



BOARD OF HEALTH

# TOWN OF WESTBOROUGH MASSACHUSETTS

FORBES MUNICIPAL BUILDING  
45 WEST MAIN STREET, SUITE 25  
WESTBOROUGH, MA 01581-1916

TEL. (508) 366-3045  
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## BOARD OF HEALTH MONTHLY MEETING

Tuesday  
March 18, 2014  
Central One Federal Credit Union, 2<sup>nd</sup> Floor  
40 South Street  
5:30 p.m.

## AGENDA

1. Minutes of Meeting (2/18/2014 & 3/4/2014)
2. Acting Director's Report (February)
3. Health Inspector's Report (February)
4. Old Business
  - 5:45 p.m. - Wayside Mobile Park - update on septic system/sewer connection project
5. New Business
  - 6:00 p.m. - Anis Alam - Andy's Variety, 11 Milk St. - Hearing - Tobacco Sales Violation
  - 6:15 p.m. - David McDonald - Westborough Automotive, 128 Turnpike Rd. - Hearing - Tobacco Sales Violation
  - 6:30 p.m. - Discussion - Fees for Farmers Market
6. Acting Director's Issues
7. Adjourn



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## Minutes of Board of Health Meeting March 18, 2014

The regular Board of Health meeting was held on Tuesday, March 18, 2014, in the Community Room on the second floor of the Central One Federal Credit Union, 40 South Street. The meeting was called to order at 5:35 p.m., by Chairman Ehrlich. Present: Member Walsh, Acting Director Baccari and Inspector Gilchrist. Absent: Member Federici.

Minutes of the meetings held on February 18 and March 4, 2014, were approved.

Acting Director's report (February) was discussed and approved.

Health Inspector's report (February) was discussed and approved.

### **Old Business**

**At 5:45 p.m.**, the Board prepared to meet with Scott Knox, President of the Board of Directors of the Turnpike Park Cooperative (165 Turnpike Road) for the monthly update on the progress of the mobile home park's connection to the Town's sewer system.

Mr. Knox said there is a meeting scheduled with the contractor on Friday. There are some questions regarding resurfacing, but they should get firm figures at that time. Arranging for financing will be next. Chairman Ehrlich reminded Mr. Knox that the water issue at the mobile park also has to be addressed.

### **New Business**

**At 6:00 p.m.**, Chairman Ehrlich officially opened the public hearing for the tobacco sales violation for Andy's Variety, 11 Milk Street. Anis Alam is the owner/manager. There was no representative from Andy's Variety at the hearing.

Acting Director Baccari provided a summary. The tobacco sales violation is a result of a youth tobacco compliance check conducted by the Worcester Regional Tobacco Control Collaborative Inspector on January 9, 2014. This was the first offense for this establishment and the fine is \$100.00. The owner recently came to the office contesting the fine and had planned to ask the Board tonight to waive the fine. Acting Director Baccari said that this is something Board members have never done in the past.

**Member Walsh made a motion to uphold the fine of \$100.00 for Andy's Variety, 11 Milk Street. Chairman Ehrlich seconded the motion; the vote was unanimous.**

**Chairman Ehrlich made a motion to close the public hearing. Member Walsh seconded the motion. The hearing closed at 6:10pm**

**At 6:15 p.m.**, Chairman Ehrlich officially opened the public hearing for the tobacco sales violation for Westborough Automotive, 128 Turnpike Road. Manager, David McDonald, was present for the hearing.

Acting Director Baccari provided a summary. The tobacco sales violation is a result of a youth tobacco compliance check conducted by the Worcester Regional Tobacco Control Collaborative Inspector on January 9, 2014. This was the second offense for this establishment. The fine is \$200.00, along with the suspension of their tobacco sales permit for seven days. A hearing is also required before the suspension can begin. The fuel tanks at the gas station are scheduled to be removed very soon and the building is going to be demolished. A new structure will be constructed. The suspension might have to be delayed until the new facility is completed and open for business.

Mr. McDonald said at this time, Shell Oil is just going to remove and relocate the storage fuel tanks. The station will be shut down for 5 to 8 weeks for this project.

Acting Director Baccari said this violation is addressed under the current tobacco regulations, not the proposed revised regulations.

**Member Walsh made a motion to delay the seven day suspension of the tobacco sales license until the gas station is open and operating. When the suspension occurs, all tobacco products must be removed from the premises. Chairman Ehrlich seconded the motion; the vote was unanimous.**

**Chairman Ehrlich made a motion to close the public hearing. Member Walsh seconded the motion. The hearing closed at 6:25 p.m.**

**At 6:30 p.m.**, the Board prepared to discuss fees for farmers' markets. The fee structure for last year's Farmer Market proved to be confusing and cumbersome.

After some discussion, Chairman Ehrlich said a single fee for each vendor makes sense.

**Member Walsh made a motion to charge each vendor a fee of \$25.00. There will be no charge for any vendor already permitted in Westborough. Chairman Ehrlich seconded the motion; the vote was unanimous.**

#### **ACTING DIRECTOR'S ISSUES**

The housing court date for Mr. Bell has been rescheduled to April 11<sup>th</sup>.

The BOH has received a letter from a Massachusetts pediatrician urging the Board to consider increasing the tobacco purchase age to 21 in their proposed tobacco control revisions. (A public hearing is to be scheduled in April.) The Tobacco21 movement maintains that 90% of underage smokers obtain their tobacco from persons between the ages of 18-20. Acting Director Baccari said there is currently no data per se to support this data. He said cigars are the big issue with underage smokers because they are considerably cheaper than cigarettes. There will be a representative from the Worcester Tobacco Control at the hearing and she can answer any questions the Board members might have regarding raising the purchase age.

Town Meeting finished up in one day (March 15<sup>th</sup>). There were no questions on the Health Department's budget.

The Household Hazardous Waste Day is scheduled for Saturday, September 27, 2014.

There is a free Styrofoam collection day on Saturday, March 29, 2014, from 9 am to 1 pm at the former Tufts Machine lot, 55 East Main Street. The event is sponsored, in part, by the Girl Scouts.

The annual rabies clinic is scheduled for Saturday, April 12, 2014, at the DPW.

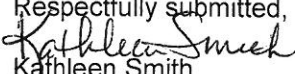
The position of the part-time health inspector was advertised a second time; deadline for applications was March 3<sup>rd</sup>. There were two applicants. The Board decided to re-interview previous applicants.

Chairman Ehrlich announced the search committee for the Director of Public Health's position will meet on April 8th and interview five candidates. The position was advertised a second time at the request of the Town Manager. The final two or three candidates will be interviewed by the members of the Board of Health.

There being no further business, the meeting adjourned at 7:00 p.m.

The next meeting is scheduled for April 22, 2014.

Respectfully submitted,

  
Kathleen Smith