

## Board of Health Minutes

February 5, 2020

As Approved – March 11, 2020

Present: Diane Dietzen, MD, Chair; Jessica Collins, Vice-Chair; Sharon Hart, Public Health Director; Jennifer Jernigan, Assistant Public Health Director; Stephen Frantz, South Hadley

*The Board of Health Meeting was called to order at 4:36 p.m. by Dr. Dietzen.*

### 1. Acceptance of Minutes:

Jessica Collins motioned to accept the minutes of the December 18, 2019 meeting. Dr. Dietzen seconded. All were in favor.

### 2: Announcements/Open Forum:

None

### 3: Director's Report:

Director Hart reviewed the Director's Report with the Board. Items discussed were:

- State and Local Tobacco Bans were reviewed as well as grant information. Per Director Hart, things are still up in the air on what the bans will look like. State fines are being instituted. We will need to rewrite the town's tobacco regulations possibly. Nothing goes into effect until June 2020. State guidelines are coming out soon.
- We did get the material for review on the subdivision up on Dry Brook Hill (North Pole Estates.)
- Hepatitis A and Coronavirus teleconferences attended were reviewed.
- Director Hart and the Public Health Nurse did annual reports and Director Hart worked on the annual budget since last meeting.
- The Regional Dive Team equipment and mobile operating unit were reviewed as part of the EMPG-MEMA grant revision.

- Director Hart reviewed with the Board how in a typical year we bring in \$50,000 and this year we have brought in \$97,000. The money goes to the General Fund. Part of it was from perc tests at North Pole Estates (\$35,000) but more people are also taking out permits. Our fees haven't changed. Director Hart wondered if online is easier perhaps. She also stated that the online system also gives us better connections with other departments. For example, reviewing the building departments permits alerts us to the fact that a dumpster permit is needed. The number of permits is up but also our workload is too.
- Director Hart did additional perc tests at North Pole Estates because she had a concern with elevations. She did them at 2 lots but she still has a concern. She also did the perc tests for 10 lots at Skinner Woods. For each lot is 2 perc tests and 4 deep holes that we have to record the soils on. This totals to about 40 deep holes for the project.
- We did food and housing inspections.
- Director Hart received a police report regarding 14 West Summit. There had been a casualty there. Director Hart did condemn the house. So, under New Business today, that condemnation will need to be ratified.
- We reviewed building permits and common victualer permits.
- Jennifer has been doing a great job with the new system and inputting permits and reviewing them. A couple hundred of them have come in with the new year.
- Director Hart and Jessica Collins got together and worked on the MPIC survey.
- Jessica Collins asked about the robo-call that she received from the school department concerning strangers approaching children at their bus stops. She wanted to know if the Health Department gets notified of these situations and if we provide any educational materials? Director Hart stated that we don't get notified. That is more a Public Safety issue. Jessica Collins also asked if South Hadley participates in the January 30<sup>th</sup> counting of the homeless, after she saw Director Harts pin concerning the federal census. Director Hart responded that she has never heard of South Hadley participating in that particular count. She wasn't sure if maybe it was done in larger areas. Jessica Collins responded that it is done in Springfield.

**3: New Business:****(a): Peer Review of North Pole Septic Plans (Chapter 300, Article 10)**

We received the North Pole Estates septic plans for the subdivision. Director Hart has a regulation that she put in place and the Board enacted that allows her to hire somebody to do a peer review and Director Hart would like the Board to approve someone else besides herself to review the septic plans and look at the elevations. Dr. Dietzen asked if the review would be specifically for the septic part of the plan, no other environmental part and Director Hart told her that is correct. The applicant pays for the peer review. Director Hart then would get with Mike Sullivan and Jennifer Wolowicz to see how to proceed with choosing a contractor. The Board reviewed the regulation in their packet. Director Hart explained that we don't know how much the review would cost yet. Jessica Collins wanted to know if the Board of Health sets a cap on the price or chooses the contractor. Director Hart stated that they don't. Jessica Collins asked if the Planning Board was hiring someone to review their part. Director Hart stated that she isn't sure. Jessica Collins asked what the timeframe would be. Director Hart couldn't remember exactly but either 45 or 65 days. The review period is from the date they gave us the submission. Jessica Collins motioned to approve the peer review. Dr. Dietzen seconded and all were in favor.

Robert Pleasure questioned where this regulation was coming from and Director Hart gave him a copy. She explained that it is a Board of Health regulation that was put into effect to give authority to hire an outside person to review plans of submission. Dr. Dietzen stated that it is Article 10, 300-70.

**(b): Glyphosate Regulation**

Director Hart introduced Stephen Frantz. She stated that she used his incredible information to write a regulation to ban glyphosate use on town-owned property. The Board of Health had agreed that the regulation could be done. The regulation is in front of the Board right now.

The regulation was reviewed with Bill Simard of the Parks Department. Bill Simard had told Director Hart that he was in support of the ban, even though glyphosate was rarely used.

The glyphosate ban information must go out to any utilities that do work on town properties. Town Counsel needs to review the regulation but it is up to the Board what effective date will be used. Enforcement will be by talking to Parks and Recreation and notifying The Ledges Golf Club.

*As Approved* - Board of Health  
Meeting Minutes

February 5, 2020

Jessica Collins and Dr. Dietzen asked about enforcement with other companies working in town. Director Hart stated that she can put together a separate guideline on enforcement. She would like to work it through first. The Town Attorney would need to be consulted. Director Hart doesn't see a problem notifying everyone of the ban but it still needs some flushing out. Fines would be in the guidelines. Accolades to Dr. Frantz per Director Hart. Dr. Frantz stated that The Ledges doesn't use it all. There are alternatives that can be used for other areas.

Jessica Collins motioned that the regulation go to Town Counsel for review and be effective June 1, 2020. Dr. Dietzen seconded. All were in favor.

**(c): Emergency Order to Vacate: 14 West Summit St – Ratify**

The history of the house was reviewed by Director Hart with the Board. Director Hart condemned it. Dr. Dietzen motioned and Jessica Collins seconded to ratify the condemnation order. All were in favor.

**4: Old Business:**

**(a): Master Plan Update**

Director Hart and Jessica Collins met and updated the plan.

**The next Board of Health meeting was set for March 11, 2020 at 4:30 p.m.**

Robert Pleasure asked about the Peer Review of the septic plan. The scope is the question and whether the reviewer will take notice that 3 test wells were destroyed without being decommissioned. Robert Pleasure is concerned that this exposes the aquifer in a special way. He asked if they would consider in the peer review the fact of this. Director Hart replied that septic systems are the focus of the Board of Health. The Building Commissioner will check with Water Departments 1 and 2 to make sure that these 3 test wells even went in and Tighe and Bond is checking as well. Pleasure said that we don't even know the status of these 3 wells. People may rest easier if this was looked into. Jessica Collins asked if the Building Commissioner is indeed following up on this and Director Hart stated that he is. Pleasure thinks that the peer reviewer should still know about the well situation. Director Hart stated that she can check with Town Counsel on if we can include that as part of our scope in the RFQ. It was asked if we could attach the Planning Board peer review to ours when we submit it. Director Hart replied that she will check with Town Counsel. Various ideas on how to address this topic were then discussed. Director Hart said that she checked previously with the Planner on this and was told that she should see the Building Commissioner on it and he is following up on this. Pleasure then said that the monitoring well over the aquifer has implications for drinking water. Director Hart responded

*As Approved* - Board of Health  
Meeting Minutes  
February 5, 2020

that maybe we can gather Building, Planning Board and Town Counsel to ask what our review can look like. It is the Water District and DEP's jurisdiction. We can pull them in as well. Director Hart will follow up on this. Rudy Ternbach reinforced Robert Pleasure's statement that Frank Detoma made the announcement in December to the Planning Board about these wells and his objections to the proposed subdivision and then produced copies of the letters and told the Board of Health about it. Dr. Dietzen asked Director Hart to find out what we can do. Ternbach wants to know the correct way to decommission these wells.

Dr. Frantz thanked the Board of Health on the glyphosate ban. He stated that this is the first ban outside of the Cape. Hopefully this pushed Amherst to ban it. Director Hart stated that she told the Superintendent that this ban was coming and so she will double check to make sure they don't order any glyphosate.

### **7: Adjournment:**

Dr. Dietzen adjourned the meeting at 5:36 p.m.

Respectfully submitted,

Jennifer J. Jernigan  
Assistant Director of Public Health

*As Approved* - Board of Health  
Meeting Minutes  
February 5, 2020

## ATTACHMENT A

DOCUMENT	RECORD LOCATION
MWRA Water Quality Update – November 2019	BOH File
MHOA Tobacco Updates – November 27, 2019	BOH File
Tobacco Updates Email from Merridith O’Leary - November 22, 2019	BOH File
Climate Change Preparedness Listening Session #2 – Ann Capra – January 3, 2020	BOH File
Email from Heather Warner – January 2, 2020 on South Hadley Drug and Alcohol Prevention Coalition Grant	BOH File
Part 1, Administration of the Government, Title XVI Public Health, Chapter 114, Section 43D: Location of Community Mausoleums; Exceptions	BOH File
Email from DPH on Hep A Outbreak Response – December 17, 2019	BOH File
Email from DPH on Hep A Outbreak Response – January 9, 2020	BOH File
DPH Letter to Healthcare Providers, Institutions, Infection Preventionists, Emergency Departments, Hospital Laboratories, EMS And LBOH – January 22, 2020 – Novel Coronavirus	BOH File
System Pumping Records: 28 Cove Island 2 Bach Lane 163 Pearl Street 4 Cove Island 1 Meadow Lane 58 Park Street 216 Pearl Street	

*As Approved* - Board of Health  
 Meeting Minutes  
 February 5, 2020

107 Woodbridge Street  
6 Upper River Road  
400 Lower River Road  
64 Amherst Road  
30 Cove Island Road  
12 Bach Lane  
319 River Road

Cold Spring Environmental Consultants letter on #2 Fuel Oil Release - 6 Overlook Road	BOH File
Article in The Reminder sent to Board on December 30, 2019 – North Pole Estates	BOH File
Email from Filipe Cravo dated December 30, 2019 regarding re-perc of two of the lots for North Pole Estates	BOH File
Chapter 300. Board of Health, Article X. Fees for Use of Outside Consultants	BOH File
Glyphosate Regulation - Email to Board dated December 30, 2019 asking for their review	BOH File
2019 Master Plan Update Questionnaire	BOH File
Email to Jessica Collins on Meeting to Discuss Master Plan Goals - January 23, 2020	BOH File
MPIC Questionnaire – Email to Jessica Collins – January 24, 2020	BOH File
2019 Fall Environmental Monitoring – Tighe & Bond – Landfill	BOH File