

**CITY OF GLOUCESTER
Board of Health
Minutes of the Meeting
March 7, 2019
5:30 p.m.
City Hall Annex
3 Pond Road
Gloucester, MA 01930**

Board members present: Chairperson: Dr. Richard Sagall; Vice–Chairperson: Robert Harris; Frederick Cowan; and Claudia Schweitzer. Present from the Health Department: Health Director, Karin Carroll; Assistant Director: Max Schenk; Sanitarian: Marcus Costonis. Absent: Joe Rosa.

The meeting started at 5:30 p.m.

This meeting was recorded by audio in accordance with State Open Meeting Law.

PUBLIC ORAL COMMUNICATION

There was no “Public Oral Communication”.

APPROVAL OF MINUTES

MOTION by Mr. Harris to approve the Gloucester Board of Health minutes of the meeting of February 7th, 2019 as written. **Seconded** by Ms. Schweitzer. **CARRIED**. Mr. Cowan **abstained**.

MOTION by Mr. Cowan to approve the Gloucester Board of Health Septic Subcommittee minutes of the meeting of February 25th, 2019 with correction. **Seconded** by Dr. Sagall. **CARRIED**.

STANDING COMMITTEE REPORTS

The following report was submitted for the record:

“At its meeting of February 25, 2019 the Septic Review Subcommittee met with the City of Gloucester Legal Department and Health Department staff, to discuss the enforcement options available to the Board, specific to instances where orders to upgrade failed septic systems are ignored. After discussion, it was the opinion of counsel that, given wording within Title 5 of the State Environmental Code, the Health Department must ask the Massachusetts Department of Environmental Protection to provide clarification as to whether the Board of Health, or Mass DEP, hold enforcement authority in such circumstances. Health Department staff have communicated with Mass DEP, who have forwarded the request to their legal counsel for opinion.”

NEW BUSINESS

MOTION by Mr. Cowan to change the order of the agenda of March 7, 2019. **Seconded** by Mr. Harris. **CARRIED.**

Discussion with Joyce Redford, Director, North Shore/Cape Ann Tobacco Policy Program

Regarding:

- Vaping in Schools
- Cessation Programs
- Capping tobacco Retailer licenses

Joyce Redford Director of the North Shore/Cape Ann tobacco Policy Program appeared before the board. She stated that vaping in schools is in issue across the State. She stated that Georgetown and Danvers have installed vape detectors in their bathrooms. She gave a brief background on Juul products and other vape products that students are using. She stated that nicotine addiction can cause mood disorders, learning issues, changes within the brain and primes the brain for other addictions. *Ms. Carroll* stated that a recent survey showed that 80% of high school students used a vape on campus.

Ms. Redford gave board members a list of communities in Massachusetts who have capped the number of tobacco permits in their city. The board discussed capping the number of tobacco permits and agreed that they would like to cap the number of permits at two above the current number. *Mr. Schenk* stated that draft language will be created for the next meeting and the board can bring it to vote at the May meeting.

Appeal by Ramona Faherty of Health Department Enforcement Orders for Properties Located at 3 Smith Street and 45 rocky Neck Avenue. Atty Michael J. Faherty representing.-

Mr. Harris **recused** himself from the agenda item.

Mr. Schenk stated that Mr. Faherty was notified via email that this issue was going to be on tonight's agenda. He stated that the enforcement letter went out 150 days ago and they have 7 days from the date of the original letter to file an appeal.

Marcus Costonis stated that there is no recourse and the owner must fix the violation; it is a very dangerous safety issue. He stated that he has gone to the resident every ten days and the issue has not been fixed. He stated that he has talked to Ms. Faherty every 30 days about the issue.

The board agreed to send Mr. Faherty a letter stating that the item was on the agenda for tonight and that if they do not comply within 30 days the condemnation process will begin. *Mr. Schenk* stated that he will draft a letter to Mr. Faherty.

Discussion Relevant to the Sale of Cannabidiol (CBD) Based Products in Gloucester:

- Limit the Age of Purchase to 18

- Per MGL 128, Section 118 Require Massachusetts Department of Agriculture License for Processing Hemp in Food to Ensure CBD Oils are Hemp-based and Contain no Tetrahydrocannabinol (THC)
- Require Any Establishment Selling CBD Products to Obtain the Appropriate Massachusetts Department of Agriculture License

Ms. Carroll stated that a local pizza shop has requested to sell a pizza with CBD oil. She stated that the request has to go through the Department of Agriculture. She stated that all issues related to CBD must go through the Department of Agriculture. She stated that it is very difficult to get approval. She stated that she is very concerned about children and CBD. She stated that CBD should be an age-controlled product.

OLD BUSINESS

There was no "Old Business".

MONTHLY REPORTS

Presented by Max Schenk

The following "Monthly Report" was given to Board members.

[February Monthly Report](#)

Ms. Carroll stated that they vaccinate over 2000 people with flu vaccine this season and they have has 108 reported cases of the flu.

Ms. Carroll stated that North Shore NVP put in a poster abstract regionally to their Mass Public Nurse Association and it was accepted and they will be presenting that.

Ms. Carroll stated that Happy Valley has agreed to sponsor Our Place the recovery day program for \$50,000 annually.

Ms. Carroll stated that they started doing shingle vaccines but there is not enough to administer it to all the people on the waitlist.

Ms. Carroll stated that they have having a hard time filling the dental hygienist position at the Dental Center. She stated that they hired a Food Inspector but the offer was rescinded due to omissions in the application.

Ms. Carroll stated that they put in with the Administration a request for some extra money that might be available so they asked for some continuation money as well as some new initiatives.

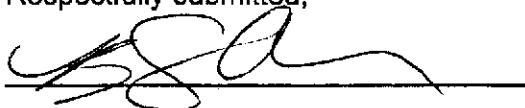
CONCERNS OF BOARD MEMBERS

Subterranean Diesel Tank- *Mr. Cowan* stated that he is concerned about a new business in the industrial park that has installed a subterranean diesel tank to service an enormous Emergency Generator. He stated that this is an environmental safety issue. *Ms. Carroll* stated that the tank falls under the Fire Department and they did not think it was a hazard. The board discussed the tank and decided to ask the owner's Director of Design & Project Management for the operation and maintenance details for the tank.

Next Regular Monthly Meeting Board of Health- The next Board of Health monthly meeting will be on April 4, 2019 at the CATA Training Room at 5:30 p.m. *Mr. Harris* stated that he cannot attend.

MOTION by *Mr. Cowan* to adjourn.
Seconded by *Mr. Harris*. **CARRIED.**
MEETING ADJOURNED – 7:22 p.m.

Respectfully submitted,



Bobbi Orlando

Accepted by:



Richard Sagall, Chairperson

Documents Referenced:

March 2019 Board of Health Agenda
February 7, 2019 Board of Health Minutes
February 2019 Monthly Department Reports