

## BOARD OF HEALTH

### Bangs Community Center, Pole Room

October 18, 2018

Board of Health members in attendance: Diane Amsterdam, Marco Boscardin, Steve George, and Nancy Gilbert (Chair). John Tobiason was excused.

Staff members: Julie Federman, Health Director; Susan Malone, Health Inspector; Jon Thompson, Building Inspector / Health Inspector.

Others: Bill Rock, contractor

The meeting opened at 5:02 PM.

### Review and Receive

#### 1. Minutes of previous meetings

Minutes of the September 13 meeting were approved as drafted.

### New Business

#### 1. 61-63 Main St., failure to comply

Ms. Federman and Health Inspectors Malone and Thompson described continuing Sanitary Code violations at this Main Street property containing the Lone Wolf Restaurant and two upstairs apartments. An additional first-floor unit that has also been occupied by restaurants is currently vacant. Code issues described in documents from Inspection Services dated July 27 and September 21, 2018 include the same violations noted repeatedly during the past two years: standing water in the basement, and difficulties in pest management. The basement is used for food storage and preparation by the Lone Wolf and by a caterer; water infiltration in the basement leads to cockroach infestations. Attempts at pest management have been hampered by the failure of the property manager, Kamins Real Estate, to ensure access the upstairs apartments in some cases. Contractor Bill Rock, who has been engaged by the building owner, Mr. Ting-Wei Tang, to deal with the water problems, said that the work he has done has eliminated water entry everywhere except at one corner of the basement, and that water only enters after major downpours. However, Ms. Malone said she noticed new points of water entry recently. She also noted that monthly reports by the pest management company have been sketchy and inconsistent.

Ms. Federman suggested that the Board consider ordering the owner to hire an engineering firm to study what is needed to solve the water problem once and for all. After discussion, the Board voted on the following motion made by Ms. Gilbert and seconded by Mr. George:

The Board of Health requires the owner of 61-63 Main Street in Amherst (1) to ensure that every report by the pest management company include the location of each pest monitor and the number and type of insects caught; (2) to hire a professional civil engineer with expertise in water problems to evaluate the building and make recommendations for action to make the building weatherproof; and (3) to direct the property managers to ensure that pest control workers have access to each of the two apartments during every visit.

The motion was **VOTED 4 – 0** with one member absent.

## **2. 30 Hills Road condemnation**

For the Board's information, Ms. Federman reported that the house at 30 Hills Road in Amherst has been declared unfit for habitation because appliances and plumbing are inoperative, making cooking and washing impossible. Access to some parts of the residence are blocked by clutter. The owner-occupants are now in other housing.

### **Old Business**

#### **1. Adult Use Marijuana update**

Julie Federman provided the Board with notes of a meeting on marijuana by the Mass. Association of Health Boards (MAHB), with Atty. Cheryl Sbarra presenting. Atty. Sbarra recommended that local Health Boards keep marijuana regulations separate from those for tobacco. Regarding security of cannabis products in the home, it would be possible to require retail marijuana outlets to purchase lock boxes that could be dispensed from the Health Department.

#### **2. Tobacco Regulations review**

Anticipated model regulations from the MAHB regarding nicotine vaping and flavored tobacco products have not appeared yet. As a result, further discussion was postponed until the next Board meeting.

### **Topics not anticipated by the Chair 48 hours prior to the meeting**

Regarding the Hampshire College request for a variance from the swimming pool lifeguard requirement as discussed in the Board's September 13 meeting, Dr. Amsterdam reported that the swim teams that use the Middle School pool practice with lifeguard-certified coaches present but without additional separate lifeguards. At the September meeting the Board decided to grant the variance subject to checking on the public school's arrangements. Ms. Federman will inform Stacey Kroll, Director of Compliance & Risk Management for the Five Colleges, that the variance is granted.

### **Director's Report**

- Hepatitis A outbreaks have occurred in homeless populations in eastern Mass. and in other states. Local Health Departments are receiving supplies of vaccines.
- Also regarding the homeless, Craig's Doors provides free breakfast every Wednesday at the Unitarian Church in town. It has been very well-attended.
- A resident questioned why the VFW on North Prospect St. allows smoking inside the premises. It is technically a private club, although generally the public can enter. There is concern about employees being exposed to smoke.
- Mr. Boscardin noted that Narcan (i.e. the opiate antagonist naloxone) is now available at pharmacies without a prescription.
- Mr. Boscardin also suggested the town should be doing as much as possible to encourage residents to receive influenza vaccination.
- Upcoming meetings will be on 2<sup>nd</sup> Thursdays: November 8 and December 13. .

The meeting was adjourned at 7:10 PM.

Respectfully submitted,

Steve George