

**CITY OF GLOUCESTER
Board of Health
Minutes of the Meeting
September 5, 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 Joe Rosa. Present from the Health Department: Health Director: Karin Carroll; Assistant Director: Max Schenk; Food Inspector: Brian Meuleman; Absent: Claudia Schweitzer.

Also present: Amy Epstein, Regional Prevention Director and Jennifer Donnelly, Regional Coordinator for Mass in Motion.

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. Rosa to approve the Gloucester Board of Health minutes of the meeting of August 1st, 2019 as written. **Seconded** by Mr. Harris. **CARRIED.**

MOTION by Mr. Cowan to approve the Gloucester Board of Health Septic Review Subcommittee minutes of the meeting of August 9th, 2019 as written. **Seconded** by Mr. Harris. **CARRIED.**

MOTION by Mr. Harris to approve the Gloucester Board of Health Septic Review Subcommittee minutes of the meeting of August 15th, 2019 as written. **Seconded** by Mr. Cowan. **CARRIED.**

STANDING COMMITTEE REPORTS

Septic Review Subcommittee Reports for August 9th and August 15th-

The following reports were read into the record:

“At its meeting of August 15, 2019 the Septic Review Sub-Committee reviewed and approved the variance for the following septic system upgrade project:

- 5R Brooks Road (246/18)”

“At its meeting of August 9, 2019 the Septic Review Sub-Committee reviewed and approved variances for the following septic system upgrade projects:

- 8 Cove Way (233/20)
- 8 Bungalow Road (257/53)
- 29 Wyoma Road (256/18)
- 19 Brooks Road (246/21)

The Septic Review Sub-Committee reviewed and denied the following septic system upgrade projects:

- 5R Brooks Road (246/18)”

NEW BUSINESS

UPDATE: Jennifer Donnelly, Regional Coordinator, MassInMotion RE: Cape Ann, on Senior Transportation Program-

Jennifer Donnelly, Regional Coordinator of Mass in Motion appeared before the board. She stated that in the Spring they were awarded two grants; one by Addison Gilbert/Beverly Hospital, the Community Collaborative grant for \$20,000 and one by the Governor’s Compact grant for \$84,000. She stated that they are using the grant money to bring low-income seniors living on Cape Ann to locations where they can access healthy food and locations where they can participate in physical activity. She stated that the bus will be branded and wrapped so it does not look like a typical CATA bus. She stated that they hired Rosalie Nicastro as a part-time program assistant. She stated that they attended resident meetings at the senior housing buildings in Gloucester to do some surveying. She stated that 64% of seniors indicated that access to healthier foods would definitely make a difference in their diets. She stated that CATA has been a great partner and they will be providing transportation for Gloucester. She stated that the transportation should start within the next few weeks.

Mr. Cowan asked if there was a restroom on the bus. *Ms. Donnelly* stated that there is not a restroom but it is a 16 passenger, ADA compliant bus.

UPDATE: Amy Epstein, Regional Prevention Director RE: National Institute for Health HEAL Grant (Helping to End Addiction Long-term)

Amy Epstein, Regional Prevention Director appeared before the board. She stated that they received the Partnership for Success grant for \$248,000 per year for five years from SAMSHA which will fund initiatives to reduce substance misuse and improve access to mental health, behavioral health care, and trauma sensitive services.

She stated that the HEAL grant is a research-based grant. She gave a brief overview of the grant. She stated that there are a lot of unanswered questions about the grant and she encouraged the board to push back on the Bureau of Substance Abuse Services to address their concerns.

Review of Proposed Board of Health Policies Regarding Submittal of Meeting Materials-

Mr. Schenk gave the board proposed Board of Health policies regarding submittal of meeting materials.

Mr. Cowan stated that the last bullet point on the draft should also include “or the Board of Health Chairperson”.

MOTION by Mr. Cowan that the Gloucester Board of Health accept the “Policy Regarding Materials Submitted for Board of Health Deliberation” as amended. **Seconded** by Mr. Harris. **CARRIED.**

Creation of Dental Center Advisory Board-

Ms. Carroll stated that she would like to form a Dental Center Advisory Board to assist with strategic planning and the future direction of the center.

The board discussed having quarterly presentations at the Board of Health meetings versus a committee. *Chairperson Sagall* stated that an ad hoc committee would be wise.

Ms. Carroll stated that Ms. Schweitzer had expressed an interest in the past. The board agreed to ask Ms. Schweitzer if she would like to join the Dental Center Advisory Board.

Review of Draft Letter to Retail Food Service Establishments Regarding CBD in Food-

Ms. Carroll stated that she presented to the City Council a few weeks ago on the issue of CBD and the position that the State has taken on the CBD in food products. She stated that the Health Department drafted a letter to send to establishments that outlines the prohibition of food products containing CBD, effective January 15, 2020.

Chairperson Sagall suggested that they add some examples of products in the letter. *Mr. Rosa* stated that the last paragraph should be prefaced by “In addition”.

The board agreed to send the letter out with the suggestions.

OLD BUSINESS

UPDATE: Attorney Meredith Fine, representing Sandpiper Bakery, 65 Middle Street, RE: Department order dated April 18, 2019-

Mr. Schenk and *Chairperson Sagall* recused themselves from the agenda item and left the meeting for the item.

Vice-Chairperson Robert Harris assumed the Chair.

Meredith Fine, attorney representing Sandpiper Bakery appeared before the board. She apologized for not being at the last meeting. She stated that they are working hard on rectifying the situation. She stated that she met with the contractor and they have a plan.

Mr. Meuleman stated that the contractor's plan meets the specs for the code.

Ms. Fine stated that she met at the property with Attorney Mark Nestor, representing the owners of 65 Middle Street, Units 2 and 3, on August 20. She stated that Mr. Nestor suggested venting the Type 2 hood in the bakery above the third floor windows, not below. She stated that venting the Type 2 hood above those windows will be difficult because it is so high the blower may have to be resized from standard issue and that is what is holding up the final plan; they are working on the ventilation plan. She stated that they would like to avoid the delay of having to go through the process of getting Historic District approval.

Mr. Rosa asked if they had a written plan to submit to the Board of Health. *Ms. Fine* responded that they have a written plan but until they figure out where the vent is going to go, the plan is not that useful.

Mr. Cowan asked when they will have a Building Permit. *Ms. Fine* stated that the contractor was on vacation last week, so they could not get an answer on the vent.

Ms. Carroll stated that a bigger motor on the fan might create another noise issue in the neighborhood.

Mr. Mark Nestor stated his clients have been dealing with this issue since April. He stated that the current ventilation plan has the vent end right below his clients' windows, which is a problem. He stated that he asked for a copy of the plan on August 20, August 27, and Attorney Fine has told him they do not yet have a formal plan. He stated that there is also ongoing litigation between the bakery and his clients in Gloucester District Court and Attorney Fine stated that their condition to go forward with the plan was contingent upon his clients dropping the suit. He stated that they are not going to agree to that.

Mr. Cowan stated that he is being drawn away from the issue which is stopping the offense. He stated that he is starting to wonder if the bakery should continue operation until the issue is solved. He stated that there does not seem to be an incentive to solve this problem.

Ms. Carroll stated that the odor complaint is what led them to find the ventilation issue, however the odor complaint was unfounded.

Mr. Nestor stated that this violation falls under the Food Code and the Food Inspector would not allow an establishment to have an ongoing violation for six months without closing the place down. He stated that they need a detailed plan and a timeline for installation.

Mr. Harris stated that it is very discouraging that they do not have a plan to present to the Board of Health.

After conferring privately with her client, *Ms. Fine* stated that they can get a detailed plan with the scope and schedule of the work within a week.

Mr. Rosa suggested that they get other quotes for extending the vent or moving it to an alternate location.

Margaret Russell of 65 Middle Street, Unit 2 appeared before the board. *Ms. Russell* stated Sandpiper Bakery is a tenant in Condominium Unit 1. She stated that it has been an extremely long time that she and her neighbors have been dealing with this issue. She stated that is unfair.

The board agreed to give *Ms. Fine* until September 12 to get a detailed plan from the bakery's contractor and submit it to the Health Department and if a plan is not submitted within the timeframe then the Board of Health will reconvene.

Chairperson Dr. Sagall assumed the Chair.

MONTHLY REPORTS

Presented by Max Schenk

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

[August Monthly Report](#)

Ms. Carroll stated that they have established a Narcan working group which is a subcommittee of the High Risk Task Force. She stated that they have been doing outreach to local pharmacies.

Ms. Carroll stated that they were awarded the PFS grant and a press release will go out regarding the grant.

Mr. Schenk stated that they did water quality testing on two of the quarries in Lanesville and the results showed that the quarries meet swimming regulations but not drinking water regulations. He stated that the total coliform counts were high but the surrounding area is a dump; the area is frequented by unauthorized persons and is littered with human waste, clothing, and trash. He thanked Craig LoPiccolo for performing the testing.

Mr. Schenk stated that they have been doing water quality testing to the stream that runs along Cedarwood Road because it showed high total coliform.

CONCERNS OF BOARD MEMBERS

Fluoridation Article- *Chairperson Sagall* shared an article, "Fluoride Intake During Pregnancy and IQ". He stated that the article states that women who drink fluoridated water during pregnancy have boys who have lower IQs, but it fails to mention that the girls had a slightly higher IQ. He stated that he provided some information on what a poor article it is.

Next Regular Monthly Meeting Board of Health- The next Board of Health monthly meeting will be on October 3, 2019 at the CATA Training Room at 5:30 p.m.

MOTION by Mr. Cowan to adjourn.
Seconded by Ms. Schweitzer. **CARRIED.**
MEETING ADJOURNED – 7:03 p.m.

Respectfully submitted,

Bobbi Orlando

Accepted by:

Richard Sagall, Chairperson

Documents Referenced:

September 5, 2019 Board of Health Agenda
August 1, 2019 Board of Health Minutes
August 9, 2019 Septic Subcommittee Minutes
August 15, 2019 Septic Subcommittee Minutes
August 2019 Monthly Department Reports
Information related to CBD discussion