

BOARD OF HEALTH MEETING

Tuesday April 5, 2022 – 5:00 PM

Richmond Town Hall, 1529 State Rd., Richmond, MA 01254

PRESENT: Tony Segal, Chair; Peter Cohen; Andy Fisher; Louise Maron; Emilie Jarrett, R.N.; Ed Fahey, Berkshire Alliance; Leslie Draiger, R.N.; Nancy Slattery, R.N.; Laura Kittross, Public Health Mgr., Berkshire Alliance; Rick Bell

Tony opened the meeting at 5:00 PM.

Review and Approval of Minutes of the March 1, 2022 Meeting: Rick Bell asked that the minutes reflect the fact that it was Berkshire Septic Systems that installed the new system at his home. That correction being noted, Andy moved that the minutes be approved as amended. He was seconded by Peter and the motion was approved by unanimous vote.

OLD BUSINESS:

PFA's in Cone Hill Water – Letter from the State: Rick sent Tony a copy of the correspondence he had with the State that asked that a testing well be installed. There will be an item on the Town Meeting Warrant for \$50,000 to get a testing well installed. Having that on the Warrant is a clear indication that the issue is being moved forward.

Rick Bell's Water Problem: Peter reported that Valerie Bird, the Board of Health Agent, has suggested that an engineer test the water table at Rick's system. In her absence, Ed explained that Val knows that Rick Bell's septic system will fail testing and will need to be replaced. She has requested a Perc test by May 1st which she expects will show that the system is in danger of failure. By July 1st she will want to see a design for a new system and by October 1st would expect it to be installed.

Rick offered several reasons why he is not, in his opinion, obligated to comply with those requirements. Tony noted that the issue began with Rick's complaint to the Town about water running down his property because of damage to culverts and that was what was causing the high ground water levels. Ed said that once a Health Agent is asked to look at a system, it is her duty, if she sees a problem, to report it to the Board of Health, which Val did. Ed said that if the system is in ground water, it is a potential hazard to the Town's water supply. The next step would be for an engineer to be called in and test the ground water at the site. If the test is negative, the issue dies there. Rick asked for the specific law that compels him to get his system tested. Ed advised that the Board of Health could issue an Order that states the law that requires that the testing be done. Rick then offered the fact that his well water has been tested and found to contain increased levels of sodium chloride, but no bacteria. He offered to prove that, despite the high-water table, there is no public nuisance. Ed said there is no definition of a "public nuisance," that determination is made by the Board of Health.

Andy moved that Ed draft a letter citing the specific law that describes what Rick has to do about his septic system. The motion was seconded by Peter and adopted by unanimous vote.

BCBOHA – Wellness Activity Programs: Emilie reported that the Public Health Nurses are working on a smooth transition from the CHA to Berkshire Alliance taking over some of the services she used to provide. Andy asked if one of those nurses could attend the BOH meetings to advise on COVID updates and other infectious diseases as Emilie used to. There was agreement to that request and an offer to send written reports if no one is available to attend.

There was a discussion as to which services and programs the Alliance is prepared to offer the Town and the promise to send the Board of Health a survey to help determine what the Town's needs are. Emilie will keep her office phone number and voicemail system active for some time after she retires so that she can be reached.

Mask Directive: Tony reported that he attended a Board of Selectmen's meeting to advise that the masking directive will be rescinded at the next Board of Health meeting as there has been no big surge of cases in Berkshire County. It was decided to lift the directive, but to state that the BOH strongly believes that wearing a mask in public settings is for everyone's safety and it is strongly recommended. It was noted that the employees of the Library are asking anyone entering that space to please wear a mask.

Community Health Report: (See attached) Statistics from BMC and Fairview Hospitals: In the month of March Richmond had 7 confirmed and 5 probable new cases. In April, so far, no cases have been reported. One case of **Giardiasis**, one case of **Norovirus**, mostly in nursing homes and daycare facilities.

Mosquito Control: The consensus of the Board was that it would be advisable to use larvicide if samples prove positive to carry diseases, but it is not in favor of indiscriminate spraying with insecticides.

NEW BUSINESS

Letters: Tony responded to the complaint (please see attached)

Perry's Peak Parking Issue: There are two versions of an Agreement between the parties: one from the BNRC and one from the residents of Perry's Peak Road that will be discussed at the Town Meeting in May. Tony will write a letter outlining the Board of Health stance on the issue.

Alliance Agent's Report: In Valerie's absence, Ed read out the details of the report submitted (please see attached).

Next Meeting: Tuesday May 3, 2022 at 5:00 PM in person at Town Hall.

As there was no further business before the Board, Andy moved to adjourn the meeting at 6:30 PM. The motion was seconded by Louise and passed by unanimous vote.

