



**TOWN OF PLYMOUTH
BOARD OF HEALTH MEETING
May 24, 2023 @ 4:00 PM
MINUTES**

The following Board of Health meeting was held on Wednesday May 24, 2023, at 4:00 PM via PACTV

Present

Barry Potvin, PhD, Professor Emeritus, Chair
Teri Reid, MD, FAAP, Vice Chair
Amy Palmer, MPH
David Golden, MPA
Lorenzo Pizarro, MBA
Deb Zona, RN, MHA, CMCN, FACHE (alternate)

Agenda

- Approval of Minutes from 3/23/2023 and 4/12/2023 meetings
- Tobacco Regulations Hearing
- Short Term Rental Regulation Hearing and Vote
- Adjournment

Department

Karen Keane, Public Health Director
Margaret Coe, Health Agent

- *Disclosure: These minutes are not verbatim – they are the secretary’s interpretation of what took place at the meeting. – Open Meeting Law, G.L. c. 30A § 22.*
- *These minutes are a record as accepted by the Board of Health.*
- *All materials presented during this meeting are available in the Public Health Department.*
- *Administrative Business – May include topics not reasonably anticipated by the Chair 48 hours in advance of the meeting.*

HYBRID PARTICIPATION IN-PERSON OR VIA ZOOM WEBINAR

Pursuant to Chapter 2 of the Acts of 2023, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency, signed into law on March 29, 2023, this meeting will be conducted via remote means and in person, as long as members of the public can easily access the proceedings in real time and participate remotely, this meeting will be conducted both in person and via remote participation. Members of the public who wish to watch the meeting may do so in the following manner: tune into PACTV government cable access channels Comcast Channel 15 or Verizon Channel 47 and watch the meeting as it is aired live or watch the meeting live on the PACTV website at: <https://www.pactv.org/pactv/towns/plymouth>. You may also watch when the show is replayed on pactv.org

4:00 PM

Welcome

4:01 PM – Letter of Appreciation from Massachusetts Public Health Council

Dr. Potvin read the letter to Local, Regional and State Public Health Workers and Health Board Members from the Massachusetts Public Health Council, in appreciation for their work in addressing new and longstanding public health issues over the past couple of years.

4:06 PM – Approval of Minutes from 3/23/23 and 4/12/23 Meetings

On a motion by Amy Palmer and seconded by Lorenzo Pizarro, the board unanimously voted to approve the minutes of 3/23/2023 meeting. Vote: 3/0/2 (Potvin – yes, Pizarro – yes, Palmer – yes, Reid – abstain, Golden – abstain)

On a motion by Amy Palmer and seconded by David Golden, the board unanimously voted to approve the minutes of 4/12/2023 meeting. Vote: 5/0 by roll call

4:08 PM – Tobacco Regulations Hearing

Cheryl Sbarra, Executive Director of the Massachusetts Association of Health Boards (MAHB) and Senior Staff Attorney and Bob Collett, director of the Cape Cod Regional **Tobacco** Control Program were in attendance. Also in attendance were several tobacco licensees.

Mr. Paresh Patel, owner of Corner Store, asked that the board reconsider the suspension portion of a first violation for a sale to a minor. Ms. Sbarra informed Mr. Patel that this is a state rule – must be 1–30-day suspension. The board cannot waive the suspension. Patel asked that the board consider reducing the suspension from 3 days to 1 day. Patel also asked that the board consider keeping the price of a single cigar at \$2.50 instead of increasing it to the current consumer price index of \$2.90.

The board discussed the issue of environmental tobacco smoke. Dr. Potvin stated he has received complaints that there are instances when there are smokers outside of a dining establishment, the smoke is going back inside of the restaurant. Ms. Sbarra informed the board that if the smoke is going back inside, that is a violation of Smoke-Free Workplace, and the owner would need to address that. Ms. Sbarra also informed that board that by the end of the following week, there should be model regulations available for secondhand tobacco smoke.

In discussing the price of single cigars, the majority of the board was in favor of keeping the price at \$2.50 each. However, the majority of the board felt the suspension for first time violation of sale to a minor should be increased to 7 days as opposed to the current 3-day suspension. Mr. Collett and Ms. Sbarra stated that despite education, there has been an increase in both first time violations *and* repeat violations. It is important to keep those percentages low because it affects the funding the state receives for other types of programs.

The board agreed to discuss the price of single cigars and the suspension periods at a future meeting. Hearing no further discussion, the chair closed the hearing.

4:55 PM – Short Term Rental (STR) Regulation Hearing and Vote

Dr. Potvin gave a brief history of how the STR regulations came into place. Christine Bostek, member of the STR Committee, was in attendance. Ms. Keane explained that the prior board had already voted to accept the regulations, but the \$50 permit fee was a new addition. Dr. Reid brought up concerns about waste removal. Ms. Keane explained that is the owner’s responsibility and not the renter. Mr. Golden expressed concern that there was no enforcement piece to the regulations. The board agreed that an inclusivity clause would be satisfactory for enforcement. The regulations will go into effect January 1, 2024.

On a motion by Amy Palmer and seconded by Teri Reid, the board voted unanimously to accept the \$50 permit fee for the Short-Term Regulations as outlined. Voted: 5/0 by roll call

On a motion by David Golden and seconded by Teri Reid, the board voted unanimously to accept the Short-Term Rental regulations subject to adding additional language to incorporate all relevant state and local laws and regulations. Voted: 5/0 by roll call

Hearing no further discussion, the chair closed the hearing.

5:32 PM – Chairperson’s Announcements

Dr. Potvin shared information from the Nuclear Decommissioning Citizens Advisory Panel (NDCAP) meeting. Ms. Keane informed the board of her participation with PCIS, sharing that the students were excited to be learning more about public health.

6:02 PM – Adjournment

On a motion by David Golden and seconded by Amy Palmer, the board voted to adjourn. Unanimous vote through rollcall: 5/0