

**CITY OF GLOUCESTER  
Board of Health  
Minutes of the Meeting  
October 4, 2018  
5:30 p.m.  
City Hall Annex  
3 Pond Road  
Gloucester, MA 01930**

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

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 Ms. Schweitzer to approve the Gloucester Board of Health minutes of the meeting of September 6<sup>th</sup>, 2018 as written. **Seconded** by Mr. Rosa. **CARRIED.**

*Mr. Schenk* requested that the approval of the Board of Health Septic Review Subcommittee Minutes of August 28, 2018 be tabled until the November meeting.

**STANDING COMMITTEE REPORTS**

There was no "Standing Committee Reports" for September.

**NEW BUSINESS**

**Adoption of changes to the Board of Health Regulation: "Regulation to Ensure the Sanitary and Safe Operation of Adult-Use Marijuana Establishments and the Sale of Adult-Use Marijuana"-**

*Joel Favazza*, attorney for Seaside Legal Solutions at 123 Main street appeared before the board on behalf of HVV Massachusetts Inc. dba Happy Valley. He stated that there is a provision in the draft regulation that prohibited someone with a marijuana operating permit from also holding a food establishment permit however the Health Department is requiring facilities to also have a retail food establishment permit so in the final draft of the regulations remove the

language that is contradictory so that the Board of Health and the Health Department are in line with one another.

*Ms. Carroll* stated that they have addressed Mr. Favazza's concern on Page 7 of the draft regulations.

The board agreed to close the public portion of the draft regulations and agreed to vote on them at the next meeting.

**MOTION** by Mr. Rosa to accept the changes to "Regulation to Ensure the Sanitary and Safe Operation of Adult-Use Marijuana Establishments and the Sale of Adult-Use Marijuana" as amended. **Seconded** by Ms. Schweitzer. **CARRIED.**

Adoption of changes to the Board of Health Regulation: "Prohibiting Smoking in Workplaces and Public Places"-

*Changes include, but may not be limited to, the addition to Section 4-3: "Smoking Prohibited"*

*"(f) on beaches, parks and playgrounds owned or operated by the City of Gloucester, but not including the parking lots of these areas."*

*Ainsley Smith* 14 Pine Street appeared before the board on behalf of the Clean City Commission. She asked for an update on the issue and asked that the commission be in communication as this moves forward. She asked if smoking is allowed in parking lots if the City would look into adopting more of the cigarette butlers.

*Chairperson Sagall* gave Ms. Smith an update on the changes to the regulation and discussed the enforcement issues. The board agreed to look into funds for receptacles.

*Patty Paige* of 3 Tidal Cove Way appeared before the board in support of the proposed amendment.

*Ms. Carroll* read an email of support from Sunny Robinson since she could not attend the meeting.

*Joyce Redford*, Director of the North Shore Tobacco Control Program appeared before the board. She stated that this amendment will provide signage to the areas that smoking is restricted.

**MOTION** by Ms. Schweitzer to adopt the changes to "Prohibiting Smoking in Workplaces and Public Places" to include section 4-3(f) to go into effect on January 1, 2019. **Seconded** by Mr. Rosa. **CARRIED.**

Phone-in Presentation to the Board by Stephen Jones, volunteer representative to the Massachusetts Sierra Club, on the possible health risks of natural gas infrastructure-

Mr. Schenk stated that the representative from the Sierra Club had another presentation scheduled for tonight and since two Board of Health members were absent they decided to postpone the presentation to a later date.

Updates and discussion regarding neighbor complaints by Janice Toneatti, 18 Barker Ave. of cattle and other animals located at 16 Barker Ave -

Mr. Schenk stated that Ms. Toneatti has been great in communicating with the Health Department and he has been talking with Animal Control and the Animal Inspector on the issue. He stated that the Animal Inspector and himself did an unannounced site visit today and they provided information regarding their composting and management of the animals. He stated that the animals seemed to be in good health. He stated that unfortunately there is nothing that the Health Department can act on under their jurisdiction.

Janice Toneatti of 18 Barker Avenue appeared before the board. She stated that she appeared before the Board of Health with her concerns with her neighbor's cow, bull, and roosters and their proximity to the wetlands. She stated that one paddock is about 15-17 feet from her property line.

**OLD BUSINESS**

There was no "New Business".

**MONTHLY REPORTS**

Presented by Karin Carroll and Max Schenk

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

September Monthly Report

Ms. Carroll stated that the Health Department participated in the Gloucester High School Health Fair last week and did an outstanding job especially with their presentation on vaping.

Ms. Carroll stated that there was another complaint from Sunny's Smoke Shop from a concerned neighbor who witnessed youths outside the establishment. She stated that they do have a sign on the door and they are working with Ms. Redford on the issue.

Ms. Carroll stated that they have a second round of interviews for staffing positions in the Health Department next week.

Ms. Carroll stated that they did not receive the SAMSA mental health grant, it went to Boston and Springfield. She stated that they will apply for the grant again next year.

*Ms. Carroll* stated that the flu clinics are up and running and have been very successful thus far.

*Mr. Schenk* stated that the Septic Review Subcommittee will be looking into drafting an amendment to the on-site wastewater regulations on monitoring a pump out record for houseboats.

*Ms. Schweitzer* stated that there was a movie on suicide prevention that played at the Cape Ann Community Center. She stated that it was positively received by the community and there was a panel after the viewing that she sat on.

### **CONCERNS OF BOARD MEMBERS**

Petition for Community Impact Funding- *Chairperson Sagall* read a letter from Mr. Cowan asking for the board to petition for a share of the Community Impact Funding to finance the Health Department's compliance checks to discourage under-age sales of recreational marijuana. The board agreed to draft a statement to request funding.

Stage Fort Restrooms- *Chairperson Sagall* stated that the restrooms at Stage Fort Park are closing on Columbus Day. He stated that he feels that is too early to close. *Ms. Carroll* stated that she will check into restrooms at Stage Fort and the beaches.

Joint Meeting with School Committee- *Chairperson Sagall* asked about the joint meeting with the School Committee. The board discussed the meeting date.

Fluoride in Drinking Water Forum- *Chairperson Sagall* stated that forum on fluoride in the drinking water will be Tuesday, October 9, 2018 at 7 pm. He invited board members to attend.

Next Regular Monthly Meeting Board of Health- The next Board of Health monthly meeting will be on November 1, 2018 at the CATA Training Room at 5:30 p.m. *Ms. Schweitzer* stated that she will not be able to attend the November meeting.

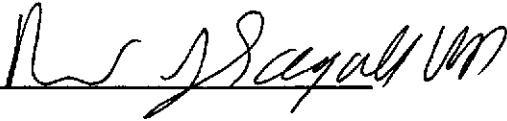
**MOTION** by Mr. Rosa to adjourn.  
Seconded by Ms. Schweitzer. **CARRIED.**  
**MEETING ADJOURNED – 6:16 p.m.**

Respectfully submitted,



Bobbi Orlando

Accepted by:



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Richard Sagall, Chairperson

Documents Referenced:

- October 2018 Board of Health Agenda
- September 6, 2018 Board of Health Minutes
- September 2018 Monthly Department Reports
- Draft Local Board of Health Marijuana Regulations