

Michael Lanoue, Chair
Peter Stanton, Vice Chair
Ruby Chang, MD

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TOWN OF GREAT BARRINGTON MASSACHUSETTS

BOARD OF HEALTH MEETING AGENDA GREAT BARRINGTON SELECTBOARD MEETING ROOM 334 MAIN STREET, GREAT BARRINGTON Thursday, September 7, 2017 6:00 P.M.

PRESENT:

Michael Lanoue
Peter Stanton
Ruby Chang

A. CALL TO ORDER

Chair, Michael Lanoue called the meeting to order at 6:05PM

B. APPROVAL OF MINUTES

July 6, 2017 Meeting Minutes.

The minutes for the July 6, 2017 Board of Health meeting were not approved at this meeting.

C. BUSINESS

- **Special Permit 875-17** Timeless Auto Sales, LLC, application to the Selectboard to permit a motor vehicle salesroom including used car lot at 109 Stockbridge Road, Great Barrington, in accordance with Sections 3.1.4 C(16) and 10.4 of the Zoning Bylaw. The Applicant seeks to operate on a portion of the premises, utilizing office space in a portion of the existing building and parking cars for sale in the 14 spaces of the existing parking lot. **(discussion/vote)**
MOTION: Peter Stanton moved to pass onto the Selectboard without recommendations
SECOND: Ruby Chang
VOTE: 3-0

- **Berkshire Grown**, Harvest Dinner vendor fee adjustment. **(Discussion/ Vote)**
Barbara Zheutlin, organizer of the Berkshire Grown Harvest Dinner. Ms. Zheutlin explained that each of the vendors volunteer their time and donate all the food served at the Harvest Dinner. The sale of tickets is the fundraiser for Berkshire Grown. Ms. Zheutlin said that her and her team work very closely with the Health Department to ensure efficient permit processing so the administrative work load is not burdened. Berkshire Grown will pay for the vendors permit fee but they ask that the fee is reduced. Ms. Jurczyk asked Berkshire Grown if the total number of vendors have increased from the event last year. Ms. Zheutlin said that the number of vendors have not gone up since last year.

MOTION: Peter Stanton moved to approve \$200.00 as the fee for Berkshire Grown Harvest Dinner Permit Applications.

SECOND: Michael Lanoue

VOTE: 2-0

- **Tobacco Sales Regulations (discussion).**

Jim Wilusz, Tri Town Health.

Mr. Wilusz said that it is time to renew the Tobacco Control grant that Great Barrington benefits from. The new contract, if awarded by the DPH will disburse money to all towns involved for another 10 years. Mr. Wilusz asked the Board of Health to sign the Municipal Participation Form so he can move

tobacco retail licenses issued in the Town of Great Barrington. DJ Wilson, Mass Municipal said that the revised regulations will include a 500 feet set back from schools for new tobacco retailers.

C. Speak in Favor or Opposition to the Amendments

Matt Andrew, owner of Shire Glass 87 Railroad Street asked how many tobacco permits are issued in Town. Chair, Michael Lanoue said there are currently 14 licenses issued annually and the Board is planning to set a cap on the permits issued to twelve so that it is not prohibitive of businesses wanting to move into Great Barrington. Mr. Andrew said that the Town is a popular tourist destination and the statistics of tobacco use can be misrepresentative of how the actual population uses tobacco products.

D. Close the Public Hearing

MOTION: Peter Stanton moved to close the public hearing.

SECOND: Michael Lanoue

VOTE: 2-0

E. Motion to approve or deny

MOTION: Peter Stanton moved to adopt the amendments for the ban of tobacco sales in health care institutions and set a cap on retailer licenses to twelve issued annually, moved to enact these new Tobacco Retailer Regulations on January 2, 2018.

SECOND: Michael Lanoue

VOTE: 2-0

- **Berkshire Public Health Alliance Governing Board-** voting member and alternate member appointment. (Discussion/vote)

MOTION: Peter Stanton moved to appoint Rebecca Jurczyk as a voting member for the Berkshire Public Health Alliance Governing Boards.

SECOND: Michael Lanoue

VOTE: 2-0

MOTION: Peter Stanton moved to appoint Ruby Chang as the alternate voting member for the Berkshire Public Health Alliance Governing Boards.

SECOND: Michael Lanoue

VOTE: 2-0

F. HEALTH AGENT REPORT

-Department updates

Administrative Assistant Rebecca Jurczyk briefed the board on the inspections, permits issued, and general Health Department Activity during the month of September. Ms. Jurczyk said the first round of flu clinics is underway. The permit renewal process is starting, permit applications are ready to go out in the mail in the next few weeks. Ms. Jurczyk reminded the Board members that the biannual Berkshire County Boards of Health dinner at the Pittsfield Country club is Thursday, November 9, 2017.

G. CITIZEN SPEAK TIME

David Magadini, 334 Main Street. Mr. Magadini submitted a letter of appeal to the Correction Order he was issued earlier today regarding the accumulation of garbage overflowing from his carts in the public park behind the Town Hall. Mr. Magadini requested a public hearing to review the Correction Order. The Board of Health decided to hold a Public Hearing one week from today.

H. BOARD OF HEALTH TIME

Michael Lanoue asked if the Police Department can remove David's, or anyone else's belongings, by enforcing park rules? Ms. Jurczyk said that the Police Department can enforce it's own policies and laws even if they are in conflict with the Board of Health's regulations. Ideally, all Town Department's should be on the same page. Ms. Jurczyk said the Board of Health had issued Mr. Magadini a correction order in 2014 for his overflowing carts causing a public nuisance so this is not Mr. Magadini's first warning that his belongs cannot left in a public park.

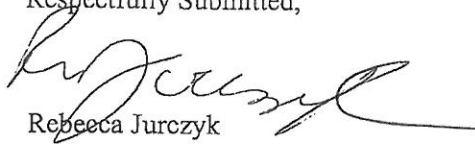
I. MEDIA TIME

Eileen Mooney, of the Newsletter, reminded the Board that there is an upcoming lecture from KP Law on the recent changes to the open meeting law.

J. ADJOURNMENT

On a motion made by Peter Stanton, Seconded by Ruby Chang, with a unanimous vote, the meeting adjourned at 7:15PM.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Rebecca Jurczyk", written over the printed name.

Rebecca Jurczyk