

Meeting Minutes of the Chelsea Board of Health
September 14, 2021

Attendance: Names of members and Participants

Board members, City of Chelsea staff and guests were introduced.

Board Members:

- Ola Bayode
- Allen Jackson
- Joshua Merson
- Dr. Dean Xerras

City of Chelsea Staff:

- Tom Ambrosino, City Manager
- Paula McHatton, Public Health Nurse
- Stephen Treadway, Asst. City Solicitor

Guests:

- Cheryl Sbarra, J.D., MA Association of Health Boards
- Bonny Carroll, The Six City Tobacco Initiative
- Shahid Ghuman, Grab & Go Convenience
- Greg (no last name given)
- Rashid Moumade, R & N Petroleum

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Adoption of the Minutes of the August Board Meeting

The Board adopted the minutes from the August 2021 meeting by unanimous voice vote.

Tobacco Suspension Protocol – Bonny Carroll, The Six City Tobacco Initiative

Bonny Carroll noted changes to MA tobacco regulations that recently went into effect. For example, some fines that were previously \$300 are now \$1,000. Fines for tobacco sales to minors now carry a \$1,000 fine and a 1–30-day tobacco license suspension on the first offense, which suspension length increasing for each subsequent violation, up to 30 days.

Carroll recommended the Board set standards for the number of days their tobacco license would be suspended. Cambridge and Somerville will likely issue a 3-day suspension for the first offense.

The Chelsea Board of Health unanimously adopted the following structure tobacco sales to minors:

Offense	Suspension Length
1 st	3 days, \$1,000 fine
2 nd	Minimum of 7 days
3 rd	Minimum of 30 days

The fines are non-negotiable and cannot be lowered.

(Note to Board: Carroll also stated that fines for the 2nd offense were \$2,000, and for the 3rd offense, \$5,000 – Were these supposed to be adopted as part of this suspension structure that we discussed?)

Suspension Hearing: Grab & Go Convenience

Bonny Carroll stated that on 8/5/2021, a pack of cigarettes were sold to a young woman who was not 21 at Grab & Go Convenience.

Shahid Ghumnan of Grab & Go commented that the new fine structure could be crippling to small corner stores and despite their best efforts, mistakes do happen. He felt the fines would present a heavy financial burden.

Ghumnan claimed to be unaware of the new regulations, prompting Carroll to outline the various letters and other outreach activities she did with all tobacco sellers about the new fine structure.

Dr. Xerras asked if Grab & Go had been fined previously for sales to minors. Carroll responded that most cities agreed not to look back to a time before the law went into effect, that all businesses would be starting with a clean slate.

Ghuman explained that one of his long-term workers went on vacation, and a temporary fill-in covered his hours. After receiving notification of the violation, he did re-educate his staff. Carroll added that the law requires stores ID everyone purchasing tobacco.

After deliberation, the Board unanimously voted to impose a \$1,000 fine and 3-day suspension of tobacco sales which will begin on Monday of next week. Bonny Carroll will perform an inspection to ensure the tobacco products are covered by Sunday night.

Suspension Hearing: R&N Petroleum

Bonny Carroll reported that on 8/4/2021, a pack of Marlboro cigarettes were sold to an underage youth.

Rashid Moumade of R & N Petroleum reported that a long-term employee sold the pack of cigarettes, and he has since done re-education with staff on the new regulations.

Moumade asked if the Board could address the issue with the worker. Dr. Xerras noted that was a management responsibility. Carroll noted that some retailers employ technology that will prevent the sale of cigarettes unless and ID number is entered. Moumade thought that was a good idea.

After deliberation, the Board unanimously voted to impose a \$1,000 fine and 3-day suspension of tobacco sales, which will begin on Monday of next week.

Tobacco Regulation – Review of Proposed Changes

Cheryl Sbarra of the MA Association of Health Boards reviewed her draft revisions of the Chelsea tobacco regulations. One of her goals was to integrate state law into the local regulations to make them more comprehensive and easier to use for retailers and inspectors. The draft also included suggested regulations that the Board may adopt.

The proposed updates include: updating the statement of purpose, reviewing citations, adding new definitions for “adult retail tobacco stores”, adding new definitions for blunt wraps, and defining “electronic nicotine delivery systems.”

There are also new sections of state law regarding mandatory fines and violations that are included in the draft.

Josh Merson asked whether marijuana dispensaries were regulated by the tobacco regulations. Sbarra responded that marijuana dispensaries are regulated by the Cannabis Control Board.

Tobacco Regulation Next Steps:

- The Board of Health will review and look to get input from the community on the revisions.

COVID-19 and Other Health Updates

Paula McHatton, Public Health Nurse reported that:

- There were 3 enteric diseases reported over the last month, three involved residents that had recently travelled to El Salvador.
- A case of babesiosis was also reported, as were a case of malaria in a resident that recently traveled to Sudan, a bacterial disease, as was a case of vibrio (a bacteria associated with shellfish).
- The TB case McHatton is monitoring is doing well and tolerating their meds. They are on meds, but not infectious.
- There were no reported cases of flu, and McHatton has scheduled two flu clinics (one at the senior center, and one school-based).
- The West Nile Virus risk level has been raised in Chelsea and in 26 other communities in MA, due to the recent increases in rain. The risk level in Chelsea has been raised from moderate to high.

COVID-19

- The ***Stop the Spread*** program has been extended into December.
- Chelsea's vaccination rate is currently 70.8%, 65.1% statewide.
- Children 12-15, fully vaccinated: 75.1%, ages 16-19: 79.9%.
- The positivity rate through the end of August: 2.6%. The incidence rate was 17.6/100,000.
- The delta variant is present in Chelsea, but the mu variant has not yet been detected.
- ***Wash Cycle Laundry update:*** The investigation is still pending. OSHA reps are collecting temperature readings, but the final report is not yet ready.

- **Funeral Homes update:** The City has migrated to an online payment platform, and the previously-discussed fees have been increased to \$20.

Community Masking Policy

Several communities across the state have recently instituted indoor mask mandates. City Manager Tom Ambrosino presented his case against the Board of Health instituting an indoor mask mandate at this time. He noted that it is difficult to enforce for the Inspectional Service Department and angers business-owners who note that neighboring communities with worse COVID-19 vaccination and infection rates have not instituted such mandates.

He continued that many people voluntarily wear masks. He would be supportive of a mask mandate if the infection and other COVID-19 metrics begin to worsen.

Dr. Xerras would prefer a mandate. Josh Merson wondered whether the Board could institute triggers based on metrics that, once met, would automatically trigger implementation of a mandate. Ola Bayode was against instituting a mandate now, but suggested the Board keep an eye on things with winter coming.

Merson asked if the City would issue a mask suggestion, and Ambrasino stated that he would make that suggestion on his weekly cable TV show.

IT was decided to wait until October to readdress this issue. In the meantime, Paula McHatton will forward relevant data to the Board.

Mask Mandates Next Steps:

- Paula McHatton will forward relevant COVID-19 information to the Board.
- Add a discussion on mask mandates to the October agenda.

Board of Health Next Steps:

- The Board of Health will review and look to get input from the community on the revisions.
- Paula McHatton will forward relevant COVID-19 information to the Board.
- Add a discussion on mask mandates to the October agenda.

Next meeting: 10/19/2021 at the Chelsea Public Library, with virtual access available.

The meeting adjourned at 7:14pm.


Allen Jackson, Clerk

11/16/2021
Date