

KINGSTON BOARD OF HEALTH

MEETING MINUTES

FEBRUARY 8, 2010

The Meeting of the Kingston Board of Health was called to order by: Chairman, Joe Casna, In attendance were: Vice-Chairman, Bill Kavol, Jack Breen, Dan Sapir, and Bill Watson.

Absent, Health Agent, Henny Walters

7:00 Meeting called to order by Chairman, Joe Casna

Sarah McColgan, Massachusetts Health Officers Association, Massachusetts Tobacco Control Program.

Bob Collett, Tobacco Control Program here to discuss compliance checks.

Ms. McColgan, stated that Henny wanted her to come here tonight and talk to the Board about some sort of a game plan that would fit your Board because you are no longer getting any funding from the State. It is an individual plan and it comes down to what you can afford as far as money to pay an independent contractor, what you can afford as far as staff time, and come up with some kind of a plan. Ms. McColgan stated that she and Mr. Collett have a lot of experience in the program and it has changed a lot over the years. It involves compliance checks which could be done once a year because you are unfunded, coupled with some other things. It would help to put together a comprehensive Tobacco Control Program here in Kingston. Preventing youth tobacco use, is your #1 priority. Any fines and permit fees would go into a general fund. Maybe you could go to Town Meeting to get funds for fines and permits dedicated to the Board of Health for the Tobacco Control Program, we could work with you to do that. A number of communities have done that in the past, instead of fines or tobacco permits going into the general fund, they can go into a dedicated fund, for the Board of Health for the purpose of Tobacco Control to pay Bob to do compliance checks etc.. School policy is something to look at as far as working with the school, signs when you drive into the school, you should see a metal sign that says "no smoking" on school property. Getting to tobacco retailers, she stopped at Stop & Shop and Tedeschi's here in town and they had all the required signs posted. Every retailer that sells cigars has to have an orange sign. Ms. McColgan stated that she could also come out and do a retail education program which all your vendors would be invited to, and her services are free, she could do a retail training that we would invite all your stores to send as many employees as they would like. The program is about an 1 ½ hour long, it talks about State Law, how to look at ID's, what to look for on the ID, about third party sales, how to handle different situations. The training is all free.

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Bob Collett explained to the Board about compliance checks. He has trained youths under 18 years of age which he sends into buy cigarettes. Dan Sapir wants to know a few of the rules, and what Mr. Collett has which covers him when traveling with the youths. Mr. Collett stated that he does not have to be bonded, a cori check has to be done. He is covered with his own insurance. Dan asked if they have parental permission? Mr. Collett stated yes they need parental permission. Mr. Collett charges \$20 per store, that covers everything which amounts to \$440 per compliance check, he is an independent contractor. The youths are all trained and are not Kingston residents they are not familiar with the local neighborhood stores. Ms. McColgan will be meeting with two Attorney's tomorrow. Henny had sent her all the Board's Regulations. She will be giving the Attorney with Mass Municipal Association your regulations, I think your regulations will need some revisions. The Attorney is DJ Wilson he will e-mail Henny a template regulation which has been adopted by over a hundred Boards of Health across the State. It will have 13 different policy areas within the regulation and you can pick and choose what you think is best for Kingston. The advantage of the template regulation is that it is going to bring you up to date. Your regulation is clearly not up to date. My suggestion is to give these regulations to DJ, he will look the regulations over and he will work to revise the regulations. You have \$100 for the first offense and not less than \$300 each subsequent offense. Dan Sapir said we write 21D tickets, Ms. McColgan said you are in violation of that if you use a 21D ticket your fines have to be \$100, \$200, \$300 and cannot exceed that. DJ will fix all that for you. And you only charge \$30 for a tobacco permit what a steal? You can raise your permit fee and make a nice donation to the general fund, or you can go to Town Meeting and get that money to go into a revolving account. You can also ban the sale of tobacco products in a pharmacy.

Health Agent's Report Reviewed

The septic system at 161 Summer Street has been abandoned.

Notice of a Public Hearing will be held March 8th, for AEDs.

A letter was sent to Attorney, Sullivan regarding 16 Foster Lane. Follow up with a letter on recent observation of chimney with a resolution. There has been no change of the chimney, only that the extension was removed the day after the Board Meeting on January 25, 2010. There have been no other changes. Joe Casna said he was up at 16 Foster Lane today and observed there has been no change and they are due to come in February 22, 2010. Dan said the second bullet states that you they remain in contact and inform the Health Agent of their efforts. Joe Casna said the best course of action is that a follow up letter be sent. We had asked him to contact a professional to advise him of what to do. Elevation of the chimney is below Linda's house.

Have Henny e-mail Jay Talerman and let him know the public hearing for AEDs is going to be held March 8th, and see if he can attend that public hearing.

Departmental Bills Reviewed

Correspondence Reviewed

Chinese New Year Invitations, 4 members will attend.

Review Minutes of January 25, 2010

Motion: Dan Sapir to accept minutes of January 25, 2010
Second: Bill Kavol
Vote 5-0-0, unanimous

Motion: Dan Sapir to adjourn
Second: Bill Kavol
Vote 5-0-0, unanimous

8:25

Adjourn,

Respectfully submitted,
Linda G. Randall, Clerk

Linda G. Randall

Kingston Board of Health