



# TOWN OF WAREHAM

BOARD OF HEALTH  
MEMORIAL TOWN HALL  
54 MARION ROAD  
WAREHAM, MA 02571

Board of Health  
Frank X. DeFelice, Chairman  
Glenn M. Monterio, Member  
Amy Wiegandt, M.D., Member  
Catherine Phinney, R.N. Assoc.  
Kenneth R. Ferreira, Associate

Robert Ethier, Health Agent

## BOARD OF HEALTH MINUTES OF MEETING FEBRUARY 18, 2015

**PRESENT:** Glenn M. Monterio, Member  
Amy Wiegandt, M.D., Member  
Cathy Phinney, R.N., Associate Member  
Robert M. Ethier, Health Agent  
Richard T. Johnson, Health Inspector

**EXCUSED:** Frank X. DeFelice, Chairman  
Kenneth Ferreira, Associate Member

In the absence of Chairman Frank DeFelice, Member Amy Wiegandt, M.D., moved to Chair. Associate Member Cathy Phinney moved to a voting member.

Dr. Wiegandt opened the meeting at 4:00 p.m..

### **4:00 p.m. Signing of Minutes**

The minutes of February 4, 2015 were tabled for correction. In Health Agent Robert Ethier's absence, Inspector Richard Johnson will take charge. Should a situation arise where Mr. Johnson is in need of guidance, neighboring health agents from Marion, Rochester and/or Mattapoisett will be contacted.

### **4:05 p.m. Motel Regulation, Discussion.**

Topic of discussion; to draft a copy of motel regulations limiting time of occupancy. Topic was brought back to the table after Selectman Judith Whiteside had approached the Board with request for a regulation change due to the number of school children living in motels where cooking accommodations are not provided. Chairman Alan Slavin, Selectman Peter Titlebaum and Town Administrator Derek Sullivan were all present to support the regulation change. After lengthy discussion, the Board agreed on researching regulations in other towns and reviewing the language of definitions. Health Agent Robert Ethier will compile information and definitions of rooming houses and present to the Board on March 4<sup>th</sup>.

**4:30 p.m. Robert Collett, Cape Cod Tobacco Program, D.P.H- Discussion of Wareham Smoking Regulations.**

Mr. Robert Collett Cape Cod Tobacco Program and Mr. Donald J. Wilson Director of the Municipal Tobacco Control Technical Assistance Program, approached the Board for discussion on additions to restricting the Sale of Tobacco Products in the Town of Wareham. Restrictions would include moving the minimum legal sales age in Wareham to 21 yrs of age, owners or other persons in charge of a shop or other places used to sell tobacco products, as defined herein, at retail shall conspicuously post signage provided by the Wareham Board of Health that discloses current referral information about smoking cessation, tobacco product sales permits shall not be issued to any new applicant for a retail location within 500 feet of a public or private elementary or secondary school as measured by a straight line from the nearest point of the property line of the school to the nearest point of the property line of the site of the applicant business premises. Applicants who purchase an existing business that holds a current Tobacco Product Sales Permit at the time of the sale of said business may apply, within sixty days (60) days of such sale, for the permit held by the Seller if the Buyer intends to sell tobacco products, as defined herein. No person shall sell or distribute or cause to be sold or distributed a single cigar. No person shall sell or distribute or cause to be sold or distributed any original package of two or more cigars, unless such package is priced for retail sale at \$5.00 or more. Section shall not apply to: The sale or distribution of any single cigar having a retail price of two dollars and fifty cents (\$2.50) or more. A person or entity engaged in the business of selling or distributing cigars for commercial purposes to another person or entity engaged in the business of selling or distributing cigars for commercial purposes with the intent to sell or distribute outside the boundaries of Wareham. The Wareham Board of Health may adjust from time to time the amounts specified in this Section to reflect changes in the applicable Consumer Price Index by amendment of this regulation. No person shall sell or distribute or cause to be sold or distributed any flavored tobacco product, except in smoking bars and retail tobacco stores. A retailer of Liquid Nicotine Containers, where liquid nicotine is an "acutely hazardous waste" as identified in 310 CMR 30.136, must comply with the provisions of 310 CMR 30.000, and must provide the Wareham Board of Health with a written plan for disposal of said product, including disposal plans for any breakage, spillage or expiration of the product. In the case of a first violation, a fine of three hundred dollars (\$300.00). In the case of a second violation within thirty-six (36) months of the date of the current violation, a fine of three hundred dollars (300.00) and the tobacco product Sales Permit shall be suspended for seven (7) consecutive business days. In the case of three or more violations within a thirty-six (36) month period, a fine of three hundred dollars (\$300.00) and the Tobacco Product Sales Permit shall be suspended for thirty (30) consecutive business days. In the case of further violations or repeated, egregious violations of this regulation within a thirty-six (36) month period, the Board of Health may revoke a Tobacco Product Sales Permit.

After discussion, the Board agreed on Mr. Wilson drawing a proposal including: Statement of Purpose, Authority, Definition and Regulations to be submitted and reviewed by the Board at the March 4<sup>th</sup> meeting.

**HEALTH AGENTS REPORT**

1. Budget hearing (FY 2016).
2. HIP Tax Bill Mailing.
3. Title 5 Plan Reviews- 4 Alternative Systems, 1 Conventional.
4. Emergency Response-1 call from WPD, 2 WFD, 1 OFD.

**OLD BUSINESS**

260 County Road- no complaints.

Birch Street, homeowner no longer living in residence.

Gateway Plaza- Supplying Board with letter.

Motel Regulations- In progress.

Water Quality Regulations- In progress.

Trash Hauler- list completed 10-01-14.

Rental Housing Program- 09-14-13 to 01-25-15- Completed.

Animal Control- The Board will draft a letter to remove Health Agent, Robert from his Animal Control obligations.

**NEW BUSINESS**

1. Mr. Ethier is looking into a grant program- lyme disease prevention.
2. Discussion on moving BOH meetings to Selectmen's meeting room.
3. Updated regulation book and old regulation book to be issued to all members.

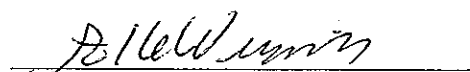
On a motion of Dr. Wiegandt and seconded by Cathy Phinney, R.N. the meeting was adjourned at 6:12 p.m.

Respectfully submitted: Suzanne Burke, March 3, 2015

Signed and dated: 3/4/15



Glenn Monterio, Member



Amy Wiegandt, M.D., Member

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Cathy Phinney, R.N., Acting Member