

Town Of Sandwich

THE OLDEST TOWN ON CAPE COD

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BOARD OF HEALTH

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MINUTES OF THE BOARD OF HEALTH MEETING OF FEBRUARY 11, 2008

The Board of Health held a public meeting on February 11, 2008. Sean P. Grady, Sandra Lee Tompkins and Rebecca Lovell Scott were the Board members in attendance. David B. Mason, Health Agent was also present.

Tedeschi Food Shop, Inc., 111 Route 6A

The franchisee and owners of Tedeschi's Food Shop, Inc. were invited to tonight's meeting relative to illegal tobacco sale to a minor and failure to obtain current licenses for retail food service and a tobacco sale permit.

This is a second violation within 12 months of the date of the current violation. Therefore, the violator is subject to a fine of \$200.00 and the tobacco sales permit shall be suspended for seven consecutive business days.

Donald Goldsmith, franchisee and Richard C. Roth, Regional Operational Manager were present.

Mr. Goldsmith was apologetic for the infractions. He stated that it would not happen again.

His reasons for the late payments of his licenses were: "He gave the envelopes to an employee to mail." Again, he stated that this will not happen again, "He'll hand deliver the license renewals personally to the Board of Health. As of this date, the fees have been paid.

Mr. Roth addressed the Board and stated that he'll install a procedure in the cash register, which can't be bypassed, to record the valid age of the purchaser of any and all tobacco products. All purchasers of tobacco products will be asked for identification, no exceptions.

The Board members voted to uphold the \$200.00 fine and waive the seven day suspension of the tobacco sales permit. If there is a third infraction, there will be no waiver of the \$300.00 fine and the Board will suspend the tobacco permit for 14 consecutive business days.

The motion was made by Mr. Grady, seconded by Ms. Tompkins and the vote was unanimous.

Mr. Goldsmith paid the \$200.00 fine.

Mr. Mason will draft the official letter of the Board's decision.

Medical Reserve Corps

The Board members, along with Mr. Mason, had a brief discussion relative to the basics of forming a successful medical reserve corps.

Commonwealth of Massachusetts Preemption over Local Licensing of Massage Therapists

The Board members had a lengthy discussion relative to a memorandum to municipal clients from Kopelman and Paige and the correspondence from the Commonwealth of Massachusetts, Division of Professional Licensure. The letter from the State was dated January 2, 2008 and received on January 10, 2008.

The Board members were of the opinion that the best way to handle this issue is to repeal the existing regulation entitled "Massage and Bath Regulation." Mr. Mason will research the process in preparation for the next Board of Health meeting scheduled for March 10, 2008.

The Board made the determination that no new licenses will be issued for 2008. The licenses, which have been issued, will not be voided, nor will refunds be issued. The State notification was not received until January 10, 2008. Our renewal forms are mailed in mid November, with a due date of January 1, 2008.

Flu

The Board members had a brief discussion relative to the booklet entitled "Flu – What **You** Can Do" – Caring for People at Home, which was published by the Massachusetts Department of Public Health.

Roos Road/Peter Wild

The Board members had a brief discussion relative to the proposed commercial/agricultural composting operation.

Regionalization of Services

The Board members briefly discussed the Cape model for regionalization of services approach for public health entities. There is a meeting scheduled Friday from 10:00 a.m. – 2:00 p.m. in Marlborough.

Review/Approval of Minutes

The Board members unanimously approved, as written, the minutes of the Board of Health meeting of November 19, 2007. The motion was made by Ms. Scott and seconded by Mr. Grady.

Water Quality Advisory Committee

The Board members briefly discussed the logistics involved in hiring a consultant for the Town.

Barn Book

The work on the barn book is in progress.

Appointment of Animal Inspector

This item will be included in the next Board of Health Meeting scheduled for March 10, 2008.

Landscaping/Raised Septic Systems

The question of requiring landscaping on raised septic systems has arisen. The Board has no authority to require landscaping.

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Meeting adjourned at 8:15 p.m. The motion was made by Mr. Grady, seconded by Ms. Scott and the vote was unanimous.

Respectfully submitted,

Katherine D. Walter, Secretary
Sandwich Board of Health

(Minutes 02-11-2008)