

Public Hearing Minutes
April 5, 2018

Present: For the Board of Selectmen: Steve Mattson, Parker Lord, John Kiker;
Stephen Mansfield, Director of Health for Ledge Light Health District;
George Calkins, Town of Lyme Sanitarian; approximately 40 town residents

The Public Hearing was called to order at 7:30 PM by First Selectman Steve Mattson. The purpose of the public hearing is to explain the thinking behind moving from a single town health district to a regional health district.

The legal notice announcing the public hearing read as follows:

NOTICE OF PUBLIC HEARING

Town of Lyme Notice of Public Hearing

Re: Joining Ledge Light Health District

The Board of Selectmen has scheduled a public hearing to be held on Thursday, April 5th, 2018, at 7:30 p.m., at the Lyme Town Hall, 480 Hamburg Road (Route 156), Lyme, Connecticut, to receive questions and comments from the public regarding the Town of Lyme becoming a member of the Ledge Light Health District.

Dated at Lyme, Connecticut, this 29th day of March, 2018.

Steven Mattson

For the Board of Selectmen

The following information was provided as a handout to attendees, as well published on the town's website and Facebook page along with the legal notice:

FAQs about Health Districts

What is a "health district"? In Connecticut, local public health services are provided either by a municipal health department or a "health district."

- A health district is formed when two or more towns decide to consolidate their public health functions.
- There are currently 20 health districts across the state.
- Ledge Light Health District is a district that has been formed by the towns of Old Lyme, East Lyme, Groton, Ledyard, New London, Stonington, North Stonington and Waterford to serve their residents.

What are the benefits of joining a health district versus running our own health department? The benefits for our town would include:

- the ability to provide our residents with a full range of public health services all year long;
- the ability to offer emergency-related public health services 24 hours a day, 7 days a week;
- lower annual costs for providing public health services to our residents;
- ongoing access to a team of certified public health professionals;
- uniform and consistent enforcement of state public health codes and regulations; and
- the assurance that the town is in full compliance with all state rules and regulations governing local health departments.

What would the health district's responsibilities include? The health district's responsibilities would include, but not be limited to, the following:

- Inspecting and approving the septic systems of local homes and businesses.
- Conducting soils testing, plan reviews and approvals of any subdivisions, new lots or building additions approved by the town.
- Reviewing, inspecting and approving the locations and construction of wells.
- Inspecting and certifying the health and safety of any establishments that offer food services.
- Responding to potential public health emergencies, such as incidents of lead poisoning or outbreaks of rabies, Lyme disease or food-borne illnesses.
- Offering health promotion programs and services to our residents – e.g., smoking-cessation programs, flu clinics, Lyme disease prevention awareness campaigns.

Will anyone at Town Hall lose their job if we join the health district? No. Our Sanitarian, George Calkins, will be retiring on June 30, 2018. This retirement is one of the events that lead to our recommendation to join the health district.

Is the decision to join the health district irreversible? No. The Board of Selectmen will monitor and evaluate the effectiveness of the partnership and recommend to residents whether it should be continued.

Will services still be available at Lyme Town Hall? Yes. Ledge Light personnel will be stationed at Town Hall on Monday and Tuesday mornings, providing us with increased coverage hours for health-department services.

Mr. Mattson began by stating that the health code and enforcement are the same with the current single town health district and the proposed regional health district. Historically, in 1968 an ordinance was passed to establish a single town public health department to enforce the public health code. George Calkins is the current sanitarian who does everything to enforce the code.

The State of Connecticut has mandated that single town health districts have one (1) full time employee to perform 10 functions involving the health code. George, who retired from Ledge Light, does not want to work full time. In addition, due to his retirement plans, some of his certifications are lapsing, including food service.

The Town finds itself faced with a decision either to create a full-time position or regionalize to spread costs to all towns in a region.

Advantages of regionalizing:

- provides full-time, 24/7 coverage
- reduces the cost to the town by \$10,000 per year
- allows the Town to be in compliance with state law

Disadvantages of regionalizing:

- gives up a small element of local control
- increases fees slightly to people in town (fee schedule included with these minutes)

George Calkins stated that in effect the increase in fees to the townspeople would be user fees, and fees to all taxpayers would go down.

Steve Mansfield stated that what George is doing now is what Ledge Light would do in the future. They would enforce the same public health code that George enforces now. Ledge Light employs nine (9) full-time employees, with twenty-three (23) total on staff. Ledge Light is not a private, for profit organization, but a government entity. The State's Department of Public Health is coming down on small towns who are not offering a full component of public health services. While there are not many regulated food service establishments, Kate Baldwin has already been contracted by the Town of Lyme to handle food service needs/inspections.

The public hearing was then opened to questions from those in attendance.

David Lahm: Who sets the fee schedule?

Steve (Steve Mansfield): The Ledge Light Board of Directors. One (1) member is allowed per 10,000 people. Currently the per capital cost is \$7.37, which is lower than the state average and lower than ten years ago. Lyme's cost would be approximately \$17,000.

David Lahm: It is a fixed cost to be in the district. Lyme wouldn't use most of the services. Would the town receive a discount?

Steve: No

David Lahm: We are then in effect subsidizing other towns.

Steve: That is correct, but it would even out. For example, New London has many restaurants but no land use. Lyme has no restaurants, but a lot of land use, which is time consuming.

Kiernan Wholean: What is it that we are not doing that we need to do according to the state?

Steve: The state prescribes that towns must perform ten (10) functions, many of which are medically oriented, to ensure public health. George is a sanitarian, part of environmental health, but is not certified to perform all ten of the functions. For example, they employ a full-time nurse and epidemiologist to look for trends in disease in communities, for which they can get additional funding.

Roger Dill: Lyme conducts many local fundraisers (bike race, potlucks, steak dinner). What happens to the nonprofits and groups holding temporary events?

Steve: It would be the same \$25 inspections as is current protocol.

Bill Denow: These regulations will mean a profound change to Lyme, as many will not be able to comply. The Lyme Public Hall Board of Directors met earlier in the day and voted to terminate the chowder dinner traditionally held in November.

Steve: The regulations are intended to protect the people of Lyme. If the regulations haven't been applied in the past, they need to be. He suggested that Bill Denow call him.

Jared Schneid: Are non-commercial functions exempt?

Steve: No, those who are not normally engaged in food service activity are exempt, but must, for example, follow proper temperature guidelines.

David Tiffany: Thank you to George for his many years of faithful service to the Town of Lyme. Under Ledge Light, with the Firemen's Dinner, how would the fact that the dessert pies are donated be handled? The creativity of what Lyme is about would be stifled by these regulations.

Steve: Monitoring depends on the food. Bake sales are exempt from the public health code requirements. Some pot luck dinners are exempt, some are not.

George: For example, one town in the district conducts a chili and chowder cookoff. Ledge light inspects for proper temperature control and requires that placards stating that the foods were prepared in non-government inspected kitchens be used.

Paul Armond: Do the regulations apply to political fundraisers that are open to the public? Two examples are the fundraiser he holds in his home, and the DTC potluck where food is prepped in people's kitchens and an admission fee is charged.

Steve: If an event is held in someone's private home, it is not inspected. He is not positive about the answer for the second example.

Jack Sulger: Would Ledge Light remedy a mosquito situation?

Steve: Yes, Ledge Light would initiate spraying.

Leslie Lewis: Do the regulations apply to non-profits holding a no-charge event?

Steve: The same rules apply, though they are not looking to come into people's homes.

Steve Mattson: This should not be viewed as an obtrusive thing.

Steve: Call Ledge Light and speak to Katie to get answers.

Erik Block: He is a builder in town and is encountering new fees in Old Lyme now that they are part of Ledge Light. What are the fee structures? Are there any pumping regulations?

Steve: Fee structure sheet available (included with these minutes). There are no pumping regulations.

Bill Denow: What about catered events?

Steve: As long as it is a licensed caterer, they are fine. The host should ensure the caterer is licensed. Contact Ledge Light to see about a list of licensed caterers.

Steve Mattson: George is in negotiations with Steve at Ledge Light to continue working here. Lyme shouldn't see much in terms of change. If this works out, we would have continuity of health services.

David Lahm: In looking at the Lyme versus Ledge Light fee schedule, it does not appear to be just a ten percent increase. For example, a septic system repair fee is doubled with Ledge Light. Some fees are substantially higher.

George: There are always growing pains with a new entity coming in. He anticipates being here for a while, and has committed to staying on for Lyme's transition. The only noticeable difference will be in the fee structure.

David Lahm: How does Lyme disassociate with Ledge Light if we decide to?

Steve: The town is locked in for two years. If desired, six months after that we could be out.

Steve Mattson: With Ledge Light, while user fees will increase, the town will ultimately spend less.

Jared Schneid: Excluding fees, what is the cost savings to the town?

Steve Mattson: \$10,000.

Dan Hagan: When will the decision be made, and going forward who reviews the agreement?

Steve Mattson: The town votes at the annual meeting. Going forward, the Board of Selectmen will review the agreement.

Lisa Bakoledis: What happens if the proposal is voted down?

Steve Mattson: The town would be where we are, in noncompliance. The state has been on the town about noncompliance for two years. The only other alternative would be to find a full-time person.

Humphrey Tyler: Are there any other options?

Steve: For Health Districts, the other options are Uncas Health District, Connecticut River Valley Health District, and Chatham Health District.

Steve Mattson: Geographically, Ledge Light covers the area where Lyme is. It would be a good fit.

Linda Winzer: If the proposal is voted down, and we try to hire a full-time person, what kind of pool of qualified people are actually out there to draw from?

Steve: Ledge Light tried for a year to find a Senior Sanitarian. They dropped their professional standards and tried to hire someone classified as Sanitarian I. They ended up hiring two (2) environmental technicians with no certifications that they are putting through certification training.

Bill Denow: What is the composition of the Ledge Light Board of Directors?

Steve: By statute, Steve is President of the Board. There is a Board Chairperson. The Board is comprised of representatives of the member towns, with one representative per 10,000 people, and they are the only ones permitted to vote. Currently there are 22 individuals on the Board, and the Board meets monthly. Lyme would make the fifth new municipality to join Ledge Light in the last eighteen months. They have never had a municipality that opted out after joining. The Trumbull/Monroe Health District is the only district that has ever dissolved. The CT Public Health Code soon will not be used. The FDA code is going to be adopted statewide for food service per state statute.

George: The problem is the state's requirement that the ten (10) functions be performed. No one person can do it all. The state proposed mega health districts where choice is not given in terms of which one to affiliate with. That legislation failed, but the state will not stop until all single town health departments are disbanded.

Steve: Ledge Light Health District was adamantly opposed to the Commissioner of Public Health's approach to mandating regionalization. He strongly believes it is up to the municipality working with the district to decide what is best for their town.

David Lahm: Does Ledge Light have the statutory authority to levy assessments against their members? If there is something happening in the district that requires money to fix something that is a health issue in a municipality that does not have the money to fix it themselves. Do you have the statutory authority to levy assessments against the members of the district?

Steve: Yes. Example in New London, complaints in Assessor's office of smell of mold and mildew. Investigation showed room that was taped off with inches of mold growing. New London said they did not have any money. Steve had to issue an order against the Mayor of New London. If there is something in the Town of Lyme that was a risk to public health, where lives are in danger, and Steve said I am not going to do it, I would have the power to write an order.

David Lahm: The more important question is do you have the statutory authority to spread that cost out over the whole district to remediate one town's issue?

Steve: No, we wouldn't.

David Lahm: Do you have the statutory authority to do it?

Steve: I don't know, but we wouldn't. I would say no for the record.

Carter Courtney: What would be the total charge for Ledge Light to the Town of Lyme for one year of service?

Steve: The total charge for Lyme for one year to participate would be \$17,356.35. Currently Lyme pays \$29,722.

Steve Mattson: Currently Lyme pays \$29,722 for just what George does, which is environmental. We also pay \$750.00 for a Director of Health. For the \$17,000 from Ledge Light, we would also get food service and all ten items mandated by the state.

Steve: As far as the Ledge Light budget, during his first year, the per capita rate increased by two percent, the second year it increased one percent, and the current budget was a flat budget. Ledge Light manages from a fiscal perspective very frugally.

Carter Courtney: Would this have any effect on the Visiting Nurse protocol we have in place right now?

Steve Mattson: No, they are different departments completely. Visiting Nurses will continue as we have always done.

Steve: Ledge Light works closely with the VNAs in all of the member municipalities.

Bill Denow: Does Ledge Light have any authority to enforce ADA regulations?

Steve: No, they would do a referral.

Linda Winzer: How is it that the state could pass this type of legislation, allowing that a town could hire a full-time person, while knowing full well that one full-time person cannot do it all?

Steve: New language will make it even more difficult to go that route. It is more a matter of which district you join, and you will have to join one. He is not a salesman for Ledge Light. East Lyme decided on Ledge Light because of George's continuity and his advocating for a regional health district.

There being no further questions or discussion, the public hearing closed at 8:45 PM.

Respectfully submitted,
Linda Winzer

Note: Contact number for Steve Mansfield at Ledge Light: 860.867.7962