



**CITY OF GARDNER**  
OFFICE OF THE  
**BOARD OF HEALTH ROOM 29, CITY HALL**  
GARDNER, MASSACHUSETTS 01440  
(978) 630-4013  
FAX (978) 632-4682



**Members Present:** Lauren Saunders – Health Director  
Susan Avallone, RN - Member  
Atty. Geoffrey Tobia - Member

**In Attendance:** Joan Hamlett, Tobacco Control Alliance  
Obaidur Rahman, Stop & Buy Convenience

### **Minutes for Board of Health meeting held on Monday, September 23, 2019**

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**5:18 Meeting called to order.**

**5:19 Minutes from the July 29, 2019 meeting were reviewed, discussed, and approved.**

**5:20 Tobacco Violation Hearing:** Joan Hamlett, Tobacco Control Alliance, stated that on June 27, 2019 during a compliance check at Stop & Buy Convenience a clerk sold a tobacco product to the 17 year old underage inspector. This was the store's second violation in 24 months; the first violation was on November 12, 2018 with a fine of \$100. The penalty for a second offense in a 24-month period is a 3-day permit suspension. The suspension was scheduled for August 23-25, 2019. A ticket for \$200 was also issued. The owner requested a hearing so the permit suspension was deferred pending the hearing today.

Obaidur Rahman, the manager of the store, stated that he had been distracted by a personal phone call and was dealing with a broken gas pump when he made the sale and apologized for the incident. The Board upheld the 3 day suspension which will occur Oct 11-13, 2019. He agreed to go to the Purchasing Department to pay the fine tomorrow. Mr. Rahman mentioned he might close the store completely during the suspension period due to lack of sales of other items in his store. The Board was very clear with Mr. Rahman that closing the store completely was not required and was not part of the suspension. Only tobacco and vape products were to be covered and not sold during this suspension period. Obaidur Rahman said he understood and left the meeting.

**5:40 Vaping at Gardner High School:** Joan Hamlett from Tobacco Control Alliance was still present to discuss this issue with the Board. Lauren received a phone call from the Assistant Principle of Gardner High School. He attended a conference over the summer where he learned that some schools have been issuing tickets for kids caught vaping at school. He would like to know if this could be implemented through the Board of Health. Currently GHS requires a tobacco diversion program for a student's first offense for tobacco violations. The school would like to know if they can give that student a \$100 ticket for a second offence. This has been done previously in other area schools with students caught smoking cigarettes and vaping under the Smoke-Free Workplace Law, it is the same ticket an adult would be issued for the same violation.

Joan stated that beginning in 2019, vaping falls under the Smoke-Free Workplace Law also. The number of students who are vaping has exploded in the last two school years. The schools have been reaching out to Tobacco Control for guidance. Joan has been working with schools to help re-write policies. She stated that there are nine schools that write tickets for smoking, including

Narraganset, Fitchburg, Leominster and Monty Tech. Ticketing can be done through the Board of Health or the School Resource Officer with the authority of the State. The Board discussed the issue at length and stated that while this is a health issue it is also a school disciplinary issue and would like to see the School Department decide their own policy. Joan stated that she can assist schools with educational materials and state resources. Joan exited the meeting.

- 6:08 Preliminary apprenticeship discussion for Body Piercing:** Discussion on this topic was placed on the agenda for the next meeting so that Dr. Mulqueen can be in attendance. There was a brief discussion about eyebrow micro-blading as someone had come to the office to ask about obtaining a license. More discussion will be needed to develop regulations. Lauren offered to create a preliminary draft of Body Piercing regulations for the Board to consider and adapt, she will have it for the next meeting.
- 6:14 Old Business: A Substance Abuse Prevention Resource Fair** will be at Gardner City Hall Auditorium on September 25, 2019 from 4:30-6:30pm, organized by the Massachusetts Opioid Abuse Prevention Collaborative (MOAPC) in collaboration with this department. Sue will be in attendance.
- 6:17 New Business: Eastern Equine Encephalitis:** Back in August 2018 Gardner had a positive West Nile mosquito, someone recently shared the article on social media again and there was confusion that it was a new EEE issue. Lauren clarified that we were still at moderate risk for both West Nile Virus and EEE. Lauren had just done a show on Gardner Public Access TV with Central MA Mosquito Control Project's Executive Director Timothy Deschamps, which was very informative. She will try to get a copy of the show for the Board.

Lauren has continued to go to soil percolation tests with the Fitchburg Board of Health Inspector. She was mid-way through her Soil Evaluator's certification course at the time of this meeting. She will be signing up for the Title V Inspector course in November.

There is a new Assistant Director who will be starting on Monday, his name is Richard Rossi. She interviewed 5 people for the position with Dr. Mulqueen and Human Resources.

Lauren stated housing had been busy, there had been multiple bedbug inspections.

- 6:33 Set next meeting for October 28, 2019 at 5pm, adjourn.**

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John Mulqueen MD, Chairperson

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Susan Avallone RN, Member

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Atty. Geoffrey Tobia, Member

All conversations are documented on recording identified as B.O.H September 23, 2019.