

MONTAGUE BOARD OF HEALTH MEETING

Wednesday, August 16, 2023 – 5:00 PM

Town Hall – Second Floor Meeting Room and ZOOM

Meeting Minutes

Present: Melanie Ames-Zamojski, Michael Nelson & Rachel Stoler

Staff: Ryan Paxton - Health Director for Montague, Brittany Tuttle Public Health Nurse

Other: Judith Loreli & Mary Kay Mattiace – Cemetery Commission, Lisa Morrison, Jason Kaiser along with various Montague residents

Melanie Zamojski opened the meeting at 5:01 PM

Minutes:

June 2023 Minutes

- The BOH members reviewed the minutes.

Michael Nelson **Motioned** to accept the June Minutes as presented. Seconded by Rachel Stoler. **Motion passes.**

Nelson – aye, Stoler– aye and Zamojski– aye

July 2023 Minutes

- The BOH members reviewed the minutes.

Michael Nelson **Motioned** to accept the July Minutes as presented. Seconded by Rachel Stoler. **Motion passes.** Michael Nelson abstains.

Stoler– aye and Zamojski– aye

Director's Report:

- Conducted housing inspections which resulted in 6 new orders to correct, 4 citations as well as filed a criminal complaint in Housing Court for 87 Fourth Street as the building has not been secured from unlawful entry and the order to corrects not been corrected.
- Utilized constable services for the properties at 29 Avenue A and 96 Third Street.
- 25 Trash Inspections with one citation given and several reinspection's.
- Food City complaint which resulted in reinspection's and is near a resolution.
- Conducted various bi-annual food inspections.
- Noise Complaint 18 Industrial Drive which DEP determined had no violations.
- Title 5 inspections at 482 Turners Falls Rd and 364 Federal Street and 517 Federal Street.
- Attended various meetings internally and externally.
- TF High School pool has been closed due to noncompliance with the Virginia Grant Baker Act regarding drain covers. Ryan met with Health Cummings and to come into compliance it will require significant changes and money. Thus, the only public pool in the town will remain closed for now.
- A NARCAN training was held and there will be more in the future.

Rachel Stoler **Motioned** to accept the Director's Report. Seconded by Michael Nelson. **Motion passes.**

Stoler– aye, Nelson – aye and Zamojski– aye

Nurse Report:

- Blood Pressure Clinics and the goal is to open office hours in the annex.
- Will meet with the schools regarding school reporting of COVID-9 and the requirement to report to the DPH.
- Website in the future will be updated for the nurse materials.

Rachel Stoler Motioned to accept the Nurse's Report. Seconded by Michael Nelson. Motion passes.

Stoler– aye, Nelson – aye and Zamojski– aye

Animal/Barn Inspector Report:

- The BOH members reviewed the Animal and Barn Inspector's Report.
- Kathy Burek did a Barn Inspection due to a complaint that was unfounded.

Rachel Stoler Motioned to accept the Animal/Barn Inspector Report. Seconded by Michael Nelson. Motion passes.

Stoler – Aye, Nelson – aye, Zamojski – Aye

Presentation from The People's Medicine Project.

- The proposal for usage of opioid funds was cancelled due to the fact that they will be seeking funds from other sources so there will not be a need to come before the Montague Board of Health.

Discussion: Cemetery Commission

- Ryan and Judith met on previous occasions to have discussion regarding a burial coordinator position within the Cemetery Commission and what the role if any the Board of Health would have to define and make operations sustainable going forward for the Cemetery Commission.
- The ongoing discussion as from Judith Loreli's position is where the Cemetery Commission sits as the operate as a 5-member commission and have an operating budget. Some commissions are a separate entity while others have a town staff member that supports the commission.
- The Commission does receive a burial fee for each plot which could be used to fund the position of a burial coordinator. What would the position be? Would it be contracted? Under a department? Trying to look forward and being strategic to have sustainability.
- The Board of Health has the responsibility of the Burial Agent position and then the Cemetery Commission has the responsibility of working with the funeral homes, marking the graves, filing the paperwork with the town, working with the families and the cemetery to get loved ones buried.
- There will be further investigation into who should host, and a follow-up will be done with Steve and Selectboard if needed.
- Judith will continue to work on a job description for the September meeting. She feels it could be part time, but the key is to be consistent.
- Mary Kay a committee member, added that because of Judith's foresight and care the cemeteries are finally getting the attention and care they need and deserve.

Discussion: Pioneer Valley Mosquito Control District

- Ryan met with the Director of the PVMCD recently and Ryan noted that we have \$10,000 in the fund.
- Ryan would advocate for the Town of Montague to join the PVMCD.
- They do not do aerial spraying this is separate from the state program.
- The PVMCD offers surveillance-based services along with larvae prevention.
- FY25 is the soonest we could join at the cost of \$5,000.

*Rachel Stoler **Motioned** to recommend joining the Pioneer Valley Mosquito Control District for FY25. Seconded by Michael Nelson. **Motion passes.***

Stoler– Aye, Nelson – Aye and Zamojski– Aye

Discussion: Noise Regulation in Montague

- Lisa Morrisson, Patch neighborhood resident in Montague, MA presented her concerns after 3 months of nuisance noise. She has filed in small claims court.
 - Drafting noise regulations is part of the BOH.
 - US Environmental Protection Agency suggests average daily exposure should not exceed 55 decibels outside and 45 decibels inside. They further suggest that decibels readings of 70 decibels or more can lead to hearing damage.
 - Lisa stated that over the past 3 months the readings have been averaging 75 decibels outside and inside 55 decibels.
 - The first course of action is to try and resolve issues with your “neighbors and if not, the police or board of health might need to get involved. There needs to be regulations regarding noise levels so there can be enforcement.
- Jason Kaiser, Patch neighbor of Lisa and considered the offending party according to Lisa.
 - Son moved out of basement into Barn to play on average 45 minutes to an hour every other day.
 - Jason has done many items to rectify and soundproof the structure to be considerate and sensitive of the neighbors and neighborhood.
 - Framed and sprayed foamed/insulated the entire inside of the barn.
 - Carpeted the floors in the barn.
 - Built sound absorbing panels inside the barn.
 - Built up a platform for drumming.
 - Feels you cannot make an ordinance that is specific to a particular item. Common outdoor equipment and indoor equipment and daily tasks reach these levels of noise.
 - The American Academy of Audiology says 2 people talking = 65 decibels
 - The National Institute of Health has workplace limitations of 85 decibels over an average day.
 - Jason is against a noise ordinance.

- Other neighbors and residents spoke regarding their noise concerns.
 - Quality of life issue and level of stress
 - More police presence regarding street noise and disturbances after 10 PM.
 - Michael Nelson has this issue in his neighborhood and the neighbor has accommodated the concerns with a specific time for the drums.
 - Many oppose noise regulation especially for young people engaging in the arts and support learning a musical instrument. It keeps youth engaged and out of trouble. Noise cancelling headphones work wonders in cancelling out noise.
 - When you live in a community you have noise from church bells to musical instruments to lawn mowers.
 - When we try to regulate and police each other's we call upon resources that can't be used in other places. Learn to compromise and cooperate with each other rather than use resources poorly.
 - Resident pointed out that the Board of Health is like a congress and holds a lot of power to pass regulations. It is about convenience and personal preference and isolated. There are ordinances in towns to exclude those that play instruments.
 - Sounds are all around us daily and we don't want to regulate a particular individual/situation that is not covered by something else.
 - The meeting decibel levels tonight range from 64-83 in the meeting room to make folks aware.
 - No consistent yard stick to measure issues so they end up becoming neighbor vs neighbor issues in a dense setting.
 - Balancing tasks and how to relate to the community, neighbors, or business noise is important.
 - Depending on what type of noise we are talking about there are avenues and ways that enforcement can happen on a state level and standards.
 - There are components that can mute the actual drum components as a solution.

- Ryan believes we as the BOH can pass a regulation but points out that if we want enforcement by police or other entities it would be better to go the way of a Town By-Law through Town Meeting or a Zoning By-Law.
- Melanie thinks there needs to be more research on this topic and Michael believes there would need to be collaboration with the Montague Police Department, Zoning & Planning Department along with Steve Ellis the Town Administrator.
- Ryan will reach out to the various departments and other towns to have a conversation about a By-Law and if any issues have arisen and how enforcement might happen.
- Rachel mentioned that there is a Collaborative Resource Group which might help with mediation on this issue and if they can't help, they might be able to refer to another organization.
- The noise issue will be discussed again at the October meeting.
- Rachel mentioned that the Massachusetts Association of Health Boards and the Massachusetts Municipal Association might be a resource regarding noise regulation.

Topics Not Anticipated:

- **Opioid Settlement** – The Town of Montague got the 3rd distribution of \$2,236.74 and the total is around \$7,000.00.
 - Distribution in 2024-2027 for \$2,799.59
 - Distribution in 2028-2030 for \$3,292.66
 - Distribution in 2031-2038 for \$2,767.81
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- **Administrative Assistant Position** – There have been over 30 applicants and have been setting up interviews with potential candidates.

Meeting adjourned: 6:27 PM

*Michael Nelson **Motioned** to adjourn the Board of Health meeting. Seconded by Rachel Stoler **Motion passes.***

Nelson – Aye, Zamojski – Aye, Stoler – Aye

Approved by: _____

Date: _____

Documents:

June Minutes

July Minutes

Director's Report

Nurse's Report

Animal/Barn Inspector Report

Lisa Morrison Letter