

Minutes
Pittsfield Board of Health
Monday, April 12, 2021
VIA Zoom 982 0371 2460, 6:00 PM

Present: Chairperson Alan Kulberg; Board Members: Steve Smith, Brad Gordon, Katrina Medders, Kimberly Loring

Also Present: Health Department Director Gina Armstrong.

Convening

The meeting of the Pittsfield Board of Health was held on Monday, April 12, 2021, via Zoom. Chairperson Kulberg called the meeting to order at 6:00 PM.

Review and Approval of Minutes: The Board reviewed the minutes of March 10, 2021 and they have been approved.

Public Comments: Chairperson Kulberg noted that public comments will be limited to Pittsfield residents who believe that they have health related issues due to the cell tower.

Gareth Coco: 17 Norman St., concerned and objects that the “rules were changed” by not allowing others to speak on this topic, he states, as they have knowledge on the topic. He noted that he is directly affected by the tower since it was turned on and notes he would like an investigation into this matter. He also stated the mosquito spraying should be stopped.

Jeanne Bresnahan of 16 Elmview Terrace is asked that the Pittsfield Health Department investigate the cell tower and its affects. She stated that wireless radiation is causing illness.

Sheena asked if there was a way to send her information/statements to the Board as she is not a Pittsfield resident. The email address of brozon@cityofpittsfield.org

Amelia Coco 13 years old, notes neighbors have reported symptoms since cell tower was turned on. She notes that she has been reaching out to the city for months for help and implores the city to help its residents and children.

Jonathan Marshall, 104 Appleton Ave., notes that he has been watching this topic and notes that people are getting sick and implores the Board to think about the equation that these issues began when the tower was erected and turned on.

Yvette Sirker resident of Pittsfield notes that she began getting symptoms she had not had before and states that she was diagnosed with “radiation toxicity” by her physician as a result of the tower. She states that she had to move and also change how they receive internet in her home.

Courtney Gilardi: 17 Alma St. noted that she would like to know what the city and the Health Department have been doing to address this issues. She states that emails and calls have gone unanswered and further stated that 13 people, that she is aware of, have been sickened by cell tower radiation. She states that her pediatrician provided information showing children should not live any closer than 650 feet to a tower and that symptoms of cell tower radiation are headaches, dizziness, nausea and insomnia.

Hearing: 23 Brown St. – Corrections Order: Tenant Natalie Clifton appeared with her attorney Paul Schack. Senior Sanitarian Andy Cambi appeared on behalf of the Pittsfield Health Department. Appellant Mark Bennett, owner and landlord of 23 Brown Street also appeared. Senior Sanitarian Andy Cambi gave a brief overview of the matter noting that he performed an initial inspection on December 14, 2020 and found several violations. He stated that he received a request for an appeal from Mr. Bennett on or about December 22, 2020. He further stated that he performed a follow up inspection in January 2021 and that none of the violations had been corrected. Mr. Bennett noted that the tenant was notified in July 2019 that she was to vacate the premises and she has refused to leave. He claims that the sink and doors were broken by the tenant, light bulbs were simply burnt out, and that the toilet has worked each time he has been there. Attorney Paul Schack spoke on behalf of the tenant noting that she is a lawful tenant and that the health department role is only to cite the violations and assure compliance, not to ascertain who created any damages. Mr. Bennett noted that he will make the repairs to the apartment when the tenant vacates the premises. He further stated that he felt that the tenant was doing this in retaliation and that the tenant is not paying rent/subsidy. Attorney Schack noted that subsidy payments stopped because the repairs have not been made. Board Member Gordon noted that the tenant is in fact a legal tenant and that the appeal lacks merit. Board Member Smith noted that this is not the forum to dispute tenancy, etc., but only to address health and safety. A motion to dismiss/deny the appeal relative to Article II violations was made by Board Member Gordon and seconded by Board Member Smith. The motion was unanimously approved.

Petition from City Councilors Connell & Kavey requesting that the Health Department investigate the health concerns that have been reported by some of the residents that live near the cell tower at 877 South Street: Councilor Chris Connell notes that he and Councilor Kavey brought this petition because residents had reached out with regard to health concerns. Councilor Connell states that he initially emailed the Health Department and that he received no response. He stated that the petition was brought in January 2021 and the response from the Health Department was that they did not have the expertise. Board Member Smith inquired as to what health concerns were noted and Councilor Connell noted that it was reported to him that people were suffering from headaches, insomnia, nausea and he noted two cases of cancer, which may or may not be related, but were reported. Board Member Gordon asked Councilor Connell to summarize things he would like to see the Board do. Councilor Connell noted they would like someone from the health Department to document the symptoms that have occurred since the cell tower was activated and to determine whether the activation is related. He further stated this might include hiring an expert and if it is determined that there is a correlation, then come up with an action plan to address the issue. Chairperson Kulberg reiterated what Gina Armstrong had initially noted, that the Health Department is not qualified and does not have the expertise to accurately assess these health concerns, which would encompass this type of investigation. The very act of determining correlation by the Health Department without expertise would be ineffective, and needs to be done in an epidemiological way. Dr. Kulberg noted that the Health Department has never at any time taken the attitude that the residents' complaints should be dismissed or not taken seriously. Dr. Kulberg referred to the health department's active role in attending to matters relating to the global pandemic as to the delay in response and noted it was not a lack of response. It was noted that the Health Department is happy to facilitate the communications between residents and the Environmental Toxicity Program. Councilor Connell applauded the Health Department for their response and efforts with regard to Covid 19, but noted that he felt that this topic should have been more of a priority, noting that a report about snow removal was answered immediately. Ms. Armstrong noted a vast difference between simply printing a report and doing the required research into a topic such as this. Ms. Armstrong noted that research was being conducted, which includes reviewing a mass amount of material, options were being considered, resources were being put together, work is being done on the

matter. Ms. Armstrong encouraged residents to reach out to the Environmental Analyst at 617-624-5757, noting that they should specify that they are calling in reference to the Pittsfield cell phone tower. Ms. Armstrong stated that the residents should submit questions and concerns to brozon@cityofpittsfield.org in advance of May 5, 2021 in hopes for a public forum which the Environmental Toxicity Program will be attending. Dr. Kulberg noted that it is the intent of the Board to try to develop a plan and move forward from this point. Board Member Loring encouraged residents to contact the state directly. It was noted that there bill before the Senate which requests a special committee be formed to research the impacts of electromagnetic and radiofrequency radiation on consumer protection, public health and technology in the Commonwealth. Dr. Kulberg made a motion to support this bill which was seconded and that we communicate with the legislative delegation the importance of moving the bill forward so that a more comprehensive approach can be taken on this issue. This motion was seconded by Board Member Gordon, who amends the motion to note that this support include a letter of support. Ms. Armstrong also suggested that the Governor's office and Mass DPH also be included on that letter of support. The motion was unanimously granted. Dr. Kulberg makes a motion to have a panel presentation for the purpose of public education on electromagnetic and radiofrequency radiation; seconded by Board Member Smith and was unanimously granted.

Mosquito Control: Chris Horton of Berkshire County Mosquito Control appeared and presented the 2020 program Annual Report and the 2021 Comprehensive Mosquito Control Plan. Mr. Horton explained that the season began in April 2020 when the larvae begin to develop in the catch basins. It was noted that they treated approximately 4,000. He noted that they surveilled adult mosquitos from June 9, 2020 through September 17, 2020 for Arbovirus. For larvae control, Mr. Horton reported that they treated 55 acres of breeding habitat. Mr. Horton reported that no isolations of WNV or EEE were found and noted that this has not been seen in several years. He noted that it was a very light year for mosquitos. Mr. Horton also reported that they did a product study with two other products (Vectomax FG and Natulaur G30) as discussed and approved in the beginning of the 2020 season. This study was funded by the state after a significant EEE presence in Massachusetts in 2019. He noted that they selected 10 locations for treatment control, which included 30 crypts. The study showed the habitat has fallen to trace levels approximately three weeks after application. Another study with the Vectomax FG showed that the product did go inside the crypts. He noted some problems with the study one of which included rugged habitats making it difficult to treat the areas. Mr. Horton noted that this was done with a backpack application. He also noted lack of equipment to measure the estimated application. Mr. Horton noted that there is more funding to continue the study this year. He pointed out the continuing the study would allow them to provide a more accurate determination of what is getting into the crypts and what is staying outside. Mr. Horton discussed an issue that arose after the use of the product Anvil 10+10 in 2019. He noted that a Citizens Science Group had a chemical analysis done of the product and they found fluorinated polyethylene and HDPE, chemicals which are often found in food packaging and containers for chemical storage, including pesticides. This is a suspected toxic substance and it was unknown at the time of use that the product used contained this substance. The results of the study were turned over to Massachusetts Department of Environmental Protection and then on to the EPA. The EPA is now investigating under the FIFRA (Federal Insecticide Fungicide Rodenticide Act) and TSCA (Toxic Substance Control Act). As of January 2021, the EPA determined that the substance found was coming from the containers holding the product. It was noted that the manufacturers of the containers have notified all customers of recalls and have stopped shipments of all products in these containers. Additionally, they are now using containers without this substance. Mr. Horton reported that the amount of PFAS found in the pesticides was extremely small, a trace, but also that efforts are being made to determine the significance of these

trace amounts. Mr. Horton also reported that in light of the significant EEE presence in the state in 2019, that the state has put together a task force, more specifically for those communities that are not a part of an organized mosquito control district. He noted that the stated needed a legal authority to act in the event of a public health emergency. This would likely be in the form of an aerial spraying. This task force will also recommend comprehensive reforms to the current mosquito control system. Finally, Mr. Horton noted that he did not see any need for any necessary changes for the 2021 season. He also noted that the program will be working with DPW to report any issues that need to be addressed with the catch basins as they may find them. Chairperson Kulberg questions whether Mr. Horton can confirm that none of the products used will contain the harmful substances (PFAS). Mr. Horton stated that the products are all on hold while this issue it being resolved and that he will be notified when they will be receiving product again and in turn, he will notify the health department. He confirmed that pesticides cannot contain any substances other than what is on the list of ingredients.

Board Members also discussed a petition from Councilor Maffucio requesting that the city opt out of mosquito spraying after recent studies show that it is not supported by science and that it is bad for the environment and for humans. Mr. Maffucio also notes that the Town of Stockbridge has opted out. Ms. Armstrong stated that she reached out to Councilor Maffucio to get clarification as to whether he was looking for the city to opt out of mosquito control entirely, or just spraying. She indicated that his petition is to opt out of spraying specifically. She also noted that she attended a recent Public Health & Safety Committee where she learned that Becket is also considering opting out of spraying and that two of three city councilors who were in attendance at this meeting voted to opt out of the spray/treatment response and their report will be going to city council in the near future. Ms. Armstrong asked the Board to consider holding a public forum to offer education on the spraying and how targeted the responses is and further educational factors that come into consideration when making the decisions to spray. Chairperson Kulberg made a motion to vote on the approval of the Mosquito Control Plan as it existed in 2020, with the exception that the products used will not contain PFAS. The motion was seconded by Board Member Gordon and granted unanimously..

Adjournment

Upon a motion made by Board Member Smith and seconded by Board Member Gordon, the Board voted unanimously to adjourn the meeting.

Respectfully Submitted,
Stephanie Layden, Clerk

Documents/Materials Distributed at Meeting

- Meeting Minutes of March 10, 2021
- Hearing Documents for 23 Brown St.
- Petition and supporting documents relative to the cell tower located at 877 South St.
- Mosquito Control Report 2020 and related documents