

APPROVED

**BOARD OF HEALTH PUBLIC MEETING MINUTES
THIS WILL BE A VIRTUAL MEETING VIA ZOOM
MARCH 10, 2021 / 4:00 PM**

MEMBERS PRESENT: Chairman David Rhoads, Vice-Chairman Peter Hoyt and Member Laura Grandchamp

OTHERS PRESENT: Code Enforcer, Mark Blaisdell; iBerkshires, Jack Guerino and Administrative Assistant Pam Gerry

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

Join Zoom meeting by video

URL: <https://zoom.us/j/93963470466?pwd=SzNJNHhVN0RxSVNOdUtSOG8wMmE1dz09>

Meeting ID: 939 6347 0466 / Passcode: 851358

Join Zoom meeting by phone, dial by your location

1-929-436-2866 (New York)

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+13017158592,,93963470466#,,,,*851358# US (Washington DC)

Note: If you are having trouble joining, please call David B. Rhoads, Ph.D., Chair, at 781-507-1627.

NOTICES ON RECORDING & PANDEMIC WAIVER TO CONDUCT PUBLIC MEETING VIRTUALLY:

APPROVAL OF MINUTES: February 10, February 17

Vice-Chairman Hoyt stated that at the February 10, 2021 the meeting ended before the agenda could be discussed due to computer issues. He stated that the additional agenda items for that meeting night should be eliminated.

A motion made by Vice-Chairman Hoyt, seconded by Chairman Rhoads to approve the minutes of February 10, 2021, as amended. A roll call vote was taken with Chairman Rhoads and Vice-Chairman Hoyt in favor 2-0-1. Member Grandchamp abstained from the vote.

A motion made by Vice-Chairman Hoyt, seconded by Member Grandchamp to approve the minutes of February 17, 2021, passed unanimously. A roll call vote was taken with Chairman Rhoads, Vice-Chairman Hoyt and Member Grandchamp voting in favor 3-0.

PUBLIC COMMENT:

PUBLIC HEARING: None

CODE ENFORCEMENT OFFICER:

- None at this time

OLD BUSINESS:

- COVID-19 update

Chairman Rhoads stated that the COVID-19 cases have decreased. He stated Berkshire County was doing fairly well. He stated that there were no new cases during this week.

- Mount Royal Inn

Chairman Rhoads addressed Code Enforcer Mark Blaisdell to ask him for an update as to the status of the Mount Royal Inn. Mr. Blaisdell stated that Building Commissioner Garner had not been able to complete the inspection at Mount Royal Inn. He stated to the members that he would like to submit a

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second notice of non-compliance to Mr. Bokhari and request that he appear at the Board of Health meeting scheduled for April, 2021 at which time the Board of Health could determine if they want to revoke or suspend their lodging permit.

Building Commissioner Garner addressed the members stating that he had submitted a list of items to be completed. He stated that he had received one document, noting that he had not received a system testing document and the Fire Chief Pansecchi could not complete his end of the inspection for the proper sign offs. He explained to them that he no longer would conduct any further inspections of the building until the paperwork has been completed. He stated that if this continues he would be sending Mr. Bokhari a letter within a few days to let him know that they would be required to close the Mount Royal Inn.

Chairman Rhoads asked if there was something the Board of Health could do to assist in this matter.

Building Commissioner Garner stated that the board could take the opportunity to contact them, noting that they do not have the necessary Certificate of Inspection that was required. He stated that the owner was leaving the responsibility in his managers hands. He informed them that their lodging license was held up as well in the Town Administrator's Office.

Chairman Rhoads stated that he would approach Mr. Bokhari to assist in encouraging him to fulfill his requirements for his lodge.

- Annual Report revisions

Chairman Rhoads stated that he was attempting to review their budget report from the Town Accountant's Office but he was having some difficulty with reviewing all the figures. He asked members if they received his revision submittal that he emailed to them today.

Vice-Chairman Hoyt and Member Grandchamp stated that they had not checked the email he had sent them as of yet in regards to the budget report revisions.

He stated that Mr. Blaisdell submitted some figures to add to the draft report as he displayed the submitted sheet and reviewed various figures. Further review with members regarding the report's edits continued.

Chairman Rhoads stated that he would come forward with more information regarding the budget in days ahead.

A motion made by Vice-Chairman Hoyt, seconded by Member Grandchamp to approve the Annual Town Report as amended, passed unanimously. A roll call vote was taken by Chairman Rhoads, Vice-Chairman Hoyt and Member Grandchamp voting in favor 3-0.

- Original Seed Cigar Lounge request for smoke shop permit.
- Chairman Rhoads stated that Mr. & Ms. Sheerin had not been in attendance for the meeting. He addressed Code Enforcer Blaisdell for updated information. Mr. Blaisdell stated that Building Commissioner Garner had not signed off on their permit. He stated that the facility needed more work to be performed and noted that the items to be addressed should be completed by the board's next meeting in April. He stated that he would be able to complete his inspection so the Sheerin's could operate their retail adult only inside their establishment.
- Chairman Rhoads stated that Attorney St. John had indicated in an email that the 2020 tobacco regulations superseded the 2014 regulations. He further noted that he stated that the Original Seed should obtain a cigar lounge permit. Chairman Rhoads stated that he would like the Sheerin's to be aware of this and that the Board of Health would notify them of their next meeting.
- Vice-Chairman Hoyt addressed Mr. Garner to ask him if he could share the specific details that need

to be addressed within the building. Mr. Garner responded by stating that they needed a Construction Control sign off by the architect, noting that he would let them know that they are close to completing all that was required of them.

- Determination on Open Meeting Law violation (OML 2021-15)

Chairman Rhoads discussed the judgment by the Attorney General's Office violation regarding Catherine Foster. He stated that she was not present at the meeting. Chairman Rhoads read the conclusion of the four page letter aloud to the members. He stated that Ms. Foster received this letter as well. He asked for comments from the board members. There were none.

NEW BUSINESS:

- Possible future meetings at Town Hall

Chairman Rhoads stated that Town Administrator Jay Green recommended that future meetings could be conducted in person. He noted that he had been waiting on a second vaccination in the upcoming weeks ahead. He stated that the board members should share their feelings on this matter of coming to the Town Hall.

Member Grandchamp stated that she was not concerned about her safety but she stated that due to her veterinarian business, she was exposed regularly to "respiratory secretions" from individuals. She stated that she would be more concerned for the members well-being.

Vice-Chairman Hoyt stated that they would still conduct virtual meetings at this point but decisions could be made in the future regarding meetings within the Town Hall building.

Chairman Rhoads stated that he would inform Mr. Green of their input.

- Status of Kozak & Sons' solid waste hauler permit

Chairman Rhoads stated that Mark Blaisdell stated that this issue had been resolved.

- Individuals/businesses who collect/haul solid waste without a town permit
- Possibility of amending current regulation imposing fine/s upon individuals who hire/retain non-permitted solid waste haulers

Mr. Blaisdell began by addressing the board members to let them know that there were complaints made of certain individuals collecting solid waste without a permit by the Town of Adams. He stated that he would observe future activity and approach those solid waste haulers to let them know of the town's regulations. He stated that he informed the Adams Police Department to ask them to conduct the same protocol and to notify him of this activity. Mr. Blaisdell had considered amending the current regulations with the board's approval to incur fines for non-permitted haulers.

Chairman Rhoads addressed Mr. Blaisdell to discuss scrap metal haulers. Mr. Blaisdell stated that in Pittsfield MA they had an ordinance to cover the scrap haulers which required them to have a town permit. He stated that when he performs inspections of vacant properties, he would also inform the banks responsible for this property of this situation.

Chairman Rhoads asked for more clarification regarding a neighbor taking another neighbor's scrap metal trash. Mr. Blaisdell stated that if they performed this service for the neighbor on a regular basis and were being paid for this, that would constitute a business and would require a permit. Chairman Rhoads stated that they would communicate with Attorney St. John on this matter.

Chairman Rhoads asked how they would monitor or enforce imposing the fines on residents who use non-permitted waste haulers. Mr. Blaisdell stated that the "enforcement was more difficult if there is no language on the books and you do make the encounter." He stated that the responsibility rests on the permitted haulers.

Vice-Chairman Hoyt addressed Mr. Blaisdell to ask him how the public would be informed of the status of the

haulers permit. Mr. Blaisdell stated that when an individual was prepared to hire the hauler for this service, they could ask the hauler for his permit information which they should have on person. Vice-Chairman Hoyt stated that the hauler should inform the individual that they are permitted or not prior to being hired to do the job.

Chairman Rhoads stated that the town bylaw does require mandatory recycling for residents.

Mr. Blaisdell stated that the general public can call his office to check if a hauler has a current permit.

Vice-Chairman Hoyt stated that there should be more education on this matter for individuals looking to hire these haulers.

Chairman Rhoads stated that they could address a draft regulation at their next meeting in April.

Mr. Blaisdell stated that the Board of Health would have to conduct a public hearing to amend or modify their regulations.

- In-home vaccination program: Choose option

Chairman Rhoads stated that Laura Kitross recommended that the Board of Health follow the state plan for the in-home vaccination program. He stated that if Adams performed the in-home, it would not entitle them to extra vaccines.

Mr. Blaisdell stated that he would recommend that they use the state's program since the town does not have the resources to perform this.

A motion made by Vice-Chairman Hoyt, seconded by Member Grandchamp to accept the Massachusetts state program to vaccinate in-home individuals in Adams, passed unanimously. A roll call vote was taken with Chairman Rhoads, Vice-Chairman Hoyt and Member Granchamp voting in favor 3-0.

LOCAL & COUNTY UPDATES:

- Public Health Emergency Preparedness (PHEP) Concurrence Vote

Chairman Rhoads stated that the CDC provided money for states for preparedness and emergency management who in turn give out grants to various towns. He stated that they have been level funded at this point. He stated that they receive very little funding within the local boards of healths. He stated that a letter had been sent by the health association asking members if they had received one, offering to submit each of them a copy. He stated that they were asking them to agree to something that would not benefit the Board of Health.

- COVID-19 vaccinations for K-12 personnel

Chairman Rhoads stated that the state has moved K-12 teachers and personnel forward on receiving their vaccinations, noting that at this time there was no vaccine available. He stated that he sent a letter to the three principals of the schools to inform them that they could move forward in signing up for the vaccinations. He stated that he and Mr. Blaisdell were coordinating this. He stated that the state was opening up a registration for future vaccine appointments making them available to receive a vaccination in Springfield MA. Chairman Rhoads stated that he and Mr. Blaisdell would attempt to keep the schools informed. Chairman Rhoads asked for discussion. There was none.

UPCOMING EVENTS:

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REVIEW MAIL:

- Any?

Chairman Rhoads stated that Mr. Wilusz sent the board an email regarding hemp wraps being marketed. He stated that the Board of Health defines them in their regulations but they do not regulate them. He would like to address this in their regulations.

Chairman Rhoads stated that an additional email came from the Franklin County Council of Governments to

announce a webinar on March 18, 2021 on the public healths excellence grant. He stated he would be signing up for this webinar, noting he would forward this email to the members.

FOR THE GOOD OF THE ORDER:

- Any?

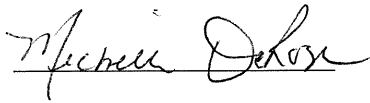
SCHEDULE NEXT MEETINGS: April 7 set; May 5 or 12?

Board members scheduled their next meetings for April 14 and May 12, 2021 at 4:00 P.M.

ADJOURNMENT: A motion made by Vice-Chairman Hoyt, seconded by Member Granchamp to adjourn the meeting at 4:57 P.M., passed unanimously. Chairman Rhoads, Vice-Chairman Hoyt and Member Grandchamp voted in favor 3-0.

Respectfully Submitted,

Date



5/12/2021

