

Begin forwarded message:

From: Subject: Re: Greenfield Charter Committee Re: Board of Health Director
Date: February 16, 2021 at 4:30:28 PM EST
To: David Singer <djsinger@verizon.net>

Hi David,

I believe that the direction of C. 111, s. 30 provides that the BOH can appoint the Health Director or Agents, and therefore since they are the appointing authority they have direct control over those positions that they appoint. The positions themselves have no inherent powers, except those powers that the BOH confers upon those Agents who operate under the authority of the Board of Health. That much is very clear as provided by MGL.

The Charter currently provides that the Mayor supervises the Dept Heads that the Mayor appoints. Since the Mayor does not appoint the Health Director or Agents, then it follows that the Mayor does not supervise those positions.

Since the City has not adopted C. 111, s. 26A-26E which replaces the BOH with a Health Department run by a Health Commissioner, I believe we are left with the direction contained in C. 111, s. 30 and C. 111, s. 26 for our legislative direction. As such, I agree that the Home Rule provision allows us to specify how we want our BOH supervision organized in Greenfield via the direction provided in the Charter. I see this as the way to both create a Health Department that is under the control of the BOH, and to delineate a supervisory firewall between the Mayor's Office and the Health Dept so that the abuses that happened in the recent past by the former Mayor will not be easily repeated. Public Health is too important, as we have seen from the pandemic response over the past year. I provided language that made it clear that all employees must follow the general requirements of the Dept of Human Resources.

I have also attached two chapters from the Mass Association of Health Boards' Guidebook, which was the best reference that I used as a professional. These two chapters outline the authority of the BOH and some of the organizational structure options for Health Departments.

I think that the few additions I have suggested (in red text) address the concerns that I expressed in a reasonable, balanced, and legal manner. If anything is not clear, I would be happy to discuss it with you or any other members of the Charter Review Committee.

Thanks for following up on this matter,

some more specific minimum qualifications for the position of Health Director (R.S., C.H.O., or MS in Public Health), and that part was optional and for consideration. Many Health Directors in Mass have all three credentials, but here is what the job posting clearly said two years ago- "Registration with the MA Board of Certification of Health Officers and/or Registered Sanitarian strongly desired, or ability to obtain within two years." Here is the actual job listing- <https://www.helpwanted.com/7f4c3b0578234-Health-Director-job-listings>

I have attached the official job description from the GF HR Dept. See the Minimum Qualifications on page 5, which are the same as specified in the job posting. The job required an RS or CHO, or the ability to get certified within 2-years. While that seems pretty straight forward, it does mean that we could have an unqualified Health Director running the Health Dept. for two years, who could then be replaced by another unqualified Director for another two years, and so on. The way to get around that is to change the HR requirements or build the minimum qualifications/credentials directly into the Charter.

Please note that the current HR job description specifies that the "Appointing Authority" is the Mayor, and that the Mayor supervises the position. I believe this is not in accordance with Mass General Law and is likely what adds to the confusion, which I think needs to be fixed in the Charter. Otherwise it appears that there may continue to be opportunities for dysfunction and abuse. I think my proposed language would clarify this matter and eliminate such confusion.