

**BOARD OF HEALTH MEETING MINUTES
GREAT BARRINGTON TOWN HALL
SELECT BOARD'S MEETING ROOM
334 MAIN STREET, GREAT BARRINGTON, MA
THURSDAY, MAY 5, 2016 7:00 P.M.**

PRESENT:

CLAUDIA RYAN, CHAIR
MICHAEL LANOUE, VICE CHAIR
PETER STANTON, MEMBER
JAYNE SMITH – HEALTH AGENT

1. CALL TO ORDER

2. APPROVAL OF MINUTES:

A. Minutes of April 14, 2016

MOTION: Michael Lanoue to approve the April 14, 2016 Minutes.

SECOND: Peter Stanton

VOTE: 3-0 (Claudia Stepped down as Chair) PASSED

3. SPECIAL PERMIT RECOMMENDATIONS

- A. Special Permit Application #854-16 submitted by Consulting and Design, LLC as agent for the Great Barrington Sunoco for a free standing sign at 190 State Road.** Jayne advised that the sign was hit and destroyed in an accident. It has been removed and they are asking for a standard sign be put back in its place. Jayne said she didn't see any health issues associated with the sign so he was advised that they didn't need to attend the meeting.

MOTION: Michael Lanoue to pass on a favorable recommendation to the Planning Board.

SECOND: Peter Stanton

VOTE: 3-0 (Claudia Stepped down as Chair) PASSED

4. PUBLIC HEARING

- A. Public Hearing for proposed amendment of regulations pertaining to "Restricting the Sale of Tobacco Products" and Local Smoke Free Workplace Law" regulations.**

Jim Wilusz, from Tri-Town Health Department, and Cheryl Sbarra, an attorney for the Massachusetts Association of Health Boards, were both present. Mr. Wilusz noted that a lot of states are going to the rule of age 21 to purchase cigarettes. One change is to make a minimum package of cigars to contain two because of a higher pricing. The third is a restriction on flavored tobacco products. All places selling flavored tobacco products wouldn't be able to sell flavored tobacco with the exception of menthol, mint or wintergreen at retail, except in smoking bars, or adult only retail tobacco stores. Jayne noted G "Flavored Tobacco Products" Page: 8-11 that we only have retail tobacco stores, not adult only retail stores. Cheryl noted that the correct description is "Adult Retail Tobacco Store." The definition is characterizing flavor, the other is flavored tobacco products, and the third is adult only retail tobacco store. Cheryl said a lot of tobacco products contain Cocoa, not to make it flavored but to make it smoother. The definition makes it clear that just because it is an ingredient it doesn't characterize it as a flavor. That is the summary of the Youth Access Regulations. The other set of regulations is the Environmental Smoking Regulations where setbacks to buildings will be regulated. The 10' setback is a good beginning.

Jeff Cohen – He noted he thinks it is a mistake to raise the age to 21 because there are many men and women at the age of 18 who join the armed forces or law enforcement who can get killed at age 18. He said he thinks it is inappropriate to suggest it is okay to go into the service but you can't purchase cigarettes.

Joe Aberdale – business owner – he noted he is worried about the financial impact of people going elsewhere for provisions and suggested the board put pressure on the state to pass it across the board. Jim noted that the surrounding towns are advancing on the age 21 tobacco sales laws.

Jennifer Tabakin – publicity and education helps. She recommends that it would be easier to enforce such a policy if we were not the first ones to adopt it. What is the downside of waiting until other municipalities have passed it?

The public hearing was continued until next month to pass it on to town council and make then make the proposed changes to the bylaws. The next meeting is June 2, 2016 at 7:00 p.m. Jayne said she would send a letter to the legislature noting support of the Tobacco 21 and the board agreed to sign the letter.

5. OLD BUSINESS

- A. The dehumidifiers have been installed in apts. 11, 5, and 15 at Bernard Gibbons Drive. Number 13 has refused to have one installed in her apartment. Jayne said she spoken to several people at the State and the tenant's refusal is a third party dispute. The Board of Health's role is to continue to focus on requiring that the chronic dampness be remediated. We asked for an industrialist hygienist to go in to evaluate because they have the expertise to evaluate the situation there. The following answers were given by the industrial hygienist in response to our questions:
1. *Why was it limited to accessible areas and did not include investigation of the interior cavity of the walls?* The answer was that it was recommended in the areas they thought was necessary. The testing showed that they did not believe there was moisture that extended in there but they might be testing it in the future.
 2. *The samples were taken in February and would the initial mold score be impacted?* They felt it was adjusted and the humidity was quite high at 64%.
 3. *What are specific recommendations to insure that the dehumidifiers don't aerosol the mold spores?* With humidity, you have an effective range of humidity that you want in your house. If it is too humid, you encourage mold growth. If it is too dry, it can dry out to the point where the spores become air borne. Jayne said she did some research and sent some information to the public housing authority on what that range is.

The other outstanding thing had to do with us requiring an engineer to come out. The conservation commission has spoken to them and will be going through the Request for Determination for any future work. As far as requiring an engineer, the Board of Health role is that the situation needs to be fixed to our satisfaction.

6. NEW BUSINESS

None

7. CITIZEN SPEAK TIME

8. HEALTH AGENT REPORT

- A. Jayne noted that she and Locke have been addressing the dumping complaints. We have two on Christian Hill Road, one on Main Street, and the Sears building. They have about 40 appliances in the back of the store. Letters have been sent out. One of the residents at Christian Hill Commons is running their hot water on purpose allegedly to deprive others of hot water. There was a squirrel going after humans and dogs. The squirrel was killed and sent to the state lab. The farmers market begins the weekend of the 7th and time has been spent helping people through the process. The State has required anyone who serves food to have Allergen Awareness. We are also encouraging the food handlers training for people who are handing potentially nonhazardous food.

Nan Wile is part of the green tea party which is a group of citizens in town. Jayne said she had received word from CET that they would like to have citizens facilitate foods going from the restaurants to either be fed to animals or be composted. In this case, it would be compost. CET was able to obtain technical assistance and we are working with the Chamber of Commerce and trucking companies. The purpose is to keep food out of the landfills and incinerators.

Respectfully submitted,



Carolyn Wichmann
Secretary