

BRAINTREE BOARD OF HEALTH

MINUTES

July 14, 2016

IN ATTENDANCE: Dr. Arthur Bregoli, Chairman
Dr. Philip Nedelman, Vice-Chairman
Paula Dowd, Clerk

ALSO PRESENT: Marybeth McGrath, Director of ML & I

Dr. Bregoli called the meeting to order at 7:00 pm.

MINUTES:

Motion By: Dr. Nedelman to approve the meeting minutes of June 16, 2016.
Second By: Dr. Bregoli

NEW BUSINESS:

1) Sale of Tobacco Violation: Seven Eleven # 32450-51 Commercial Street

Present: Jerry McLaughlin, Town of Braintree Tobacco Compliance Officer
Mohamad Iskandar, owner of Seven Eleven # 32450

Mr. McLaughlin advised the Board that on Monday June 13, 2016 and Thursday June 16, 2016, routine tobacco compliance checks were conducted in the town of Braintree. Thirty-two establishments were checked for compliance, and of the thirty-two checked, there was one sale of tobacco product to a minor.

Mr. McLaughlin advised that on Monday June 13, 2016 at 1:25pm, a routine compliance check was conducted at Seven Eleven located at 51 Commercial Street. At that time, an 18 year old minor female buyer entered Seven Eleven with no monies on her, except those given to her by Mr. McLaughlin, with the intent to purchase a tobacco product. The minor female buyer did purchase a tobacco product while in the store, and then returned directly to Mr. McLaughlin's vehicle with a package of Marlboro cigarettes that she purchased for \$ 10.69. The buyer advised Mr. McLaughlin that she was not asked for an ID or her age by the clerk. The clerk was described as an adult female.

Mr. McLaughlin advised that when the buyer returned to the vehicle with the cigarettes, he marked them as evidence and gave them to Ms. McGrath for the hearing this evening.

Mr. Iskandar advised that he determined that a long-time female employee did sell the tobacco product to the minor.

Ms. McGrath advised that this is this establishment's first violation within a two year period, as the last sale of tobacco to a minor at this location was April 25, 2009. The penalty for a first offense is a five day suspension of the tobacco sales permit and a one hundred dollar fine.

Motion By: Mrs. Dowd to impose the penalty for a first offense beginning at 12:00pm on Friday July 15, 2016 and continue through Wednesday July 20, 2016 at 12:00pm.

Second By: Dr. Nedelman
Unanimously Voted

2) Request for Variance of Well Regulation (Roadway Setback)-30 Gray Terrace

Ms. McGrath advised the Board that the applicant is requesting to install an irrigation well on his property.

The applicant is able to meet all of the setback requirements, except the required roadway setback of 100'. The setback distance from the roadway to the proposed well will only be 66', which is why he is requesting a variance of the well regulation.

All of the direct abutters have been notified of the intention to install the irrigation well. The applicant has advised that one of the abutters, who was sent a certified letter of notification, is out of the country at this time.

A site inspection of the proposed well was conducted by a department staff member, who foresees no issue with the installation. Ms. McGrath recommended approval of the variance request.

Motion By: Mrs. Dowd to approve the variance request.

Second By: Dr. Nedelman
Unanimously Voted

OTHER BUSINESS:

Dr. Nedelman requested that Ms. McGrath contact Mr. McLaughlin the tobacco compliance officer and request that he also conduct compliance checks of nicotine delivery products in those establishments that sell these products.

Ms. McGrath advised that she will contact Mr. McLaughlin with this request.

Mrs. Dowd advised the Board that effective July 14, 2016 at the close of the Board of Health meeting that she is resigning as a member of the Board of Health. She advised that she is retired from the Braintree Public Schools. She now cares for her two young grandchildren, who live near the Rhode Island border, which makes it difficult for her to make it back to Braintree by 7pm for Board of Health meetings.

She advised that she has very much enjoyed working with the Board members and department staff, and her work on the Board. She submitted a resignation letter to Ms. McGrath requesting she forward it to Mayor Sullivan.

Motion By: Mrs. Dowd to adjourn the meeting at 7:20 pm.
Second By: Dr. Nedelman