

JESSICA COLLINS, Chair  
WALTER R. WOLF, DPM, Vice-Chair  
KAREN WALSH-PIO, Clerk  
LINDA DUGUAY, RN  
TONY JUDGE

SHARON D. HART, Public Health Director

## Board of Health Minutes

May 13, 2020

As Approved – June 10, 2020

Present: Jessica Collins, Chair; Walter R. Wolf, DPM, Vice-Chair; Karen Walsh-Pio, Clerk; Linda Duguay, RN; Tony Judge; Sharon Hart, Public Health Director; Jennifer Jernigan, Assistant Public Health Director

*Jennifer Jernigan alerted all present at the virtual meeting that it was being recorded and started the recording.*

*The Board of Health Meeting was called to order at 4:33 by Jessica Collins.*

### **1: Acceptance of Minutes:**

Jessica Collins discussed that because Dr. Wolf was not at the last Board of Health meeting and Dr. Dietzen is now off the Board of Health, there is only 1 member from the last meeting in attendance today and so the minutes cannot be approved.

Dr. Wolf asked if we could check to see if Dr. Diezen can approve the minutes via email. Director Hart stated that she asked the Town Clerk to check with the Attorney General's office.

**Tony Judge joined the meeting at 4:36 p.m.**

### **2: Announcements/Open Forum:**

Director Hart stated that this meeting on May 13, 2020 is being held virtually at 4:38 p.m. according to the Chapter 54, Acts of 2020, Governor's Emergency Order that open meeting law has been adjusted. As long as we post the agenda, state that it is virtual, and we are recording it and make it available afterward to the public, that is considered an open meeting. Town Administrator Mike Sullivan would be happy to explain the process if anyone has any questions on it.

Jessica Collins asked for all in attendance to introduce themselves. The Board did so and gave background information on how they have been involved outside of this Board with the Town.

*As Approved* - Board of Health  
Meeting Minutes  
May 13, 2020

Then it was discussed why the size of the Board of Health went from three members to five.

Jessica Collins wanted to talk about North Pole Estates and where the Health Department is with that project but it was decided to hold that topic for later in the meeting.

### **3: Board Reorganization:**

Director Hart stated that the Board needs to vote on who will be Chair, Vice-Chair and Clerk. Jessica then opened up the floor for the nominations. Jessica Collins was nominated Chair, Dr. Wolf for Vice-Chair and Karen Walsh-Pio for Clerk. Dr. Wolf motioned to accept these nominations, Tony Judge seconded the nominations and all were in favor. The terms are all for one year.

### **4: Announcements/Open Forum (continued):**

Dr. Wolf wanted to talk about the South Hadley Swim Club. Outdoor recreation is on the agenda under New Business. The Club had reached out for the Health Department's and Board of Health's opinion on how to proceed so that they can open once Governor Baker gives the go ahead. Dr. Wolf stated that he got their last minutes which shows their approach to the pandemic and can send everyone all the information. Dr. Wolf would also like to discuss the Mt. Holyoke College hiking trails that have been closed. He wondered if the College might consider letting citizens walk the lovely campus if following the Governor's guidelines for social distancing.

Jessica stated that this will be covered under New Business.

### **5: Director's Report:**

Director Hart asked for any questions on the Director's Report. The Board didn't have any. Director Hart stated that she and the Public Health Nurse, Marge, have spent the majority of the time since the last Board meeting disease tracing, night and day. They are helping other towns as well with it.

The Health Department has been dealing with complaints on non-essential businesses being open. The Department of Labor Standards is helping us out if a business shouldn't be open. They will issue cease and desist orders.

*As Approved* – Board of Health  
Meeting Minutes  
May 13, 2020

We have also been looking at food service plans on how restaurants will operate now.

Director Hart also discussed what she does in her Emergency Management Director role. She reviewed all the meetings that she attends, how she works under the Town Administrator for this position and how she manages grants for this role. She mentioned that there will be a need for overtime for both herself and the Public Health nurse, Marge Bernard. She listed out the types of equipment purchased for the pandemic, reviewed cleaning procedures for offices and ambulances, etc. She mentioned how with the pandemic, her job is always evolving.

Director Hart also described how the Fire Chiefs have a health agent role and how this works during the Pandemic. The number of cases in town were discussed. How the Fire Department determines where to take a COVID-19 patient was also reviewed as well as how it is handled if a person refuses to give up contacts for tracing.

Tony Judge asked about the Board of Health enforcing a business closure. Director Hart stated that we can issue a cease and desist order but the State determines what type is and is not essential. We haven't issued any cease and desist orders yet. Businesses can petition the state to be made essential. Director Hart went on to describe the process of handling a complaint. The Department of Labor Standards role was also covered.

**6: New Business:****(a): Required Duties of Local Boards of Health in Massachusetts**

Director Hart gave the Board two documents as part of the agenda item. Director Hart stated that per Town Counsel, it is up to the Board to know the scope of their position when they come onto the Board. Topics that the Health Department covers are quite extensive so Director Hart wanted to give the new Board the documents to review and will take any questions on them.

**(b): Outdoor Recreation**

Jessica Collins stated that Dr. Wolf had already mentioned some of his concerns on this topic earlier in the meeting. She asked Dr. Wolf if he would like to lead the discussion now and he did. Dr. Wolf questioned that now if the golf courses are open and the Governor's directives are in place, could more recreational spaces in town be then opened up to the public? He also wanted to request that Director Hart email the Board any thoughts on closing recreational facilities in town before she does so in the future. He personally would have liked a weigh-in. Director Hart stated that as Public Health Director, she falls under this Board but as

*As Approved* – Board of Health

Emergency Management Director her position falls under the Town Administrator and not the Board of Health. The act to close public recreation was not a public health order. The police had noticed that there were a large number of people congregating at these places during a Stay-at-Home order of the Governor's. There were trail issues with no masks being worn and no social distancing. So Director Hart worked with the Town Administrator and the Police Department on them. Director Hart has also been working with Anne Capra of Conservation on one-way trails. Matt Cowie, Facilities Manager, made signage for the trails and they are now open as of last week. No large groups are allowed, the timing of entering the trails and parking limitations were then reviewed with the Board. The golf course and how that is operating was reviewed and the issue of golf carts was also discussed. Dr. Wolf asked about Town Farm Field. He stated that it is still closed. Director Hart will check on its status for Dr. Wolf. It could just be that you can enter from one way and exit it another so that the flow is all going in one direction. Dr. Wolf will also check this out. Jessica Collins mentioned that she would have like to be notified of this as well. Director Hart directed her to look on the Town website under COVID-19 for updates. Dr. Wolf would also like to see an ad in The Town Reminder. Director Hart will look into this as well.

Discussion then occurred regarding the closing of the Mount Holyoke tennis courts, effective April 1, 2020 as well as the closing of the entire campus. Dr. Wolf stated that tennis is a sport that you can very easily socially distance with. Other campuses are not so stringent? Karen Walsh-Pio stated that her understanding is that there are about 300 students that cannot leave the college because they can't leave the country and she believes the college is concerned for them and trying to keep them safe. Dr. Wolf said that it is their property and they can do what they like. It is just that some colleges aren't so strict. Their decision occurred at the same time that the town's did so he wondered if the Emergency Management Director met with them to coordinate these efforts. Dr. Wolf stated that some students will be leaving soon now that college is over. When you restrict a lot of the areas that you can walk in, you heavily populate the areas that remain. Karen Walsh-Pio asked if it was a town emergency preparedness decision or college decision to close the walking areas. Director Hart stated that it was a college choice as it was their private property. Jessica Collins stated that it sounds like we have no control over that then.

**(c): Appointment of Police as Special Agents of the Board of Health**

Director Hart stated that she needs the Board to ratify the order.

Dr. Wolf motioned to ratify the order to appoint the police as special agents of the Board of Health. Karen Walsh-Pio seconded the motion.

Tony Judge asked if this appointment has a term limit on it. Director Hart stated that she thinks the Board would have to rescind the order after the COVID-19 pandemic is over. It is not

*As Approved* – Board of Health  
Meeting Minutes

May 13, 2020

permanent. Tony asked if the Board would later have the opportunity to make a judgement on it and Director Hart stated that absolutely they would. All were in favor.

Dr. Wolf then wanted some clarification on the South Hadley Swim Club. Director Hart stated that the Health Department follows the Governor's orders for swimming pools. The Governor is opening things back up with a staged approach and we will not know where pools fall until Monday. Dr. Wolf stated that he has forwarded the Swim Club's plan to Director Hart and Jennifer. He would like comments on it and then please send it to the rest of the Board for comments. He needs this done by Monday. Dr. Wolf said he will tell the Club that we follow the Governor's rules and plans. Director Hart responded that we can review it but there is no guidance out there and we don't know what the Governor's Order will look like on Monday. If there will be additions/revisions to it. We will look at it but if additional information comes in, we will have to add that to it. Dr. Wolf said that was great. When this first hit, guidelines to physicians was constantly changing so Director Hart's knowledge is pretty critical to this review as the Governor may not give specific guidelines, only that they just can open.

Director Hart asked for a ratification of 57 Bridge Street, Apartment 1L. Jennifer and Director Hart need to condemn it right after this meeting. Dr. Wolf made a motion to ratify the condemnation order due to lack of heat and cooking abilities, blocked egresses and issues with the smoke detectors. All were in favor.

Jessica Collins wanted to talk about North Pole Estates. She gave the new Board a history of the North Pole Estates. Director Hart added information on the perc tests and excavations done. Director Hart stated that the Health Department's oversight is Title 5 with this project. We still need the payment to have an engineer review the septic plans. It is a third-party review. Their Title 5 is at a standstill right now until they pay, it is then reviewed and we get the results. We touched base with Jay Ouellette and he is sending a check. Their meeting with the Planning Board was postponed until June 1<sup>st</sup>, as well.

Jessica Collins stated that there was also a geochemistry analysis done by request of the Planning Board and there were concerns. The Board of Health had sent a letter of their concerns based on

*As Approved* – Board of Health  
Meeting Minutes  
May 13, 2020

this review to the Planning Board, for example pesticide concerns. There was a list of 5 concerns. See March 11 minutes, per Jessica. Jessica Collins asked Jennifer to find the letter and give it to Jessica so that she can do a comparison. Director Hart had edited the letter for the Board after it was emailed to her. At some point before June 1<sup>st</sup>, does the Board have to give a final response to the Planning Board before they permit this action? Director Hart will check with Town Counsel on the process as the Board of Health has not approved the Title 5 yet. Jessica would like the timeframe laid out. The issue of the Planning Board approving a small section versus the whole development was then discussed.

Jessica Collins also stated that a meeting with Mike Sullivan and one Board member per department was asked for and then put on hold by the pandemic. Building, Planning, Conservation and the Board of Health are all involved with this project and the Board thought it would be good if they could all meet and determine who is in charge of what with the development and timeframes.

Jessica asked when the Boards need to vote on something since the Planning Board is meeting on June 1, 2020. Director Hart responded that not until the Title 5 review is done but she will ask Town Counsel and Richard Harris. Maybe they can make it contingent on the review.

Jessica Collins asked for the geochemical report to be emailed to all the Board members. Director Hart said that it comes from the Planning Board. Director Hart will check online. Jessica directed the Board to the Planning Department website to read up on the issue.

Tony Judge asked how people can see this meeting online. Jennifer stated that we pass the recording off to the Cable TV department and they then put a link to it on our agenda on the town website. Jennifer wasn't sure how fast this could happen as this is the first time we are meeting this way. Jessica Collins and Jennifer thought mostly likely within a week. Director Hart was in agreement as we don't have control over the Cable TV department.

The Board discussed when to meet again. Tony Judge wants to meet more than every other month, with all that is going on in the world. Dr. Wolf was in agreement. All the Board members agreed to meet on June 10, 2020.

**The next Board of Health meeting was set for June 10, 2020 at 4:30 p.m.**

Jessica Collins will sign the glyphosate regulation. It was emailed to her.

*As Approved* - Board of Health  
Meeting Minutes  
May 13, 2020

**7: Adjournment:**

Dr. Wolf made a motion to adjourn the meeting at 6:39 p.m. All were in favor.

Respectfully submitted,

Jennifer J. Jernigan  
Assistant Director of Public Health

*As Approved* – Board of Health  
Meeting Minutes  
May 13, 2020

**ATTACHMENT A**

<b>DOCUMENT</b>	<b>RECORD LOCATION</b>
System Pumping Records 28 Cove Island 8 Pearl Lane 4 Cove Island	BOH File
MDPH Required Duties of the Local Boards of Health in Massachusetts	BOH File
Mass Executive Office of Health and Human Services - MDPH Manual of Laws and Regulations Relating to Boards of Health	BOH File
Understanding The Difference Between Social Distancing, Quarantine And Isolation	BOH File
COVID 19 Town of South Hadley Protocol	BOH File
Letter to the Chief of Police – Gundersen – on Making Police Officers Agents of the Board of Health.	BOH File
Board of Health COVID-19 Counts	BOH File