

**Longmeadow Board of Health
Remote Teleconference Meeting
7:00 PM
Thursday, July 9, 2020**

The meeting was called to order at 7:00 PM by Dr. Robert Rappaport, Chair, and members present by verbal roll call from the Chair were Dr. Barry Izenstein, Dr. Robert Baevsky, Dr. Richard Steingart and Maripat Toye, MS, RN and Dr. Toss Angelides, BOH Associate Member. Beverly Hirshhorn, CHO, was also in attendance and in roll call. Dr. Rapaport started the meeting reading the Governors Open Town Meeting protocol defining the guidelines for all Town meetings as gatherings are suspended since March 18, 2020 due to the COVID-19 Pandemic. All the information on this guideline is posted on the Longmeadow Town Website.

Others in attendance: Mr. Belcher-Timme, Town Counsel, Attorney Dave Lavenburg, Longmeadow Zoning Board of Appeals (ZBA), Jane Mantolesky, ZBA, Mike Michon, ZBA, Bianco Damiano, ZBA, Steve Bennett, ZBA, Dr. P. Freidman, Dave Gustafson, Debbie Saremi, Josie Camerota, Peter Kroupe, Donna Fisher, Elaine Tourtelotte, Cheryl Smith, Brenda Garten, Dr. Mark Levy, Cynthia Campbell, Ron, Jessie Belcher-T, Attorney Mark Beglane, Barb Allen and Attorney Ronald Weiss.

Public Comment Period 7:00-7:05PM

There were no resident comments outside of the agenda items.

1. Acceptance of June 11, 2020 Meeting Minutes:

The BOH members had reviewed the BOH meeting minutes from June 11,2020. The motion to approve the BOH meeting minutes was called by Dr. R. Rappaport. Second for motion approval: Dr. B. Izenstein. A yes vote to approve: Dr. R. Baevsky, Dr. B. Izenstein, Dr. R. Rappaport, Dr. R. Steingart and M. Toye, RN. A no vote: none.

2. Election of Board Officers:

Dr. R. Rappaport explained the requirement to elect officers for the BOH. Dr. R. Rappaport made a motion to elect Maripat Toye as Clerk, Dr. R. Baevsky as Vice Chair and Dr. R. Rappaport as Chair. Second for the motion approval was Dr. B. Izenstein. A yes vote to approve: Dr. R. Baevsky, Dr. B. Izenstein, Dr. R. Rappaport, Dr. R. Steingart and M. Toye, RN. A no vote: none.

3. Approval of Amendment of Trash Haulers Regulation:

The Town received a grant from DEP for the recycling program. The DEP noticed improper language in the terms in clarifying all homeowners' fees for trash and stating "multifamily residential buildings, (and add) single homes or residential complexes." It also had to delete a statement later in the regulations in the section stating "waste haulers may itemize the invoice to clearly show the cost of recycling collection contained in the bundled price (and delete for residential commercial customers only). The CHO, Beverly Hirschhorn will consult with Town Counsel on the process to submit the new wording for the Regulation. A motion to accept the change in clarification in the Trash Haulers Regulation was made by Dr. R. Rappaport. Second for the motion approval: Dr. R. Baevsky. A yes vote to approve: Dr. R. Baevsky, Dr.B. Izenstein, Dr. R. Rappaport, Dr. R. Steingart and M. Toye, RN. A no vote: None.

4. Chair of Zoning Board of Appeals request for Public Health input regarding pending special permit application regarding keeping domestic fowl on a property:

The Chair of the ZBA, Attorney Dave Lavenburg, requested to have the BOH provide input into the case of a special permit request regarding domestic fowl (chickens) in a property at 397 Williams St. in Longmeadow. The permit is ZBA authority and not the BOH. The abutters of the property have issues and concerns regarding the risk to immuno-compromised individuals and the possible transmission of pathogens or zoonotic disease to them as neighbors of the property with the chickens. Several of the abutters provided letters to the ZBA/BOH regarding specific health issues and concerns that their health is at-risk due to the chickens in a neighboring yard, the theoretical risk of “run off” or “air borne” pathogens to them and the cases of fox and coyotes and other wild animals that would prey on these chickens and cause a public safety risk. The CHO consulted with the State of MA. Epidemiologist, a veterinarian, Dr. Catherine Brown, who provided information that direct contact with the fowl can lead to transmission of various pathogens, but there is not a lot of evidence from non-direct contact and states its possible from wind blowing dust but has never been shown to happen. Members of the BOH gave medical opinions and support the concerns of immuno-compromised individuals who border the property and have serious health risk situations. There are other homes in Longmeadow with chickens however this matter differs from existing chicken permits because of location on a smaller lot, elevation higher than street level as well as the number of abutters with documented serious medical issues. The BOH agrees that the health risks might be small, but they were still serious and when asked by the ZBA, the BOH stated if it were up to the BOH, they wouldn’t support this application.

5. The issue of the School Superintendent discussing Plans for the opening of the Schools in the Fall was deferred as he could not join the BOH meeting call.

6. Open Meeting Law (OML) Complaint discussion with Town Counsel:

The BOH has 14 days (by July 28) to respond to a complaint filed by a Longmeadow citizen with the Commonwealth of MA. Attorney General that members of the BOH violated OML on its process of reviewing a Collaborative Public Health Services Plan. Attorney Belcher-Timme, Town Counsel, discussed the issue with the BOH members. In discussion with Attorney Timme-Belcher, it was stated that this alleged violation arose out of a misunderstanding of Town Manager’s response to questions about whether BOH could send notes to the Health Agent. The Chair and Town Counsel will draft a letter and members will review it. A BOH meeting will be held next week for this purpose.

Dr. R. Rappaport made a motion to draft a response letter with Town Counsel to the Attorney General. A second to approve the motion: Dr. R. Steingart. A yes vote to approve: Dr. R. Baevsky, Dr. B. Izenstein, Dr. R. Rappaport, Dr. R. Steingart and M. Toye, RN. A no vote: none.

A motion to adjourn the meeting was called at 8:05 PM by Dr. R. Rappaport. A second to adjourn: M. Toye, RN. A yes vote: Dr. R. Baevsky, Dr. B. Izenstein, Dr. R. Rappaport and M. Toye, RN. A no vote: none.

Respectfully Submitted,
Maripat Toye, MS, RN, Clerk, Longmeadow BOH