

**CITY OF SALEM
BOARD OF HEALTH
MEETING MINUTES
February 11, 2015**

MEMBERS PRESENT: Dr. Shama Alam (Chair), Janet Greene, Paul Kirby, Dr. Danielle Ledoux, & Dr. Barbara Poremba

OTHERS PRESENT: Suzanne Doty, Public Health Nurse, Council Liaison Beth Gerard, Heather Lyons-Paul, Clerk of the Board, Larry Ramdin, Health Agent & Joyce Redford, NSCA Tobacco Alcohol Policy Program Director

TOPIC

DISCUSSION/ACTION

1. Call to Order

7:13pm

**2. Minutes of Last Meeting
(January 7th & 21st)**

Dr. Ledoux motioned to approve the minutes of the meeting of January 7th P. Kirby 2nd Motion passed

Dr. Ledoux motioned to approve the minutes of the meeting of January 21st with correction. P. Kirby 2nd Motion passed

3. Chairperson Announcements

*Dr. Alam informed the Board that with regret Dr. Poremba will be retiring from the Board of Health. P Kirby expressed sadness at the news, and stated that he felt very welcomed and had learned a lot from Dr. Poremba. Dr. Ledoux thanked for her service.

*Mayor Driscoll submitted a nomination for a new board member, Marc Danderson to the City Council.

*The Board discussed a retreat for the Board Members. The purpose would be to talk about long and short term goals and operational guidelines.

*Dr. Alam asked for a motion to take the agenda out of order.

Dr. Poremba motioned to take the agenda out of order to hear tobacco violation hearings next. Dr. Ledoux 2nd Motion passed

4. Monthly Reports-Updates

A. Public Health Nurse's Report

*Hepatitis C numbers are higher this year because there is an increase in reporting. J. Greene noted that since treatments are available more testing is being done thus the increase in Hepatitis C numbers.

*There is still flu vaccine and S. Doty is taking appointments.

Approved copy available at the BOH office

B. Health Agent's Report

*Mr. Ramdin informed the Board that Delilah Castro is leaving the end of the week. 5 people have applied for the sanitarian's position.

* Salem is starting to build a coalition to address opiate use and overdose prevention. Salem is participating in a \$20,000 grant with Lynn and Peabody. The Board is very interested to see how this coalition will develop. Stakeholders will include members of the public, first responders, community leaders and others. Approved copy available at the BOH office

C. Administrative Report

Approved copy available at the BOH office

Dr. Poremba motioned to accept all reports. P Kirby 2nd. Motion passed

D. City Council Liaison Updates

The Council Committee meeting to discuss Board reduction was postponed.

The City Council has also been discussing opiate dependency.

5. 2nd offense tobacco violation hearings for the following permit holders:

a. Sunny Corner

Owner was not present. He did call the Health department to say he was ill and could not attend but is aware of the violation and does not contest any findings or action taken by the Board. Due to the history of the violations L. Ramdin did contact the owner to let him know the next violation the Board received for Sunny Corners can result in revocation of tobacco permit.

Dr. Poremba motioned that pursuant to the Board of Health regulation 24 Section P (B) that the tobacco sales permit for Sunny Corner's tobacco permit be suspended for 7 days from February 15th to 21st inclusive and additionally be reminded that the 3rd offense can lead to revocation of their permit. All tobacco products and advertisements are to be removed from establishment during the period of suspension. Also advised is to receive training from J. Redford. Dr. Ledoux 2nd Motion passed

b. Tropicana Market

The clerk thought that the underage youth was the same customer that came in the night before which is why they did not check her ID. Looking back at the recording it wasn't the same person. L. Ramdin made suggestions to the owner about carding.

Dr. Poremba motioned that pursuant to the Board of

Health regulation 24 Section P (B) that the tobacco sales permit for Tropicana Market's tobacco permit be suspended for 7 days from February 15th to 21st inclusive and additionally be reminded that the 3rd offense can lead to revocation of their permit. All tobacco products and advertisements are to be removed from establishment during the period of suspension. Also advised is to receive training from J. Redford. P. Kirby 2nd. Motion passed

c. Richdale Convenience

J. Redford explained that the youth asked for a 'blue' meaning electronic, but was given blue camels. Owner explained to the Board that he owns 7 other stores with no violations for the last 3-4 years. Requesting to only pay the fine not the suspension.

P. Kirby motioned that pursuant to the Board of Health regulation 24 Section P (B) that the tobacco sales permit for Richdale Convenience on Bridge Street be suspended for 7 days from February 15th to 21st inclusive and all tobacco products be removed from establishment during the period of suspension. Additionally that the 3rd offense can lead to revocation of their permit. Also advised is to receive training from J. Redford. Dr. Ledoux 2nd. Motion passed

d. Shell Gas Station

Owner explained to the Board that he's owned the business for 26 years. A week's suspension will lose a lot more than just tobacco sales, its food sales, and gas. He is concerned about losing customers in that week to other businesses in the area and not getting them back. He would rather pay a higher violation than to have his permit suspended for a week. He would like to see the regulation changed to charge the employee with the violation not the business. Owner acknowledged that the employee that made the sale to a minor had been employed for 6 years. J. Redford confirmed the owner's question that rolling papers are not included as a tobacco product.

Dr. Poremba motioned that pursuant to the Board of Health regulation 24 Section P (B) that the tobacco sales permit for Shell Gas Station be suspended for 7 days from February 15th to 21st inclusive and additionally be reminded that the 3rd offense can lead to revocation of their permit. All tobacco products and advertisements are removed from establishment during the period of suspension. Also advised is to receive training from J. Redford. P Kirby 2nd. Motion passed

L. Ramdin and J. Redford will arrange training for all tobacco permit holders

6. Executive Session: Purpose 1

Dr. Alam informed the Board of a letter sent to her from Atty. Goldman's Office. (Letter is available as part of the record). She informed the Board that on the advice of the City Solicitor the executive session should be postponed. **P. Kirby motioned to postpone the executive session until March 10th's meeting. Dr. Ledoux 2nd Motion passed**

7. Nuisance complaint 69 Orchard Street

J. Greene and Dr. Alam met with the Assistant City Solicitor, V. Caldwell, to discuss a nuisance complaint in her neighborhood. Board member J. Greene made a statement indicating that she had offered comments at the ZBA about keeping of chickens at 69 Orchard Street and she has no personal relationship with the owner and no financial interests in this matter. She is able to view the matter objectively
Atty. Melanie Toner challenged J. Greene's objectivity.

Dr. Ledoux motioned to postpone discussing the nuisance order until the next Board of Health meeting on March 10, 2015. J. Greene 2nd Dr. Poremba abstained. Motion passed

8. New Business: New matters that are not anticipated prior to posting the agenda

J Greene suggested timing agenda items to help keep meetings on track.

9. MEETING ADJOURNED:

**Dr. Ledoux motioned to adjourn the meeting P Kirby 2nd Motioned passed
9:05pm**

Respectfully submitted,

Heather Lyons-Paul
Clerk of the Board

*Next regularly scheduled meeting is March 10, 2015 at 7pm
At City Hall Annex, 120 Washington Street, Room 311 Salem.*