

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**

**September 10, 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, September 10, 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 July 9, 2024 meeting.**
- 3: Announcements/Open Forum (10 Minutes)**
- 4: Director's Report**
- 5: New Business:**
  - (a): North Pole Estates – Building Commissioner Jason Fogue**
  - (b): Groundwater Protection Draft Regulation**
  - (c): Approval of Amending the March 12, 2024 Meeting Minutes**

**6: Old Business:**

**(a): Firearm Injury Protection and Legislation - Update**

**(b): 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: 7-9-2024

Time: 6:00 p.m.

Members: Christine McKiernan, Chair: Present Tony Judge, Vice-Chair Present  
Karen Walsh Pio, Clerk Absent Dr. Michael Rosner Present Stephen Frantz Absent  
Edward Wall, Town Resident Present

1. Chair to call the meeting to order @ 6:00 p.m.
2. Acceptance of the meeting minutes of 6-11-2024

Motion: Christine McKiernan 2<sup>nd</sup> Tony Judge

All in favor: Christine McKiernan - aye

Tony Judge - aye

Michael Rosner - aye

3. Announcements/Open Forum (10 Minutes)-

Edward Wall spoke about the dog incident that happened on 47 Pynchon Road.

**Wall Left at 6:17pm.**

Christine McKiernan suggested looking up if there are any Public Health studies showing risks for leaving trash 2 weeks without pickup.

4. Director's Report – Director Hart spoke to the report and provided an update.  
(see attached)

A contract was written up and signed for a high-risk panel with Biobot for 6 months' worth of testing at the Wastewater Treatment Plant for high-risk substances in Holyoke, Chicopee and South Hadley. Once enough data has been collected, an Epidemiologist will review results.

Director Sharon Hart spoke about catch basin treatments for mosquito control in South Hadley. Pioneer Valley Mosquito District has provided a map of locations where treatment was done which was sent to Town Administrator Lisa Wong and will be uploaded on the Public Health website

Hart completed a grant application for Evacuation Chairs, All Terrain Wheelchairs and Bariatric Cots. The PHE Grant has funded 3 Bariatric Cots. BOH continues to focus and strengthen disability inclusion efforts within the Department.

Director Hart identified current messaging regarding the need for current vaccinations that will be displayed on 27 buses in English + Spanish and paid for by PHE grant.

**5. New Business –**

**(a). Non-binding Resolution for the Protection of Pollinator Species and Enhancement of Pollinator Habitat- Officially signed and effective as of today.**

**(b): Groundwater Protection Draft Regulation - Plan to review in more detail the Groundwater Protection regulation.**

**Tony Judge had asked for an update from Jason Forgue on the North Pole estates and any activity there.**

**Christine McKiernan spoke about reaching out to Forgue to invite him to BOH meeting.**

**(c): Hybrid Meetings- Christine McKernan emailed Town Administrator Lisa Wong and mentioned Hybrid meetings are acceptable until March 2025. BOH decided to still have in-person meetings and will make accommodations.**

**6. Old Business –**

**(a): South Hadley Drug & Alcohol Prevention Coalition – Karen Walsh Pio –Karen Walsh Pio is absent.**

**Set Next Meeting Date: Aug 13th at 6:00 p.m. at South Hadley Public Library**

**Motion to adjourn.**

**Motion \_\_\_ Christine McKiernan \_\_\_ 2<sup>nd</sup> \_\_\_ Tony Judge \_\_\_**

**All in favor: Christine McKiernan-aye**

**Tony Judge -aye**

**Michael Rosner – aye**

**Board of Health meeting adjourned: 7:17 p.m.**

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

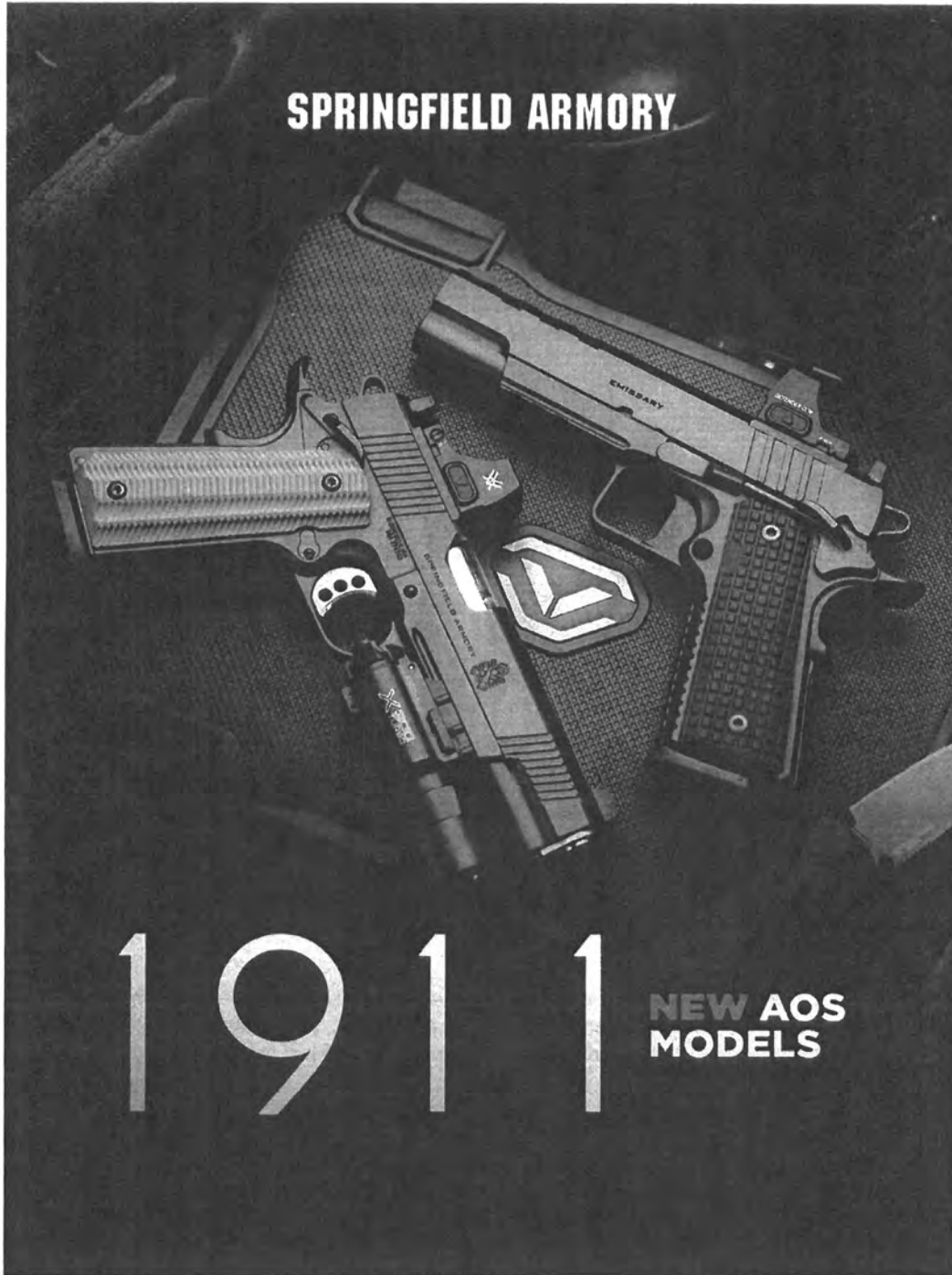
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Michael Rosner, M.D., Vice-Chair DATE

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Karen Walsh Pio, Clerk DATE

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Stephen Frantz DATE

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Tony Judge DATE

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STATE

## Mass. expands its red flag law



Activists at a rally on Boston Common urged the state House and Senate to find consensus on a gun law reform bill that since has been signed into law. (Sam Doran/State House News Service)

*By John L. Micek*

### **New data suggests it helps reduce deaths**

When Gov. Maura Healey signed a long-awaited suite of reforms to the Bay State's already restrictive gun laws last month, she expanded a provision that many believe is critical to keeping people safe.

Namely, adding to the ranks of those who can petition a judge to temporarily take firearms away from people who are believed to pose a danger to themselves or others.

While the law often is used to head off the kinds of mass shootings that have rocked communities across the

country over the last decade, it's also been employed to prevent the most personal and devastating tragedies: deaths by suicide.

But now, the law is under threat by gun-rights advocates, who are both suing in federal court and mounting an effort to get it overturned on the statewide ballot as soon as 2026.

"It's not about crime. It's not about accidents. It's not about suicides," Jim Wallace, the executive director of the Massachusetts Gun Owners Action League, said.

Instead, the law is a "bigoted act against 10% of the state's population," Wallace told The Associated Press, referring to gun owners.

Massachusetts first authorized such "extreme risk protection orders" in 2018. The statutes are popularly referred to as "red flag" laws.

Under its language, a local police department or a broadly defined "family or household member" could make such a request to a judge.

Under the newly approved revisions, which also take on so-called "ghost guns" and expand the state's existing assault weapons ban, school administrators and licensed health care providers also would be allowed to go to court.

The Massachusetts lawsuit comes amid a broader, nationwide effort to overturn red flag laws, according to an investigation by The Trace, a news site that focuses on gun violence, and Rolling Stone magazine.

The Bay State bill is "the most significant gun safety reform package that Massachusetts has seen in a decade," state House Speaker Ronald J. Mariano, D-3rd Norfolk, said in a statement last month after Healey signed the legislation into law.

And there are some encouraging numbers to back up the rhetoric.

Recently released data suggests that the orders, while not a cure-all, do help to reduce suicide deaths involving firearms.

The study, published this month by The Journal of the American Academy of Psychiatry and the Law, examined risk orders for 4,583 people in California, Connecticut, Maryland and Washington.

Researchers found that between “17 and 23 (orders were) needed to prevent one suicide.” That number shrunk to between 13 and 18 orders for a subset of 2,850 people with a “documented suicide concern,” according to the study.

“Clearly, (the orders) alone are not a panacea for preventing firearm injury and mortality in the United States, but they are an important piece in the puzzle of gun violence prevention, and this study adds to the evidence suggesting they have saved lives,” the study’s authors wrote.

Some 800,000 people have died by suicide nationwide over the last two decades — more than half of those deaths were the result of self-inflicted firearms injuries, researchers wrote.

Statewide, 453 people died by suicide in Massachusetts in 2021, state data show, a rate of 13.3 deaths per 100,000 people.

In the overwhelming majority of cases, those deaths were prompted by a “current mental health problem” (59.8% among men; 79% among women).

Firearms were the second most common method among men, accounting for 27.4% of deaths, behind hanging at 45.5%, that same data showed.

Firearms accounted for 6.3% of suicide deaths among women in 2021, the state data show. Hanging (43.4%) and poisoning (38.5%) were the most common methods among women.

The Massachusetts Medical Society has described gun violence as a “public health emergency” and has urged “evidence-based interventions” to reduce the number of injuries and deaths.

In an email, a Healey administration spokesperson told MassLive that the Democratic governor “knows that Massachusetts’ strong gun laws save lives — especially our Extreme Risk Protective Order statute.

Healey “was proud to sign the state’s most significant gun safety legislation in a decade, which takes additional steps to strengthen the ... statute and prevent guns from falling into the wrong hands,” the spokesperson said.

In the face of continuing suicides by firearms, “interventions that can effectively keep guns out of the hands of people at imminent risk of harm to themselves or others should be a key component of an effective public health effort to reduce the number of these preventable tragedies,” the study’s authors wrote.

## If you need help

If you or someone you know is having a mental health crisis, dial 988 to talk to mental health counselors/providers. For more information about suicide prevention and how you can help, visit the National Suicide Prevention Lifeline online.