

# HAMILTON BOARD OF HEALTH

## MINUTES OF MEETING

October 30, 2019

Members Present: Giselle Perez, PhD, Walter Row, and David Smith (Chairman)

Health Agent: Leslie Whelan

Future member: Christopher Small

This meeting was called to order at 7:00 pm in the Memorial Room, Hamilton Town Hall by David Smith.

### **Announcement of changes in Board members, impending resignation of Walter Row and addition of Christopher Small.**

David Smith complimented Walter Row for being a member for the past three years and thanked him for his service. Mr. Smith introduced Christopher Small who the Selectmen had appointed. Mr. Small would become an official member after receiving a letter of appointment and being sworn in by the Town Clerk. Mr. Small indicated that he had moved to Hamilton the previous September and was renovating an old home on Bridge St. Mr. Small had moved to Hamilton from Amherst, which he described as politically active.

### **Discussion on the subject of banning use of Roundup in Hamilton.**

David Smith said he had researched the use of Roundup and its effects since the last meeting. Mr. Smith said the evidence was strong on both sides. Mr. Smith did not believe it would be possible for a lay Board to render an expert opinion on whether Glyphosate caused cancer in humans. Mr. Smith noted that Gretel Clark was a Hamilton beekeeper and was concerned about the effects of Glyphosate on bees. Mr. Smith researched the issue with bees and found articles published in the Journal of Experimental Biology, which he considered a credible scientific journal. Mr. Smith said he felt genuine concern regarding the effects on honeybees exposed to Glyphosate and submitted an article for Nancy Stevens to distribute to the Board. As there was a fair amount of honey production in Essex County, Mr. Smith was concerned. Mr. Smith asked local landscape services about how a ban on Roundup would affect their business but had not received any responses to date. Mr. Smith suggested holding a public hearing on the topic.

Dr. Perez wanted to conduct further research to review conflicting evidence before making a conclusion as the Board might be making an assumption on common effects. Dr. Perez added that many variables could impact findings. Conflicting evidence would indicate that there was not enough evidence to make a decision either way. Dr. Perez was concerned that if the Board held a public hearing, evidence presented would be fueled by emotions, which would not lead to a valid conclusion. David Smith concurred.

Walter Row wondered if the Board of Health had the ability to prohibit the sale of a product that was approved by the FDA. David Smith responded that the first step would be to determine if

the Board had the right to ban the product by requesting an opinion from Town Counsel. Dr. Perez reiterated that it would not be productive to hold a hearing for something in which there was no evidence. Leslie Whelan offered that if Roundup was determined to have an effect on bees, it might be possible to ban it from use on Town property, which would be a sub-question for Town Counsel. Mr. Row suggested making a recommendation or statement rather than a ban. Discussion ensued as to whether bees would be affected by the use of Roundup on weeds in that they were typically attracted to flowers. It was agreed that even weeds such as dandelions had flowers. Dr. Perez wondered what percentage of Hamilton was involved in beekeeping. David Smith said a public hearing might be a way to find out after it was determined if the Board had the legal authority to ban the product.

Richard Boroff (40 Moynihan Road) was present. Mr. Boroff had sent David Smith a list of references regarding the relationship between cancer and Glyphosate. Mr. Boroff said many journalistic articles were not scientific. Mr. Boroff said plants absorb the chemical through their leaves. The chemical sticks tightly to the soil and is broken down by bacteria. While the chemical may stay in the soil for a short time, it did not enter the air from the soil. According to Mr. Boroff, Glyphosate did not enter water through the soil unless it was sprayed directly onto the water's surface. The chemical did not build up in the food chain as it degraded in water. Rodeo was developed to degrade in water even faster.

Richard Boroff stated that there was no evidence that connected cancer with Glyphosate. According to Mr. Boroff, a new study found that the incident rate of non-Hodgkin's cancer and Glyphosate was flat. A lifetime risk of developing cancer in men was 40% and dying of cancer was 20%. In women the statistic for developing cancer was 38% and dying from cancer was 19%. Mr. Boroff asserted that if one were to see how many of those with cancer had contact with Glyphosate, the incidence would decrease the number. Mr. Boroff said there was no connection. Mr. Boroff said Roundup use for large crops might affect bees but large crops did not exist in Hamilton. The only effect would be on small land owners trying to kill poison ivy.

Virginia Cookson (318 North St.) was present. Ms. Cookson suggested educating people as to the effects of Roundup. Ms. Cookson said she believe Roundup stayed in place and had a short life of effectiveness. Mr. Cookson said Roundup broke down into by-products. Ms. Cookson said residents were affected by widespread invasive species and Roundup was a way to eradicate them.

Dr. Dr. Perez repeated that she was hesitant opening up the topic as it would be an emotional issue trying to ban something that was controversial.

Gretel Clark (Bay Road) was present. Ms. Clark said she knew the product affected her bees adding that her bees lived longer when her neighbor stopped using the product. Seventeen countries, many states, and many towns had banned the product. Ms. Clark said there was a current proposal before the MA legislature to ban Glyphosate. Ms. Clark said it was the Board

of Health's purpose to look out for residents' health. Mr. Clark continued that Monsanto and Bayer presented studies with falsified information and multi-million dollar cases had been won against them in CA. According to Ms. Clark, Trump banned the ban of the product in public parks because he was financed by the industry. Ms. Clark added Bayer had set aside billions of dollars to stop claims being registered at this point and the Board of Health should inform themselves about the topic.

It was agreed that Town Counsel's opinion would be sought as to whether a ban could be invoked, which would apply to all town properties or to everyone in town.

### **22 Elliott Street – Housing order, next steps**

Leslie Whelan used the Vacant and Unsafe Building By-law to issue fines to the owner of 22 Elliott St. Ms. Whelan said the owner paid the fines. Michael McNiff purchased the property the previous week. David Smith was thrilled that the process was successful. The Town used the rules of the Town By-law Chapter 37 governing vacant and unsafe buildings as well as violations from the State Sanitary Code to apply pressure to the owner to fix property or to sell. Michael McNiff would reportedly go to the ZBA to propose a two family structure but the quality of the cesspool was in question. Virginia Cookson offered her concern about the Town's overbearing process.

### **Health Agent Updates**

Leslie Whelan reported on the vaping sales moratorium, which would last until January if it was not extended. Ms. Whelan visited each establishment in Hamilton and confirmed the removal of all vaping products and advertisements. Ms. Whelan said two liquor establishments that had a tobacco license did not sell vaping products but the three convenience stores did. The stores had already complied with the requirement before Ms. Whelan visited.

A EEE flyer had been posted around Town Hall and notifications had been published on social media and the Town's website regarding the continued moderate risk from EEE. The risk would be present until a hard frost occurred. Four Flu clinics had been scheduled (three of which were held) and were considered successful in that many residents attended. Wenham and Hamilton reciprocated in the vaccination and administration of the Flu clinics.

The Round Pound blue green algae advisory had been lifted, according to Leslie Whelan. The water had been tested twice in two successive weeks with negative results. The greatest risk of the algae bloom was that dogs would illegally enter the water and become sick. No boating or fishing could occur as well.

Leslie Whelan explained the mutual aid agreement between eight communities, which allowed for vacation, recusal requirements, or emergencies coverage for Health Agents. Currently Ms. Whelan was covering for two weeks in Essex as the agent was recovering from surgery.

David Smith handed to Leslie Whelan the revised draft of the rationale for converting the part time Health Agent position to a full time position.

**Unanticipated Items/Announcements**

**Review/Approve: August 21, 2019 Minutes.**

Motion made by David Smith to approve the August 21, 2019 minutes as presented.

Walter Row seconded.

Vote: Unanimous in favor.

**List of documents and exhibits reviewed.**

Minutes dated, August 21, 2019

Health Agent Update, dated October 30, 2019.

**Adjournment**

Motion made by David Smith to adjourn at 7:50 pm.

Seconded by Walter Row.

Vote: Unanimous in favor.

Prepared by: Marcie Ricker