

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

December 13, 2016

DRAFT

MEMBERS PRESENT: Jeremy Schiller (Acting Chair), Nancy Crowder, Janet Greene, & Mary Lauby

OTHERS PRESENT: Larry Ramdin, Health Agent, Suzanne Doty, Public Health Nurse & Heather Lyons-Paul
Clerk of the Board

EXCUSED: Paul Kirby, Chair

TOPIC

DISCUSSION/ACTION

1. Call to Order

7:05pm

2. Minutes of Last Meeting

(November 15, 2016)

**J. Greene motioned to approve the minutes with corrections
N. Crowder All in favor. Motion passed.**

3. Chairperson Announcements

4. Monthly Reports-Updates

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

Copy available at the BOH office

B. Health Agent's Report

Copy available at the BOH office

C. Administrative Report

Copy available at the BOH office

**Dr. Schiller motioned to take the agenda out of order.
J Green 2nd All in favor. Motion passed.**

**D. City Council Liaison
Updates**

City council passed plastic bag reduction initiative. Initiation
will start on January 1, 2018.

**J. Greene to accept the reports. M. Lauby 2nd All in favor.
Motion passed.**

**5. Discussion on temporary
food permitting process and
fee schedule**

L. Ramdin handed out a fee schedule for temporary permits of
cities and towns around Salem. The temporary fee structure for
Salem has been in effect since 2007, which was before he
started with the department. Salem's temporary fees are much
higher than the surrounding cities and towns.

The Board and Larry Ramdin discussed what a temporary food
permit is. A couple of key points that define when a temporary
food application needs to be applied for is:

* A food establishment is operating outside of their place of
business for a public event.

* A temporary event is only allowed to run for no more than 14
days, in accordance with MA General Law 105 CMR 590.

Larry Ramdin provided the Board with an estimate of \$100 per day for a temporary food permit. This would cover the cost of review, time taken to process the permit and inspection of event. In a letter the Mayor wrote to the Board she proposed a \$35 fee in order to keep these events cost effective for establishment owners.

J. Green motioned to include the Mayor's letter as part of the minutes. M. Lauby 2nd. All in favor. Motion passed.

Public comments

Chris Lohring of Notch Brewery – Opened his doors in July 2016. As a brewery, he is not required to serve food but has limited snacks available. He would like to have temporary events on a weekly basis. The \$300 fee has kept them from bringing in vendors.

Larry Leibowitz of Bambolina – Is creating a catering section for their business. Although he understands the amount of work that goes into these events, a \$100 for a temporary event is still too high. The profit from these events are weather permitting. The \$100 fee plus the cost of labor and product, we can could still take a loss at times for these events.

Tim Haigh of Bambolina – Added up until 4-5 months ago, businesses that held a food service permit fees for these events were waived for locals.

Larry Ramdin – Responded yes, the fee was waived for a time. For what reason, he is unaware. He also went on to add the permit for a food establishment does not extend outside the business. Permits are not transferable or mobile. Also, the department started receiving complaints about the price difference for out of town vendors. That is why the department started charging the same fee to everyone. Out of town vendors were paying \$300 while Salem establishments were paying nothing.

Kylie Sullivan from Salem Main Streets – The fee structure was originally set to be prohibitive and to not undersell the local businesses during October. Since Salem is set up to be more of a year-round city this fee structure does not work anymore.

Public comment closed.

The discussion among the Board members reflected that the fee structure for the temporary food applications is outdated and needs to be changed. The original intent was to detour the over saturation of the food vendors coming into Salem during October for Haunted Happenings. Salem is changing and is working towards becoming attractive all year long.

The key points that the Board would like to discuss for the next meeting are:

* Different fee structures for Salem business and out of town businesses. A Board member or Larry will speak with City Solicitor about legality of this.

* Setting fees for potentially hazardous food (PHF) and non PHF.

* Setting different fees for Haunted Happenings.

* What is the purpose/intension of the fees are. What cost they

cover, will changing the cost impact of the department's budget and City budget?

* Discussing what the differences are with Food truck permits and mobile food permits and temporary permit events.

* Possible limitations on the number of temporary events per establishment per year.

* Is there a better way to be informed of outside food services other than applying for a permit? Is there a way to make this process easier for establishment owners?

* Would a task force be helpful here? Should they be set up to report to the Board?

* Should this discussion be done at a public hearing for more public input?

* The Board will invite the Mayor to speak about her visions and priorities for Salem and the temporary/pop-up events.

The Board will go over all this information before making their final decision.

6. Discussion on banning smoking in public parks and beaches

Discussion to be continued

7. The impact on legalization of Marihuana will have on the department

The challenge of legalization of Marihuana will be the laws that will be set up for edibles. Edibles will not be for sale legally until January of 2018. There is no standard of quality yet for edibles. Janet Greene has concerns about the safety of edibles and the labeling of contaminants that could be in them. The state Treasurer's Office will be managing the laws around this issue. Each town or city is mandated to have a distributor unless they chose to be a dry town. The Board asked Larry Ramdin to have a representative speak at a meeting soon to talk about this issue.

8. New Business / Scheduling of future agenda items

Continuation of temporary food permit discussion
Banning smoking from public parks and beaches discussion

9. MEETING ADJOURNED:

M. Lauby motioned to adjourn the meeting. 2nd N. Crowder All in favor. Motion passed.
9:20pm

Respectfully submitted,

Heather Lyons-Paul
Clerk of the Board

*Next regularly scheduled meeting is January 10, 2017 at 7pm
At City Hall Annex, 120 Washington Street, Room 313 Salem.*