



Town of Arlington
Department of Health and Human Services
Office of the Board of Health
27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

BOARD OF HEALTH MEETING MINUTES

Date: Wednesday, November 16, 2022

Time: 5:00pm

Location: Conducted by Remote Participation

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency and subsequent Act Extending Certain COVID-19 Measures Adopted During the State of Emergency, the November 16, 2022 public meeting of the Arlington Board of Health shall be physically closed to the public to avoid group congregation. The meeting shall instead be held virtually using Zoom. Public access to this meeting shall be provided in the following manner: Real-time public comment can be addressed to the Board of Health utilizing the Zoom virtual meeting software for remote participation. This application will allow attendees to request an opportunity for public comment, and allow the Board Chair to grant attendees the opportunity for public comment. Attendees can use either phone or computer to participate in the meeting. Public comment can also be sent in advance of the meeting by emailing the Board of Health at boh@town.arlington.ma.us by no later than 5pm on November 14, 2022. Submitted public comment will be read into the record at the appropriate points in the meeting. Zoom Login instructions: Instructions and the meeting link for this specific meeting can be found on the Board's agenda and minutes page or on the Town's meeting calendar. The meeting registration information is listed below. When attendees enter the meeting, they will be placed into a virtual waiting room. Attendees will be admitted into the meeting from the waiting room at the start of the meeting. Please register in advance for this meeting: <https://town-arlington-maus.zoom.us/join/92F5ZxTKf94cSn>

On this agenda:

1. Administrative

Natasha Waden provided the following opening statement: Hello, this is Natasha Waden, Public Health Director for the Town of Arlington. Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law and subsequent Act's Extending Certain COVID-19 Measures Adopted during the State of Emergency, this Town of Arlington Board of Health meeting is being held virtually via Zoom for audio and video participation of Board Members and the public. When you entered this meeting, you were automatically muted. During this meeting you will be unmuted individually as needed. These controls are in place to ensure that today's meeting is safe and effective. At this time, I would like to confirm that all members and persons anticipated on today's agenda are present and can hear me.

Board Members, when I call your name and unmute you, please respond in the affirmative.

1. Dr. Marie Walsh Condon, Aye, Present
2. Dr. Laura White, Aye, Present

Health Department staff, please respond in the affirmative when I call your name and unmute you.

1. Laura Munsey, Aye, Present
2. Pat Martin, Aye, Present
3. Cameron Bishop, Aye, Present
4. Jessica Kerr, Aye, Present

Applicants and Representatives, do we have anyone on the call representing an application?

Irfran Modi – Arlington Smoke Shop

Others in attendance:

None Identified

Thank you everyone.

As stated, this Open Meeting of the Arlington Board of Health is being conducted remotely consistent with An Act Relative to Extending Certain State of Emergency Accommodations which was signed by Governor Baker on July 16, 2022.

In order to mitigate the transmission of the COVID-19 Virus, the Town of Arlington has been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor's Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location. Further, all members of public bodies are allowed and encouraged to participate remotely.

The Order, which you can find posted with agenda materials for this meeting, allows public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting.

Ensuring public access does not ensure public participation unless such participation is required by law. This meeting will have multiple public comment periods, one during each of the hearings and one at the end of the meeting. If you would like to comment during one of the public comment periods, please use the "Raise Hand" function if on a computer, or "Dial *9" if on the phone. When your name or phone number is called, and you are unmuted, please state your name and provide your comment. All attendees will be afforded 3 minutes for any comments.

For this meeting, the Board of Health is convening by telephone and computer conference via Zoom as posted on the Town's Website identifying how the public may join.

Only Health Department staff will be able to share their screen during this meeting. Board Members and Department Staff may be participating by video conference. Accordingly, please be aware that other folks may be able to see you. Anything that you broadcast may be captured by the recording.

All of the materials for this meeting are available on the Novus Agenda dashboard, and I recommend that Board Members and the public follow the agenda as posted on Novus unless otherwise noted. Members of the public are encouraged to provide written public comments.

Before we get to today's agenda, I am going to cover some ground rules for effective and clear conduct of our business and to ensure accurate meeting minutes.

Dr. Marie Walsh Condon, the Board Chair, will introduce each agenda item. After the item is presented, she will go down the list of Board Members, inviting each by name to provide any comment, questions, or motions. Please hold comments or questions until your name is called and you are unmuted.

For any response, please wait until the Chair yields the floor to you, and state your name before speaking.

Finally, each vote taken during this meeting will be conducted by roll-call vote.

Floor yielded to Dr. Marie Walsh Condon.

Hello everyone, welcome to today's Board of Health meeting.

2. Acceptance of the October 19, 2022 Meeting Minutes

Motion made by Dr. White to approve the October 19, 2022 meeting minutes as submitted.

2nd by Dr. Marie Walsh Condon

Vote:

- Dr. Marie Walsh Condon, Aye
- Dr. Laura White, Aye

Approved (2-0) Unanimous

3. HEARING: Tobacco Violation - Arlington Smoke Shop

Inspector Martin informed the Board that on October 13, 2022 while dropping off a letter to Arlington Smoke Shop he observed an individual under the age of 21 in the store. The clerk informed Mr. Martin that the underage individual is her daughter and comes to work with her.

This is in violation of state law entitled "An Act to Modernize Tobacco Control", 105 CMR 665.00 as well as Arlington's Tobacco Regulations. This is the 2nd violation in a 36 month period and carries with it a fine of \$2,000 and suspension of license for fourteen consecutive business days.

Prior to this violation on September 29, 2022 Arlington Smoke Shop was cited for having flavored tobacco products available for sale and on September 19th for having products that are not allowed for sale at retail tobacco establishments. Since these violations Mr. Modi has brought the establishment into compliance.

Floor yielded to Mr. Modi who reported he was not in the store at the time of Mr. Martin's visit. He reported the individual was his niece and she was 2 years old, and was there with the Mom who was working in the store. After he was told the child could not be in the store, she has not come anymore.

Dr. Walsh Condon stated that even relatives of staff would fall under the regulation, and cannot be allowed in the establishment. She further stated the spirit of the rule is to eliminate access to youth getting or obtaining these products.

Dr. White stated it seems like an unfortunate situation, but the details are clear.

Public comment for this hearing: None

Dr. Marie Walsh Condon stated that the spirit of the regulation is to limit youth access to tobacco products, and this was not the situation in this circumstance, and upon review is proposing to forgo the fine and suspension of the permit. However, she cautioned Mr. Modi that this would be the 2nd violation, and any future violations would have the sanctions that go along with a 3rd violation, and the Board has shown leniency.

Dr. White agreed that this recommendation is reasonable given the circumstances and encouraged the owner to do whatever he can to see there are no future violations.

Motion made by Dr. Marie Walsh Condon to uphold the 2nd violation but waive the fine, and waive the suspension on this violation.

2nd by Dr. Laura White

Vote:

- Dr. Marie Walsh Condon, Aye
- Dr. Laura White, Aye
-

Approved (2-0) Unanimous

3. UPDATES: Environmental Health

Inspector Martin reported that 1530 Mass Ave is still on going, and the son of the property owner made a motion in court to regain access to the property. The court denied that motion. He will provide additional updates at the next Board Meeting.

Director Waden informed the Board that the Plastic Water Ban went into effect November 1, 2022, and the Department has done a lot of outreach and education and to date we have not received any complaints or concerns.

Director Waden also informed the Board that the Attorney General's Office recently approved the Leaf Blower Ban and it went into effect, retroactively, as of May 2022. The Health Department has received some complaints from residents regarding leaf blowers, and the Health Department is catching up with this new regulation. It will further require cooperation with the Arlington Police Department, whereas the Health Department does not have Inspectors available on the weekends or holidays.

5. UPDATES: Restaurants

Inspector Martin reported it is now renewal season for the annual permits, and Department Staff are reviewing all the applications for issuance on January 1, 2023.

6. UPDATES: COVID-19 / Public Health Nurse

Chair Marie Walsh Condon welcomed back Nurse Kerr and stated we are very happy to have you back on staff and back on board.

Nurse Kerr reported COVID numbers in Maven included:

September: 163

October: 209

November to date: 45 cases

(Note: These numbers do not include home tests)

Contract Tracing continues with a collaborative with Medford and Somerville. Contact Tracers are housed in Somerville and are regularly in touch with Nurse David Neylon, as well as Nurse Kerr, and they have periodic meetings as needed.

A COVID-19 booster clinic was held at Tufts on November 5th and over 600 individuals received vaccines. Also, the Town of Arlington held an employee vaccination clinic and over 50 Town Employees were recently vaccinated. All Senior Arlington Housing Authority Buildings have had clinics and COA Nurse Joanne Sliney, and Health Department Nurse David Neylon have conducted over 120 home visits for home bound seniors to administer COVID vaccines and flu vaccines.

To date we have administered 1,200 COVID vaccines and 330 flu vaccines for this year.

Dr. White thanked all the staff for all they have done.

Chair Walsh Condon wanted to take a moment to acknowledge the recent passing of Marie Krepelka who was a longtime employee of the Town of Arlington and a longtime friend and supporter of the Board of Health. Marie will be dearly missed.

7. PUBLIC COMMENT - None

After discussion, Dr. Marie Walsh Condon recommended the December 14th Meeting be postponed until January 18, 2023. Dr. Marie Walsh Condon also suggested that 2023 meetings be scheduled every 6 weeks if possible, and recommended moving the time to 2:00 pm. Inspector Martin will prepare a schedule of 2023 Board of Health Meetings to present to the Board at the January 18th, 2023 meeting.

8. Adjourn

Motion to Adjourn made by Dr. Marie Walsh Condon at 5:25 pm.

2nd by Dr. Laura White:

Vote:

- Dr. Marie Walsh Condon, Aye
- Dr. Laura White, Aye
-

Approved (2-0) Unanimous

Meeting adjourned