



TOWN OF NORTHBRIDGE BOARD OF HEALTH

Aldrich School Town Hall Annex - 14 Hill Street
Whitinsville, MA 01588
Phone# (508) 234-3272 Fax# (508) 234-0821

The Northbridge Board of Health approved these minutes at a meeting held June 11, 2019.

MEETING MINUTES - APRIL 9, 2019

This meeting was called to order at 7:00 PM by Mr. Paul McKeon, Chairman. Other members present were Mr. Steve Garabedian, Mr. Chris Cella and Mr. Scott Chase. Ms. Lani Criasia was absent. Also present was Jeanne M. Gniadek, Administrator.

Minutes: Motion made by Mr. Garabedian to accept the minutes of **March 12, 2019**. Motion seconded by Mr. Cella. The vote was 3-0 in favor. Mr. Chase abstained.

Tobacco Youth Access Compliance Checks: Present for this hearing were representatives from Arcade Package Store, Whitinsville Gas & Market, Gary's Variety & Spirits, and Shaw's. The Board noted the absence of a representative from Mill House Wine & Spirits.

Arcade Package Store – First Offense: Mr. Ghanjay Amin stated that the employee was on the phone and did not ask for ID. Mr. Cella stated that he must submit documentation that the employee has been re-trained in the sale of tobacco products. Documentation must be submitted to the BOH office.

Whitinsville Gas & Market – First Offense: The store manager stated that since this incident he has upgraded his POS software – all customer ID's must be scanned for the sale of tobacco. He stated that the employee was in training and that the trainer left the employee for a short time and that is when the sale occurred. He further stated that there is signage throughout regarding the age requirement.

The Board noted that First Offenses carry a \$300 fine. Mr. Amin paid the fine this evening. Whitinsville Gas had previously paid the fine.

Gary's Variety – Second Offense: Mr. Harshad Patel was present – he is the owner of the store and he was the one that sold the tobacco product.

Shaw's – Second Offense: The store manager stated that their employees are trained twice yearly. This employee, per their policy, lost their job as a result of this violation.

Mill House Wine – Second Offense: No one was present.

The Board noted that Second Offenses carry a \$300 fine. It was noted that these fines have been paid. It was further noted that second offenses carry a 15-day tobacco sales permit suspension.

The store manager from Shaw's stated that the Board's letter regarding this hearing noted that the hearing was being called to discuss the Board's intent to suspend the tobacco sales permit. He requested an appeal of the Board's intent.

Mr. Cella motioned to deny Shaw's request for an appeal and that Gary's Variety, Shaw's, and Mill House Wine have their Tobacco Sales Permit suspended for a period of 15 days commencing on April 17th; tobacco sales may resume on May 2nd. Motion was seconded by Mr. Garabedian; the vote was all in favor.

The Board stated that a representative of this office would visit their establishment between the hours of noon and 2pm on April 17th to ensure the removal of all tobacco products from display. On May 1st, between the hours of 2 and 4 pm, a representative of this office would conduct a site inspection to check the inventory and to allow them to return products to display for the commencement of sales on May 2, 2019.

Code of Regulations – Proposed Amendments – Fee Schedule: The Board reviewed their current fee schedule and proposed amendments. Also discussed was implementing a fee for the review of Title 5 inspection reports.

Motion made by Mr. Garabedian to adopt effective May 1, 2019 the Fee Schedule with proposed amendments and the addition of a fee in the amount of \$140.00 for Title 5 inspection reports only when they are deemed “Needs Further Evaluation by Local Approving Authority”. Motion was seconded by Mr. Chase; the vote was all in favor.

Food Establishment Inspection Policy, Certificate of Merit Program & Inspection Report Posting: The Board tabled this matter to their next meeting.

Quaker Street Landfill: The Board reviewed recent updates and the DRAFT narrative of the soon to be filed IRA Status Report for the Quaker Street Landfill. The Board discussed moving forward with getting something in writing from the 1201 Quaker Street property owner regarding her refusal to accept bottled water from the Town.

Lovey's Marketplace: The Board reviewed the various plans submitted to the Planning Board for Site Plan approval and the plan submitted to the Zoning Board of Appeals for a Special Permit. No action was taken.

Citizen's Forum: *No one present for Citizens Forum.*

Old & New Business: *None*

Correspondence: *None*

There being no further business, motion to adjourn at 8:25 PM was made by Mr. Garabedian and seconded by Mr. Chase – all in favor.

Attested by,

Jeanne M. Gniadek, Administrator

List of Documents utilized by Board of Health
Meeting Date: April 9, 2019

A. Meeting Minutes

- 1) March 12, 2019 DRAFT Meeting Minutes

B. Tobacco Youth Access Compliance Checks

- 2) Arcade Package Store
 - Certified Letter dated March 19, 2019, Ticket #617, Tobacco Compliance Check Form
- 3) Whitinsville Gas & Market (Yatco)
 - Certified Letter dated March 19, 2019, Ticket #618, Tobacco Compliance Check Form
- 4) Gary's Variety & Spirits
 - Certified Letter dated March 19, 2019, Ticket #619, Tobacco Compliance Check Form
- 5) Mill House Wine & Spirits
 - Certified Letter dated March 19, 2019, Ticket #621, Tobacco Compliance Check Form
 - Mill House Wine & Spirits Letter dated 3/27/19 w/ Employee Responsibilities Form
- 6) Shaw's Supermarket #1432
 - Certified Letter dated March 19, 2019, Ticket #620, Tobacco Compliance Check Form

C. Code of Regulations – Proposed Amendments

- 7) Fee Schedule Proposal

D. Food Establishments

- 8) Inspection Policy - Policy w/ suggested Amendments
- 9) Certificate of Merit Program & Posting of Inspection Reports - Current Merit Program criteria

E. Quaker Street Landfill

- 10) Status Report – Updates
 - Email (4/5/19) from Dennis Giustra, LSP @ EnviroTrac; DRAFT IRA Status Report

F. Special Permit / Site Plans / Conservation Filings

- 11) Lovey's Marketplace
 - Narrative (3/5/19) – Gary Vecchione
 - Email (3/13/19) – Town Planner – re: revised site plans
 - Planning Board comments (3/12/19)
 - Planning Board – Certificate of Approval (3/27/19)
 - ZBA Special Permit Request – Floodplain District

G. Old & New Business

H. Citizens' Forum – None

I. Correspondence

- 12) Miscellaneous - NONE