

**CITY OF GLOUCESTER
Board of Health
Minutes of the Meeting
October 5, 2017
5:30 p.m.
City Hall Annex
3 Pond Road
Gloucester, MA 01930**

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

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

PUBLIC ORAL COMMUNICATION

There was no “Public Oral Communication”.

APPROVAL OF MINUTES

MOTION by Ms. Schweitzer to approve the Gloucester Board of Health minutes of the meeting of September 7th, 2017 as written. **Seconded** by Mr. Cowan. **CARRIED.**

MOTION by Mr. Harris to approve the Gloucester Board of Health Septic Review Subcommittee minutes of the meeting of August 31st, 2017 as written. **Seconded** by Mr. Cowan. **CARRIED.**

MOTION by Mr. Harris to approve the Gloucester Board of Health Septic Review Subcommittee minutes of the meeting of September 27th, 2017 as written. **Seconded** by Mr. Cowan. **CARRIED.**

STANDING COMMITTEE REPORTS

Septic Review Subcommittee Report for August 31 and September 27, 2017-

Mr. Cowan read the following report:

“At its meeting of August 31, 2017 the Septic Review Subcommittee reviewed plans for a new construction septic system project located at 10/12 Causeway Street (Lot 1) in Gloucester. The applicant sought Board of Health guidance on easements needed for system components located on an adjacent lot. After review, the Committee asked for a revised plan that included an extension of easement lines to include all components associated with the system. At its meetings of September 27, 2017 the Septic Review Subcommittee met to discuss variances for a proposed upgrade of a failed septic system located at 52 Shore Road in Gloucester:

Variances included:

- For a leaching facility to be installed within 50 feet of a coastal bank (28 feet provided);
- To allow a septic tank and pump chamber to be installed within 25 feet of a coastal bank (22' and 18' feet provided);
- To allow less than 2' of naturally occurring pervious material in the leaching facility (17" provided where a minimum of 2' is required) and
- To allow a leaching facility to be installed within 20 feet of a foundation (13 feet are provided)

The Committee members voted unanimously to approve the variance requests for the project. In addition, the Committee also unanimously approved the revised plan for the new construction septic system project located at 10/12 Causeway Street (Lot 1) in Gloucester. The revision included the aforementioned easement adjustments, as well as adding a requirement that the proposed swale/drainage plan be reviewed and approved by the City Engineer."

MOTION by Mr. Harris to accept the report of the Gloucester Board of Health Septic Review Subcommittee for meetings of August 31st, 2017 and September 27th, 2017. **Seconded** by Ms. Schweitzer. **CARRIED.**

NEW BUSINESS

There was no "New Business".

OLD BUSINESS

Continuation of Discussion Regarding Potential Changes to Board of Health Regulation Restricting the Sale of Tobacco Delivery Products and Nicotine Delivery Products, to Include Flavored Tobacco Products -

Joyce Redford of the North Shore Tobacco Control Program appeared before the board. She gave board members data on nicotine delivery products and flavored tobacco. She gave the board a sample language to prohibit the sale of flavored liquid nicotine. She stated that other cities that are banning flavored liquid nicotine include Beverly, Salem, Saugus, Marblehead, Hamilton, and Essex.

The board discussed the statistics around nicotine delivery products and flavored tobacco products as well as adult only establishments. *Ms. Redford* stated that if stores are adult only they cannot sell lottery, alcohol, or have a food service permit.

Mr. Cowan asked if there was any other product that produces nicotine other than tobacco. *Ms. Redford* responded not that she is aware of.

Dennis Lane of Quincy appeared before the board on behalf of the Coalition for Responsible Tobacco Retailing. He stated that adults should be allowed to purchase flavored tobacco products if they choose to. He stated that strict compliance will stop the sale of flavored tobacco products to minors. He asked the board to use the same regulations that are used to control alcohol. He stated that retailers will lose the market basket if they ban flavored tobacco products in stores. He stated that most towns do not have purchasing and possession laws for tobacco like they do for alcohol. He stated that these laws would deter minors from using tobacco products. He stated that there are other ways to protect minors without taking the rights of responsible adults away.

Nicholas John, Northeast Regional Manager of the R Street Institute appeared before the board. He stated that tobacco harm reduction encourages smokers to use less harmful alternatives such as ecigarettes, vapor products, and certain smokeless tobacco products. He stated that ecigarettes are a significantly safer alternative to cigarettes which continue to be the most widely used and harmful tobacco products on the market today. He stated that greater flavor options provide smokers with more paths away from the more harmful tobacco products.

Mr. Cowan stated that this is the Board of Health not the Chamber of Commerce and he is not going to do anything that will allow a person easier access to tobacco products. He stated that he might think differently if he was looking at the business side but he is looking at it from the health side. He stated that as long as there is a source in Gloucester where a legal product can be sold he is comfortable with that; he would not vote for this if it was an outright ban.

Ms. Carroll stated that the amount of nicotine that can go into the vaping products can vary for each user and that can be dangerous.

Mr. Rosa stated that there is still a large, unknown body of data as to what else is in ecigarettes.

The board thanked Ms. Redford for attending the meeting.

MOTION by Mr. Cowan to bring the proposed changes of the Tobacco Regulations forward to a public meeting on November 2, 2017. **Seconded** by Mr. Harris. **CARRIED.**

Update on 1 Pilot's Hill Condemnation Order-

Mr. Schenk stated that the condemnation order remains in place. He stated that Mr. Aro came into the Health Department today. He stated that the Health Department has received reports that Mr. Aro has been staying at the residence or in his truck outside the residence. He stated that he does have a water connection but the water meter is broken so there is no water at the residence. He stated that Mr. Aro might be staying with friends in Florida for the winter. He stated that he told Mr. Aro if he is seen again entering the residence again, the house will be boarded up. He stated that Senior Care has been trying to help Mr. Aro as well.

MONTHLY REPORTS

Presented by Karin Carroll and Max Schenk

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

[October Monthly Report](#)

Ms. Carroll stated that the Health Department was able to purchase another AED machine for the Sawyer Free Library with grant money and matching Library Corporation funds. She stated that the Health Department would like to obtain one for the Veteran's Center as well.

Ms. Carroll stated that the noise complaint at 159 East Main Street is ongoing and the Building Department is currently handling the complaint. She stated that if there is an appeal on the decision with the Building Department the issue would bounce to the Health Department. She asked the Board if they would like to establish a small committee that could set up an educational forum. *Mr. Cowan* stated that he would like that to be based on science and not on

opinion or emotion. He stated that the implication by some and in the press is that the Board of Health is not doing its job and he is outraged by that implication. *Mr. Rosa* stated that he agrees with *Mr. Cowan* that the only way to resolve this is with objective measurements and the most objective is what the State regulations are. After a discussion, the board decided not to establish a committee but would not object to obtaining literature from the CDC or the FDA to assess data if it is presented to the Board of Health.

Ms. Carroll stated that *Steve Winslow* is retiring from his position as Mass in Motion Coordinator in January.

Ms. Carroll stated that the Tower Foundation Grant was awarded to the City to work on regional substance abuse with youth.

Ms. Carroll stated that she and *Cindy Juncker* appeared on Cape Ann Television discussing some important back to school issues as well as *Kelley Ries* discussing the flu clinics. She stated that *Ms. Ries* has done a great job promoting the flu clinics this year.

Ms. Schweitzer stated that the Domestic Violence Coalition was a wonderful event.

CONCERNS OF BOARD MEMBERS

Rats- *Ms. Schweitzer* stated that she is concerned with the number of residents that have been complaining about rats in the City. She stated that an article in the paper to educate people on how to prevent them from coming into residential areas would be a good idea.

Dog Waste at Goose Cove Reservoir- *Mr. Cowan* stated that DPW has been getting numerous complaints about the amount of dog waste left at Goose Cove Reservoir. The board discussed the possibility of closing access to the reservoir down if the issue continues.

Next Regular Monthly Meeting Board of Health- The next Board of Health monthly meeting will be on November 2, 2017 at the CATA Training Room at 5:30 p.m.

MOTION by *Mr. Cowan* to adjourn.
Seconded by *Mr. Rosa*. **CARRIED.**
MEETING ADJOURNED – 7:05 p.m.

Respectfully submitted,

Bobbi Orlando

Accepted by:

Robert Harris, Vice-Chairperson

Documents Referenced:

October 5, 2017 Board of Health Agenda
August 31, 2017 Board of Health Minutes
September 27, 2017 Board of Health SRC Minutes
October 2017 Monthly Department Reports