

## BOARD OF HEALTH

## MINUTES

12-15-22

3<sup>rd</sup> floor Auditorium, Town Hall, 30 Martin Street, Essex, MA

Dr. David Driscoll, Chair, Dr. Fares Mouchantaf, Member, Ms. Sally Ann Rich, Member, Jessie Palm, Regional Social Worker, and Ms. Erin Kirchner, Administrator present.

Also present: Ruth Pereen, Board of Selectmen; Lacey Natti, Justine Baez, and Harrison Usher, One Stop Harm Reduction Center

Dr. Driscoll opened the meeting at 7:08 pm and announced that the meeting was being recorded.

- **Public Hearing: Chebacco Liquor Mart Tobacco Sales Violation**

Dr. Driscoll opened the public hearing at 7:19. Ms. Kirchner provided the details of the violation, specifically that on November 21, 2022, an employee at this establishment sold tobacco products to someone under the age of 21, in violation of Section D of the Regulation of the Essex Board of Health Restricting the Sale of Tobacco Products, 105 CMR 665.010 and 665.020, and G.L. c. 270, §6. Dr. Driscoll asked if there were any public comments from the audience, and there were none. Dr. Driscoll closed the public hearing at 7:26.

- **Appointments**

Board of Health Administrative Clerk interviews: 7:30, Jeffery Thomas; 8:00, Kate Stewart; 8:20, Kathryn Mulry

- **Minutes**

Dr. Driscoll entertained a motion for the Board to approve the minutes, as written, for September 8, 2022. Ms. Rich so moved. **Vote: DD and SR in favor; FM abstained due to not being present at the meeting.**

Dr. Driscoll entertained a motion for the Board to approve the minutes, as written, for November 17, 2022. Dr. Mouchantaf so moved. **Vote: DD and FM in favor; SR abstained due to not being present at the meeting.**

- **Bills Payable**

Dr. Driscoll entertained a motion for the Board to retroactively approve bills payable #704, in the amount of \$83.50. Ms. Rich so moved. **Vote: All in Favor**

Dr. Driscoll entertained a motion for the Board to retroactively approve bills payable #705, in the amount of \$9,441.13. Dr. Mouchantaf so moved. **Vote: All in Favor**

- **Title 5 Inspection Reports**

Dr. Driscoll entertained a motion for the Board to sign and send a letter to George Greenough, owner of 9 Hill Road, Map 115, Lot 4, stating that the Board is in agreement with the determination of the inspector, Michael Hale, that the system does not fail the inspection conducted on December 7, 2022 and appears to be functioning, but after a long

period where the dwelling was vacant, it would be prudent to reinspect the system after 6 months of full time occupancy. Ms. Rich so moved. **Vote: All in Favor**

- **Septic Plan Reviews**

Dr. Driscoll entertained a motion for the Board to approve the septic system design plan for 85 Wood Drive, Bitler and Blanchard, Map 157, Lot 9. The plan was designed by Dan Johnson with a final revision date of October 25, 2022 and is designed to accommodate a maximum of 3 bedrooms/330 gallons per day – 2 bedrooms in the main dwelling (located in Hamilton) and 1 bedroom in the cottage (located in Essex). Septic system components are located fully in Essex, with the exception of ~10' of building sewer pipe connected to the main dwelling unit. Dr. Mouchantaf so moved. **Vote: All in Favor**

Dr. Driscoll entertained a motion for the Board to approve the septic tank replacement plan for 12 Robbins Island Road, Liberti, Map 110, Lot 36. The plan was designed by William Robertson and is dated December 6, 2022, and is proposing the installation of a new 2,000 gallon, two-compartment septic tank to replace the existing septic tank; and then to construct a new 'hobby barn' with a bathroom which will be connected to the existing septic system. Prior to construction of the new hobby barn, the property owner shall contact the BoH Administrator to conduct a walk-through of the existing dwelling to determine if the new barn will result in an increase in flow to the septic system. Dr. Mouchantaf so moved. **Vote: All in Favor**

- **Permits**

Dr. Driscoll entertained a motion for all members of the Board and the BoH Administrator to act as clerks for the purposes of signing annual permit renewals. Ms. Rich so moved. **Vote: All in Favor.**

Dr. Driscoll entertain a motion for the Board to sign the permits as listed below:

Camp H/Motel/B&B

Permit #2, Kobby River Adventures

Catering

Permit #2, Burnham's Catering

Permit #3, C.K. Pearl

Permit #4, The Farm Bar & Grille

Permit #5, Timothy S. Hopkins Catering, LLC

Disposal Works Installers

Permit #11, Matt Araneo

Permit #12, George A. Hurlbert Jr

Permit #13, Paul B. Wright

Permit #14, Paul Wilkinson

Permit #15, Christopher Roberts

Permit #16, David Clark

Food Establishment

Permit #3, Essex Historical Society & Shipbuilding Museum

Permit #8, Great Marsh Brewing Company  
Permit #9, Googans Galley  
Permit #10, Maia LLC d/b/a Dunkin'  
Permit #11, C.K. Pearl  
Permit #12, Eben Creek Corporation d/b/a J.T. Farnham's Restaurant  
Permit #13, Ripple  
Permit #14, Aztec LLC d/b/a The Village Restaurant  
Permit #15, Essex Seafood  
Permit #16, Chebacco Market  
Permit #17, The Farm Bar & Grille  
Permit #18, MGR INC d/b/a Boathouse Grille  
Permit #19, Blue Marlin Grille  
Permit #20, Visitation Parish/St. John the Baptist Church  
Permit #21, Riversbend at Essex Marina, LLC  
Permit #22, First Universalist Church of Essex  
Permit #23, First Congregational Church of Essex  
Permit #24, Essex Elementary School  
Permit #25, The Open Door  
Permit #26, Cape Ann Pizza  
Permit #27, Windward Grille, LLC  
Permit #28, Essex River Cruises  
Permit #29, Greenbow Corp, d/b/a Shea's Riverside Restaurant

*Retail Food Establishment:*

Permit #6, Googan's Galley  
Permit #7, Maia LLC d/b/a Dunkin'  
Permit #8, Village Creamery  
Permit #9, Essex Seafood  
Permit #10, Chebacco Market  
Permit #11, Captain Vince Inc.  
Permit #12, Urvee Corporation d/b/a Schooners Market  
Permit #13, Essex Wine Exchange

*Septage Hauler:*

Permit #3, Wayne's Drains, Inc  
Permit #4, Chuck Hulbert Construction  
Permit #5, Shawn Ordway: Baker Commodities, Inc.  
Permit #6, The Shed Portable Sanitation Inc.  
Permit #7, Dustin's Septic Tank Service  
Permit #8, D.F. Clark

*Keeping of Stable Animals:*

Permit #10, Megan Donovan (Bothways Farm)  
Permit #11, Jayne & Michael Ginn

*Tobacco*

Permit #2, Chebacco Market  
Permit #3, Uvree Corporation DBA Schooners Market  
Dr. Mouchantaf so moved. **Vote: All in Favor**

- **Other Concerns, Issues & BOH Business**

Essex Historical Society & Shipbuilding Museum: Dr. Mouchantaf entertained a motion to grant a variance to the EHSSM from section 4-603.16 of the 2013 FDA Food Code requiring a 3-compartment sink. Ms. Kirchner asked the BoH if they would be continuing the requirement to request a variance as part of their annual renewal; Ms. Rich said yes, this is something that should be requested every year. Ms. Rich so moved.

**Vote: Dr. Mouchantaf, Ms. Rich in favor. Dr. Driscoll abstained.**

At 8:26, a motion was made, seconded, and unanimously voted to recess the meeting. Dr. Driscoll and BoH Administrator Kirchner left the meeting to discuss the candidates for the Administrative Clerk position.

Dr. Driscoll and BoH Administrator Kirchner rejoined the meeting at 8:35.

Administrative Clerk position: Dr. Driscoll entertained a motion to offer the position to Jeffery Thomas. Ms. Rich so moved. **Vote: All in Favor**

Chebacco Liquor Mart, tobacco sales violation: Dr. Driscoll entertained a motion to send a letter to Chebacco Liquor Mart acknowledging the violation of sale of a tobacco product to someone under the age of 21 in violation of Section D of the Regulation of the Essex Board of Health Restricting the Sale of Tobacco Products, 105 CMR 665.010 and 665.020, and G.L. c. 270, §6; and further, the letter shall include the dates of the mandatory minimum 3-day suspension of the tobacco sales permit, which will be on December 26, 27, and 28, 2022 (inclusive), during which time all tobacco and nicotine products shall be removed from the premises. Finally, the penalty for this first violation shall be \$1,000, paid to the Town of Essex within 21 days of the date of the letter. Dr. Mouchantaf so moved. **Vote: All in Favor**

Lacey Natti, One Stop Harm Reduction Center: Ms. Natti provided information on the harm reduction program, including their historical background, their current mission, and the services they provide: naloxone training, needle exchange, STI testing and education, from a brick-and-mortar location and also via a mobile unit. Services could be provided in Essex through a MA DPH-funded program. The Board discussed the possibility of inviting One Stop to give a presentation explaining their services to department heads, municipal leaders and other community partners.

Jessie Palm, Regional Social Worker: Ms. Palm provided updates on her recent activities, including meetings with school leaders at Essex Elementary School, as well as colleagues leading the Youth Prevention Network in Gloucester. Ms. Palm indicated there is a need in the community for support groups for grandparents who are primary caregivers, as well as developing a resource/group focusing on community mental health.

Erin Kirchner, Leave Use Notification: Dr. Driscoll entertained a motion to approve the use of 1.5 hours of sick time. Dr. Mouchantaf so moved. **Vote: All in Favor**

- **Items that could not be reasonably anticipated by the Chairman within 48 hours of meeting**

Dr. Driscoll adjourned the meeting at 8:55 pm

**Next BOH meeting: 1-12-2023**

Prepared by:\_\_\_\_\_ Attested by:\_\_\_\_\_

Erin Kirchner

Dr. Fares Mouchantaf

Date Signed:\_\_\_\_\_