

**ANDOVER BOARD OF HEALTH**

**Minutes**

**July 13, 2020, 6:00 P.M.**

**Via WebEx**

**36 Bartlet Street**

The Board of Health Meeting was called to order at 6:00 p.m. Present were Pamela Linzer, Ph.D., Chair, Gopala K. Dwarakanath, M.D., Vice-Chair, Deb Enegess, M.D., Clerk, and Mr. Thomas G. Carbone, Director of Public Health.

Before any discussion began, Mr. Carbone made the following statement: *“Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and the Governor’s March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Board of Health will be conducted via remote participation. The virtual meeting will be broadcast on Comcast Channel 22 and Verizon Channel 45. Further, a video recording of the proceedings will be posted to the Town website as soon as possible after the meeting.”*

Mr. Carbone called Roll Call of the Board of Health Members: Pamela Linzer, Ph.D., Chair, Present; Gopala K. Dwarakanath, M.D., Vice-Chair, Present; Deb Enegess, M.D., Clerk, Present.

**I. Appointments & Hearings**

- **#1 - 6:00 p.m. – Verc Enterprises, Inc. 139 River Road – Discussion about a sale of Tobacco products to a 19 year old.** Jennifer Croteau, District Manager, Muhammad Tasleen, Store Manager and Leo Vercollone, Owner, present. Ron Beauregard, Health Communities Tobacco Control Program Director thanked the representatives of Verc Enterprises/West Andover Mobil for attending tonight’s meeting. Mr. Beauregard stated the reason for the hearing was due to the sale of a tobacco product to a minor. Mr. Beauregard reviewed the regulations regarding the sale of tobacco products as well as the citation procedures. Mr. Beauregard acknowledged the positive response from West Andover Mobil to comply with the guidelines. Mr. Muhammad Tasleen informed the Board of the new procedures put in place regarding the sale of tobacco products including safeguards at the POS register for entering and scanning identification to ensure all patrons are showing identification prior to sale. Ms. Jennifer Croteau also explained the implementation of secret shoppers at the location as well as repercussions for any employee not following procedure. Mr. Leo Vercollone applauded both Mr. Tasleen and Ms. Croteau for their actions to eliminate additional incidents. The Board thanked everyone for putting the safeguards in place and their attention to this matter.
- **2# - 6:00 p.m. – Richdale / Lavdisha, Inc. 10 Railroad Street – Discussion about a sale of Tobacco products to a 19 year old.** This hearing will be added to the August 10, 2020 as no representative was present.

## II. Approval of Minutes

- # 3 – June 15, 2020

*Motion by Dr. Linzer, seconded by Dr. Dwarakanath, to approve the Minutes of June 15, 2020. Unanimous approval.*

## III. Discussion Items

- # 4 – **Covid-19** – Mr. Carbone updated the Board on the current status of Covid-19 within the Andover community. Mr. Carbone is pleased with the latest information and stated the community has taken the time and effort to follow all precautions. Mr. Carbone informed the Board of the access to testing sites in and around the commonwealth as well as a link to find more information. <https://www.mass.gov/orgs/department-of-public-health>. Mr. Carbone expressed some frustration with the release of information by the Governor's Office and the difficulty finding the guidance issued by the State. Mr. Carbone mentioned that the Andover Planning Division has been helpful with relaying information to local businesses.
- # 5 – Andover Little League Limited Food Sales Request – Mr. Carbone reminded the Board this was originally scheduled for the March meeting. At this point Andover Little League will not be implementing food sales for this season beyond pre-packaged foods. Mr. Carbone feels the proposal is not hazardous and this could be done safely in 2021. Mr. Carbone recommend the Board approve the proposal now with the stipulation that the procedure will be put in place next year.

*Motion by Dr. Linzer, seconded by Dr. Dwarakanath, to approve, with the conditions listed in Mr. Carbone's memo of March 11, 2020. Unanimous approval.*

- # 6 – **Staff Appointments** - Mr. Carbone asked the Board to approve the appointment of health agents and other staff. Mr. Carbone seeks approval of 14 permanent staff members, 5 contact staff members and emergency personnel, as outlined in his memo of July 8, 2020.

*Motion by Dr. Linzer, seconded by Dr. Enege, to approve. Unanimous approval.*

- # 7 – **Septic System Variances/Local Upgrade Approval** – The engineer seeks a local upgrade approval for 192 High Plain Road, to allow the leaching facility to be 4.4' above the water table, where 5' is required.. Mr. Carbone stated there is no impact on water quality and recommends Board approval.

*Motion by Dr. Dwarakanath, seconded by Dr. Linzer, to approve the LUA to allow SAS to be 4.4' above the SHWT, where 5' is required, Unanimous approval.*

#### IV. Staff Reports

- **#8 - Director's Reports:**
- Mr. Carbone spoke to the Board with regard to holding the upcoming meetings in person or would the Board rather continue with virtual meetings. Board members felt meetings could resume in person with proper safeguards.
- The state's reusable bag order has been rescinded, so they may be used again in grocery stores.. Mr. Carbone is not inclined to enforce the Town's plastic bag and polystyrene bans at the present time, due to staffing issues and the business needs. Board members felt that many businesses have spent considerable funds to comply with current regulations and feel more time is needed to help the local businesses use the supply they currently have. Mr. Carbone will post to social media to inform residents of the use of reusable bags if desired.
- The Annual Town Meeting to be held in September could possibly be outdoors. No final decision has been made.
- Mr. Carbone spoke regarding the opening of schools in the fall. Mr. Carbone will continue to work with the school department and Superintendent, Dr. Berman, to set up protocols for the fall. Mr. Carbone has met with the Facilities Department to discuss optimizing air exchange, balance, energy efficiency, and cost. Mr. Carbone is working with Rita Casper, Director of Nursing Services, to identify standards for a sick room for any student or staff member who becomes ill during the school day. Dr. Enegress asked if any private schools in the area have contacted the Health Division. Mr. Carbone stated that he has not had any discussions as of yet.
- Dr. Linzer asked Mr. Carbone of any reported EEE activity. Mr. Carbone reported that it has been isolated in Western Massachusetts. The Health Division is ready to jump in and take action when the occasion arises.
- Public Nurse, Cherie Monahan, reported the case load of tick borne diseases has no increase from last year, but she will continue to monitor.
- **Amy Ewing, Assistant Health Director, will start on Monday, July 22, 2020. Ms. Ewing served as the Public Health Nurse and a Health Agent in Methuen for the past 20 years. We are excited to have her join our team.**
  
- **#9 – Community Health Report for March, April, May and June** - The Community Health Report for March, April, May and June was for informational purposes only.
- **#10 – Environmental Health Reports for March, April, May and June** – The Environmental Health Inspectors' Reports for March, April, May and June were for informational purposes only.

#### V. Board Member Reports

- N/A

## VI. Adjournment

*Motion by Dr. Linzer, seconded by Dr. Eneuess, to adjourn at 6:46 p.m. Unanimous approval.*

Per the New Open Meeting Law, the following is a list of the documents that were either distributed to the Andover Board of Health before the meeting in a packet, or at the meeting.

1. Board of Health (BOH) Meeting Agenda.
2. Memo from Mr. Carbone to the Board of Health, dated 3/11/2020 concerning Verc Enterprises and Richdale/ Lavdisha, Inc. sale of flavored Tobacco products.
3. Letter from Ronald Beauregard, Healthy Communities Tobacco Control Program Director to Verc Enterprises and Richdale / Lavdisha, dated 3/4/2020 citing them for Tobacco violation of the sale of flavored Tobacco products.
4. Draft Minutes from the June 15, 2020 BOH Meeting
5. Memo from Mr. Carbone to the BOH, dated 7/8/2020 - Covid 19
6. Memo from Mr. Carbone to the BOH, dated 3/11/2020 – Andover Little League
7. Memo from Mr. Carbone to the BOH, dated 7/8/2020 – Annual Appointments
8. Memo from Mr. Carbone to the BOH, dated 7/8/2020 – LUA request, 192 High Plain Road
9. Community Reports – March, April, May, June 2020
10. Environmental Health Reports – March, April, May, June 2020