

**BOARD OF HEALTH
PUBLIC HEARING MINUTES
JANUARY 2, 2019**

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CALL TO ORDER: Chairman Rhoads called the meeting to order at 4:00 PM.

MEMBERS PRESENT: Chairman David Rhoads, Vice-Chairman Bruce Shepley, Peter Hoyt, Tom Romaniak (Code Enforcement), Pam Gerry (Administrative Assistant)

MEMBERS ABSENT: None

OTHERS PRESENT: Jack Guerino, (iBerkshires); William Martischnig, Kevin Towle (Executive Assistant to the TA), Kelly Rice (Treasurer), Jim Wilusz (Tri-Town Health; Director, Tobacco Awareness Program)

PUBLIC COMMENT: With no objections, we opened the floor to Jim Wilusz who attended to provide the board with a more comprehensive picture of TAP.

- The proximate impetus for Mr. Wilusz's appearance was a complaint from one of our tobacco retailers regarding what he considered a problematic visit from a TAP monitor. That retailer was unable to attend.
- Mr. Wilusz came prepared to inform us fully about TAP & program procedures. He distributed printouts of Massachusetts law, excise tax requirements, local regulations & data on member communities as well as the annual information packet that they provide to all retailers.
- Mr. Wilusz detailed the several components of TAP: an annual educational session (along with the packet); a surveillance visit to ascertain compliance with regulations regarding displays, signage, permits (including excise tax licenses), employee agreements, pricing & sales of prohibited products (e.g. flavored cigars); & spot checks to ensure sales only to customers 21 and over. Mr. Wilusz pointed out that TAP is a monitoring & educational program, rather than an enforcement program. However, Mr. Wilusz offers support to code enforcers by providing warning templates, designing disciplinary measures, etc.
- Mr. Wilusz noted that "bumps in the road" are expected when TAP is adopted by a new town (5 did so this year). That Adams has one of the stricter regulatory structures in the county further complicated initiating the monitoring process. He assured us that TAP's presence will get easier with time.
- Finally, Mr. Wilusz said that Tri-Town uses the same Full Circle online permitting system as we do. However, he noted that they had enhanced theirs to include checklists & the capability to upload required documents, e.g. excise tax licenses. Rhoads said that he would sit down with Gerry & Romaniak to see how our application portal could be made more informative & functional.
- We thanked Mr. Wilusz for all his efforts to prevent underage tobacco use & for taking the time to attend our meeting. Mr. Wilusz agreed to assist us with enhancing our online application, if needed, as well as to answer any further questions we had on the program or the materials.

PUBLIC HEARING: None.

APPROVAL OF MINUTES: Minutes from the December 5 meeting were approved unanimously as written.

CLOSED CASES: We voted unanimously to close the following cases.

- **20 Anthony St.:** Condemned; status of clean-up. The house has been sold, including payment of back taxes to the town. The new owner has been vigorously working on rehabilitation, with 7 dumpster loads already hauled away. Romaniak reported that the former owner had been reunited with her son & appropriate housing was being sought. Gerry commended Romaniak for his efforts to support the two throughout the process, going way above & beyond his official requirements. For his part, Romaniak reported that the former owner was very cooperative & eager to resolve the issues to the satisfaction of all parties.
- **25 Pine St.:** Trash build-up – trash was removed the day before Romaniak said that he'd impose a fine.

OPEN CASES: The following case was investigated but will remain open until resolution.

- **14B Richmond Lane:** Tenant called to complain about conditions, had an allegedly unfriendly visit from Romaniak & the realtors, and then called Town Hall. The proximate issues (missing smoke detector, defective oven igniter) were resolved soon thereafter. However, issues remain so we'll revisit next month.

- **12 Crandall St.:** Repair status (water leak, mold, unsecured fan), Romaniak went to court twice, with the second appearance resulting in a court ruling for a receivership to proceed.

VIOLATIONS: No violations were reported.

OLD BUSINESS:

- Follow-up on waste hauler questions; Legal status of scrappers, cost of providing recycling bins, fees for rented dumpsters (joint effort). Rhoads had nothing to report but indicated that we will discuss next month.
- Follow-up on temporary food vendor permit application deadline: The BOS has added our requested language to their Facilities Use Application but have not had an opportunity to approve the change.
- Communication during town emergencies: Rhoads attended the December 6 meeting. He was asked to confer with the BOH to flesh out the public health portion of the plan with Adams-specific information.
- Follow-up on temporary camping regulations, Boy Scouts camping at the Glen (Shepley): Shepley read an email he'd received from Town Counsel Edward St. John III, in which he noted that our regulations on temporary camping exempt a "recreational camp for children" [IV. Definitions]. We agreed that the Boys Scouts could fall under this exemption. Rhoads also noted that camping by the Boy Scouts is a supervised educational experience to teach survival skills, woodsmanship, etc., thereby providing internal oversight. Romaniak added that Scoutmaster Don Girard has been an exemplary leader for 45 years.
- Underage smokeless tobacco use: Shepley reiterated that school staff with whom he spoke confirmed that vaping is rampant among teens, including in school. He predicted that stricter governmental regulations at all levels will have an impact on vaping over the long term. Hoyt added that anti-vaping ads would be beneficial, as they were with cigarettes. Hoyt reported that his survey revealed that tobacco/nicotine awareness was dealt with in health classes, but that the focus was on smoking without singling out the issues with smokeless tobacco. He is waiting to hear back from one more colleague.

NEW BUSINESS:

- Annual Report: Rhoads asked Romaniak & Gerry to assist with compiling a detailed accounting of our expenditures. Gerry replied that it should be relatively straightforward as she submits monthly bills incurred by the BOH Office to Town Accountant Mary Beverly, as well as Town Treasurer Kelly Rice, who receives all permitting fees. Rhoads would refer to the 2019 FinCom Report to ascertain how best to organize the information. Rhoads also requested that members come to the next meeting with two recommendations to improve public health in the town so that we can discuss what to include in the report.
- BOH specifics for the town's emergency management plan: The Emergency Planning Committee had distributed a general template regarding responsibilities of town staff & officials during an emergency, categorized as Prevention/Mitigation, Preparedness, Response & Recovery. We, as public health officials, were charged with considering a 2-page list of responsibilities. Rhoads suggested that we go through the first 2 categories to define the BOH's role in more detail. Shepley maintained that the plan should be finalized before the BOH weighs in on its responsibilities, but Mr. Towle noted that the process is an ongoing back-and-forth, particularly given that responsibilities overlap among groups & that available resources change over time. We did agree that #1 regarding "public sector facilities" applied to shelters, which should be inspected by Code Enforcement during emergency use as well as before an emergency. Given that Adams does not have a usable emergency shelter (despite the listing of AMMS, COA, St. Stan's & Plunkett in an older plan), we suggested that identifying a viable shelter in Adams was a priority. Under #2 regarding "coordinating immunization programs," Rhoads first suggested that BPHA would be a good resource, even though we are not subscribed to their ongoing immunization program; MEMA & MassDPH were also suggested. Shepley countered that adequate lines of communication have already been established and do not have to be rethought. When Rhoads asked who was responsible for contacting resources for immunization, whether it should be the EMD or dependent on the circumstances of the emergency, Shepley stated that AJ, of the Northern Berkshire Regional Emergency Planning Committee, was the go-to person for all such issues. Rhoads argued that it was still necessary to document resources & provide contact and back-up numbers as an essential part of the town's emergency management plan, so that procedures and contingencies would be clear and transparent to anyone responding to a town-wide emergency. Rhoads offered to propose Adams-specific details to the BOH responsibilities for the remaining items & circulate them to the board before the January 24th emergency planning meeting.

LOCAL & COUNTY UPDATES:

- Green Team initiative with ACRSD (Rhoads): The meeting with the interested teacher is not yet scheduled.
- Berkshire Co BOH Assoc. (Rhoads, 12/19): The meeting had a packed agenda, partly because last month's meeting was canceled. Rhoads summarized the more important issues: (i) A successful telephone drill was conducted by HHAN while we were in the meeting. (ii) Function Needs & Support Services (FNSS) issues: We brainstormed what measures could be taken to prevent first responders from mistakenly using excessive force when approaching challenged individuals (e.g. deaf person not obeying spoken commands). (iii) We started a Hazard Vulnerability Assessment appropriate for Berkshire County, to be used by emergency planning agencies. Due to its length, we agreed to finish the survey on our own time. (iv) LPHI is offering a day-long workshop on risk communication for local health on February 6 in Southampton. Rhoads plans to attend & will forward information to Mr. Towle for further distribution among pertinent town staff. [A couple other topics were skipped in the interest of time.]
- Municipal Recycling Coordinators workshop: MassDEP recycling grants (1/31/19): Both Shepley & Rhoads plan to attend.
- Narcan replacements: Rhoads noted that ours kit expired in October. None of us had replaced our kits. Rhoads encouraged the board to have their kits replaced at Tapestry in North Adams as soon as possible.

FOR THE GOOD OF THE ORDER:

- Rhoads brought up the new law on short-term rentals, noting that it opened the possibility of municipalities subjecting units to health inspections. We agreed that short-term rentals should be held to the same health standards as apartments. The question arose as to how to identify short-term rentals. Rhoads & Mr. Towle noted that there would be a state registry as well as excise tax records. Rhoads will confer with BOH members from other towns to ascertain their thinking on strategies. We'll continue discussion next month.

REVIEW MAIL:

- In the interest of time, note of the MassDEP communication to the AFD was postponed until next month.

NEXT MEETING: The next meeting was scheduled for February 13, 2019 at 4:00 PM.

ADJOURN: A motion to adjourn was passed unanimously at 5:21 PM.

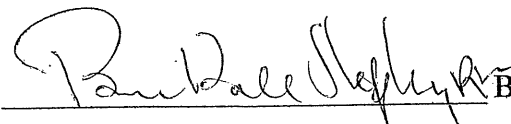
Respectfully Submitted,

Date

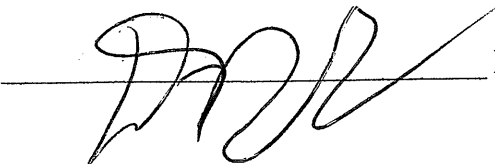
02/13/19



Peter Hoyt, PhD



Bruce Shepley, RN



David Rhoads, PhD