

Board of Health Meeting Minutes
January 22, 2018

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The Board of Health Meeting was called to order at 5:30 pm by Donna S. David, R.N., M.N., Chair.

Those present were Donna S. David, R.N., M.N., Chair; Julie C. Lemay, M.P.H., Vice Chair; David B. Alper, D.P.M., Member; Wesley B. Chin, Health Director; Daniella Wodnicki, Assistant Health Director; Maria Reddington, Clerk.

Public Participation:

Mr. Bill Trabilcy – to request the Board of Health support public awareness efforts to the citizens of Belmont concerning air flight pattern changes, by including an informational flyer in a future utility mailing. Mr. Trabilcy will provide additional data and information for Board members and Health staff to review before it is decided if a town-wide mailing will proceed.

Dr. Alper led a discussion concerning the formation of marijuana regulations:

- Attempt to begin public hearings mid-February.
- Finalize and adopt regulations mid-March.
- Applications may be accepted April 1st.
- Board of Health has been charged with the task of drafting the regulation.
- Town counsel to assist in development of regulation.
- Town will need to vote to accept 3% surtax, earmarked for education.
- Board of Health Regulations do not require a vote.
- We need a joint meeting with a Board of Health member, Health Department staff, and Town Counsel to draft regulations.
- Should the legal age for purchase be raised?
- Ms. Lemay asked if there is a bigger problem between the ages of 21 to 25.
- Ms. Wodnicki suggested Planning/Zoning, Police and Board of Health work together with Town Counsel to draft regulations.

The Hearing for Violation of the Regulation Restricting the Sale of Tobacco Products by Zaytoun Market began at 6:18 pm.

Ms. Julie Lemay issued the following statement:

A Disclosure of Appearance of Conflict of Interest Form as required by G.L. Chapter 268A, § 23(b)(3) has been filed, and determined that no undue influence will occur.

Mr. Chin provided an overview of the violation, as well as a brief history of past compliance checks at Zaytoun Market. This is the third violation in 24 months by this establishment. Current Board of Health regulations provide for a 30 day suspension of the Tobacco Product Sales Permit and a fine of \$300.

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Mr. Fuad Mukarker, owner of Zaytoun Market, addressed the Board members stating he takes full responsibility for the violation. He further explained a new employee, not fully trained, sold the tobacco product. He said a 30 day suspension was harsh for business, especially since he has a buyer for the business. He proposed to pay an additional fine of \$500 in lieu of a tobacco permit suspension. He also proposed a delay of the tobacco permit suspension pending sale of the establishment.

Board members asked if the establishment had a verification of age checking device. Mr. Mukarker replied that it did. Board members asked if the business is listed for sale, to which he replied it is a private sale.

Ms. Wodnicki reminded the group the impact on families of teenagers who have been sold tobacco products, and who have not been caught.

Mr. Chin also reminded the group of the establishment's close proximity to the high school. He also reminded the Board of other establishments who were in violation of the regulation and penalized, and consistency should be considered.

Board members discussed the pros and cons of the tobacco permit suspension.

The Board voted 3 – 0 to suspend the Tobacco Product Sales Permit issued to Zayton Market for 30 days beginning January 23, 2018.

The Board voted 3 – 0 to designate John Maguranis Animal Control Officer of the Town of Belmont.

Note: MGL Chapter 105, Section 151(a) requires the Board of Selectmen of each town shall annually designate an animal control officer. The required Form will be presented to the Board of Selectmen at the February 5, 2018 Public Meeting.

The Board voted 3-0 to approve the December 6, 2017 Meeting Minutes as presented.

Dr. Alper briefly spoke about gas leaks, a topic discussed at a recent MA Health Board Meeting. He was pleased to know Wesley and Daniella would attend an upcoming seminar at Boston University.

Dr. Alper and Daniella Wodnicki left the Board of Health Meeting at 6:54 pm.

The Receipts report was reviewed.

The Director's report was reviewed with the following topics discussed:

- Ms. David asked that monthly reports be signed by the author of the report.
- The high school cafeteria inspections were discussed, noting some of the problems were a result of procedural issues.
- Housing Case #1 is a challenging situation as the occupant is not an elderly resident, and therefore does not qualify for services offered by Springwell.
- Wes met the new Director at Belmont Housing Authority, Ms. Jaclyn Martin. Bob will also meet with Ms. Martin soon.
- Discussion to amend the Regulations Governing the Keeping of Exotic, Non Domestic and Farm Animals on Residential Property, by changing the word shall to the word may, in Section 5(D).

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- A portion of the Mt. Auburn Hospital micro grant funds will be used to host Kevin Hill, MD, a leading expert on marijuana and addiction psychiatry. The presentation is scheduled for March 14, 2018 at Beth El Temple Center 2 Concord Avenue, Belmont.
- Wes and Daniella will meet with Farmers' Market staff/volunteers to discuss improvements for the upcoming season.
- The budget meeting went well, and it's very possible the request to increase work hours for the Veterans' Services Officer's position will be approved for the fiscal year 2019 budget.

The Assistant Director's Report was reviewed with the following topics discussed:

- Plan reviews received and approved: Sweet Heart, 63 Concord Chinese Restaurant, and Bellmont Café (change of ownership).
- Sweet Heart Ice Cream variance request for an external grease trap.
- Eastern Lamejun – brief overview of inspections/re-inspections.
- Kashish update since emergency closure was lifted by Health Department staff.

The Disease and Nurse's reports were reviewed.

The Youth and Family Services report was reviewed.

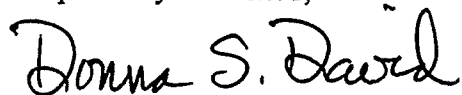
The Animal Control Officer's report was reviewed. Board members like the bite report summaries included in this report.

The Veterans' Services Officer's report was reviewed.

The next Board of Health Meetings are February 26, 2018, and March 5, 2018, and March 26, 2018 at 5:30 pm.

The Meeting adjourned at 7:51 pm.

Respectfully submitted,



Donna S. David, Chair