

Wellfleet Board of Health
715 Old King's Highway, Long Pond Room
Wednesday February 12, 2020 5:30 PM
Meeting Minutes

Members Present: Ken Granlund, Chair; Gary Locke, Jed Foley, Janet Drohan

Members Absent: Nick Picariello

Others Present: Hillary Lemos, Wellfleet Health Agent; Rebekah Eldridge, Committee Secretary; David Lajoie, engineer; Mike Slabiau, owner Wellfleet Mobile; Brenno Pimenta, representing 196 Chequessett Neck Road, Animal Permit.

Chair called the meeting to order at 5:30pm

Meeting Minutes

- Continued to the March meeting

Title V Variance Requests

- 147 Kendrick Avenue, Map #20, Parcel #15, Wellfleet, MA 02667
Lajoie presented to the board plans and maps that had been previously approved by the board for an upgraded sewage disposal system. It was approved in 2014 but he explained the property has new owners. The board saw no issues with the plan
No motions or votes were taken

New Business

Wellfleet Mobile, 2683 State Highway, Wellfleet, MA 02667 ~ Appeal of 105 665.000 fine for sale of tobacco to an individual under the age of 21 without checking identification. Lemos explained to the board that she had to issue the \$1000.00 fine to the Mobile since there was a sale of tobacco to a person under the age of 21. Locke questioned Lemos what the role of the board was, she explained that the state of Massachusetts has changed the law to discourage underage smoking and vaping. Locke proceeded to ask Lemos how this violation was discovered and Lemos explained that it was a compliance check by a state representative. Chair Granlund asked Lemos what options the board had with this situation, she stated at this point the employees and owners could explain what happened and they could go from there.

- Slabiau explained to the board that he didn't know what happened, he went on the express the employee that was cited was in training and that it was her second day. She wasn't sure of the laws in the state whether it was 18 or 21 years of age. He asked that the fine be taken away. Foley asked if there was proof of sale, Lemos read the report that was written and that no identification was asked for at the time of the sale. Lemos told the board that if they needed more details it wouldn't be an issue to get that for them. She went on to explain that the state hires underage people to do these checks. They are only to go into the establishment and try to buy the product. There is to be no confrontation with the store employees. Lemos continued to explain that this is a very serious issue, and

this is the state's way of taking steps to stop young children and teenagers from smoking and vaping, by issuing large fines to the establishments that sell to underage customers. The board discussed options; Chair Granlund offered the owner to set up a payment plan with them. The owner declined and stated he would pay the fine and remove the cigarettes from his store all together.

Farm Animal Permit ~ 196 Chequessett Neck Road (Map #12, Parcel #64)

- Pimenta presented to the board on behalf of the owners who were unable to be at the meeting. They currently have 16 chickens, 3 goats and would like to get a micro pig to live inside the house as a pet. The owners are requesting a full animal permit because they didn't realize they needed one for their animals. Lemos explained to the board that they were very quick in their response to her request.
- **Locke moved to approve the animal/stable permit, Drohan seconded the motion, motion carried 4-0**

Board of Health Fees

- Lemos explained to the board that the selectboard would like the Board of Health to look at their current fees and make any changes if they find it necessary to do so. The fees haven't changed since 2008. The board reviewed and compared their fees to surrounding towns, Provincetown, Truro, Eastham, and Orleans. Lemos explained that Wellfleet is in line with all the towns except Provincetown which fees are much higher. The discussed changing the fees and felt it wasn't necessary to change their fees as they continue to be reasonable compared to surrounding towns. Cannabis was discussed and the board felt that at this time they couldn't install a fee until they had more information.

Other Business & Announcements

- Lemos explained to the board that a mailing went out to all the town tobacco selling businesses stating the new laws that are in effect, no menthol or flavored tobacco is to be sold in the state of Massachusetts. She continued to discuss with the board correspondence that she received throughout the past month.
- Potassium Iodide pills no longer need to be distributed because the plan has been shut down.
- Gina Longo sent a letter to the board updating them on her current septic system plans. In her letter Long explains that she is unable to get an engineer to install the septic system on her property. Longo's letter stated she would be at the February meeting which she was not. The board agreed that Longo needs to be at the March Board of Health Meeting. Locke expressed that the house should remain shut down until the new septic system is installed. The board had no issues with that statement. Lemos expressed to the board that there is an opening on the wastewater committee for a member of the board of health. They will discuss who has the availability to be on that board.

Meeting adjourned 6:30pm

