

Charlemont Board of Health Minutes

Wednesday November 11, 2009 (Charlemont Town Hall)

Members in attendance – Erwin Reynolds – Chair, Peter Falandes, Earl Bowen, Robert Lingle

1. Meeting called to order 7:35 P.M.
2. Earl Bowen summarized his discussion about the Blue Heron Permit matter with the Select board at their previous meeting. This summary included his subsequent conversation with Town Counsel as to recommendations to the BOH about bringing this business into compliance with M.G.L. C 140 s22. In consultation with The Town of Charlemont Counsel, a Cease and Desist order was drafted by Earl Bowen and given to counsel for review. It was noted that the order would include a 14 day appeals process, in which time, Blue Heron could still file the proper permit. The original draft of the Cease and Desist order, and the revised version, were reviewed by the BOH and discussed. After a discussion of the proposed action, a motion was made, voted on, and unanimously approved by all BOH members to accepted the Counsel's revised version, and to serve Blue Heron the said Cease and Desist order without delay via certified mail.
3. In response to the issue of the BOH compliance with Open Meeting Law and the need to exercise Health information confidentiality as to HIPPA privacy law, Earl Bowen said that, at the previous Select board meeting, the BOH was advised to check with the State of Massachusetts Attorney General's office as to the proper procedure, and the need, if necessary, to go into Executive Session to protect patient privacy in Health Information Reporting. Erwin Reynolds said he would follow up with the Attorney General's office on this matter.
4. W.R. Hillman and Sons requested an Installer's Permit along with a check for \$100 to cover its cost. The request was reviewed and a permit was issued and signed by all members.
5. Pete Falandes told the BOH that he inspected the septic system installed for Charles and Pat Danielski at 24 Deer Run Lane and approved the work "as is". A Certificate of Compliance was issued and signed approving of the work.
6. A notice from B&M RR was read indicating that there was evidence of a "diesel fuel release" somewhere between Williamstown and Athol Mass.
7. H1N1 Situation discussed. Noted that Most of the Charlemont BOH - H1N1 vaccine allocation had gone to the Mohawk School district. Rob Lingle told the BOH that an H1N1 vaccine clinic is planned for Saturday December 12th at the

Federated Church. Volunteers are still needed and should contact any BOH member, but should, preferably, call Trice Hyer and Rob Lingle, or leave a message at the BOH telephone number.

8. Noted that MAHB cancelled their Nov 7th training session in Northampton. Rob Lingle indicated a willingness to attend the Nov 21st. session in Marlborough.
9. Rob Lingle presented a request from FRCOG looking for The Town of Charlemont's participation in a pilot grant designed to shape Regional Public Health Service Sharing and information exchange in the future. It was noted that this program in no way detracts from local BOH authority, and, in fact, seeks to enhance local the capacity of local Health Boards to serve their communities. The grant is administered by the State with private funds coming from the Robert Wood Johnson Foundation. Participation requires sending one Board member to the meetings to engage in a frank discussion about their community's particular needs and concerns about their current participation in Public Health Regionalization with an aim of improving the whole process to the benefit of the citizenry they serve. A motion was made by Earl Bowen to approve the Town's entry into the program by having the chair sign a Letter of Participation and to designate Rob Lingle as the Town of Charlemont BOH representative in the Pilot Study. The motion was voted on and approved unanimously by all members.
10. Pete Falandes told the BOH that on October 31st he inspected the house located at 400 West Hawley Road placed under condemnation for the presence of excessive mold. Pete advised the BOH that, after looking at the remediation work, it looked as though the contractor more than met the recommendations of the building inspector to remove the mold and repair the damages. In line with his review, Pete recommended to the BOH that a letter be sent to the owner lifting the condemnation. A motion was made, voted on and unanimously approved by all members to send a letter lifting the condemnation on the property at 400 West Hawley Rd.
11. Emails and periodicals reviewed.
12. Previous minutes reviewed and signed.
13. Noted that ID badges received. Earl Bowen thanked by all members for his help in securing the badges.
14. Meeting adjourned at 9:35

