

**BOARD OF HEALTH  
MINUTES OF MEETING  
JUNE 5, 2019**

**PRESENT:**

Amy Wiegandt, M.D. Chairman  
Glenn M. Monterio, Member  
Catherine Phinney, Member  
Thomas L. Gleason, M.D., Associate Member  
Lawrence Perry, Associated Member  
Robert M. Ethier, Director  
Patrick MacDonald, Inspector  
Suzanne Burke, Recording Secretary

**4:30 p.m.      Signing of Minutes- May 1, 2019**

The minutes of May 1, 2019 were read and accepted.

**On a motion of Glenn Monterio and seconded by Catherine Phinney, the minutes of May 1, 2019 were read and accepted. All in favor. 3-0-0**

**4:35 p.m.      Sam's Gas Service & Car Wash, 274 Marion Road, Violation to Tobacco Regulations.**

The Wareham Board of Health received a complaint from the Cape Cod Tobacco-Regional Tobacco Program, stating that on April 22, 2019 a routine inspection was performed at 274 Marion Road where violations were found at Sam's Gas Service & Car Wash in violation of the Massachusetts General Laws, Chapter 270, Section 22 and 105 CMR 661.000 regarding restrictions on Smoking in The Workplace.

Mr. Robert Collett, Division Program Director of the Cape Cod Tobacco Control Program was present and stated that on April 22<sup>nd</sup>, it was he who witnessed a worker smoking inside the garage known as Sam's Gas Service. Also present was owner of Sam's Gas Service, Mr. Ossama (Sam) Mohamed where he denied the violation and stated an employee was not smoking in the garage area as it was a customer who walked in smoking. Mr. Collett stated "the gentleman who was smoking was an employee and was also working on a computer stationed in the garage area". After discussion, the Board agreed to issue a \$300.00 fine to Sam's Gas Service and Car Wash, Osamco Enterprises, Inc. located at 274 Marion Road for violations to "Smoking in The Workplace". Mr. Mohamed was issued another copy of the Board of Health Smoking Regulations and was warned this is the first violation, in the case of a second violation within the next thirty-six months of the date of this violation, a fine of three hundred

(\$300.00) will again be issued and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for seven (7) days. Mr. Collett suggested Mr. Mohamed again review and read over all sections of the smoking regulations with his employees and make sure all employees understand the smoking regulations and the consequences that will be applied if not followed.

**On a motion of Catherine Phinney and seconded by Glenn Monterio, a \$300.00 fine was issued to Sam's Gas Service & Car Wash in order to enforce the responsibility of meeting compliance with all sections of the Wareham Board of Health Smoking Regulations. All in favor. 3-0-0**

**4:40 p.m. Cape Cod Tobacco Control, Mr. Robert Collett & Mr. D.J. Wilson**

Mr. Robert Collett Director of the Cape Cod Regional Tobacco Control Program and Mr. D.J. Wilson, Director and Public Health Liaison for the Massachusetts Municipal Association, appeared before the Board with a presentation on the Impact of Menthol Cigarettes on Youth Smoking. Mr. Collett presented a power point presentation focusing in on a few key points:

1. Youth smokers are more likely to use menthol cigarettes than any other age group. Over half (54) percent) of youth smokers ages 12-17 use menthol cigarettes, compared to less than one-third of smokers ages 35 and older.
2. Prevalence of menthol use is even higher among African American youth: seven of ten African-American youth smokers smoke menthol cigarettes.
3. The popularity of menthol flavored cigarette is also evidenced by brand preference among youth.
4. Data from Wave 1 of the government's Population Assessment of Tobacco and Health (PATH) study found that youth menthol smokers are more likely to perceive menthol cigarettes as easier to smoke than regular cigarettes.
5. African Americans generally have higher levels of nicotine dependence as a consequence of their preference for mentholated cigarettes. While research shows that African American smokers are highly motivated to quit smoking and are more likely than White smokers to have made a quit attempt and used counseling services in the previous year, they are less likely than White smokers to successfully quit smoking.
6. The FDA's Tobacco Products Scientific Advisory Committee's (TPSAC) estimated by 2020, 4,700 excess deaths in the African-American community will be attributable to menthol cigarettes, and over 460 excess deaths in the African-American community will be attributable to menthol cigarettes, and over 460, African Americans will have started smoking because of menthol cigarettes.
7. African Americans suffer the greatest burden of tobacco-related mortality of any racial or ethnic group in the United States. Each year, approximately 45, 000 African Americans die from a smoking-caused illness. Unless action is taken, an estimated 1.6 million African Americans alive today, who are now under the age of 18 and will become regular smokers; and about 500,000 of these will die prematurely from a tobacco-related disease.

8. Lung cancer is the second most common cancer in both African-American men and women, but it kills more Africa Americans than any other type of cancer. Decreased cessation success due to the popularity of menthol cigarettes among African Americans likely contributes to this mortality disparity.

**Discussion continued among Mr. Collett, Mr. Wilson and the Board members regarding banning/restricting flavored tobacco and vape products to adult-only "retail tobacco stores". After lengthy discussion, the Board agreed to hold a public hearing on Wednesday, July 17, 2019. Discussion was tabled to July 17, 2019.**

**HEALTH AGENTS REPORT-** Director Robert M. Ethier reported. See attached.

**OLD BUSINESS-**

1. **CVS Gateway Plaza-** 419 Main Street. Still pending.
2. **Flock Registration-** The office of BOH will contact the local papers to post notice that all residents must register any/all backyard flock in the Town of Wareham.
3. **Beach Water Sampling-** A student has been assigned to perform the beach water testing. Ms. Laura Casey will begin beach water testing on June 11<sup>th</sup> and end the testing on August 27, 2019.

**NEW BUSINESS-** No new business.

**On a motion of Catherine Phinney and seconded by Glenn Monterio the meeting was adjourned at 6:03 p.m. All in favor. 3-0-0**

Respectfully submitted: Suzanne Burke

Signed and dated: June 19, 2019

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Amy Wiegandt, M.D., Chairman

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*Glenn M. Monterio*

Glenn M. Monterio, Member

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*Catherine Phinney*

Catherine Phinney, Member

## **HEALTH AGENT'S REPORT**

May June 5, 2019

Last Meeting, May 1, 2019

### **BOARD OF HEALTH STATUS REPORT**

#### **TITLE 5 REVIEW AND VARIANCES**

- (3) Conventional Title 5 upgrades
- (6) Alternative Systems

#### **PERCOLATION TESTS**

(4)

#### **EMERGENCY RESPONSE**

\* Memorial Day, 5/27/19 2838 Cranberry Highway, respond to call by WPD, arrived on scene 11 pm, (no BOH violations recorded).

\* June 4, 2017, Rte 6 Fuel Mart, 2 arrests (police matters) no BOH violations.

#### **INSPECTIONS**

Restaurant inspections on-going. 68% completed.

#### **BEACH WATER SAMPLING PROGRAM**

Beach Water sampling to begin Tuesday, June 11, 2019.

#### **COURT CASES**

(0)

#### **PUBLIC HEALTH NURSE**

Blood pressure clinic weekly.

#### **DISEASE REPORTING**

Reporting is ongoing.

## **PLYMOUTH COUNTY EMERGENCY PREPAREDNESS COALITION**

Attending meetings in Middleborough, Trainings

### **OLD BUSINESS**

Gateway Plaza (Town Council).

Rental Housing Program – Registration for 2019 continues.

Flock Registration begins in July. On Town website/sign board.

(15) Registered.

### **NEW BUSINESS**

### **CBD POLICY**

Robert M. Ethier, Director of Public Health  
Wareham Board of Health

RME

## RENTAL REPORT

REPORT AS OF: 5/22/2019

HOME LISTINGS	1343	APARTMENT LISTINGS	696
REGISTERED	1023	REGISTERED	561
INSPECTED	504	INSPECTED	514
INCOME	\$ 73,700.00	INCOME	\$ 14,600.00
LATE FEES	\$ 300.00		

REPORT AS OF: 6/5/2019

HOME LISTINGS	1339	APARTMENT LISTINGS	696
REGISTERED	1069	REGISTERED	666
INSPECTED	561	INSPECTED	514
INCOME	\$ 77,775.00	INCOME	\$ 14,675.00
LATE FEES	\$ 300.00		

Robert M. Ethier  
Public Health Director  
Wareham Health Department

RME