

TONY JUDGE, Chair
CHRISTINE MCKIERNAN, MD, Vice-Chair
KAREN WALSH PIO, LICSW, LADC 1, Clerk
JESSICA COLLINS
STEPHEN FRANTZ

SHARON D. HART, Public Health Director

Board of Health Minutes

June 14, 2022

As Approved – July 12, 2022

Present: Tony Judge, Chair; Dr. Christine McKiernan, Vice Chair, Karen Walsh Pio, Clerk; Jessica Collins, Board of Health Member; Stephen Frantz, Board of Health Member; Sharon Hart, Public Health Director; Jennifer Jernigan, Assistant Public Health Director; Monasia Ceasar, Health Compliance Specialist

The Board of Health Meeting was called to order at 6:01 p.m. by Chair Judge.

Chair Judge extended a warm welcome to the newly elected Board member, Stephen Frantz. Frantz shared his enthusiasm to be a Board member and mentioned he was not in attendance at the last meeting as he was unable to get sworn in prior the meeting.

1. Acceptance of the Minutes of the May 3, 2022, Meeting:

Chair Judge introduced the minutes from the 05/03/22 meeting and questioned if there were any comments or changes to be made. Dr. McKiernan put forth a few changes to be made on the 05/03/22 meeting minutes. Chair Judge mentioned he would accept a motion to approve the minutes from the 05/03/22 meeting, with the understanding that the mentioned revisions would be made. Walsh Pio made the motion and Collins seconded it. A rollcall was taken. All members of the Board were in favor.

2. Announcements and Open Forum:

Chair Judge questioned if there were any memos left in the forum or comments in attendance to be considered for the announcements. It was noted that there was a community member in attendance who wished to speak. The community member proposed that the Board of Health consider updating or making changes to the review process of emergency plans for hazardous materials. The community member referenced FSI's large propane storage facility next to E-ink as an example of a substantial change that should require a thorough review of the emergency plans. The emergency plans should include fire and evacuation protocols. As the emergency management director, Hart would be able to confirm if such plans are on file and if they can be shared with the public. Although the permit for expansion was ratified by the Planning Board, the community member felt as though there should have been a risk analysis conducted. He agreed to submit documents related to the review process that

would include both long and short term changes and the collaboration across various agencies and departments.

The community member extended congratulatory remarks to the Board of Health for recommending conditions for the E-Ink permit that were adopted by the Planning Board. He also highlighted the potential of hazardous wastes spills and referenced EPCRA (Emergency Planning and Community Right to Know Act) that outlines requirements for emergency planning and sharing things with the public. He believes the Board of Health is front and center with this obligation and believes its participation is essential in the process. The community member thanked the Board for its time and consideration regarding this matter.

Frantz agreed with the sentiments shared by the community member and felt as though it was quite irresponsible for the Planning Board to approve the special permit without confirming the EPA set conditions. The community member clarified that he was not criticizing the Planning Board and understands that they are a deliberative body and do not provide enforcement services. Walsh Pio questioned who the regulatory body is as it was previously mentioned that E-Ink's permitting requirements are not within the Board of Health's jurisdiction.

Director Hart shared that the individual agencies (EPA, DFS, etc.) may follow up on the renewal of the permits as the Health Department only issues the demolition permit and oversight of the stormwater system. The Building Department may also conduct yearly inspections of such facilities under their purview. Hart clarified that the emergency management component focuses on the crisis mitigation protocols that are outlined in the emergency plans and not on the monitoring of permit expiration dates and renewals. Frantz mentioned his concerns with the potential of long-term permit compliance getting lost in the shuffle. The Board of Health should follow up on this matter as it deals with public health. Chair Judge agreed that this matter should be reviewed and that the previously mentioned documents should be sent to the Department to be distributed amongst the Board members.

3. New Business:

(A) COVID-19 Update

Chair Judge introduced the COVID-19 update as the next topic of discussion. Director Hart shared there were 22 cases this past week which is a decrease from previous weeks. There was also a decline in the readings from the wastewater. Hart noted that not all testing is being captured as at home test results are not recorded, only those taken from PCR tests. Director introduced information shared by Dr. McKiernan from the state website.

Dr. McKiernan referenced the data points from the state COVID dashboard to provide an overview of the current status of COVID-19. Dr. McKiernan highlighted that these were similar data points utilized to implement the previous mask mandate. The data indicates an overall trend of decrease and is moving in the right direction. The average percent positivity was once over 10% and is now reading at 6.53% for the state. The hospital capacity and 14-day incidence rate both reflect a decline. The western part of the state has some of the highest readings but is still well below points that were seen when the mask mandate was implemented.

At this point, Dr. McKiernan feels as though efforts should be placed on vaccinations. There was mention from Director Hart of possibly hosting a vaccine clinic for back to school with the potential of offering additional childhood immunizations. Frantz shared that he has reviewed the CDC COVID data tracker and it shows similar readings as shared by Dr. McKiernan, with a medium risk. The wearing of masks is only suggested on public transportation. Dr. McKiernan highlighted the importance of mask wearing in certain settings and encouraged people to use their best judgment to determine that. Decisions regarding mandates should be based upon data and the current data points do not reflect the need for one.

(B) Grant- PHE Grant Update

Chair Judge introduced Director Hart to provide an update on the Public Health Excellence Grant. Hart announced the regional group unexpectedly received an additional 250,000 dollars COVID grant that must be utilized by July 1st. This is separate from the initial 400,000-dollar grant allotment. They are currently exploring different options for spending the money. So far, the purchasing of SHARPS containers and the payment of the nurse's salary has been proposed. All three towns that are a part of the regional group would be entitled to the funding.

Director Hart shared she had begun the process of hiring the Shared Services Coordinator and put together the job description. The Health Department is exempt from the Procurement Laws and does not have to follow the typical bidding and posting process. Once hired, the hired the Coordinator can facilitate the hiring of the remaining positions, execute the required monthly reporting to the state, and regional partners.

Hart announced that the Town will be receiving around 4,000 COVID home tests following the completion of a survey. A plan for distribution of the tests is currently being developed. Last time, there were specific requirements targeting environmental justice groups. The Council of Aging and Libraries have been proposed locations of distribution.

(C) 7 Gaylord St- E Ink Facility Expansion Update

Chair Judge introduced the update regarding the expansion at E-Ink as the topic of discussion. Frantz questioned what chemicals are likely to be released from the company and if there was a known limit of exposure with these chemicals. Collins responded that a letter that was sent to the Planning Board with recommendations for E-ink to collaborate with the Pioneer Valley air monitoring initiative and install additional monitors to track volatile organic compounds and hazardous air pollutants on a regular basis. This was done in hopes of being proactive about the situation and not waiting until those exposure limits are reached. The collected data report would then be sent to the appropriate Town staff for review. The Planning Board approved the proposed recommendations and included them as provisions to E-Ink's Special Permit.

Judge thanked Collins for her efforts in drafting the letter for the Planning Board and questioned if there were additional remarks. Collins noted she hoped that Director Hart will begin to receive the reports and will forward them to the Board members. She suggested that Hart connect with the Pioneer Valley air monitoring group to decipher the details of the reports.

(D) Board of Health Website and Links- E360

Chair Judge introduced the Board of Health Website and the E360 link as the next topic of discussion. Walsh Pio proposed the possibility of posting the Board of Health's regulations on the website. Director Hart confirmed that all Town regulations are on the Town website under E360. Once approved, the regulations are sent to the Town Clerk where then a company reviews, edits them for legal purposes, and posts them all together under E360. The regulations are organized by respective subcategories like Board of Health, Zoning, DPW, etc.

Walsh Pio questioned if there is a way to indicate that in clear blatant terms for residents and other interested parties. Jernigan verified that it is mentioned on the bottom of the Town Health Department page. Dr. McKiernan noted that the link provided only displayed tobacco regulations and questioned the possibility of providing a clear and concise description of E360 as people may be unaware of what it is. Jernigan agreed to update the website with a link to the main E360 page as well as a provide insight on what E360 is. Walsh Pio expressed her satisfaction with the shared sentiments as this will improve the accessibility of the Board's regulations to its constituents.

(E) Dry Brook Hill- Forest Cutting Plan

Chair Judge introduced the Forest Cutting Plan at Dry Brook Hill as the next topic for consideration and questioned if anyone would like to provide a brief overview of the situation. Frantz expressed his apparent disapproval of the plan. Collins shared her perspective of the matter as being a plan to cut

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down a substantial amount of trees in Zone 2 over the aquifer. There had been an inquiry submitted to Town Counsel regarding clarification on jurisdiction. Chair Judge noted that the Board had recently shared similar concerns regarding the project with Chicopee Concrete and was told that the state oversees the Forest Cutting Plan. The plan has been approved and will soon be underway if it has not already begun. Frantz confirmed that tree removal has begun on the site with observations of trees in two to three feet in diameter being hauled out.

Chair Judge mentioned that his main concern lies with why the Board of Health was not informed of the Plan at an earlier stage of the process. Frantz added that he believes the MA Forest Cutting Practice Law Ch. 132 Sec. 40-46 needs to be rewritten as the principles are outdated. The Forestry services under the state Department of Conservation and Recreation utilizes 1954 ideals about trees that views trees as something to be harvested with no understanding of pro-forestation or the current climate crisis. It is now known that trees are a critical component of infrastructure and are not just aesthetically appealing. There is an increased risk of tree removals on an aquifer as this interferes with water filtration, carbon storage, and holding soil in place. The Town Department of Conservation and Planning disregarded that in the approval of this plan.

Hart referenced the four Forest Cutting Plans approved on the Town Planning Board's website. Collins proposed the possibility of writing a letter to the Planning Board requesting to be informed about proposals that deal with land associated with the aquifer in Zone 2. Both Dr. McKiernan and Chair Judge questioned the Board's jurisdiction and whether the Board should have received notice of the Plan proposal. Dr. McKiernan proposed advocating for legislative reform to update the outdated state protocols regarding Forestry Services.

Collins noted that because the matter is in Zone 2 and being that the Board of Health oversees water quality proper notification should have been given. There was a consensus amongst the Board members that any matter regarding Zone 2 should be considered by the Board of Health. Dr. McKiernan suggested reaching out to the Town Administrator and the respective Town agencies with the mentioned request. Chair Judge agreed to work with Director Hart on writing the request for the Town Administrator. Director Hart suggested independently signing up to receive notifications from specific Town Departments/ Boards as she is unaware of a provision that would require the Planning Board to inform the Board of Health, despite the matter being in Zone 2.

Director Hart noted there seems to be a lot of concern regarding this area and mentioned the possibility of applying for an ACEC (Area of Critical Environmental Concern) designation. There are 8 to 10 interest areas that may be highlighted in the application with public water supply being one of the 8 areas. This may add a level of protection to that area. Frantz shared that this was mentioned at the recent MA

Conservation Data Tools meeting. If interested, people can visit masscptc.org to get an overview of the related details.

Discussion regarding Near map pursued: Frantz questioned if Near map software was used in the images shared with the Board members of Brunelle's Marina. Hart confirmed it was. Frantz explained that Near map provides high resolution images. Fly over capturing is done twice a year to provide accurate coverage. He would like to gain access to the software to analyze Dry Brook Hill. Frantz asked how Board members could gain access. Hart answered she would follow up to see if there are any restrictions in place, as there are often user limits. She is currently using the software for emergency preparedness to allocate safety zones, spectator areas, vendor spots, etc. for the Town July Celebration. Frantz mentioned the need for a Town issued email to gain access to the resource. Hart agreed to forward both Frantz and Judge information on how to contact the Town IT Manager James Doolittle to do so.

(F) Emergency Order to Vacate- 18 Smith Street, 2nd Floor Right
Emergency Order to Vacate- 36 School St- 2nd Floor
Emergency Order to Vacate- 67 Hadley St
Emergency Order to Vacate- 24 Main St Rear
Emergency Order to Vacate- 53 Camden St

Director Hart shared there were five condemnations that need to be ratified. Three from utility shut offs, one illegal apartment, and one hoarding case. Hart then read each address verbatim for the record. Frantz questioned why they were being condemned. Hart shared that the Department is notified by SHELD and the Water Department when services are shut off. Per the Sanitary Code, a dwelling is uninhabitable without heat, hot water, and electricity and thus a condemnation order is issued. The property is placarded with the condemnation order. Within the order, occupants can access the dwelling between 8am- 5pm to get their things and to make the necessary repairs. Once the citations have been addressed the condemnation is lifted and a notice of compliance is issued. As the Director, Hart can issue the condemnation but likes to bring them forth to the Board to be ratified. The Department learned of the illegal apartment when the occupant was removed from the unit for medical purposes and the last one was a hoarding case.

Hart shared there is a PowerPoint available that outlines the Board of Health's governing authority in case anyone wishes to review it to gain insight on the purview of the Board of Health. Chair Judge mentioned he would accept a motion to ratify the emergency orders mentioned. Collins made the motion and Frantz seconded it. A rollcall was taken.

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Jessica Collins: Aye
Karen Walsh Pio: Aye
Dr. Christine McKiernan: Aye
Tony Judge: Aye
Stephen Frantz: Aye

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

Chair Judge introduced an update of the South Hadley Drug & Prevention Coalition given by Walsh Pio as the next topic of discussion. Walsh Pio shared Director Hart gave a presentation to the Coalition regarding the Public Excellence Grant. The Coalition is willing to help brainstorm ideas on how to utilize the funding. There have been observations of increased substance abuse amongst those who have experienced trauma. The coalition is seeking to target trauma as a means to address the behavior.

There was a seminar held on May 31st for caregivers regarding substance abuse. Unfortunately, the event was not well attended. Walsh Pio proposed providing the link if the webinar was recorded. The Coalition hosted the pre-prom annual event of golf carts and goggles in hopes of deterring students from driving while under the influence. Both alcohol and THC simulated goggles were made available for students to use as they drove the golf carts through a course. Letters were also sent out to caregivers to inform them of the Social Host law that hosting underage drinking is against the law.

The vape detectors at the High School have been effective at getting students to stop vaping at school. Prior to having vape detectors, the students regularly engaged in the activity with little to no risk of getting caught. The resource officer at the school expressed that the detectors are helping the students get the message. The Middle School hosted a bookmark contest, and three students were awarded with having their anti-vape bookmarks printed and offered at the Odyssey bookstore in Town. Walsh Pio shared that local towns are partnering to show the film Screenagers. This film addresses the addictive properties of electronic and digital devices amongst the youth.

4. Set Next Meeting Date (TBD) at 6:00 p.m. Virtual using Zoom

Chair Judge shared that the Board of Health, typically skips the August meeting to accommodate for vacations. He proposed that the Board set the July meeting and beginning thinking about the details for the September meeting. Director Hart noted that remote meetings are set to end as of July 15th if the bill does not get passed to extend them. The July meeting can be held virtually if hosted prior to July 15th. If the remote meeting bill is not extended, meetings will be hosted at the Senior Center. The July meeting was set for Tuesday July 12th, 2022, at 6p.m. Dr. McKiernan proposed reserving the Senior Center on September 13th in case meetings are to be held in person. All Board members were in consensus for the next meeting date.

Discussion of Peabody Plant: Frantz proposed reviewing the Peabody Plant as it involves SHELD at the next meeting. Chair Judge mentioned that the Board has previously discussed the Peabody Plant to great extent, but would be willing to hear a brief overview. He also invited Frantz to review past minutes to get familiar with Board's previous conversations regarding that matter. Walsh Pio questioned if there was an archive available with past minutes and related documents. Jernigan confirmed that past meeting minutes and the corresponding documents can be found on the Health Department's page.

5. Adjourn Meeting

Chair Judge mentioned he would accept a motion to adjourn the meeting. Collins made the motion and Dr. McKiernan seconded it. All members were in consensus.

The meeting was adjourned at 7:37 p.m.

Respectfully,

Monasia Ceasar

ATTACHMENT A

RECORD LOCATION

7 Gaylord St- Air Quality Monitoring

BOH File

Dry Brook Hill- Forest Cutting Plan

BOH File