



## BOARD OF HEALTH MEETING

August 23, 2016 – 6:30 PM

Rockport Town Hall Annex

Present: Board members Dr. Sydney Wedmore - Chair, Dr. Russell Sandfield, Dr. Sydney Jimenez, Dr. Bruce Cohen, Health Agent Leslie Whelan, Assistant Town Administrator Mitchell Vieira, Food Inspector Laura Osmond, and Administrative Assistant Marianne Peters.

6:30 p.m: Chairman Wedmore called the meeting called to order.

### COMMUNITY CONCERNS:

Ken Erickson of 41 Folly Point Road asked for an update on Lobster Pool restaurant; Chairman reminded Mr. Erickson that the subject matter is on the 9/20 agenda and will not be discussed at this meeting.

### HERBICIDES USE IN ZONE 1 OF PUBLIC DRINKING WATER WELLS:

Continuance of discussion about herbicides near the wellfield/Applecourt Road near the town water supply; originally brought up by Tom Mikus as a Community Concern in recent meeting. Health agent stated that the DPW used an organic herbicide (with DEP's sanctioning to apply; Agent showed the board members the email from DEP to DPW). Dr. Wedmore pointed out that the Board had instructed that there would be no herbicides (organic or otherwise) applied near the wellfield at any time and that rather than putting herbicides down to get rid of the brush, DPW should be cutting it mechanically with their equipment; he pointed out that the DPW uses this method elsewhere in Town and they should use the method near the wellfield. Drs. Cohen and Wedmore directed Health Agent to find out how often the DPW applies it and why that one was chosen. Board's concern is that we require the MBTA to not use herbicides of any kind and the Town should abide by the same rules as well.

### LED STREET LIGHTS COMPLAINT:

Continued discussion of high-intensity street lighting brought up by Tom Mikus (of the Green Community Team) as Community Concern in recent meeting. Health Agent shared the concern with DPW Director. Mr. Mikus that the DPW had plans to replace street lights with LEDs and that there is some concern/evidence that certain blue light may have an adverse effect on sleeping and melatonin. Dr. Wedmore stated that the US National Parks has adopted a particular light as optimal and directed Administrative Assistant to look into their recommendations. Board members discussed that the Green Community should be able to find the most efficacious interior LED lighting and share the info.

### TOBACCO SALES REGULATIONS

Discussion about Draft regulations for raising the minimum age to purchase tobacco products to Age 21; the draft is from Tobacco Control District (and is being used by towns throughout Massachusetts); Agent showed 2 lists of municipalities; one is a list of cities/towns that have adopted the regulation of the sale of tobacco 21 years or older being allowed; the other list of cities/towns reflects those that voted to restrict the sale of flavored tobacco products to adult-only establishments with the rationale being that flavored ones are geared toward children/young adults. Discussion about concerns that by adopting the 21 age minimum, peoples' rights become disenfranchised.

The Board decided it best to vote on the two items separately:

Dr. Cohen made a motion to adopt the new regulations of raising the minimum age for purchasing tobacco products to Age 21; Dr. Jimenez seconded and it was voted 3:1 to adopt the regulations Restricting the Sale of Tobacco Products and Nicotine Delivery Products.

Dr. Cohen made a motion to adopt the regulations restricting the sale of flavored tobacco products to adult-only establishments; Dr. Jimenez seconded; motion failed 2:2.

Regulations for Restricting the Sale to Age 21 will be signed at September's meeting and published following that.

#### **RATS - BEACH STREET – REQUEST FOR TOWN TO HIRE PEST CONTROL OPERATOR:**

Request from resident of Beach Street/Front Beach; in years past, she requested pest control measures - and the Town obliged - by putting traps on Town property. Dr. Wedmore and Health Agent stated that for 3 years, T. Wharf, Tuna Wharf, and Beach Street were outfitted with traps. Dr. Wedmore stated that due to the fact that it wasn't proven to be efficacious, the budget funds were redirected elsewhere. Health Agent asked if the stone wall at resident's home is owned by the Town or her; it was stated that the wall belongs to the resident; Agent stated that perhaps the resident was unaware that the wall was hers at the time and did not realize she would be responsible for the care of her property. Discussion that the DPW construction being done in that area may be the reason for the increase in number of rats and also from the drought as they are seeking water. Board stated that residents are responsible for dealing with the rats on their property (i.e. resident's wall), but if there is proof that the rats are on Town property, the Board may reconsider.

#### **REQUEST FOR EXTENSION OF VALIDITY OF SOIL EVALUATION AND PERC TESTS – 138 SOUTH STREET (MAP 28, LOT 78 AND LOT 80):**

Local regulations state that perc tests are valid for two years; they are often granted extension but state/Title 5 regulations do not impose a two year limit. Health Agent suggested that the next time regulations are updated, we could drop the '2 years'. Dr. Cohen asked for clarification on installation; Agent said they're selling the property and want to say 'we have an approved plan' and recommended an extension. Dr. Wedmore made a motion to approve, Dr. Sandfield seconded, and it was voted unanimously to grant a 1-year extension to the validity of the soil evaluation and perc tests for 138 South Street/Map 28, Lots 78 and 80.

#### **SUBSTANCE ABUSE PREVENTION COLLABORATIVE (SAPC) EMAIL TO COLLECT MENTAL HEALTH DATA:**

Dr. Cohen, a committee member of the Coalition of Cape Ann Communities discussed that they are collecting data through a survey about 11-15 year olds with respect to underage drinking and substance abuse. The findings have been that the age for experimenting/using alcohol or drugs is getting younger, perhaps related to familial stress or mental health-related issues. The Coalition's goal is to identify resources that are available in the community. The Coalition would like to collect info on mental health and substance abuse, how many resources are in community, and see coordinated efforts by all the towns. They would like to know the doctors, nurses, and mental health service professionals in the school to determine if they are you seeing kids for mental health, what types of tools do they themselves use to collect data (i.e. electronic) and from that, they can assemble a directory of resources for Cape Ann area; their aim is to reach out to health care providers or anyone in Town who might be providing these services. Dr. Cohen discussed a draft email to send to colleagues and ask if they might circulate it to collect the info on where the kids might be being seen for mental health services; the Coalition has a total of 4 questions to ask the providers. The Board discussed the void in accessing pediatric psychiatric care. Dr. Jimenez recommends it be sent to the elementary school psychologist (as she stated that the psychologist does detailed evaluations) and the local pediatricians;

Dr. Stockman, Dr. Carbone, and Dr. Orr); Cape Ann Community Health Center. The Board gave Dr. Cohen approval to send the email/questions to the providers and from there, the data could be compiled. As well, a survey of adults asking their attitudes about kids drinking and/or drugging would be helpful in understanding the culture a bit.

#### WHETHER TO ESTABLISH REGULAR/QUARTLERY MEETINGS WITH SCHOOLS; SCHOOL HEALTH AND PUBLIC HEALTH:

The Board discussed the importance of building a relationship with the schools and the importance of reaching out to have an ongoing discussion of community health issues. Dr. Wedmore suggested an invitation to Superintendent Liebow for an upcoming meeting to develop a relationship with the school health care (nurses, psychologists) and to assist in coordinating better adolescent health care. Board discussed the benefits of meeting with the folks in the school systems, perhaps the School Committee, and anyone else that supports the schools in a health care capacity.

#### SALMONELLA RISK FROM FACTORY EGGS – STATEWIDE BALLOT INITIATIVE – REQUEST FOR ENDORSEMENT:

Continuation of discussion on statewide ballot initiative on subject of cruelty to animals and reducing the salmonella risk from factory eggs by having healthier conditions/more humane treatment with larger cages. Based on a request from *Citizens for Farm Animals'* ballot initiative. Health Agent recommends endorsing the ballot measure with the logic that the healthier the animals are, the healthier we are. Dr. Wedmore stated the some of the assertions claimed (that free-range chickens are less responsible for causing salmonella for example) remain unproven, that the claim that the eggs cost just a fraction more is not necessarily so, and the validity of their claim is not proven. Item to be deferred to next month's agenda for discussion after more detailed information can be presented for voting; agent to provide specific information for next month's meeting for thorough consideration.

#### ANIMAL CONTROL OFFICER UPDATE:

Kevin St. Peter (joined by selectwoman Erin Battistelli) updated the Board on animal control issues and the work involved in the position. Ten new/updated doggy bag dispensers have been installed; since June 1<sup>st</sup>, they've gone through 4600 bags; feels that the Millbrook Meadow dispenser is being abused in that people are taking several rather than one. Dogs on the beaches are a problem, particularly Long Beach. Discussed stricter bylaws and mentioned that some towns have a 3-bag minimum per dog; if the dog owner cannot produce a method of disposal, they're given a fine. Agrees that more signage would be helpful; Administrative Assistant suggested that the price could be defrayed by having several departments pitch in (\$45-50 per sign). Dr. Wedmore asked Animal Control Officer to expand upon the work involved vs. stipend; he discussed the work involved with having to put seagulls down, responding to dogs off leash, noisy dogs, etc. and that the position involves more time and energy than the stipend reflects. Dr. Wedmore suggested that the Town increase the fines for (currently \$25.00 for non-licensed dogs) to possibly \$150-\$200 to deter unlicensed and unruly dogs.

#### HEALTH AGENT REPORT:

4 Seaview – septic system now abandoned; house is currently empty; work will commence in the fall. Sandy Bay Estates – Fees for Inspections - Fees currently at \$4700 based on \$100/reinspection fee; our attorneys working on \$100 per visit (i.e., 5 visits to 5 units on same day would now would be considered one visit and thus \$100 for all 5 at same time); would bring it down to \$1600 doing it this way. Vote: Dr. Sandfield motioned to accept new fine/fee of \$1600 for Sandy Bay Estates, Dr. Jimenez seconded, and it was voted unanimously to reduce Sandy Bay Estate's outstanding fine/fee from \$4700 to \$1600.

## FOOD INSPECTOR REPORT

- Feather & Wedge may open 9/1.
- Continuing to do headcounts at local food establishment per Board of Health directive.
- FOG compliance – working with FOG Coordinator on non-compliance restaurants; currently My Place By The Sea, 7<sup>th</sup> Wave, Bracketts, Lograsso's'. Hula Moon and Red Skiff to be double-checked; those found in non-compliance will have to comply by 12/31/16. Board of Health not to renew their permits for 2017 if not brought into compliance by December 31<sup>st</sup>.
- 2013 Food Code: Working with Administrative Assistant to notify the establishments about the training and will work on organizing our own training session in October/November.

## ADMINISTRATIVE ASSISTANT UPDATE:

FOG Compliance/non-compliance efforts going well; new permits designed and will go out in November. Should be smooth.

Discussed the need/hope for printed Public Meeting Guidelines and on the back of the Meeting Agenda. This will help eliminate disorder, excessive noise, and possible negative comments, etc. and the need for getting the attendee's name and address, etc. - Dr. Wedmore made motion to accept the Board of Selectmen's Guidelines; Dr. Sandfield seconded, and it was voted unanimously to accept the Board of Selectmen's Visitor Orientation Guidelines.

AEDs – Discussion about getting compatible AEDs with Ambulance/Hospital; compiling the information and will work with Rosemary Lesch/Harbormasters' Office to find appropriate/conforming make/model to ensure compatibility with Ambulance and Hospital so no time is lost in transit.

## MEETING RULES – TO POST ON BACK OF AGENDA AND DISPLAY AT MEETINGS:

Discussion on adopting formal guidelines for audience/attendees such as keeping noise level down and general courtesies for public meetings. Board members agreed to adopt the same guidelines as the Board of Selectmen.

## MEETING PROCESSES – TO ASSIST WITH MINUTE TAKING:

Discussion about the importance of process/protocol of summing up the agenda item prior to voting, making motions, taking votes, and recording and reflecting the information properly on minutes.

## BOARD MEMBER SEARCH FOR 5<sup>TH</sup> MEMBER:

Potential 5 member candidate (nurse practitioner) is currently working on 2 committees and is finishing up on another committee but is interested; has attended one meeting thus far, will likely come to November meeting, and may be ready to come aboard in January 2017 after the holidays.

## NEXT MEETING DATE AND NEW TIME PROPOSAL:

New start time of 7:00 p.m. adopted beginning with next meeting. Next meeting date/time is September 20 at 7:00 p.m. Dr. Cohen asked Assistant Town Administrator if the Board of Selectmen has adopted remote/telephone call-in participation. Mr. Vieira stated that remote participation has been adopted (for select reasons) and there is a caveat that members who participate remotely must come to two-thirds of the total meetings in person and that telecom participation should be used as a last resort.

## JULY MEETING MINUTES:

Dr. Wedmore made motion to accept the minutes with corrections; Dr. Sandfield seconded, and it was voted unanimously to accept the minutes with corrections.

AGENDA PREP MEETING DATE:  
September 13, 2016

ADJOURN:

Dr. Wedmore recommended a motion be made to adjourn meeting; Dr. Cohen moved to adjourn, Dr. Jimenez seconded, and it was voted unanimously to adjourn the meeting. Meeting adjourned.

Meeting adjourned at 9:23 p.m.