



BOH MEETING MINUTES 12-05-2022

Memorial Hall, 140 Main Street
Jim Griffin, Chair
Joseph Tennyson, MD, Vice-Chair

Also in attendance: John Garside, Director of Public Health, and Tina Nolin, Clerk

The meeting was called to order at 6:30 pm.

Reading and Approval of Minutes

- Minutes from October 11, 2022, meeting. No regular meeting of the board was held in November.

Vice-Chair Tennyson motioned to approve and place the minutes on file; Chairman Griffin seconded the motion; the motion passed with a 2-0 vote.

New Business

- **Red Spring Road Sewer Update**

Garside updated the board members on the Red Spring Road sewer project. Namely, their Notice of Variance has been recorded at the registry of deeds, the force main in the street has been installed, and the service connections to the homes are scheduled to begin this week.

- **Discussion of the draft proposed Board of Health Regulations to work with the City's existing Noncriminal Disposition Ordinance**

Director Garside stated that the adoption of these proposed BOH regulations is really a housekeeping effort to ensure that sections of the City's existing Noncriminal Disposition Ordinance (those that the BOH has authority to enforce) are on solid legal ground should they be challenged.

The existing noncriminal city ordinance sets forth fines for violations of the "City Health Code for Human Habitation, Food Establishments, & Subsurface Disposal of Sanitary Sewage", however, we currently have no such local city codes, and therefore, the health department has always considered this city ordinance to be referencing the corresponding state CMRs, which we are statutorily obligated to enforce and do so on a daily basis.

Director Garside then stated that to use this existing noncriminal city ordinance with complete confidence it needs to clearly reference an existing local regulation, such as our proposed BOH regulations. These proposed local BOH regulations will merely adopt the state CMRs that we are already obligated to enforce and will further solidify our legal authority to issue citations. Historically, many local BOHs have adopted CMRs as their own local regulations for noncriminal enforcement.

Member Tennyson stated that the proposed regulations simply adopt the existing state regulation as our own local board of health regulation. Chair Griffin stated that it appears that the proposed regulation changes do not give the Board/Department any more or less ability, than we have currently, to assess fines. Director Garside agreed, adding that the proposed regulations would be a benefit to the Board if the non-criminal fines were ever challenged in court. Chair Griffin asked if legal had reviewed the proposed changes and Garside indicated they had and had given their approval.

Member Tennyson motioned to advertise the public hearing on the proposed board of health regulations with the hearing to be held on January 9, 2023. The motion seconded by Chair Griffin unanimously passed.

Director's Update

The Health Department has completed the annual Flu clinics at City Hall, COA, Housing Authority, Police & Fire departments. Additionally, we are continuing our COVID-19 clinics each Wednesday at City Hall. Director Garside indicated that the incidence of Flu has been increasing earlier than usual this year. Dr. Tennyson mentioned that RSV infections had peaked and have now receded some.

Director Garside updated the Board that the department is transitioning to an online permitting software called OpenGov and that the process has been challenging, but ultimately the benefits will make it a worthwhile endeavor.

In January, the department will offer a Person-in-Charge food training refresher class in the Chinese language to accommodate some of our Chinese-speaking permit holders.

Director Garside reported that Mayor Vigeant has submitted to City Council for their approval the appointment of Richard Tomanek as a board of health member. His appointment has been referred to the Personnel subcommittee of the City Council.

Scheduling of the Next Meeting

The Board's next monthly meeting is scheduled for Monday, January 9, 2023, at 6:30 pm.

ADJOURN

Chair Griffin motioned to adjourn the meeting at 7:10 pm; Vice-Chairman Tennyson seconded the motion. The motion passed with a 2-0 vote.

Respectfully submitted,


James H. Griffin

1/9/2023
Dated