

**CITY OF GLOUCESTER**  
**Board of Health**  
**Minutes of the Meeting**  
**June 7, 2012**  
**CATA Training Room**  
**3 Pond Road**  
**Gloucester, MA 01930**

Board members present: Vice–Chairperson: Dr. Richard Sagall; Fred Cowan, and Joe Rosa. Present from the Health Department: Public Health Director: Noreen Burke; Manager of Environmental Health: Max Schenk; Public Health Nurse: Chassea Robinson. Absent: Chairperson: Claudia Schweitzer; Robert Harris.

**PUBLIC ORAL COMMUNICATION**

There was no “Public Oral Communication”.

**MOTION** by Mr. Rosa that the Gloucester Board of Health approve the Minutes of the Meeting of May 3, 2012 as written. **Seconded** by Mr. Cowan. **CARRIED**.

**PUBLIC HEALTH DIRECTOR’S & PUBLIC HEALTH NURSE’S REPORT**

Presented by Noreen Burke & Chassea Robinson

HEALTH DIRECTOR- *Ms. Burke* reported that she has been the Health Director for six months now and she is continuing to balance the internal management of the department with great support from Mr. Schenk and Ms. Robinson. She stated that she is scheduling one-on-one meetings with the community partners. She stated that even with Mr. Schenk and Ms. Robinson’s assistance it is a challenge to pick up where Mr. Vondras left off.

BUDGET- *Ms. Burke* thanked Mr. Rosa for attending the hearing in front of the Budget and Finance Committee. She stated that they are anticipating level funding for the budget at this point. She stated that she met with the City Auditor, Kenny Costa today regarding revolving funds. She stated that the reclassification upgrades have been incorporated in the budget.

DISCUSSION OF PERSONNEL MATTERS- *Ms. Burke* reported that she followed up with Suzanne Eagan, the City Solicitor regarding the Open Meeting Law and personnel issues. She stated that the board cannot discuss personnel matters, not even during an executive session, without notifying the person who is being discussed, ensuring that they have the opportunity to be present and to have union and/or legal representation.

DENTAL CENTER- *Ms. Burke* thanked Mr. Cowan for giving her Lydia Doherty’s name. She is going to try to meet with her to discuss the Dental Center since Ms. Doherty was a consultant at the time of the Dental Center’s opening.

CRUISE SHIPS- *Ms. Burke* reported that Ms. Robinson got some guidance regarding the procedures for sick passengers on cruise ships. She stated that the ship’s Captain has to report sick passengers to the nearest port or nearest quarantine.

HORSE STABLES- *Ms. Burke* reported that we did follow up on the prior quarantine situation at Rockport horse stable. Ms. Robinson followed up with our Animal Inspector Diane Corliss. Ms. Corliss stated that there are twelve horse stables in Gloucester. Ms. Robinson stated that the Department of Agricultural Resources was directly involved with the Rockport stable situation.

BEACH AFTER ACTION REPORT- *Ms. Burke* reported that the after action report has been submitted to the Mayor regarding the condition of the beaches after an early opening in May.

HEALTH INSURANCE COMMONWEALTH CONNECTOR- *Ms. Burke* reported that she followed up with Cindy Donaldson regarding Celticare and Neighborhood Health Care and she has not yet heard back from Ms. Donaldson.

HEALTH MERGER- *Ms. Burke* reported that there was article on the health survey in the Cape Ann Beacon brought about by the affiliation of Lahey Health Systems and Northeast Health Systems. She stated that 800 Cape Ann residents will be asked to participate in the survey.

CHILDHOOD OBESITY- *Ms. Burke* gave board members an article on childhood obesity. She stated that the Department of Public Health rescinded part of its restriction on having cupcakes on sale to raise money for schools. She stated that the City wants to promote Get Fit Gloucester.

HEALTH DEPARTMENT INTERN- *Ms. Burke* welcomed Sarah Baird, an intern from Boston University who will be assisting the Health Department this summer. She stated that Ms. Baird will be working on creating a brochure for the Dental Center.

JOYCE REDFORD- *Ms. Burke* congratulated Joyce Redford on her new position with the Department of Tobacco Control.

SALMONELLA - *Ms. Robinson* reported that there was a salmonella outbreak. She stated that it is a national outbreak that has sickened 315 people, with 37 hospitalizations and there was one case reported of eating raw tuna in Gloucester. She stated that frozen raw yellow fin tuna has been identified as the likely source. She stated that Mrs. Nicastro did perform an inspection on receipts of sales and raw tuna coming in and everything looked good.

VACCINE- *Ms. Robinson* reported that the Cape Ann Emergency Planning Team has been meeting to discuss next year's flu clinics.

HEALTH DEPARTMENT ON FACEBOOK- *Ms. Robinson* reported that the Gloucester Health Department is now on Facebook. She stated that if residents "like" the page they can receive updates from the Health Department. She encouraged board members to promote the page.

SHARPS- *Ms. Robinson* reported that on July 1, 2012 sharps will be banned from all household trash. She stated that there is a sharps disposal kiosk in the lobby at Addison Gilbert Hospital.

## **OLD BUSINESS**

### **6A & 8 LINCOLN STREET**

**Map 237, Lots 52&54**  
Owner: Mark Stevik  
Engineer: Mill River Consulting

*Request continuation*

*Mr. Schenk* stated that the applicant has requested a continuation due to the delay in getting a determination from the Planning Board as requested by the Board of Health, so this item will be on the July agenda.

**DISCUSSION AND BOARD INPUT FACILITATED BY JOYCE REDFORD, TOBACCO CONTROL PROGRAM-**

*Proposed amendments to Gloucester Board of Health Restricting the Sale of Tobacco and Nicotine Delivery Products.*

*Joyce Redford* of the Tobacco Control Program appeared before the board. She stated that there are eight other communities in the collaborative currently reviewing tobacco regulations. She gave an overview of the regulations that the board may want to review, particularly nicotine delivery products. The board reviewed and discussed the regulations. She introduced DJ Wilson of the Massachusetts Municipal Association.

*DJ Wilson*, attorney for the Massachusetts Municipal Association appeared before the board. He gave a brief overview of the regulations that have been passed by other cities and an overview of the sale of tobacco behind pharmacy counters. He stated that all pharmacies that sell tobacco products in Gloucester are chains so the individual stores do not really speak out. He stated that no other city has passed a regulation that allows pharmacies to sell tobacco only behind the pharmacy counter. He stated that pharmacists would probably be outraged by such a regulation because they have a Code of Ethics to adhere to. He stated that it is a path that is wide open to lawsuit.

*Ms. Redford* stated that there would be no support from the Department of Public Health if the board chose to create such a regulation. *Mr. Cowan* stated that he would like the pharmacists to be the person to sell the cigarettes to create a teaching moment, giving the druggist the opportunity to introduce nicotine cessation products. *Mr. Wilson* responded that he has never seen the pharmacist when he goes to pick up medications it is always a clerk that is just working the register. *Dr. Sagall* stated that the teaching moment may be there, but he doesn't think anybody who is rushing in to buy a pack of cigarettes is going to listen to someone telling them they shouldn't smoke, every smoker has heard that before and knows the health risks of tobacco and he just sees it as adding a burden to pharmacists.

*Ms. Redford* stated that she did check and there are no roll-your-own machines currently in Gloucester.

*Ms. Redford* stated that their recommendation is to hold a public hearing and send the draft to the City Solicitor's office prior to final vote by the Board of Health.

*Mr. Cowan* stated that the word "employee" should be defined as: a person working for another person or a business firm for pay. He stated that the word "employer" should be defined as: a legal entity that controls or directs a servable worker under an expressed or implied contract or employment who pays or is obliged to pay his or her salary in wages or compensation.

*Mr. Wilson* stated that we should have the City Solicitor review his definitions.

*Mr. Cowan* stated that the "Board of Health" should be changed to the "Health Department" on page 2.

*Mr. Cowan* asked about vending machines in the city. *Ms. Redford* responded that there is only one vending machine left in a bar in Magnolia and that machine needs to be removed.

*Mr. Rosa* stated that it is probably better for a board member to go through the regulations to make the changes that the board has suggested. *Ms. Burke* stated that Mr. Cowan will make the changes before the next meeting.

The board thanked Ms. Redford and Mr. Wilson for their time and their effort with the Tobacco Program.

## NEW BUSINESS

### PUBLIC HEALTH NURSING CHANGES ON CAPE ANN/POTENTIAL TO DELIVER REGIONAL PUBLIC HEALTH NURSING SERVICES-

*Ms. Robinson* stated that Essex and Manchester will both be looking for Public Health Nurses sometime in the next few months. She stated that recently there has been discussion regarding a regionalized public health nurse. *Ms. Burke* stated that when she spoke with Mr. Vondras when she first took the position as Public Health Director, he stated that he hoped that the City would go towards regionalization in the future. She stated that she would like the board to have some exploratory discussion regarding regionalization. She stated that they do not have any backup persons, so it would be beneficial to create formalized relationships. *Mr. Rosa* stated that the public health nurse position would be a good place to start in terms of regionalization. He stated that the board would first ask *Ms. Robinson* if she wants to go towards regionalization. *Mr. Cowan* asked if the other communities are interested in regionalization. *Ms. Robinson* responded that Manchester already contracts their public health nurse. *Dr. Sagall* suggested that it may be beneficial to meet with the Public Health Director's of those communities to see if they are interested in shared services. *Ms. Burke* stated that it would be beneficial to discuss the issue of shared services with them.

## CONCERNS OF BOARD MEMBERS

PORTABLE RESTROOMS- *Mr. Cowan* stated that he would like to repeat the City Council order of October 9, 2011 put forward by Jackie Hardy through the City of Gloucester Budget and Finance Committee to work with the Community Development Department and DPW to find a way to fund, construct, permanent four-seasoned comfort stations bathrooms along Stacey Boulevard and the Harbor Walk. He stated that he would like to amend that for the board's consideration beyond their original thinking of the temporary restrooms at the beach that could be moved to that area in the summer time. *Mr. Cowan* stated that he would encourage the city not to have portable restrooms near the newly constructed Harbor Walk. *Dr. Sagall* agreed that permanent restrooms would be better than portable ones. *Mr. Cowan* stated that the permanent ones are extremely costly.

BOARD OF HEALTH MEETING- *Dr. Sagall* stated that the next meeting is on July 5, 2012 at 6:15 at the CATA Training Room. The board member present stated that they will be able to attend the meeting of July 5, 2012.

**MOTION** by Mr. Rosa to adjourn.  
Seconded by Mr. Cowan. **CARRIED.**  
**MEETING ADJOURNED – 7:50 p.m.**

Respectfully submitted,

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Bobbi Orlando

Accepted by:

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Dr. Rich Sagall, Vice-Chairperson