

MONTAGUE BOARD OF HEALTH MEETING
Wednesday, May 15, 2013 – 5:30 pm – Downstairs Meeting Room
Town Hall, One Avenue A, Turners Falls, MA

Meeting Minutes

Present: Michael Nelson, Chair, Jay DiPucchio, Christopher Boutwell, Gina McNeely, Director of Public Health.

Michael Nelson opened the Board of Health Meeting at 5:35 PM

- Review April 17, 2013 Minutes:

Jay DiPucchio motioned to accept the Montague Board of Health minutes for the month of April 17, 2013. Seconded by, Christopher Boutwell. Motion passes.

- Director's Report for April 2013
 - a) Dumpster variance request by David Karkut for Avenue A building was denied by Tom Bergeron due to the trash truck filling up before the current route is complete. It costs money when the trash truck has to be emptied before the route is completed.
 - b) A large commercial kitchen is being built at The Montague Retreat Center.
 - d) The wholesale bakery in Millers Falls might expand and become a retail business but the owner will approach the BOH when and if that happens.
 - e) Chief Bob Escott visited the office to gather information regarding Pumpkinfest 2012 vendors who used propane at the event. Anne Stuart provided Gina McNeely with the vendor list.
 - f) 18 Winthrop Street - Gina responded due to the lack of an Animal Control Officer. There is discussion surrounding acquiring an Animal Control Officer to be shared with Greenfield and Deerfield.

Jay DiPucchio motioned to accept the Montague Board of Health Director's report for the month of April 2013. Seconded by, Christopher Boutwell. Motion passes.

- Nurse's Report (Carolyn Merriam) for the month of April.
 - a) Office hours/Walk-ins on Wednesdays.
 - b) Senior Blood Pressure Clinic once a month.
 - c) State should be providing Montague BOH with flu vaccine to use at a drive through EDS clinic which is planned to happen at the Technical High school Carolyn attended training regarding mandatory billing for flu shots.

Jay Dipucchio motioned to accept the Montague Board of Health Nurse's report for the month of April 2013. Seconded by, Christopher Boutwell. Motion passes.

- Health Inspector Report (Carolyn Merriam) for the month of April.
 - a) A lot of food inspections are being done with by Carolyn. Gina McNeely is also providing training in the area of housing inspections.
 - b) Foundations in Public Health Course and the Housing Inspection Course through MDPH – Carolyn passed these courses.

Jay Dipucchio *motioned* to accept the Montague Board of Health Inspector's report for the month of April 2013. *Seconded by, Christopher Boutwell. Motion passes.*

- **Continuation of a Public Hearing:** "Town of Montague Health Regulation Prohibiting Smoking in Workplaces and Public Places"
Guests: Dennis Grader, Representing Montague Parks and Recreation, Cheryl Sbarra, Senior Staff Attorney for the Mass Association of Health Boards, Mary Kersell, Coordinator of the Hampshire & Franklin Tobacco Substance Prevention Partnership and Kara McLaughlin Gill-Montague Community School Partnership

There were no written or electronic comments received by the Montague Board of Health regarding the draft of the Workplace Tobacco Regulation. The public hearing on the regulations was held on April 17, 2013 and many verbal comments were received. The closing date for written comments was May 8, 2013 at 5:00 PM. There were two letters of support, one from the Gill-Montague Community School Partnership and another from Hampshire Council of Governments both endorsements were not received by the deadline of (May 8, 2013 at 5PM). Therefore, they cannot be entered officially for support of these pending regulations.

Christopher Boutwell noted that there were a few issues that needed to be reviewed before these regulations are passed. Christopher Boutwell has been thinking of how to adapt the regulations to make a compromise for Section D(c)(iii) which reads: "All outside areas of private clubs, restaurants, and taverns where food and beverages are sold carried or consumed..." Attorney Cheryl Sbarra has suggested two alternative versions for this section:

1. "All outdoor area of restaurants, bars, taverns and private clubs where food and/or beverages are sold or served." This would mean that everyone could carry and/or consume food and beverages anywhere else on the property and smoke."
2. "All outdoor areas immediately adjacent and attached to restaurants, bars, taverns and private clubs where food and/or beverages are sold, served, or otherwise consumed or carried."

Mary Kersell stated that if smoke migrates back into an establishment from a smoking patio/area then the State law (2004) says no smoking will be allowed on the patio or in that area (St. Kaz, St. Stans, Elks Club). Mary Kersell said the tobacco coalition is trying to prevent "smoking patios" from occurring. Jay Dipucchio brought up the consumed and carried language which is an issue for Lady Killigrew, The Night Kitchen, and The Rendezvous where a service change happens (food service ends while the bar stays open) at their establishments depending on the time of day and entertainment which then turns their patio more into a smoking patio/area.

Michael Nelson requests examples of this language for the Selectboard to also use for their property use permits.

The local event planners need to be informed about the tobacco regulations (Mutton & Mead festival, Pumpkinfest). Signage would help to deter and inform the public on the rules and regulations.

Jay Dipucchio motioned to adopt the May 15, 2013 draft of the “Town of Montague Health Regulation Prohibiting Smoking in Workplaces and Public Places” version #2 with the addition of where and when. D(c)(iii) will read: all outdoor areas immediately adjacent and attached to restaurants, bars, taverns and private clubs where and when food and/or beverages are sold, served, or otherwise consumed or carried. Seconded by, Christopher Boutwell.

Michael Nelson motioned to close the Public Hearing “Town of Montague Health Regulation Prohibiting Smoking in Workplaces and Public Places”. Seconded by, Christopher Boutwell. Motion passes.

Christopher Boutwell motioned to close Board of Health Meeting. Seconded by, Jay Dipucchio. Motion passes.

Meeting adjourned: 6:45 PM

Approved by: _____

Date: _____