

MONTAGUE BOARD OF HEALTH MEETING

Wednesday, November 19, 2014 – 5:30 pm – Downstairs Meeting Room
Town Hall, One Avenue A, Turners Falls, MA

Meeting Minutes

Present: Michael Nelson, Chair, Albert (Al) Cummings, Christopher Boutwell (late arrival) & Gina McNeely R.S., CHO

Guest: Mary Kersell - Franklin County Tobacco Coalition

Michael Nelson called the meeting to order at 5:33PM

Review October 15, 2014 Minutes:

*Al Cummings motioned to accept the minutes October 15, 2014. Seconded by, Michael Nelson. **Motion passes.***

Director's Report for September:

- a) 7-9 Federal Street appointment with occupant Rebecca Turner for a housing inspection. This was and remains a very difficult case Gina appeared in Springfield Housing court on a Tuesday November 4, 2014 for an emergency hearing on this no heat situation. The owner Timothy Trask rented house to a relative's girlfriend with the condition that the occupants fix the burst heating pipes. It is never acceptable to rent a substandard apartment because this is what so often happens and the property owner is on the hook for repairs and maintenance.
- b) 76-78 J Street meeting with Atty. Dan Graves office- long meeting David attended with me and Julie Datres. Lin de Xiong, property owner was also there. Mr. Graves is Mr. Lin's attorney.
- c) 80 Fourth Street – According to MJ Adams that HUD will be selling it in the near future. There was previously a home for sale that was listed for 6 years. The AGO suggests moving forward with receivership and if a buyer comes in to the picture then great.
- d) 75 Fifth Street – Property owner has hired a licensed lead professional and workers to accomplish some of the items listed on the order to correct.
- e) Five Eyed Fox is open on Third Street a nice café!
- f) 108 Avenue A working with Attorney Blake on the ongoing issues. There is a signed contract to rehab an individual apartment at this location.
- g) L Street properties – 110 L Street in court on Friday and the receiver has submitted a new work plan. Gina did a reinspection and the building is now weather tight. Bob Obear is the receiver in charge of this project and has done a professional job in securing the building against the weather and intrusion by animals.

*Al Cummings **motioned** to accept the Director's Report for October 2014. Seconded by, Christopher Boutwell. **Motion passes.***

Health Inspector Position: Kathern Pierce has been hired to work part-time (20 hours a week) due to her previous experience in this department 4 years ago. The Health Inspector will start December 8, 2014.

*Al Cummings **motioned** to accept the appointment of Kathern Pierce for the part-time Health Inspector position Grade E Step 2 at \$21.03 effective December 8, 2014. Seconded by, Christopher Boutwell. **Motion passes.***

Nurse Position: Lisa Hassey has been hired to work 5 hours a week. She currently is also employed by BFMC in the Emergency Department and will be an asset with the hospital background and connections. Carolyn Olsen would like this position not to be a contracted employee but she suggested a town employee position.

Frank was approached to see if these 2 positions have to go in front of the Selectboard for appointment. The BOH is a direct hiring board so hiring will not have to go to the Selectboard for approval. The Board members will vote on the appointment and rate at a later date. [subsequent to this meeting the Town Administrator stated that because the health inspector is a union position the hire should be approved by the selectmen].

Discussion regarding the locked cigarette dispensing display case located at the Family Dollar Store 210 Avenue A, Turners Falls, MA 01376.

Guest: Family Dollar District Store Manager, Ray Vigneault and Mary Kersell from Mount Tom Tobacco Collation (late arrival).

Family Dollar provided the BOH with the information for the ST-1 State Tax form for the business. The State will be sending it to the store within the next few weeks. Ray Vigneault, District Manager spoke to the procedures and policies for the Turners Falls Family Dollar Store which has strict policies and procedures along with a computer training program regarding selling and displaying tobacco products. The Turners Falls store has never “lost” a package of cigarettes due to inside or customer theft and currently has a fantastic Manager. Ray presented the meticulous record keeping and spent two hours looking at old video tapes in an attempt to view the alleged FDA inspector that found the cigarette dispensing display unlocked. It is noted that neither the Tobacco Coalition nor the store has received a written notice of violation from the FDA for an alleged infraction that happened perhaps sometime in June 2014.

Family Dollar may merge with Dollar Tree and because of that no renovation plans for the Turners Falls store are currently on the table. If the store is remodeled at some point, the cigarette display will be put behind the counter to move or relocated the display now or in the immediate future would cause the entire front end to be reconfigured, cashier stations, gondolas as well as continuing to adhere to ADA standards for accessibility issues.

New Tobacco Regulations Discussion:

- The coalition wants to move ahead with the flavor band.
- No sales except for menthol flavored cigars and e-cigarettes.
- The move is to change the age from 18 to 21 buy cigarettes. This would also curb the “social sources” buying of cigarettes by 18 year olds for younger friends and siblings.
- There is also scientific research that the human brain does not fully develop until the mid 20’s and therefore you do not have the mental capability to say no. The longer you delay starting tobacco use the less addictive one might become in the future.
- Changing the age for tobacco sales would make it on an even par with the sales of alcohol so checking It’s would be easier.
- No sales within five hundred feet of a school.
- Put questions into the draft and then it can be changed/amended.
- Tobacco permits expire on June 30, renewal July 1.

- To put in regulations cigarettes behind the counter

The board would like to review the proposed new regulations and do a public hearing on December 17, 2014. The public hearing will be posted both in the Christopher Boutwell ***motioned*** to adjourn the November 19, 2014 Board of Health meeting. *Seconded by, Al Cummings. Motion passes.*

Meeting adjourned: 7:05 PM

Approved by: _____

Date: _____