograms) a month of hazardous waste or waste oil, but not including any acutely hazardous waste as defined in 310 CMR 30.136.

Waste Oil Retention Facility: A waste oil collection facility for automobile service stations, retail outlets, and marinas which is sheltered and has adequate protection to contain a spill, seepage, or discharge of petroleum waste products in accordance with M.G.L. c. 21.5. 52A.

Section IV. PROHIBITIONS

A. Notwithstanding any land uses which are otherwise permitted by local, state, and/or other federal laws, the siting of any of the following is prohibited in the Zone II:

1. landfills,
2. open dumps,
3. sludge and septage monofils, and
4. stockpiles (disposal) of chemically treated snow and ice that have been removed from highways and roadways outside the Zone II.

B. Facilities for the treatment or disposal of non-sanitary wastewater are prohibited, with the following exceptions:

1. Replacement or repair of an existing system is exempt if the existing design capacity is not exceeded.
2. Treatment works approved and in compliance with M.G.L. c.21E and 310 CMR 40.000 designed for the treatment of contaminated ground or surface waters.

C. Facilities that generate, treat, store, or dispose of hazardous waste are prohibited, with the following exceptions:

1. very small quantity generators,
2. household hazardous waste collection centers or collection events,
3. waste oil retention facilities, and
4. treatment works for the restoration of contaminated ground or surface waters in compliance with M.G.L. c.21E and 310 CMR 40.000.

D. Removal of soil, loam, sand, gravel, or any other mineral substances within four feet of the historical high groundwater table elevation is prohibited with the following exceptions:

1. substances which are removed and redeposited within 45 days of removal on site to achieve a final grade greater than four feet above the historical high water mark; and
2. excavations for the construction of building foundations or the installation of utilities.

E. Land uses that result in impervious cover of more than 15% or 2500 feet of any lot, whichever is greater, are prohibited, unless a system of artificial recharge of precipitation is provided that will not result in the degradation of groundwater quality.

Section V. CONDITIONAL PROHIBITIONS

The storage of certain waste materials, chemicals, and petroleum products is prohibited except if contained in accordance with the following requirements.

1. Storage of sludge and septage is prohibited unless storage is in compliance with 310 CMR32.00.
2. Storage of roadway de-icing chemicals (sodium chloride, chemically treated abrasives, or other chemicals) and the storage of chemical fertilizers are both prohibited, unless the storage is in a structure that prevents the generation and release of contaminants or contaminated runoff.
3. Storage of animal manure is prohibited unless covered or contained in accordance with the standards and guidelines of the **Natural Resources Conservation Service**.
4. Storage of liquid hazardous materials is prohibited unless the materials are either in a free standing container within a building outdoors or in a free-standing covered container above ground level with spill containment capacity of 110 % of the volume stored.
5. Storage of any type of liquid petroleum products is prohibited, unless any of the following applies:
 - a. the products are incidental to normal household use, including outdoor maintenance, or for the heating of a structure;
 - b. waste oil retention facilities;
 - c. emergency generators; and
 - d. treatment works in compliance with M.G.L. c.21E and 310 CMR 40.000 designed for the restoration of contaminated ground or surface waters.

Storage of the exempted liquid petroleum products (5(a) through 5(d) must be either in a free standing container within a building outdoors or in a free-standing covered container above ground level with spill containment capacity of 110 % of the volume stored.

6. Compliance with all provisions of this regulation must be accomplished in a manner consistent with Massachusetts Plumbing, Building, and Fire Code requirements.

Section VI. EFFECTIVE DATES FOR ALL FACILITIES

1. As of the effective date of the regulation, all new construction and/or applicable change of use within the Town of South Hadley shall comply with the provisions of this regulation.
2. Certification of conformance with the provisions of this regulation by the Board of Health shall be required prior to issuance of construction and occupancy permits.

Section VII. PENALTIES

Failure to comply with provisions of this regulation will result in the levy of fines of not less than \$200.00, but no more than \$1000.00. Each day's failure to comply with the provisions of this regulation shall constitute a separate violation.

Section VIII. SEVERABILITY

Each provision of this regulation shall be construed as separate to the end that, if any provision, or sentence, clause or phrase thereof shall be held invalid for any reason, the remainder of that section and all other sections shall continue in full force and effect.

This regulation shall take effect on

Effective date _____.

Christine McKiernan, M.D., Chair DATE

Michael Rosner, M.D., Vice-Chair DATE

Karen Walsh Pio, Clerk DATE

Stephen Frantz DATE

Tony Judge DATE
