BOARD OF HEALTH  
Meeting Minutes  
January 12, 2021 at 7:00 pm  
Remote Meeting via Zoom Video

PRESENT
Health Agent: Bruce Wilson, Jr.  
Chairperson: Patricia Leclair  
Vice Chairperson: Kelly McGovern  
Member: Vincent Forte, Jr.  
Tobacco Agent: Robert Griffin III  
Minutes Clerk: Tina Griffin

CALL TO ORDER
Ms. Leclair called the meeting to order at 7:01 pm.

MINUTES
Mr. Forte made a motion to approve the minutes from the December 1, 2020 meeting, as submitted. Ms. McGovern seconded and the motion carried.

CORONA VIRUS UPDATES:
Health Agent, Bruce Wilson, Jr. gave an update on the COVID-19 cases in Town. The number of active cases has pretty much been holding steady for the past couple weeks. So far, it does not appear that there has been a spike in cases due to the recent holiday and possible gatherings for New Year’s Eve. Ms. Martone said she would like to see a few more days pass before considering the holiday spike timeframe to be safely behind us. Mr. Wilson told Board members that he will keep monitoring the cases and is hopeful that the Town will be on the decline in the coming weeks due to the holiday season being over.

For more information and updates on COVID-19, please check the State website at Mass.gov and the Town website at BellinghamMA.org. In addition, Bellingham Town officials will be providing a COVID-19 Live update on Comcast Access Channel 8 and Verizon channel 47 each Monday at 10:00 am.

VACCINE SITE PLAN
The site plan for COVID-19 vaccinations was reviewed by Board members. Mr. Wilson explained the traffic pattern that will be in place from the Middle School to the High School once the vaccinations start being administered to the public. At this time, there is no definite date that vaccinations will be made available for distribution. Mr. Wilson will update the Board with this information as soon as it is provided to the Town.

NEW BUSINESS
TOBACCO – FOOD AGENT ANNUAL REVIEW
Board members will be preparing an annual review for the Tobacco and Food Agent, Robert Griffin III. In the future, annual reviews will be due at the beginning of each calendar year.

PUBLIC HEALTH NURSE ANNUAL REVIEW
Mr. Wilson told Board members that the Public Health Nurse, Esther Martone has recently inquired about her pay rate. A current contract was not on file for Ms. Martone. Ms. Leclair suggested a pay increase for Ms. Martone. Board members agreed with a pay increase, to be prorated to January 1, 2021, after annual reviews are completed. The Board would like to have Town Counsel review the
employee contracts for Ms. Martone and Mr. Griffin before the next meeting, scheduled for February 9th. The contracts will be kept on file with both the Board of Health Office and Human Resources.

OLD BUSINESS

ANNUAL REPORT
Ms. McGovern provided Board members with a copy of the Annual Report draft for review. The Annual Report will be revised and dropped off for signatures from all Board members.

TOBACCO AGENT UPDATES

CBD PRODUCTS
Tobacco Agent, Robert Griffin III was present for tonight’s meeting to discuss recent updates with CBD Product sales. Mr. Griffin told Board members he has been working with the CCC (Cannabis Control Commission) regarding the sale of CBD Products that are edibles and should require a Food Permit. Massachusetts Association of Health Boards (MAHB) Attorney, Cheryl Sbarra had provided Mr. Griffin with correspondence on the Laws governing the sale of hemp-derived products, including CBD products in Massachusetts. The correspondence was forwarded to all Board members for review before tonight’s meeting. The 2018 Farm Bill states that Federal law treats hemp as a legal agricultural crop. As such, hemp falls under the jurisdiction of the United States Department of Agriculture (USDA) and the Massachusetts Department of Agricultural Resources (MDAR). In addition, the Food and Drug Administration (FDA) has jurisdiction to address public health requirements for hemp-derived products pursuant to the Federal Food, Drug and Cosmetic Act.

Massachusetts General Law Chapter 128, Sections 116-123 states that the Massachusetts Department of Agricultural Resources regulate all activities related to hemp and hemp-derived products like CBD.

The MDAR does not require a license to sell certain hemp and hemp-derived products in a retail store, nor does MDAP regulate the retail market. However, the MDAR does indicate those products approved for sale and not approved for sale. Products that can be sold at retail consist of: hemp seed, hemp seed oil, hemp seed powder, hemp protein and hemp clothing, hemp building material, items made from hemp fiber and non-food CBD products for human consumption. MDAR also created a list of products that cannot be sold at retail locations, including: any food product containing CBD, any product containing CBD that makes medicinal or therapeutic claims, any product that contains hemp as a dietary supplement, animal feed containing hemp, unprocessed or raw plant material, including flower.

The Board reviewed the correspondence provided by Ms. Sbarra and the Board elected not to adopt the new Regulations until more information is available. In the meantime, Mr. Griffin will be putting together a special permit for these locations that would like to continue selling these products at this time. The permit will be reviewed at the next Board of Health meeting.

TOBACCO REGULATIONS
Mr. Griffin told Board members that he has been working with local establishments on the purchasing of card readers for tobacco sales. There are a few establishments that do not want to purchase the readers and have recently sold tobacco products to underage buyers.

Mr. Forte discussed the possibility of making the card readers mandatory for all establishments that sell tobacco products. Board members agreed that card readers should be mandatory. Mr. Griffin will visit the last few establishments that don’t have card readers and discuss this with them.
**Correspondence**

**Employee Calendars**

Employee Calendars for the months of January and February were reviewed by the Board. Mr. Forte let Board members know that he would be available to cover any issues that come into the office while the Health Agent is out of the office in February.

**2021 Meeting Schedule**

The 2021 meeting schedule was reviewed by the Board. The next meeting will be held on Tuesday, February 9, 2021. The updated schedule will be posted on the Town website.

**Health Agent Updates**

**New and Previous Complaints**

The Board discussed new and previous complaints that have come into the Board of Health office since the last meeting, held on December 1, 2020.

**Planet Aid Bins at Larry’s Package Store**

Mr. Wilson told Board members that complaints had come in regarding the Planet Aid bins in Larry’s Package Store parking lot. Mr. Wilson said he made a call to the number on the box and the issue was quickly addressed. Board members agreed that the Planet Aid customer service number is very responsive when it comes to addressing the overflowing bins. However, Board members agreed that it should be the store owner’s responsibility to call Planet Aid when the see the bins overflowing and not the Board of Health. Mr. Forte would like to see the store be held responsible for these issues, as they receive compensation for having the bins on their property and should be maintaining the area around them.

**Bills**

Mr. Forte made a motion to pay $23.86 and $12.24 to W.B. Mason for Office Supplies. Ms. McGovern seconded and the motion carried.

Mr. Forte made a motion to pay $530.00 to the Norfolk County Registry of Deeds for the recording of 5 Betterment Loan Agreements. Ms. McGovern seconded and the motion carried.

**Betterment Bills**

Mr. Forte made a motion to pay $1,575.00 to A.F. Bergeron Electric and Mr. Goodman installation of the septic pump at 20 Bertine Street. Ms. McGovern seconded and the motion carried.

Mr. Forte made a motion to pay $21,500.00 to Phil’s Landscaping and Excavating and Mr. Dubois for the septic system at 101 Westminster Street. Ms. McGovern seconded and the motion carried.

Mr. Forte made a motion to pay $350.00 to Cook’s General Contracting, Inc. and Mr. Dubois for perc testing excavation at 101 Westminster Street. Ms. McGovern seconded and the motion carried.

Mr. Forte made a motion to pay $9,400.00 to Dave Brown and Mr. Mendez for the septic system repair at 9 Janet Street. Ms. McGovern seconded and the motion carried.

Mr. Forte made a motion to pay $24,800.00 to Phil’s Landscaping & Excavating and Mr. Jones for the septic system at 763 South Main Street. Ms. McGovern seconded and the motion carried.

Mr. Forte made a motion to pay $23,000.00 to ADC Septic and Mr. Carter for the septic system at 41 Roy Street. Ms. McGovern seconded and the motion carried.
Mr. Forte made a motion to pay $1,295.00 to Land Planning and Mr. Dubois for the septic system As-builts and inspection at 101 Westminster Street. Ms. McGovern seconded and the motion carried.

Mr. Forte made a motion to pay $2,500.00 to Seth Lajoie and Mr. Jones for the septic system as-builts and soil testing at 763 South Main Street. Ms. McGovern seconded and the motion carried.

PLANS

11 HIGHLAND ROAD
A septic design plan for 11 Highland Road was reviewed by the Board.
Mr. Forte made a motion to approve the plan with the following local upgrade requests that were reviewed and verified by the Health Agent, Mr. Wilson:
- Allow the septic tank to be installed 8′ from a foundation wall where 10′ is required per 310 CMR 15.405(1)b
- Allow the septic system to be installed 7′ from the property line where 10′ is required per 310 CMR 15.405(1)(a)
- Allow more than 3′ of cover over the leaching field per 310 CMR 15.405(1)(b)
Ms. McGovern seconded and the motion carried.

11 STONE STREET
A septic design plan for 11 Stone Street was reviewed by the Board.
Mr. Forte made a motion to approve the plan with the following local upgrade requests that were reviewed and verified by the Health Agent, Mr. Wilson:
- Allow depth of the system to be 3′ from groundwater where 4′ is required per 310 CMR 15.405(1)(h)
Ms. McGovern seconded and the motion carried.

ADJOURNMENT
Ms. McGovern made a motion to adjourn the meeting at 8:59 pm. The motion was seconded by Mr. Forte and carried.

Respectfully Submitted,

Tina M. Griffin

Tina M. Griffin

NEXT MEETING IS FEBRUARY 9, 2021 AT 7:00 PM