

Board of Health
Meeting Minutes
May 11, 2022, 3:30 pm
59 Main Street, Hatfield, MA

Approved June 22, 2022

Present: Bob Osley, Chair, Member Liz Kugler and Charlie Kaniecki, Health Agent

CALL TO ORDER Chair Osley called the meeting to order at 3:37 p.m.

PUBLIC FORUM

ANNOUNCEMENTS

APPROVAL OF MINUTES Member Kugler made a motion to approve the meeting minutes of April 14, 2022; Chair Osley seconded, all in favor - aye, minutes approved.

POSTED BUSINESS

TOPIC 1 Update Northampton Health Department public health education program: Chair Osley informed the Board he and Member Kugler met with the Select Board at their last meeting. Since the COVID number have declined, the Board of Health is working on utilizing the grant and staff from the Public Health Excellence in Shared Service Grant. Member Kugler informed the Board that she has scheduled 4 programs to be held at the Council on Aging: blood pressure clinic on June 8 from 10:30-12:30; COVID booster clinic on June 15, 2022 from 10:00-12:00; Lyme disease and ticks July 12, 2022 from 1:00-2:00; and Diabetes screening and management August 19, 2022 from 11:30-12:30. These programs are sponsored by the Hatfield Board of Health in cooperation with the Hatfield Council on Aging. Mr. Kaniecki also suggested other topics for future programs: vaccines and immunization for people over 60 and when the power goes out, how long should you keep refrigerated foods.

TOPIC 2 Odor from swamp on North Street: Chair Osley informed the Board this is an ongoing issue. Last winter a concerned neighbor on North Street informed the Board of Health that potatoes got washed down into the wetland. Since the weather is now warming up, it's starting to smell. Chair Osley received another call from a resident on North Street about the odor. Chair Osley went over to the area, and it did smell. Chair Osley said there were a number of small potatoes back in the fall but now there are just skins. He walked up the stream and walked up to the potato farm, the further up he got - the less the odor. He did not see potatoes coming down. Chair Osley talked to farmer about a month ago and they dug out the old potatoes. It could be that a box broke, and potatoes washed down. Mr. Kaniecki reminded the Board that in a swampy area when organic material decays, it creates odors. It could be due to warm weather and the direction of the air. The problem was rectified in the fall by digging potatoes upstream. How far do we go with this? Chair Osley stated last fall he told the residents it's not part of the Board of Health; Chair Osley emailed the Chair of the Conservation Commission about the odor stating it is not a public health issue, but the issue may fall in the purview of the Conservation. Chair Osley didn't hear anything back. Now we have another complaint but it's

not in the purview of the Board of Health. Mr. Kaniecki read Massachusetts General Laws Chapter c.111, Sec. 125A: ***“Section 125A. ..., that the odor from the normal maintenance of livestock or the spreading of manure upon agricultural and horticultural or farming lands, or noise from livestock or farm equipment used in normal, generally acceptable farming procedures or from plowing or cultivation operations upon agricultural and horticultural or farming lands shall not be deemed to constitute a nuisance....”*** Mr. Kaniecki asked if the potatoes rotting on the field are part of a normal farming function. Is this a nuisance? If it is, Mr. Kaniecki said the law states we can bring the farmer to the District Court. Chair Osley said that the potato farmer family is an intricate part of the community. Mr. Kaniecki said this should be up to the neighbors to bring a civil action, not the Town. Chair Osley stated last year the farmer was complying with what we asked him to do. One of the abutters mentioned DEP and Chair Osley doesn't feel that is necessary. Member Kugler asked what action will we take? Chair Osley will talk with the farmer again. Chair Osley also spoke with the two neighbors who had concerns and explained to them what the Board of Health hopes and expectations are.

TOPIC 3 Sharps program and containers: Chair Osley informed the Board we received an invoice for an additional \$25.00 for overweight of the packages sent back to Sharps. Part of our budget request was approved including the extra \$1,055.00 to cover additional sharps program fees. Chair Osley stated if there is a business using sharps, we don't want to risk those getting out to the public and we will have the sharps containers available for those businesses.

TOPIC 4 77 Elm Street: Mr. Kaniecki went to the property before the meeting. He said that the trash was moved to the back of the residence. He informed the Board that there seemed to have been a diligent cleanup and improvement. The Board of Health will continue to monitor this situation.

TOPIC 5 Food permit issues – mobile food permits for different locations and one day events versus mobile locations: Chair Osley informed the Board we are getting more requests for outdoor events and there were a couple of questions on mobile food vendors being at different venues. How do we deal with that? After discussion, the Board agreed that mobile food truck vendors would need one single permit within the Town of Hatfield, but to notify the Board of Health where they will be.

TOPIC 6 Review Board of Health fees: The Board of Health reviewed the fees for all permits. The following changes were made: recreational camp - \$200.00; refuse, commercial and offal hauler permit - \$300.00; add a category for biohazard hauler permit - \$300.00; perc test - \$200.00; addition hours - \$75.00 each hour; disposal system construction permit - \$250.00; septic system re-inspection - \$50.00; Witness – Title V fee - \$150.00 first 2 hours; Title V fee after 2 hours - \$75.00 per hour after 2 hours. Any permit request not listed would be \$100.00; Boy Art: \$200.00. Member Kugler made a motion to adopt all changes and modifications for the fee schedule under M.G.L. c. 111, §31; Chair Osley seconded; all in favor – aye, motion approved.

UNANTICIPATED NEW BUSINESS: Mr. Kaniecki was sent the update on COVID numbers from Northampton Public Health, but he was unable to open it on his cell phone. He will send the update to everyone soon. The Board discussed Northampton going back to masking in the schools. Member Kugler has discussed the issue of masking in the schools with the school nurse and was concerned that a student got COVID despite wearing a mask all day. Mr. Kaniecki suggested the Board of Health take the position of monitoring the situation. Mr. Kaniecki reminded the Board that we can do something down the road if it gets bad in a hurry. Mr. Kaniecki reminded the Board that he has the authority to order a mask mandate, like he did before. Chair Osley expressed concern about what we did last August. By mandating masks, half the town was in the uproar. Mr. Kaniecki informed the Board looking at it right now, it's not severe and everyone is aware to be cautious. Chair Osley decided to just monitor cases and not issue proclamations or recommendations at this time. Member Kugler asked at what point do we do something? After discussion, the Board of Health is concerned and will continue to monitor the situation. Member Kugler asked that something be placed on social media asking residents if they tested positive using a home testing call the Board of Health. You can do this anonymously.

CONTINUED OLD BUSINESS:

Chair Osley informed the Board that the tank has been replaced to a 1,500 gallon tank on Circle Drive.

ADJOURN

Member Kugler made a motion to adjourn at 4:47p.m.; Chair Osley seconded; all in favor – aye; meeting adjourned.

Respectfully,

Karen Brodeur
Executive Assistant