

**CITY OF GLOUCESTER
Board of Health
Minutes of the Meeting
May 2, 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; and Joe Rosa. Present from the Health Department: Health Director, Karin Carroll. Absent: Frederick Cowan; Claudia Schweitzer; and Assistant Director: Max Schenk.

The meeting started at 5:30 p.m.

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

PUBLIC ORAL COMMUNICATION

Jay Jaraslav and Margaret Russell of 65 Middle Street appeared before the board. *Mr. Jaraslav* stated that he resides in Unit 3 and he is concerned about the odor and noise that is coming into his residence from the bakery below.

Ms. Russell stated that she resides in Unit 2 and the odor and noise coming into her residence from the Sandpiper Bakery is unhealthy. She stated that the noise starts at 6:15 a.m. She stated that both sides have hired lawyers. She stated that she does not want the bakery to close, she just wants the proper exhaust system installed. She stated that she had a licensed engineer come and look at the system and he told her that it was an inadequate system for volume of the bakery's production.

APPROVAL OF MINUTES

MOTION by Mr. Harris to approve the Gloucester Board of Health minutes of the meeting of April 4th, 2019 as written. **Seconded** by Mr. Rosa. **CARRIED.**

MOTION by Mr. Harris to approve the Gloucester Board of Health Septic Review Subcommittee minutes of the meeting of March 22nd, 2019 as written. **Seconded** by Mr. Rosa. **CARRIED.**

STANDING COMMITTEE REPORTS

The Board of Health reviewed the Septic Review Subcommittee report of March 22nd, 2019.

NEW BUSINESS

Changes to the Gloucester Board of Health "Regulation to Ensure the Sanitary and Safe Operation of Adult-Use Marijuana Establishments and the Sale of the Adult-Use Marijuana" (Rev. 11/1/2018):

Cannabidiol (CBD) based products-

- Limit the age of purchase to 21
- Per MGL 128, Section 118, require Massachusetts Department of Agriculture license for processing hemp in food to ensure CBD oils are hemp-based and containing no tetrahydrocannabinol (THC)
- Require any establishment selling CBD products to obtain the appropriate Massachusetts Department of Agriculture license.

Ms. Carroll stated that they are seeing more and more CBD products and the CDC has been going back and forth as to who regulates these items. She gave board members a template document titled "Regulation to Ensure the Sanitary and Safe Operation of Marijuana Establishments and the Sale of Adult-Use Marijuana and Cannabidiol" from Haverhill's Board of Health. *Ms. Carroll* stated that hemp products and prescribed medication are exempt from the regulations.

The Board of Health discussed how CBD products are sold all over the City and there is no age restriction currently on the products. The board agreed that the issues that need to be addressed are age restriction and prepackaged products versus locally made products.

Ms. Carroll stated that there would be shops in Gloucester that would not be able to sell some products they are currently selling if this template was adopted in Gloucester. *Ms. Redford* stated that cannabis shops would not be able to sell these CBD products because they can only sell cannabis from an approved dispensary that contains THC. The board agreed that an age restriction is needed but doing more than adding an age restriction would be premature at this point. The board agreed to have a public hearing on the issue at the next meeting.

Proposed Changes to the Gloucester Board of Health "Regulation Restricting the Sale of Tobacco Products" (Rev. 5/1/19):

Ms. Carroll stated that at a previous meeting they discussed capping the number of tobacco licenses in Gloucester to 36 in an effort to reduce youth access to tobacco products in the City.

The board agreed to have a public hearing on the issue in June.

Update Presented by Amy Epstein, Regional Prevention Director, on Prevention Programming:

Ms. Carroll stated that they will table this item until the June meeting.

Discussion Regarding Vaping in Gloucester Public Schools Jeff Destino, Asst Principal, O'maley Innovation Middle School Graham Epple, Health Educator:

Mr. Epple and Mr. Destino were not present at the meeting so the item was deferred.

Joyce Redford of the North Shore Tobacco Control Program appeared before the board. She stated that since the flavor restriction, youths have been buying mint flavored products in convenient stores and adult-only stores have been raising the price of flavored products because of the demand. She stated that two stores failed compliance checks due to letting minors walk into an adult-only store. She stated that Somerville voted to move all vaping products and the devices in adult-only stores and they are being challenged over their decision.

The board discussed banning mint, menthol, and wintergreen flavors. *Mr. Harris* stated that he would not like menthol cigarettes banned from convenient stores. *Ms. Joyce* stated that she will look into banning mint flavored items other than menthol cigarettes. The board agreed to discuss the issue again at the next meeting.

NSDJ Real Estate, LLC, Represented by Demoura/Smith LLC, Appeal of Building Department Enforcement of Chapter 13 of the City Code of Ordinances Regarding Noise at 159 East Main Street (Map 63 / Lot 26):

Ms. Carroll stated that this item will be deferred until the June meeting.

Review and Discussion of City Council Ban on Plastic Straws in Food Service Establishments:

Ms. Carroll stated that the City Council has asked the Board of Health to review a ban on plastic straws. The board agreed to send the draft letter in support of the ban.

OLD BUSINESS

There was no "Old Business".

MONTHLY REPORTS

Presented by Max Schenk

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

[April Monthly Report](#)

Ms. Carroll stated that the MOAPC grant funded an excellent presentation at the high school on addiction and it was well received. She stated that a regional Narcan workgroup convened on April 11th, 2019 funded by the grant as well.

Ms. Carroll stated that some diversion efforts have been taking place at the schools such as prevention and cessation workshops.

Ms. Carroll stated that the Mass in Motion received \$20,000 from Addison Gilbert Hospital for the regional senior transportation initiative.

Ms. Carroll stated that they gave a presentation to the Governor's cabinet on the work of the Health Department and the Healthy Gloucester Collaborative.

Ms. Carroll stated that with the recent measles outbreak it is important that people confirm that they have been vaccinated.

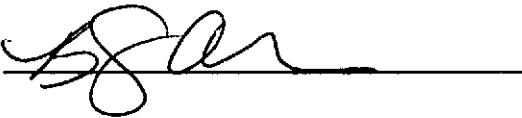
CONCERNS OF BOARD MEMBERS

City Email Addresses- The board discussed obtaining a city email address.

Next Regular Monthly Meeting Board of Health- The next Board of Health monthly meeting will be on June 6, 2019 at the CATA Training Room at 5:30 p.m.

MOTION by Mr. Rosa to adjourn.
Seconded by Mr. Harris. **CARRIED.**
MEETING ADJOURNED – 7:06 p.m.

Respectfully submitted,



Bobbi Orlando

Accepted by:



Richard Sagall, Chairperson

Documents Referenced:

May 2019 Board of Health Agenda
April 7, 2019 Board of Health Minutes
April 2019 Monthly Department Reports