

Board Meeting..... January 5, 2016.....12:00 noon

Board Members Present: Dr. Bruce E. Bodner, Board Member  
Dr. Thaddeus A. Figlock, Board Member  
Dr. Joseph F. Nates, Chairman: absent

Staff Present: Heather L. Gallant, Executive Director, Adam Vickstrom, Assistant Exec. Director,  
Kevin Duquette, Environmental Compliance Officer, Henry Tartaglia, Daniel  
Ross, Jessica Ferreira, Daniel Syriala, Lillian Tetreault, and Kendra A. Motta.  
Kathleen Driscoll, absent

Motion: By Dr. Bodner for approval of the December minutes. Seconded: By Dr.  
Figlock. All in favor.

Sanitary Inspectors Monthly Reports:

The Sanitary Inspectors submitted their monthly reports for the Board’s review.

Lillian Tetreault, Public Health Nurse submitted her monthly report for review. Ms. Tetreault reported on Kathleen Driscoll’s monthly report regarding two acute Hepatitis B cases. Ms. Driscoll has been in contact with those patients and there is no problem.

Ms. Tetreault reported she is working on setting up a Blood Pressure Clinic. Also, Ms. Tetreault is looking to set up and hold a makeup flu clinic due to having (200) two hundred doses of flu vaccine left over. The vaccine that she has is for anyone eighteen years of age or older. She has already held two makeup clinics, plus the regular flu clinics; the Senior Citizen Clinic and the City Employees Flu Clinic. She did reach out to the Soup Kitchen and the Community Kitchen in Whittenton, but they have all been taken care of.

Dr. Bodner questioned as to how the Board of Health gets notified of any cases of Hepatitis? They are reported from any lab to the Department of Public Health and then the Department of Public Health reports it to the local Board of Health to whatever City or town the patient resides.

Adam Vickstrom, Assistant Executive Director submitted his report for the Board’s review. Mr. Vickstrom reported he had a court case which was continued to January 26<sup>th</sup> and also sent out the renewal notices for the Septic Installer’s Licenses and the Hazardous Materials Licenses.

Heather Gallant, Executive Director submitted her monthly report for review. Ms. Gallant reported everything has been going well and there is nothing out of the ordinary to report.

Old Business:

- a. Taunton Sanitary Landfill – Updates  
Mr. Peter Richer, present, Waste Management of MA

Dr. Figlock mentioned on behalf of Dr. Nates for the results of the groundwater runoff reports. Mr. Richer reported he forwarded/mailed the Groundwater Monitoring Analysis Reports to the Board of Health for their review. Mr. Richer stated he could supply more copies of these reports if they are needed.

Kevin Duquette, Environmental Compliance Officer reported there was an increase or spike of odor complaints coming from the Landfill due to the outside slope activity that they were doing and were using old trash to fill in quickly the outside slope that had settled previously. This caused a few odor complaints due to the wind direction. It was mentioned at the Municipal Council Meeting. Mr. Duquette's attendance was requested at the Municipal Council Meeting to elaborate on it. The City Clerk asked Mr. Duquette to respond and his response was put in the Gazette. It was an isolated situation and has been dealt with.

Dr. Figlock made mention to a previous discussion of the hauling in of sludge not only from our Waste Water Treatment but from out of town waste treatments and there was odor with that. Mr. Duquette reported we only take the sludge from our Waste Water Treatment Plant and in this new contract from Water Solutions Group down on Mozzone Boulevard. Through that contract the City negotiated disposal of their sludge which is approximately one container a week. It is dry cake type sludge. There is plan to propose a gasification type of system for the Waste Water Treatment Plant which Mr. Duquette is not aware if that is in the near future. That was one of the things on the plan for We Care to do. We Care was the vendor to do the curbside collection and to do the Transfer Station. It is up in the air at this point. The Waste Water Treatment Plant is in for an upgrade due to EPA Regulations for certain parameters. The thought was that this would be incorporated within that upgrade in the next five years. If that was there and not brought to the Landfill, it would extend the life of the Landfill and reduce some of the odor issues.

Water Solutions Group on Mozzone Boulevard is privately operated by a subsidiary of Wind River and they accept septic trucks, take in the waste water from septic trucks and process it and then treat it and release it back into our sewer. The City has gone into some agreement with them to take that sludge that is through that process of treatment. Dr. Figlock questioned if our City accepts this for our Landfill? Mr. Duquette reported the sludge we accept now is our municipally run through Veolia Water who's our contractor who runs it down on West Water Street. The one load a week is coming from Water Solutions Group. A conglomerate of septic hauler trucks from all around the state that use that facility to dispose of. This was an agreement made by the Mayor and the Law Department. Dr. Figlock would like some details as to what impact that will have upon our facility. They get three loads a day from the Waste Water Treatment Facility. The load from Water Solutions Group is dewatered. Waste Management has to stockpile trash because they have to have so much trash to cover it; a certain requirement. They are trying to work towards on getting that to not go into the Landfill and being gasified.

#### Medical Marijuana Update:

Ms. Gallant reported they are going forward with the facility in Taunton. There is no new legislation or no new rules or regulations.

#### New Business:

- a. Vote on Amended Tobacco and Nicotine Delivery Device Regulations  
We already have our existing regulations. The only change in this is a couple of words that would allow the FDA inspections to count towards the tolling period.  
Ms. Marilyn Edge, present: from the Tobacco & Alcohol Prevention Collaborative  
Ms. Edge reported that since August we have had in Taunton fifteen sales to minors done by the FDA inspections that we have not been able to count in the Board of Health tolling period under the

regulation because they were done by FDA inspectors that have not been appointed by this Board. The State's Attorney sent Ms. Edge a one sentence that can be added to the Taunton Board of Health's Regulations that simply says, it is one sentence added to the enforcement, on Page 6, under Section O where it currently says, Enforcement of this regulation shall be by the Taunton Board of Health or its designated agent(s), including, but not limited to, U.S. Food and Drug Administration (FDA) Commissioned Officers with a current commission under the FDA Tobacco Enforcement Contract with the Commonwealth of Massachusetts.

This would allow any FDA Inspector who was doing checks in the City for the FDA, as soon as they forward their documents to the FDA and would forward copies to Ms. Marilyn Edge so that they could include the sales in the tolling period and bring them before the Board if necessary for second, third, and fourth offenses. On August 12<sup>th</sup> there were twelve violations in the same day. They were FDA compliance checks. Almost of them on that day that had violations, were before the Board in July with Ms. Edge for the second offense. Some of these would have been third offenses. The way the FDA works is the 1<sup>st</sup> penalty/violation is a warning, the 2<sup>nd</sup> violation in a year is \$250.00 and up to 2 years is \$500.00 and their fines go all the way up to \$11,000.00 to the stores. In Massachusetts they have gotten as far as the \$5,000.00 and have revoked licenses. Once the FDA revokes a tobacco license for a breach of sales to minors the person or cooperation whose license is revoked will never get another license to sell tobacco. The name of the person or the corporation is put on a federal list. If the FDA does a check and there are no sales, they may not go back to that store for a year. If there is a sale, they are back at that store a minimum of every three months. They continue to do that until there are three visits where there were no sales. The last fifteen sales that were made were done by agents that were not appointed by this Board. All of the FDA inspectors in Massachusetts cover all of Massachusetts.

**Motion: By Dr. Bodner to accept this amendment to the Taunton Board of Health Tobacco Product Regulations. Seconded: By Dr. Figlock. All in favor.**

Ms. Edge will put the legal public notice in the Local Taunton Gazette, effective as of today. A public hearing does not have to be done for an amendment:

Ms. Edge has included a note in their files, (these fifteen places) that they have had these FDA sales, failed checks but no action was taken so that when we bring them back in again for our own or further FDA sales after today, the Board could say you are here for a third offense. It could be taken into consideration.

Communications:

a. Lester Hartman, MD, MPH documents regarding T21 and flavored tobacco products  
Ms. Edge stated part of the new proposed State Law that is pending, is raising the age to 21 for tobacco sales, doing the cigar packaging, banning blunt wraps, and doing the pharmacy ban.  
FYI information for the Board

b. Appoint new Chairman for 2016

**Motion: By Dr. Bodner to appoint Dr. Thaddeus Figlock as the new Chairman of the Board of Health for the year 2016. All in favor. So moved.**

The Executive Director reported there was a communication from the Municipal Council that asked the Board of Health and the Police Chief for a response regarding rose bud glasses being sold in some of the City's businesses which can be utilized as drug paraphernalia. It is a legal item but people use it as an illegal item.

The Police Chief did include his response and he also included an ordinance from the town of Lynn. This is for informational purposes for the Board. The Municipal Council voted to send this to the Board.

Miscellaneous:

A communication to the Parking Commission from the Executive Director requesting if they would allow the Board of Health to have some designated parking spots in the parking garage deck for our inspectors, and the nursing staff. The Executive Director is requesting seven parking spaces. The Executive Director and the Assistant Executive Director already have reserved parking in the parking lot. There has been an ongoing parking problem with the parking lot for the Board of Health. Ms. Gallant is asking for the Chairman to sign the letter to the Parking Commission. Dr. Figlock and Dr. Bodner both agreed to sign the letter.

Financial Statement:

The Financial Statement is enclosed for the Board's review. Dr. Bodner would like to see last fiscal year's figures on the Financial Statement to compare it with this year's figures. These are compiled for a fiscal year, July 1<sup>st</sup> to June 30<sup>th</sup>. Mr. Vickstrom will print last Fiscal Year's FY14-15 and give it to the Board Members at the next monthly meeting.

Schedule Next Monthly Board Meeting:

The next monthly Board Meeting is scheduled for Tuesday, February 2<sup>nd</sup> at 12:00 noon.

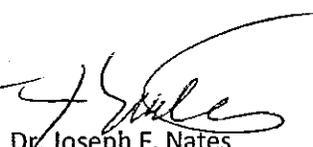
Meeting adjourned.

Respectfully submitted,

Dr. Thaddeus A. Figlock  
Chairman



Dr. Bruce E. Bodner  
Board Member



Dr. Joseph F. Nates  
Board Member