

**CITY OF SALEM
BOARD OF HEALTH
MEETING MINUTES**

June 13, 2017

MEMBERS PRESENT: Chairman Paul Kirby, Nancy Crowder, Kerry Murphy

EXCUSED: Dr. Jeremy Schiller, Mary Lauby

OTHERS PRESENT: Larry Ramdin, Health Agent, Suzanne Doty, Public Health Nurse, Maureen Davis, Clerk of the Board, Beth Gerard, Council Liaison, Peter King, Compliance Inspector NS/CA TAPP Tobacco Compliance Officer, Elie Zeaiter, Owner of Kwik Shop Market, Mary Wheeler, Program Director, Healthy Streets Outreach Program, Jamie Banks, Executive Director, Quiet Communities, Jeanne Kempthorne, Legal Advisory Committee, Quiet Communities, Julie Breskin, resident-2 Salt Wall Lane, Doug Cannon, resident-64 Dearborn St.

TOPIC

DISCUSSION/ACTION

1. Call to Order

7:01pm

**2. Approval of Minutes
(May 9, 2017)**

**N. Crowder motioned to approve the minutes. K. Murphy 2nd.
All in favor. Motion passed.**

3. Chairperson Announcements

L. Ramdin reminded members he provided each with information on the rules and responsibilities of the Board in the blue binders they received upon becoming a member. Also, the MAHB website has more information on who we are, what we do and what we *can* do. P. Kirby will review the documents.

4. Monthly Reports-Updates

**A. Public Health Nurse's
Report**

B. Gerard inquired whether we are required to keep the zero diseases on the report.

They are listed as part of the report. L. Ramdin commented that the list of diseases is in their blue binder as well.

Copy available at the BOH office

B. Health Agent's Report

L. Ramdin is pleased to announce the budget was approved, including an increase in part-time inspector Janet Mancini's hours from 9.5 to 19 per week.

An increase of \$15,000.00 was added to the budget because the sticker program for Household Hazardous Waste had no money in it. No cuts were made to our requests.

Increased rodent control by \$2,500.00. Previously during construction, the power plant took care of rodent control within a mile radius, but we will lose that help now.

P. Kirby asked about the Point walk-through with the Mayor and the

CDC.

L Ramdin stated there are some buildings with outside aesthetics problems, but those properties are not listed as Health Dept. problem properties. Feels tenants are afraid to report indoor conditions for fear of landlord retaliation.

L. Ramdin met with Chris Lohring from Notch regarding the outdoor surface. He was informed it is ok for the remainder of this year, but he must comply for next year.

There is an ongoing situation with Kokeshi leaving their trash totes out on the street every day. Several complaints. City Solicitor, Beth Rennard, spoke directly with the owner and told him he cannot use the sidewalk for trash storage.

L. Ramdin states that before opening, the owner originally presented means of storage for his trash, then had a change and did not inform us. Spoke to them more than three times and gave them multiple opportunities to resolve the problem. If trash is there again, he will be cited.

B. Gerard asked if bathing beach inspections have started.

L. Ramdin said began today (June 13th). Will have results on Friday.

Ledger restaurant is open. We have approved all permits.

Last Thursday (June 8th), approved Honey Dew near City Hall.

Copy available at the BOH office

C. Administrative Report

L. Ramdin will have overtime hours and cost of pop-ups added to administrative report.

Copy available at the BOH office

D. City Council Liaison Updates

B. Gerard announced that after two weeks of budget hearings, the budget was passed on Thursday.

The City Council can't add anything to the budget, they can only subtract and can only vote on the Mayor's suggestions.

Inspectional Services and Health Dept. working collaboratively on problem properties.

N. Crowder motioned to accept the reports. Kerry Murphy 2nd. All in favor. Motion passed.

5. Hearing 2nd Violation Kwik Shop Market 10 Jefferson Avenue

Elie Zeaiter, owner of Kwik Shop Market for the past 8 years, stated he hired a gentleman and told him he had to card everyone. The employee has ADHD and did not take his medication on the day of the sale because he did not have a refill. He was out of the country at the time of the sale. He has a POS scanner, but his employee didn't use it. Despite the violation, he decided to give his employee a second chance because he is a good employee and has a disability. E. Zeaiter points out he is very careful about minor sales and takes the responsibility very seriously.

P. Kirby states the Board doesn't have a lot of discretion because the sale happened.

E. Zeaiter explains he just wanted to appear to explain why it happened. He was not expecting to have the violation excused. Peter King of NS/CA TAPP explains during compliance checks he usually has a 16 or 17-year old attempt to purchase tobacco and they don't use IDs. During this particular sale, there were actually two violations because there was a violation for flavored product, too. E. Zeaiter says the boxes of flavored products were put aside to be returned for credit, but his employee didn't realize it. P. King says some flavor packaging has been changed to colors instead, but it is still a flavored product. The flavor list was provided to all retailers and is updated every three to six months. N. Crowder is a firm believer that a rule is a rule is a rule, however she and P. Kirby and K. Murphy all gave kudos to Mr. Zeaiter for giving his employee a second chance due to his disability and also for understanding the gravity of the situation.

K. Murphy motioned to deny the appeal. N. Crowder 2nd. All in favor. Motion passed.

6. Enabling Needle Exchange Programs – Mary Wheeler

Mary Wheeler of Healthy Streets Outreach Program says injection use is on the rise. Hepatitis C cases are five times higher in Massachusetts. Healthy Streets was established in 1991. Massachusetts passed a needle exchange years ago, but it needed community approval, and that is hard to do. Governor Baker passed that only BOH needs to approve. Lynn starts their exchange on Monday (June 19th). Theirs will be a mobile program. Healthy Streets is hoping they will get to the point where they don't need any approval. They are giving people the tools they need to empower them to help themselves, and to help them achieve self-respect. N. Crowder asked M. Wheeler what the data is for increased needle use where needle exchange programs exist. M. Wheeler explains that needle exchange is an effective harm reduction program. Using old needles causes skin infections, etc. and costs the state lots of money at hospitals, etc. M. Wheeler showed items given out at needle exchange programs. If approved, we would need to decide if we would do 1 for 1 or 1 for 5 exchanges. She feels the 1 for 5 is better because users are less apt to feel the need to reuse an old needle if they have more clean ones available to them. Needle exchange provides clean tools as opposed to users getting items out of the trash, etc. L. Ramdin agrees that needle exchanges are preventing many diseases down the road. There is no cost to the city as it is paid by DPH. N. Crowder asks if we need legal review for BOH to vote? L. Ramdin replies BOH just has a say, and yes – we approve. There is no increased burden on the Health Dept. B. Gerard points out during clean-ups she is always picking up needles. K. Murphy asks how do you get public support? M. Wheeler says it

depends. Some communities have open meeting discussions to allow the public to ask questions about their concerns, etc.

P. Kirby asks if the 1 for 1 or 1 for 5 language needs to be in our approval of a needle exchange.

M. Wheeler states there is a template provided in the packet she gave out to members.

L. Ramdin says Salem BOH will approve of needle exchange for health reasons.

M. Wheeler says syringe exchange doesn't want to be out in the open and users don't want to be out in the open either. We just need a letter of support (template) to get the program started.

L. Ramdin points out there is a Barnstable case before the SJC now – not sure what the outcome will be.

N. Crowder asks B. Gerard if the police are in support of needle exchange? She says yes, Denny from Healthy Streets works with Officer Vaillancourt of Salem PD.

L. Ramdin says there is positive change since Denny has been involved and out. There is a decreased risk of children finding/touching needles.

P. Kirby points out two of five members are missing and he would like them to weigh-in. Suggest we put it on the agenda to discuss and invite the public to attend and weigh-in before making our decision to go ahead with a needle exchange.

P. Kirby asked the difference between a public hearing vs. public comment.

L. Ramdin explains a public hearing is much more formal and must be verbatim.

N. Crowder motioned to continue discussion and invite Healthy Streets back, as well as inviting Chief Mary Butler, Lieutenant King and Captain Prosniewski. K. Murphy 2nd. All in favor. Motion passed.

7. Gas-Powered Leaf Blowers Presentation – Jeanne Kempthorne

Jeanne Kempthorne and Jamie Banks of Quiet Communities provided a video presentation about the hazards of fossil fuel-based landscape maintenance equipment, specifically gas-powered leaf blowers.

They have worked with Harvard School of Public Health to provide education and expert testimony.

The machines are very polluting and extremely noisy, and the landscapers run their machines for hours on end. There are lots of alternatives, i.e. lithium ion battery powered equipment.

In a video taken from 50-75 feet away, the noise level was close to occupational level. The machines emit a low frequency sound which carries a significant distance.

There are leaf blower ordinances popping up everywhere in the U.S. Some of the problems are dangerous and damaging noise levels, unhealthy emissions, exposure to carcinogens from the exhaust, use of fuel, solid and toxic waste.

Manufacturers are aware of the health issues with the exhaust.

They release Volatile Organic Compounds, or VOCs.

Ozone-contributing pollutants from small engine machines will be more than cars by 2020.

A 2-stroke leaf blower put out emissions of a vehicle driving 3,900 miles.

Ground sourced particulates are blown into the air and breathed in. The smaller the particulate, the more dangerous it is because it gets into the lungs and bloodstream.

They are known to cause birth defects, neurological problems, cancers, respiratory and heart disease and other chronic health conditions.

Workers most affected, but also children and the elderly.

The CDC is becoming increasingly concerned about the noise, as is the DEP, EPA, WHO and medical groups.

Hearing loss is irreversible and is therefore permanent.

L. Ramdin says the DEP is authorized to enforce. He asks if they've met with legislators. J. Kempthorne says they were advised by legislators to work on the local level.

J. Banks says the Town on Lincoln is setting the example. Showed a letter regarding the restrictive use. Enforcement is an issue. A letter can state that if people don't go along with the restrictions we are prepared to regulate.

Resident Julie Breskin stated she was outside when a leaf blower starting blowing dust, etc. everywhere. She has asthma and could not even stay outside and eat and enjoy the day.

Cambridge started licensing their landscapers. Newton goes through inspectional services. Brookline deals with their issue on a City Council level.

P. Kirby asks what B. Gerard thinks the City Council will do.

B. Gerard said if the BOH wants to discuss the issue, the Council will be open to discussion.

J. Kempthorne says previous Ward 2 councilor Mike Sosnowski tried to do a ban and it did not go well. She says the City Council at the time took it under advisement, but did nothing.

The DEP cares about this issue, but they are understaffed.

OSHA is concerned, but it is difficult to enforce.

J. Kempthorne thinks the BOH could recommend to the Council.

Since a ban did not work, she thinks we need to change public awareness. Perhaps putting handouts in water or tax bills? There needs to be a concerted effort to bring attention to this issue.

Maybe we could update the noise ordinance to include leaf blowers.

Resident Doug Cannon complained about the constant noise and suggested we try to come up with some kind of equipment exchange to encourage people to go electric. He also suggested we look into registering landscapers.

Resident Julie Breskin suggested the City maintenance equipment be replaced with electric.

K. Murphy asks about educational materials available.

J. Banks says yes and suggests we start working with the schools.

Schools in Sonoma, California have a ban.

B. Gerard says she is going to Sonoma and will get more information from them.

L. Ramdin asks if J. Kempthorne has met with the Mayor. She says yes, but nothing was accomplished. She feels the City should be modeling the behavior we are expecting.

B. Gerard wonders what the cost of switching equipment would be.

J. Kempthorne says there would be less maintenance with electric.

J. Banks suggests the City look for vendors with available green options offered at a discount.

P. Kirby thanked them for sharing their information.

L. Ramdin suggested we continue the discussion in September.

**8. Board of Health program planning
& city health status discussion**

Continued for next meeting

**9. New Business/Scheduling of future
agenda items**

N. Crowder motioned to have no meeting in August. K. Murphy 2nd. All in favor. Motion passed.

MEETING ADJOURNED:

N. Crowder motioned to adjourn. K. Murphy 2nd. All in favor. Motion passed.

9:35pm

Respectfully submitted,

Maureen Davis
Clerk of the Board of Health

*Next regularly scheduled meeting is July 11, 2017 at 7:00pm at City Hall Annex,
120 Washington Street, 3rd floor, Room 313*