

Call to order 5:00pm

Members present: Margaret Kidder, Chair, Mary Spinner, Clerk and Marilyn McMillan, Member
Also present: Michelle Carlisle, Administrative Assistant

- M. McMillan called to say she would be a few minutes late.
- Jeff Thomas, Parks Supervisor, Peter Page, Parks Commissioner and Jason Mayo, Parks Commissioner appeared before the Board to discuss the possibility of the Board of Health enacting a No Smoking Regulation for the Town of Ayer.
 - The Parks Commission has instituted a No Smoking Regulation for all Parks property. They held a Public Hearing which Joan Hamlett from the Tobacco Alliance attended. Joan had suggested to the Parks Commission to request the Board of Health to enact a No Smoking Regulation that the Board could enforce.
 - The Parks Commission is making this request and then will go to Town Meeting with a new by-law request banning smoking to see if the Town's people would vote for it.
 - M. Spinner stated that having a BOH regulation and also a Town by-law is overkill.
 - Parks is concerned that if the BOH members change, the regulation could be overturned.
 - M. Spinner stated that even if the Town's people voted down the by-law, the BOH regulation would still stand.
 - The BOH regulation would cover all municipal owned property including parking lots.
 - M. Kidder asked if this would include the rail trail. No – the rail trail is under the DCR jurisdiction.
 - M. Kidder is in favor of the new regulation but would like it to cover all municipal owned property and would like more information re: enforcement. M. Kidder wants to let the Board of Selectmen know as a courtesy.
- 5:17PM – M. McMillan joined the meeting.
 - Shaun Suhoski, Town Administrator – joined the meeting to answer any questions the Board may have re: the No Smoking Regulation.
 - M. Spinner explained how the Board should adopt a regulation for all Town owned property.
 - Question of enforcement – Parks would like the ability to enforce the ban on Parks run facilities.
 - M. McMillan suggested that all Town employees be made aware of the new regulation as soon as it is adopted.
 - Shaun stated he wanted to check with the Town's insurance company. M. McMillan stated that the Town may be able to get a lower insurance rate if they pass this regulation.
 - M. Carlisle to let Mary Anne Lucht at the Library know.
 - M. Kidder stated the Board should set a Public Hearing date at their next meeting on November 9th. Stated that we should have BOS feedback by then.
 - Board set January 11, 2010 as the potential Public Hearing date and February 8, 2010 as a "snow date".
- Minutes approval – 10/5/09
 - **Mary Spinner motioned to approve minutes from 10/5/09, M. Kidder 2nd, A 2/0.**

Mary Spinner - 11/19/09
Margaret Kidder 11/9/09

Marilyn McMillan 11/9/09

- M. Kidder asked if we know who owns 5 Pearl St. M. Spinner stated that the taxes are paid on the property, so the violation goes to the previous owner who paid the taxes.
- M. McMillan asked if NABH has the H1N1 vaccine yet? M. Spinner and M. Carlisle stated they had not been in touch with NABH as of this meeting. M. McMillan stated that there is a shortage of seasonal flu vaccine and some clinics will be cancelled. The NABH clinics scheduled for this week are still being held.
- Bills Approval – NABH \$7,131.00.
- Mail reviewed.
- Nashoba Associated Boards of Health – Bridgette Braley, Health Agent – material review
 - M. Spinner stated that 76 Central Ave. is scheduled to be demolished.
- **M. McMillan motioned to adjourn, M. Spinner^{2nd}, A3/0.**

Meeting adjourned at 6:02pm.