

Buckland Board of Health
 Meeting Minutes
 July 7, 2020 6:30 p.m.
 Zoom Meeting

AGENDA

1. Open the meeting.
2. Review minutes of June 2 and June 16 meetings and approve.
3. Fire pits, cooking fires, and burning in the village.
4. Face covering order, BOH/BPD coordination.
5. Health agent report, Randy or Lisa.
6. 66 Upper Street septic plan.
7. Short term rentals - permits & options.
8. Arbovirus season to date: ticks & EEE.
9. COVID-19/BOH Response: information & updates.
 1. Re-opening: Phase 2/Phase 3, updates.
 2. Buckland porta-potty.
 3. Other as needed.
10. Board communication channels and meetings: options and logistics.
11. Review/process mail - Marti or Terry will collect from Town Hall.
12. Any other items not reasonably anticipated by Chairman 48 hours prior to meeting.
13. Public comment.
14. Adjourn the meeting.

ATTENDEES

Richard Warner - BOH Chairman
 Terry Estes - BOH Member
 Marti Taft-Ferguson - BOH Member
 Randy Crochier - Health Agent
 Lisa Danek Burke - Health Agent
 Herb Guyette - Fire Chief
 Mary Bolduc - Boards' Clerk
 Mark Reich, KP Law - Buckland Town Counsel
 Janet Sinclair - Resident
 Madeline Liebling - Resident
 Meredith Barnhart - Resident
 Anne Stephany - Resident
 Marilyn Kelsey - Resident
 Kate Hennessy

MEETING

1. Open the meeting - Meeting opened at 6:36 p.m.
2. Review minutes of June 2 and June 16 meetings and approve - Marti moved to approve June 2, 2020 minutes, seconded by Terry. Rich, Terry, and Marti all voted in favor of the motion. Marti moved to accept June 16, 2020 minutes as corrected (specify address of Crittenden Building at 71 Ashfield Street), seconded by Terry. Rich, Terry, and Marti all voted in favor of the motion. Motion carried unanimously.
3. Fire pits, cooking fires, and burning in the village -
 1. Determining whether a burning issue is a nuisance is at the discretion of the Board of Health. Mark Reich stated that it is not the BOH's role to become involved with personal specifics or complaints, but to act in the interest of the general health and rights of all Buckland residents.
 2. Mark recognized that some people may be more impacted than others in certain situations, but it does not rise to the level of public health or safety dangerousness.
 3. Lisa Danek Burke raised issue of number of calls made regarding nuisance burns. Mark Reich asked the Fire Chief if there is any cost recovery program to cover the cost of personal and equipment. Brief discussion.
 4. Janet Sinclair, Madeline Liebling, and Meredith Burnhart, residents of 71 Ashfield Street, expressed their health concerns and the impact on them resulting from fires in the back yard of their neighbor on Franklin Street.
 5. Janet Sinclair stated that the BOH position on burning is "extraordinarily" and "phenomenally" irresponsible. Town counsel interjected that a private nuisance may affect more than one person, but is not under the BOH's purview.
 6. Herb Guyette responded to Madeline's question regarding size of fire pits and if fire department measures them when answering a call. He quoted regulations for fire pit dimensions, and stated that responders are aware of them when answering a call.
 7. Town counsel reminded attendees that it is a Board of Health meeting and it is their authority that is being considered/discussed; the Fire Chief is not present to be interrogated.
 8. Rich Warner, noting that there is nothing that has not been covered regarding burning in the village, asked if the BOH is obligated to put items on agenda when requested by residents/citizens. Mark Reich responded that the Board determines its own agenda and the Chair determines who speaks; there is no "right" to address a specific topic at a meeting.
 9. Following further discussion on the impact of open burning on close or abutting neighbors and the general health of the community, Marti spoke in defense of BOH members responding to calls/communications. She referred to a letter received by the board signed by residents of 71 Ashfield Street, and responded by saying that the Board does not have to satisfy signees to their level of satisfaction.
4. Face covering order, BOH/BPD coordination -
 1. Kate Hennessy had sent a letter to BOH regarding unmasked attendees at local gatherings/protests, citing specific dates of June 6th, 27th, and 28th,

2020. She also wanted clarification on the responsibility of the Buckland Police Department to enforce masking; the responses from BPD to her complaints and inquiries had been to inform her they had no authority in the matter.

2. The BPD was deputized by the BOH on May 6, 2020 to enforce face coverings and can issue fines for non-compliance.
3. Rich said the BOH will not tell the BPD how to do their job, but will talk to Chief Hicks to clarify the PD's understanding of face covering enforcement.
5. Health agent report, Randy or Lisa -
 1. Randy reported that it had been a quiet month with only 2 permit applications, one of which is the subject of Agenda Item #6 and the other on Orcutt Hill.
 2. CPHS fee increase took effect on July 1.
 3. Monday, July 6 was beginning of Phase 3, Part 1.
 4. Attorney General's office met with CPHS on program for Vacant and Abandoned Housing.
 1. Randy to meet with AG office representative to discuss moving forward on properties in Buckland.
 2. It was suggested that 89 State Street be put on "short list". Also mentioned was 8 E Buckland Road. Owner of 47 Purinton Road is available to tear down that structure.
 3. Lisa is to check deed on 19 Purinton Road which was noted as overgrown with vegetation and site of hoarding.
6. 66 Upper Street septic plan -
 1. Anne Stephany addressed the board seeking conditional approval to proceed with a septic system on property at 66 Upper Street.
 2. Discussion followed regarding 66 Upper Street, abutting properties on which her system or elements of it are located, and no easement to allow work on abutting property.
 3. Soil absorption, code compliance, and methods of determining size and location of tank and leach field were discussed.
 4. Randy did not recommend for BOH to sign off on a system not located on property of person for whom the system serves. It was decided to continue to look for more specific documentation on existing system, and to go forward with abutters at 68 and 70 Upper Street to obtain easement.
 5. Rich assured Anne that BOH would continue to work with her for a resolution and credited Terry and Lisa for the information they had thus far researched and provided.
7. Short term rentals, permits and options - CPHS oversight board asked for subject to be brought back to boards.
 1. Short term rentals are now registering with DOR.
 2. Randy asked what kind of options Board would want to see with respect to permitting, inspections, and response to complaints. Discussion followed on various combinations and time frames.
 3. Lisa believes short term rentals should be held to same standard as permitted lodging.

4. Further discussion continued on format and frequency of permitting and associated fees. Marti reported that a CPHS-wide policy is the goal, so area boards will pool information/ideas to draft regulations. Rich inquired if most towns are leaning toward permitting, to which Marti replied that they are.
8. Arbovirus to date: ticks and EEE.
 1. Reporting of high risk towns for EEE: New Salem, Orange, and Athol.
 2. Marti reported cost for joining the Mosquito Control District followed by Board discussion on whether or not it is advisable or advantageous for Buckland to join.
 3. 12 Cases of EEE in MA last year, 6 of which were fatal.
 4. Lisa White had provided tick information for January-June 2020. There were 30 cases of Lyme Disease compared to 36 last year, 17 cases of Anaplasmosis compared to 15 last year.
 5. Rich reported that Anaplasmosis is increasing and becoming almost 50/50 with Lyme disease. Board discussed tick borne diseases and the fact that ticks are testing for more than one pathogen.
 6. Services of UMass lab were addressed, including the advantage of Buckland pre-paying for some tick tests to reduce the cost to potential patients.
 7. Buckland to pre-pay \$150 for 10 tests.
9. COVID-19/BOH Response: Information and update - No new cases since last meeting. Lisa White (FRCOG) reported 9 cases for May - June.
 1. Re-opening: Phase2/Phase 3, updates -
 1. Pavilion at Recreation Area discussed regarding availability and size of gatherings.
 2. Sports teams can start playing vs drills only.
 3. Heather is putting together a plan for restaurants. Eagles have moved upstairs and will offer food.
 2. Buckland Porta-potty -
 1. Both Buckland and Shelburne porta-potties had been vandalized, followed by the Buckland one being damaged beyond repair and removed.
 2. Board discussion followed regarding absence of public rest room availability during COVID-19 crisis. Does the need for another porta-potty outweigh the risk of further damage and associated cost? Will Shelburne porta-potty serve both towns? Discussion followed.
 3. Problems with public behavior addressed in absence of available rest room facility. Also pointed out was the impact that CDC cleaning regulations would have on maintaining public facility in Town Hall should that be made available.
 4. Marti recommended no hand washing station be provided downtown because of potential damage and costs. If porta-potty is ultimately replaced in a secure area, then hand washing station can also be provided. BOH will monitor issue and address on month by month basis.

3. Other as needed - Terry added that the truck and trailer parked at the Eagles which had been in question, is indeed in a space negotiated when parking at the lower end of North Street was prohibited.
10. Board communication channels and meetings: options & logistics -
 1. To protect BOH members and to archive Board communications, emails and responses should be copied to BOH email.
 2. BOH must act as a board, not individually. Therefore, issues should be addressed with Health Agent who can act independently. Health Agents can also call residents, which BOH members cannot.
 3. Logistics of BOH email were addressed; one account and three users. Emphasis made on importance of all communications to be forward to and archived there.
 4. Marti reported on checking BOH voicemail.
11. Review/process mail; Marti or Terry will collect from Town Hall -
 1. Consumer Confidence Report Card received which, per Randy, relates to water district.
 2. MAHB annual dues of \$55 are due.
12. Any other items not reasonably anticipated by Chair 48 hours prior to meeting -
 1. Vandalism at Buckland Recreation Area. More messy than destructive, however still time consuming and costly to clean up and replace supplies taken.
 2. Boston Globe article for positive COVID statistics addressed. Accuracy skewed as result of mistake in assigning zip codes. Zip Code issue is bigger than the BOH and should be brought to attention of Select Board.
13. Public comment - N/A
14. Adjourn the meeting - Meeting adjourned at 9:49 p.m.

Respectfully Submitted by Mary L. Bolduc, Boards' Clerk, August 4, 2020

Signed by: *Angela Este* 9/29/2020
1/29/20 9/29/20