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TOWN OF NORTH READING
Massachusetts

Board of Health

TOWN CLERK'S OFFICE
NORTH READING, MASS.

North Reading Board of Health Meeting Minutes
Nov 14, 2023
Teleconference/Virtual

Members Present: Gary Hunt, Chairman
Karen Martin
Pam Vath

Others Present:

Robert Bracey Health Director
Christine Doolin Health Administrator
Suresh Rao
Dan Greenberg NR Recycling Committee
John Rodgers NR Recycling Committee

7:00 PM

Mr. Gary Hunt opened the meeting

Public Health Nurse Report

Mr. Bracey gave an update on the Public Health Nurses report. The Maven report for October 8th through November 8th there was 1 influenza, 4 lyme disease, 16 COVID-19, 1 pertussis, 1 shingles and 1 TB case that was not active. 5 residents at the Royal Meadow View nursing home tested positive for COVID-19. DPH is aware of that and they are working with the nursing home on that issue.

Coming up in November 30th from 4:30-7:30 the Health Department will be having a vaccine clinic in room 14.

Gary Hunt wanted to acknowledge all of Pam and Christine's efforts with the very successful Health and Wellness Fair.

Mr. Greenberg asked the question how does the Health Department gather the data to determine the number of positive COVID-19 cases in North Reading?

Mr. Bracey stated that when you go to the doctor's office and get tested for COVID-19 the doctor reports that information into a system called Maven.

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Gary Hunt stated whatever is reported to Maven that the numbers are probably understating the actual number due to home testing.

Suresh stated that he thinks COVID-19 is under reported because of the home testing. He also asked about the pneumonia vaccinations and if we are doing both or are we just scheduling one.

Mr. Bracey stated that he would get that information to him.

Health Agent Report

Mr. Bracey reports that title 5 is winding down and he is doing the food inspections now and Chrissy is going through all the renewal application processes and will be reviewing those.

Gary Hunt stated that Mr. Bracey and the board have been working with the Recycling Committee and they are planning to issue a finalized by-law for town meeting approval in June of 2024. Mr. Bracey has prepared a revised draft of the by-law and he would like to get some feedback from the recycling committee and begin the process of finalizing the by-law and then deciding how to proceed.

Mr. Greenberg stated he would like to see the Board of Health become the sponsor and the Recycling Committee become a co-sponsor. Mr. Greenberg stated that the only issue he had with the draft regulations is whether the Recycling Committee is the appropriate party to partake in the enforcement of the by-law. He would like to be allowed to contact the Attorney General and seek an advisory opinion. He doubts that the Recycling Committee has the legal authority even if the Board of Health appoints us.

Gary Hunt stated the Board of Health would like to have the ability to get support from the Recycling Committee who bring the knowledge. The board has appointed many agents of the Board over the years and they have had the authority to do whatever they have been asked to do.

Mr. Bracey stated if they look at who they have appointed as agents of the Board such as Ronald Beauregard who is our Healthy Communities Tobacco Control agent.

Under Chapter 1.11 31A where the Board appoints him as an agent that allows him the authority to enforce the regulations that we write. Our plan reviewer and soil evaluator are appointed as agents of the Board. We are going along the same line with appointing the Recycling Committee as an agent of the Board.

The Recycling Committee has the expertise and drafted this regulation and brought it to our attention. Mr. Bracey stated he is going to have to learn something about the by-law so he can be able to go into these establishments and do his part. In Mr. Bracey's opinion he feels that the restaurants have gone through a tremendous amount over the last few years with enforcement

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from the Board of Health as it relates to COVID-19 and the perception of the Board of Health being the bad folks and feels it is not fair and reasonable.

Mr. Greenberg asked if Ronald Beauregard had passed any kind of legal review on the state level.

Mr. Bracey stated that he doesn't think that the attorney can get involved under Chapter 1.11 which allows the Board of Health to make reasonable rules and regulations. The only regulations that Mr. Bracey is aware of, that have to go before any kind of board is Title-5. All the by-laws that we have put together they have never had to go before the Attorney General to get their approval for it.

Gary Hunt stated that we should have the Town Council review what we are planning to do and get an opinion.

Mr. Bracey stated that is our protocol.

Mr. Greenberg stated that was a good idea.

Mr. Hunt asked Mr. Greenberg what have you learned in other towns with who is responsible for enforcement of the by-law.

Mr. Greenberg stated Board of Health,

Gary Hunt stated that they don't want to enact legislation that will have nobody responsible for overseeing it. They want to have legislation that will work and somebody has to be responsible. The Board of Health has a broad agenda for what they are responsible for. They are trying to get other people who have more knowledge of this by-law and assume responsibility as agents. The board will need to get an opinion from Kopelman & Paige and approval from the Town Administrator.

Suresh asked has there been push back from both public and commercial interest on this.

Mr. Greenberg stated he has reason to believe he has at least three votes from the Select Board in support of the by-law.

Gary Hunt asked to begin discussion on the educational program.

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Mr. Greenberg stated he has a list of reviews and outreach events. On the list Board of Health was number one, then Select Board and the businesses which he has done. He plans to schedule a meeting with the Chamber of Commerce and plans at least two public forums.

Mr. Greenberg stated he would email the list of reviews and outreach events to Christine to distribute. He asked the board what are we thinking about for dates for a public forum?

Gary Hunt stated January would be where they want to start.

Mr. Greenberg stated he would reach out to Sharon at the Library about the availability for the activity room and reach out to the IT department at Town Hall to set up a zoom meeting.

Mr. Greenberg asked what is the boards feeling about the Board of Health being the lead sponsor?

Gary Hunt stated that Dan Greenberg is the lead in developing the by-law.

Pam Vath stated they need to be clear about what the rule is town wide on who develops some sort of a program like this and who brings it to the Board and carries it out through the community.

Mr. Greenberg stated in order to get on the Town Meeting Warrant the Select Board either generates it themselves or somebody sponsors a request for it to become a warrant article. He is asking that the first sponsor be the Board of Health and the second sponsor be the Recycling Committee.

Gary Hunt stated if this is just a process issue then he agrees that they would consider it that way. When they go into a public forum his preference would be that Recycle Committee take the lead and the BOH would be your co-sponsor.

Mr. Greenberg stated that he and the Recycling Committee would be the lead presenters at any public forum.

Karen Martin stated that BOH should not be the lead, When this process started back in September the Recycling Committee had already written the by-law and written the Board of Health in for enforcement. They were never apart of the initial development. They were agreeable to have a conversation to revise the by-law where they spelled out the BOH roll and they supported the by-law but that they each had their own distinct roles.

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Mr. Greenberg stated that he is troubled that you think the Recycling Committee pulled a fast one on the Board of Health. You were the first people we contacted.

Pam Vath stated she would like the Recycling Committee to develop the outline from which all education can be taken. Pam asked if they could get a complete content outline.

Mr. Greenberg stated he gave a presentation to the Board of Health

Gary Hunt asked that at our next meeting Mr. Greenberg go through that presentation for the Board of Health.

Mr. Greenberg stated that he would be happy to do that.

Karen stated that she would like the Trash and Recycling Committee be the sponsor and the Board of Health supports the by-law.

Mr. Greenberg asked would the Board of Health consider being co-sponsors?

Gary Hunt stated that the board will decide if they are going to be the co-sponsors or just support.

Mr. Bracey stated in order to put together these educational outreach classes there is a timeline that they will have to meet. He believes that the warrant article for this to be sponsored would need be done soon. He believes that the warrant article would have to be in by January or February and in order for us to co-sponsor this by-law to be presented at the June meeting.

Gary Hunt stated that they want this on the June meeting because they have asked the Recycling Committee to delay until June. If the board can come up with the sponsorship and support language then he believes it can go on the warrant article and the educational process can follow. The educational process can start in January. Members Karen and Pam agree with that process.

Gary Hunt stated they want to get the board educated together on the topic. He would like Mr. Greenberg and Mr. Rodgers from the Recycling Committee to come to our next Board of Health meeting and talk about the content of the presentation.

Mr. Greenberg stated yes and will circulate what he put together and his list of outreach events.

Mr. Rodgers stated that the Recycling Committee does want to know what people think and are there some changes to the by-law that would make it better before they submit it. Getting agreed

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upon language into the warrant in the first place would be better. Education, submission and then more education and then Town meeting makes sense.

Karen Martin asked Mr. Greenberg and Mr. Rodgers if they were in agreement with the proposed changes Bob had made to the by-law.


Mr. Greenberg stated his only issue is whether it will pass legal overview. He will be satisfied when Kopelman & Paige weighs in on it.

Mr. Rodgers stated what he saw looked fine.

Pamela Vath motioned *to adjourn the meeting at 8:00 pm.*


Motion seconded by Gary Hunt

All members voted unanimously in favor

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Gary Hunt

DocuSigned by:

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Pamela Vath

DocuSigned by:

8A88CAE38EC248D...
Karen Martin

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