

MONTAGUE BOARD OF HEALTH MEETING

Wednesday, April 17th, 2024 – 5:00 PM

Town Hall – Second Floor Meeting Room and ZOOM

Meeting Minutes

Present: Rachel Stoler and Michael Nelson

Staff: Ryan Paxton - Health Director for Montague, Geneva Bickford – Board of Health Clerk

Other: Dr. Lepore, Ann Fisk (remote), Mark Fisk (in person), TJ Leport (remote), Shawn Martin (in person), Joe Mayrand (in person)

Michael Nelson opened the meeting at 5:01 PM

Minutes:

March 20, 2024 Minutes

- The BOH Members reviewed the minutes of March 20, 2024.

*Rachel Stoler **Motioned** to accept the March 20th Minutes as presented. Seconded by Michael Nelson. **Motion passes.***

Nelson – aye and Stoler – aye

Director's Report:

- Director, Ryan Paxton, presented the March 2024 Director's Report.
- Issued 3 orders to correct.
- Filed criminal complaint in Western District Housing Court regarding 89 Mormon Hollow Rd. There has been no contact with the current owner but there is a closing date. A court date has been scheduled for May 3.
- Investigated open burning complaint.
- Investigated complaint regarding rats outdoors in Millers Falls.
- Investigated complaint regarding cannabis odor at Flower Power. The Health Director does not think it rises to the level of a nuisance and it is better to have it dealt with as part of the special permit conditions or as part of its host community agreement and addressed by the Selectboard. Director continues to go when complaints are received and recording his findings.
- Conducted 23 inspections related to trash and inoperable vehicles.
- Conducted bi-annual food inspections Brick & Feather and Cumberland Farms.
- Conducted pre-operational inspections.
- Inspected septic systems.
- Witnessed percolation testing and soil evaluations.
- Attended various meetings.
- Attended open meeting law training.
- Attended Massachusetts Virtual Opioid Settlement Conference.
- Completed Coordinated Entry Program training with 3 County Continuum of Care.
- Attended Municipal Vulnerabilities Planning 2.0 meetings and training.
- Attended the monthly Attorney General Receivership Meeting.
- Met with Michael Theroux the new health director in Greenfield.
- Attended March 4 Selectboard Meeting.
- Met with DPW and Kyle Besette regarding enforcement of Montague's FOG regulations.

- Attended Ageism and Reframing Workshop.

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

Stoler – aye and Nelson – aye

Nurse Report:

- Health Director, Ryan Paxton, presented the March 2024 Nurses Report.
- Continued with weekly office hours.
- Continued weekly and monthly meetings.
- Attended the bi-weekly collaboration meetings.
- Attended a tuberculosis webinar.
- Attended a camp training to allow her to help review medical records as the camps are opening.
- Will do a tabling in a couple of months and she will help with some of the mosquito planning and do some educational outreach. Stoler suggests office hours could be held at the Montague Catholic Social Ministries and Brick House.
- MAVEN Report.

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

Stoler – aye and Nelson – aye

Animal/Barn Inspector Report:

- Health Director, Ryan Paxton, presented the March 2024 Animal Inspector Report.
- 1 quarantine for March 2024.
- 1 dog issue.
- No Barn Inspections.

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

Stoler – aye and Nelson – aye

Discussion: Smoking Areas in Private Clubs

- St. Stanislaus Smoking Area.
- General Updates.
- Health Director has taken photos of all the smoking areas for each of the private clubs identified as having those areas and photos were shared with the BOH members. Letters were mailed on 3/11/24 to all clubs advising them they were possibly in violation and inspections would occur. On March 26, 2024 Cease and Desist Letters were mailed advising the clubs to cease smoking in those areas in question. The health director did visit St. Stanislaus at their request and feels the space is much different than the pictures depict.
- Joe Mayrand and Shawn Martin are representing St. Stanislaus. Gina McNeely, the health director at the time, along with the building department and the State were involved when the smoking area was built. The building has not been altered since December 2006 and nothing has changed. The state set a guideline back in 2006 that there should be 75% airflow. The state made the judgement saying it had 75% airflow and is specifically designed for consistent airflow without an exhaust fan.

- Paxton spoke with the other clubs, the Elks Club thought they were complying but have since removed all sides for the Spring and Summer and are now in compliance.
- St. Kaz still has the panels up but believed they were complying but are willing to do what needs to be done.
- Paxton states as an additional thought Montague's regulations should be in line with what we are enforcing and right now that is not the case.

*Michael Nelson **Motioned** to take no further action with any of the three clubs and to start the process of reviewing our existing regulations to redefine enclosed spaces so that it is more in line with the realities of our modern-day construction. Seconded by Stoler. **Motion passes.***

Ryan Paxton made a friendly amendment to redact the cease-and-desist orders issued to the three clubs.

Stoler – aye and Nelson – aye

Discussion: Newt Guilbault League 2024 Food Permit Fees

- Discuss request to waive 2024 Food Permit Fees for Newt Guilbault League.
- Newt Guilbault League is a non-profit youth baseball league and their fees have been waived in the past.

*Rachel Stoler **Motioned** to waive the 2024 food permit fees for the Newt Guilbault League. Seconded by Michael Nelson. **Motion passes.***

Stoler – aye and Nelson – aye

Discussion: Opioid Settlement Funds Update

- Stabilization Fund and Process for Utilization.
- Opioid Listening Session February 5, 2024.
- There was a change to the stabilization fund process. Essentially there is an allowance from the state to direct those funds into a special revenue fund which negates the need for separate stabilization account. It would still require Town Meeting vote and the selectboard still retains authority.
- Montague has received between \$12,000 and \$15,000. Money is coming in on a rolling basis as the payments are coming from each individual lawsuit.
- Stoler asks if the money is being deposited where it can build interest and Paxton will ask.
- Paxton hosted a listening session through the FRCOG and with Phoebe Walker.

Discussion: Bi-Annual Inspection of First Congregational Church

- Review request from Ann Fisk to waive the requirement for a bi-annual food inspections of First Congregational Church.
- Mark Fisk is present and states the church would like to have a low usage inspection. They only serve 3 paid meals a year, most meals are either breakfast or soups for the elderly twice a month and would like inspections to only happen annually rather than bi-annually.
- The Health Director reviews Section 8-401 Frequency. If approved a written risk-based inspection schedule will be required and will need approval by the Department of Public Health and would need to be done for all establishments in town. The BOH

feels given the time it would take to establish a policy for all of the food serving establishments doesn't feel like it is worth all that work.

Rachel Stoler **Motioned** to approve the request from the First Congregational Church to waive one of the inspections per year. Seconded by Michael Nelson. **Motion fails.**

Stoler – nay and Nelson – nay

Meeting adjourned: 5:43 PM

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

Stoler – aye and Nelson – aye

Approved by: _____

Date: _____

Documents:

March Minutes

Director's Report

Nurse's Report

Animal and Barn Inspector Report

Massachusetts Food Code 105 CMR 590 Section 8-401 Frequency

Town of Montague Regulation Prohibiting Smoking in Membership Associations

3/26/24 Letter to St. Stanislaus Society w/pictures of smoking area

FRCOG 2/5/4 Opioid Settlement Listening Session Summary