



HEALTH DEPARTMENT

## BOARD OF HEALTH

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**Town of Holden  
Board of Health Meeting  
January 31, 2017**

**Members Present:** Ms. Amy Kendrick, Mr. Mark Johnson (arrived at 5:15 pm), Mr. Michael Mazloff,

**Others Present:** Ms. Pamela Harding – Planning and Development, Mr. Philip Leger – Chief of Environmental Health and Response, Megan DeNubila – Prevention Specialist/Tobacco Control, Lester Medoza – Intern, Cheryl Sbarra – MAHB, Tony Russo – Goodhiles, Eli Horo – Honey Farms, Denise Monteiro – Recording Secretary

### **Called Board of Health Meeting to Order: 5:05PM**

The Board tabled the public hearing due to the weather to allow time for the public to arrive.

### **Approval of Meeting Minutes** – December 20, 2016 Minutes

- Mr. Michael Mazloff made the motion to approve the meeting minutes and Ms. Amy Kendrick seconded. All in favor – APPROVED

Mr. Michael Mazloff suggested skipping Tobacco Compliance until Mr. Mark Johnson arrives, Ms. Amy Kendrick agreed.

### **Title V – Mr. Phil Leger, Chief of Environmental Health and Response**

- Mr. Phil Leger reviewed the following Title V list:
- **Inspections Completed**
  - 74 Laurel Hill Road – Fails, D Box replaced, Certificate of Compliance Issued
  - 23 Putnam Lane - Fails
  - 139 Moscow Road – Passes
  - 12 Avery Heights Drive – Passes
  - 50 Wyndhurst Drive – Passes
  - 854 Main Street – Passes
  - 111 Mason Road – Passes
  - 102 North Street – Passes
  - 60 Wyndhurst Drive – Fails
  - 29 Slipper Hill Lane – Passes
  - 62 Old Salisbury Street – Passes

### **Health Agents Report / Updates – Ms. Jaime Rice, Regional Public Health Specialist**

- **Housing/Nuisance Updates** Mr. Phil Leger reported for Ms. Jaime Rice
- **Food** – 13 food inspections; Friendly's lost power, inspected and 4 Re-inspections

Water main break effecting Thai Island – 2 inspections

- **Housing** – 1 regarding the presence of rodents at a dwelling.
- **Open Housing Cases** – 4  
184 High Street- Owner has made all repairs noted on violation letter, final re-inspection Thursday February 2, 2017  
7 Quinapoxet Street – House fire, landlord and tenant dispute over repairs  
3 Park Ave – New complaint regarding rodents. Complaint made by third party anonymous. Letter sent to owner. Owner stated pest management has come out twice-will be providing verification to BOH.  
19 Harrington – Accumulation of items in backyard. Declined to allow BOH access to backyard, but has been cleaning up.
- **Nuisance** – 1 nuisance complaint regarding a dog in common area/kitchen of Senior Center
- **General** – 1 general complaint regarding sanitation of counter tops at CUTE Nails

**5:15 PM Public Hearing to consider amendments of the current Tobacco Regulations “Restricting the Sale of Tobacco Products and Nicotine Delivery Products” Commenced**

- Ms. Pamela Harding read the Public Hearing Legal Notice, posted January 11, 2017
- Ms. Amy Kendrick asked the audience if they would like to come forward and comment
- Tony Russo, owner of Goodhiles, commented that he feels the amendments will not have effect on swaying 18-21 year olds from purchasing the products, he thinks they will go to another town and he will lose business.
- Eli Horo, representing Honey Farms, seconded the comment made by Tony Russo.
- Cheryl Sbarra, MAHB, spoke and stated they are trying to make these amendments town by town, city by city, until the legislature sets in and makes the changes state wide. Cheryl listed statistics in favor of making the amendment.
- Pam Harding said that Town Counsel stated that 139 towns in MA have raised the age to 21 as of December 23, 2016. Cheryl stated it is now 142 towns.
- Pam entered a letter into record received via email to Denise Monteiro, Senior Clerk, Holden Board of Health, from Coalition for Responsible Retailing, dated January 25, 2017, Subject: Proposed Tobacco Ordinance Amendments.
- Pam stated that Town Counsel agreed that the decision to amend the regulations is in the BOH jurisdiction, they said the capped # of permits issued should be based on a fact. Megan DeNublia said it could be revised before it is voted on. Town Counsel also stated that section 9b. is over and above BOH authority and should be stricken from the regulations. Megan said it could be stricken before it is voted on if the Board agrees.
- Cheryl commented on the letter from CRR, she said she has seen it before and a lot of the data is incorrect. She said the proposals offered in the letter are unenforceable.
- Amy Kendrick asked if there were any more comments, none.

**Public Hearing Closed at 5:42 PM**

- Pam noted that the maximum number of permits was not on the proposed regulations, it should show maximum of 13 permits

Mr. Michael Mazloff motioned to add #13 for the maximum number of permits and to remove the second line of section 9 a. and to remove section 9 b. from the proposed regulations. Ms. Amy Kendrick seconded

All in Favor – APPROVED

Mr. Michael Mazloff motioned to vote on the amendments to the Tobacco Regulations at the next meeting, February 28, 2017, and set an effective date, in the meantime consider the comments made.

Ms. Amy Kendrick seconded

All in Favor – APPROVED

#### **Review Body Art Regulations**

- Phil Leger went over the edits made to the proposed Body Art Regulations
- Amy Kendrick suggested that Town Counsel review them, Pam will send them to Town Counsel for review.
- A public hearing for the Body Art Regulations will be scheduled for the next meeting, February 28, 2017 at 5:30 PM

#### **Fee Schedule Analysis**

- Reviewed fee schedule analysis, discussed removing pigs, horses, residential kitchen
- Will discuss Title V fees at next meeting February 28, 2017

#### **CMRPHA Report – Mr. Phil Leger, Chief of Environmental Health and Response**

Mr. Phil Leger highlighted some information from the report

- Next Alliance meeting date has been changed to March 29, 2017 11-1 in West Boylston
- A second Access Training was held and was well attended
- The Academic Health Collaborative of Worcester website is now up and running

**Adjourn** – Meeting was adjourned at 6:28 pm. Next Board of Health meeting is scheduled for February 28, 2017 at 5:30PM.