

BOARD OF HEALTH HYBRID MEETING IN PERSON AT TOWN HALL
334 MAIN STREET GREAT BARRINGTON, MA 01230
THURSDAY, MAY 4, 2023

1. CALL TO ORDER: (Roll Call Vote) - Chairman Michael Lanoue opened the meeting at 6:30pm with a roll call vote: Dr. Ruby Chang, “aye,” Michael Lanoue, “aye” Peter Stanton, “aye.”
Also present: Health Agent, Rebecca Jurczyk.
2. MEETING MINUTES: April 6, 2023 (Discussion/ Roll Call Vote)
P. Stanton made a motion to approve the minutes of the April 6, 2023 meeting; R. Chang seconded. M. Lanoue asked if any discussion – there was none. Roll call vote: R. Chang, “aye,” M. Lanoue, “aye,” P. Stanton, “aye.” All in favor: 3-0.
3. BOARD OF HEALTH QUESTIONS/ UPDATES:
 - a. Green Advisory Group (Discussion/ Vote) – R. Chang stated a number of health/environmental safety and sustainability policies need to be created/updated and suggested a working committee be established under the BOH. She noted the members would need to be appointed by the Selectboard to comply with the Open Meeting Law. She added that the recently disbanded Sustainability Committee had done good work, but it should be carried forward. M. Lanoue replied establishing an advisory group can be considered, but stated the process of having residents come to the Board with ideas has worked well. He expressed support for updating existing regulations and adding new ones, as needed.
 - b. Composting Proposal 2023 (Discussion/ Vote) – R. Chang reported that the Sheffield Recycling Center is a good model for GB - she stated they have compostable waste removed every day the Center is open costing \$40 for removal each time. She encouraged the Board to endorse this model along with public education/information/signage. M. Lanoue agreed Sheffield is a good model and asked about state requirements and funding – R. Jurczyk replied the DPW needs to come into compliance per the DEP and to amass points for environmentally friendly practices which equates to better funding eligibility. She added a survey on that was just completed last week. She also noted there is other state funding, but the project should be a collaboration between the Board and DPW. It was agreed this is overall a good approach.
4. BUSINESS:
 - a. **Discussion** on amending the Local Regulation Restricting the Sale of Tobacco Products to be in compliance with State Laws governing the sale of Tobacco and Tobacco related products. M. Lanoue stated the Board has received a draft and that this is a discussion – but a public hearing will be held in the future. Jim Wilusz, TriTown Health Department, presented a draft tobacco and related products sales regulation incorporating the new state law and additional proposed local requirements to be discussed by the Board. He proceeded to review changes/additions including the sale of blunt wraps and flavored papers, distance between retailers, local jurisdiction/extra enforcement for tobacco sale violations, permit caps, smoking bar restrictions, cigar sales and local fine structure. He clarified the process for the change in regulations is to decide on a draft and then hold a public hearing. M. Lanoue stated the next meeting will be discussion/questions from the board and in July/August a public hearing will be held.

b. **Continued Public Hearing:** on enacting the Proposed Regulation on limiting the use of Glyphosate containing chemicals (herbicides and pesticides) on Town Owned and Operated Properties.

i. Continue Public Hearing (Roll Call Vote)

P. Stanton made a motion to reopen/continue the public hearing; R. Chang seconded. Roll call vote: R. Chang, "aye," M. Lanoue, "aye," P. Stanton, "aye." All in favor: 3-0.

ii. Presentation of the Proposed Regulations/ Board of Health comment period

- R. Jurczyk presented edits to the proposed regulations noting the addition of definitions for Town owned and managed property which provided detail on what is included/excluded regarding Town property and responsibilities for care/maintenance. She added regarding protocol, the regulation is a guardrail regarding how glyphosate is used - and follows the NOI process that includes review and approval by the Board in a public meeting and include a site visit – the Board agreed to add this language.
- R. Chang pointed out there are other chemicals/compounds associated with glyphosate that are harmful and suggested broadening the language – it was agreed that R. Chang would work on a draft and it would be added to the opening/first paragraph of the regulation. R. Chang also asked that language be added regarding how to apply and notify neighbors when using glyphosate – M. Lanoue replied that can be part of the NOI process. R. Chang agreed to draft language. R. Chang suggested adding that property owners consider health effects of glyphosate and to use protection/PPE. It was agreed that there would be a separate section/document to accompany the regulation with recommendations. R. Chang stated she would draft language.

iii. Public comment period (time limit 5 minutes per speaker)

- The Board reviewed public comment on the regulation that was submitted suggesting making organic management the method of choice; limiting exemptions to threats to public health and having exhausted non-toxic interventions; and broadening the definition of Town owned/managed properties – M. Lanoue stated regarding the exemption that is handled in the regulations using the NOI process. He added the goal is to discourage the use of glyphosate not to ban it entirely, especially for invasive species management.
- Sari Hoy, Native Habitat Restoration, stated she is experienced in use of glyphosate and noted the label provides information on protective clothing/equipment required for use. She continued to thank the Board for not banning glyphosate, but to manage when and how it is used. She continued to note invasive plants are a threat to biodiversity and that removing invasives is the best way to return areas to healthy habitat – and noted manual/organic removal cannot achieve scale and be cost effective. She noted that herbicides are effective with little touch up needed and described techniques that are effective with a limited amount of herbicide used. She also described the serious invasive problem in our areas and how it does not support pollinators and impacts birds and wildlife.
- Vivian Orlowski, Chair Agricultural Commission, suggested adding precautions and recommendations to private landowners regarding PPE, application techniques and timing and other best practices to try to expand awareness and minimize impact on themselves, their neighbors and wildlife – she also offered to assist in crafting language. M. Lanoue asked her to send recommended language. She also suggested a broader conversation to consider addressing the use of other synthetic herbicides either in this regulation or in the future.

- Carol McGlinchey, 10 Beacon Hill, asked about two cemeteries adjacent to each other - one owned by the Town and the other held privately – and how the use of glyphosate

would be managed. M. Lanoue clarified that the regulation only applies to Town owned/managed property, but the private property owner could be asked about its maintenance protocols.

- Andrea Panaritis, 30 Seekonk Road, asked about the evaluation criteria regarding NOI applications and how decisions will be made – M. Lanoue replied the regulations will discourage the use of glyphosate, but not ban it, especially in support of invasive management. He added that if invasives are the issue and other methods have been tried it will be decided on a case-by-case basis. A. Panaritis suggested all other means be exhausted before allowing glyphosate use,
- Tom Zetterstrom, Canaan, CT, stated he is an environmentalist and invasive advocate and noted his support for glyphosate licensed applicators who follow procedures. He added that native plants do not grow where invasives dominate and that glyphosate applied safely allows natives to grow. He also clarified what are best application techniques that do not impact nearby plants/trees.
- Nan Wile stated she supports defined use of glyphosate by trained/licensed professionals and that it is important to educate the public about its use.

iv. Board of Health Discussion & edit period - M. Lanoue stated the Board would make edits and review the revised draft at the next meeting. It was agreed that public comment would remain open to hear comments/positions not already stated.

v. Motion to approve, Amend, deny the Glyphosate Regulation. (Roll Call Vote)

P. Stanton made a motion to continue the public hearing to June 1 at 6:30pm; R. Chang seconded. Roll call vote: R. Chang, “aye,” M. Lanoue, “aye,” P. Stanton, “aye.” All in favor: 3-0.

3. HEALTH DEPARTMENT UPDATES:

- a. Housing Updates – R. Jurczyk stated there is one open correction order which should be resolved soon after discussion with the occupant.
- b. R. Jurczyk stated Housatonic Water Works flushing schedule is May 15-23 and details are posted on the Town website. She noted there tend to be concerns about roily/brown water during flushing.
- c. R. Jurczyk stated annual beach testing at Lake Mansfield and the Green River will start a week before Memorial Day and continue through Labor Day.
- d. R. Jurczyk reminded the public about the sharps kiosk at the Health Department as well as take home containers.

6. CITIZEN SPEAK TIME:

- a. Nancy McConnell, 1066 Main Street asked that the Board weigh in publicly on the impact of the GE toxic dump on residents of GB. She described dredging/hauling to occur in the Town at Rising Pond and noted the lack of information on airborne health risks. M. Lanoue replied this is an EPA permitted project without local ability to change/modify it. He noted the Town has not been asked to comment, but would try to understand more by following up with Town Hall staff. R. Jurczyk stated Chris Rembold, Assistant Town Manager, is available to discuss.

7. MEDIA QUESTIONS: No media questions were raised.

8. ADJOURNMENT: (Roll Call Vote) - P. Stanton made a motion to adjourn; R. Chang seconded. Roll call vote: R. Chang, “aye,” M. Lanoue, “aye,” P. Stanton, “aye.” All in favor: 3-0. The meeting was adjourned by unanimous consent at 8:45pm.

Respectfully submitted,

Stacy Ostrow, Recording Clerk