

KINGSTON BOARD OF HEALTH
MEETING MINUTES
April 5, 2023

Present: Chairman Joe Casna, Vice Chair Bill Kavol. Member, Janet Wade, Interim Health Agent Arthur Boyle (via speakerphone), Assistant Town Administrator, Gloria Mitchell.

Absent: Members Dennis Randall and Heidi Whipple

Also present, business owner Sujatha Vundi. Resident Jean Landis Naumann (via Zoom).

6:02 p.m. Kingston Board of Health Meeting was called to order by Joe Casna.

BILLS:

- Bills for March 14, 2023 and March 28, 2023 reviewed.

ENFORCEMENT:

Quick Mart owner Sujatha Vundi stated he is here tonight because Lori Jones informed him that he has tickets. He stated that he did not receive any certified letters that were mailed to him and tried to get information by email. Both stores were involved in tobacco violations. He stated that Lori invited him to tonight's meeting to appeal the violations. He said that he spoke to his employees and that they said they didn't sell to minors and checked ID. Joe Casna told Mr. Vundi that the State and the Town conduct periodic inspections to ensure that businesses that sell tobacco products are in compliance with the rules. Inspections were conducted of Mr. Vundi's property. An underage person was sent in by the tobacco inspector and was sold cigarettes. The report states a total of \$13.00 in product. Mr. Vundi asked who did the inspection. Joe states it was from a representative from the tobacco collaborative. Mr. Vundi said only one person in the store and that he said he did not sell to underage person. Mr. Vundi said this is the first time he is seeing these reports and trying to understand if it was a "secret customer." Joe stated that it is a simple process. He failed the inspection. The tobacco inspector sends in an underage person and if the store sells to that person, they are in violation. Mr. Vundi replied that he is trying to understand the authenticity of the document and that maybe that person lied. He has had a problem with Arthur in the past. Joe is aware of the incident. Mr. Vundi does not have confidence in Arthur. Who is the person who is the inspector as the report states no inspector name. He wants to know that name. Joe states that Arthur has nothing to do with tobacco inspections and it is different person. Mr. Vundi stated possibly going to court. Gloria Mitchell introduced herself and explained that the same process is done for alcohol and if business sell to underage people. If they do, they get the same report. It isn't the Town that does it, it is the collaborative. Mr. Vundi agrees that tobacco and alcohol should not be sold to minors. Joe said that he was caught not once but twice. Mr. Vundi said he is losing money at the mall as it is a dead mall. Can he get any consolation as a warning? Joe asked what he is looking for. He is looking for less fines as a first time offense. Joe told Mr. Vundi he is not here to hurt business but Mr. Vundi needs to clean up his act and be a better

business citizen of the community. Mr. Vundi asked for \$100 for each violation. Joe asked how he will prevent this from happening again. Mr. Vundi stated he will speak to employees and tighten up his security cameras. Joe asked the Board if they had any thoughts. Bill stated that most of the ones he is involved with, an employee that sells to minors, are fired automatically not spoken to but he will leave it up to Joe to make any adjustments. Janet mentioned using the first violation as a warning and to pay the second violation. Joe explained this to Mr. Vundi that one will be eliminated and the other must be paid promptly. He asked how long he needs to pay it? Mr. Vundi stated by this Friday. Joe thinks it is fair.

6:24 pm Motion made by Joe Casna to eliminate Quick Mart's first tobacco violation and \$1,000 for the second violation to be paid no later than Friday, April 7, 2023.

Second: Bill Kavol

3-0-0

Mr. Vundi asked if this happens again, is the fine \$2000. Joe told him not to let it happen again. Joe wished him the best. Joe asked Arthur if he was in agreement with the Board. Arthur agreed. The reports are written by Bob Collette from the collaborative. Janet feels the report should have a seal/logo and the forms should be updated. It should have the signature of the person who is reporting this on the business. She would want to know who they are, their title, and to be using an updated form. Janet stated that traffic violations name the officer. Bill replied that the police don't always have time to give a ticket and will mail one. Selling to minors is a topic she feels very seriously about. Joe stated if the store has another violation, there will be no more breaks.

DISCUSSION:

Keeping of Non-Commercial Farm Animals: Joe stated the vote we need tonight is to accept the final draft that the public hearing will be on. This is the form that will be posted. The public hearing is scheduled for May 1st. Janet clarified that this will only be discussed at the meeting and not put in place. Joe agreed. All we are doing is accepting the final draft of the regulations. Jean Landis Naumann confirmed.

6:35 pm Motion made by Bill Kavol to accept the final draft of the Keeping of Non-Commercial Farm Animals regulations.

Second: Janet Wade

3-0-0

6:37 pm Motion made by Bill Kavol to schedule the public hearing to discuss the Keeping of Non-Commercial Farm Animals regulations on May 1, 2023, at 6:30 pm at Town Hall.

Second: Janet Wade

3-0-0

ACCEPTANCE OF MINUTES:

- March 6, 2023
- March 13, 2023

6:39 pm Motion made by Bill Kavol to accept the minutes of March 6, 2023

Second: Janet Wade

3-0-0

DISCUSSION:

- Janet stated the organizational structure of the department must be reviewed. Documenting the hours, etc. To have a separate Board meeting to go over the structure after the hiring of a Health Agent and Public Health Nurse.

6:42 pm Motion made by Bill Kavol to accept the minutes of March 13, 2023

Second: Janet Wade

3-0-0

ADMINISTRATIVE ASSISTANT REPORT:

Approved Septic Plans:

- | | |
|------------------------|-------------------------|
| • 6 Autumn Lane | Permit expires 8/31/25 |
| • 7 Charles Drive | Permit expires 3/16/26 |
| • 15 Charles Drive | Permit expires 3/16/26 |
| • 23 Charles Drive | Permit expires 3/16/26 |
| • 2 Cooper's Run | Permit expires 5/19/25 |
| • 79 Elm Street | Permit expires 10/19/25 |
| • 55 Longwood Circle | Permit expires 12/19/25 |
| • 25 Lot Phillips Road | Permit expires 3/24/26 |
| • 3 Nava Landing | Permit expires 2/17/25 |
| • 36 Nottingham Drive | Permit expires 2/21/26 |
| • 112 Parting Ways | Permit expires 3/23/26 |
| • 9 School Street | Permit expires 2/21/26 |
| • 20 Sequoia Drive | Permit expires 2/28/26 |
| • 25 Sequoia Drive | Permit expires 11/23/25 |
| • 8 Smelt Pond Road | Permit expires 3/6/26 |

Pending Construction Permits

- 6 Charles Drive
- 22 Charles Drive
- 26 Charles Drive
- 60 Country Club Way
- 21 Kennedy Road
- 123 Wapping Road w/ conditions

Perc Tests

- 8 Smelt Pond Road

Title V

- 7 Clifton Drive

- 25 Lot Phillips Road
- 40 School Street

Retail Inspections

- 11 Retail Inspections
- 12 Group Food Truck inspection on March 28th in Hanover done by Patrick McGettrick

Retail Permits

- 28 Retail Permits

Complaints

- Expired products. Bill Kavol went to the establishment to inspect. He found business to be in compliance. Owner was invited to attend April 5th meeting to discuss store's future and past fines.
- Rodent complaint - No response has been received from the resident regarding the certified letter that was sent. Resident signed for letter on February 17th. The complaint stopped by Health Department 3/29 for update and stated she is putting up a 6 foot fence as the rodent problem is getting worse. What are the next steps if anything?
- Food establishment – safety issues. Arthur, Bill, and Patrick went to inspect. Found several violations. Arthur and Patrick returned two days later, and all complaints were addressed and business was told of the necessity to keep facility clean.
- Rodent complaint. Inspector didn't find any violations. Disgruntled, former employee made complaint. The company's Human Resources contacted Health Dept. to inform them there are two sisters who stated that they will complain until they are shut down. They also stated that the Kingston Mall has banned them for harassing other employees of this establishment.
- Housing complaint – unkept premises. Arthur spoke to leasing agent and she will call to resolve the matter.
- Housing complaint - no heat/hot water. No response from complainant.

Violations

- Owner of Jalen's at the Kingston Mall has not responded to certified letter that he signed for on February 25th. Invited to attend meeting to explain why he has not renewed permits.

*As of today (April 5, 2023), the owner of Jalen's has done all of his paperwork and he is now in compliance.

Department

- I continue to meet weekly with software company reviewing and updating applications and permits. Go live date has been pushed back to April 28th.
*Since writing this report, all applications have been reviewed and approved.
- I am working consistently with Trash and Septic Haulers for their monthly and quarterly reporting records.
- I am working with Senior Tax Work Off volunteers each week.
- One establishment requested a 6-month extension on the plastic bag ban. They need to use up their supply and they stated 6 months should be sufficient. Invited to attend meeting to discuss. She will appear before the Board at the next meeting on **May 1st**.
- I still need access to Facebook BOH account. I need the current administrator to add me as an administrator. I do not know who runs the page currently
- On 3/31, check for the Food Establishment permit for a business at the Kingston Mall was returned for insufficient funds. A certified letter was sent same day to the owner to bring in

payment before April 7th or his permit will be revoked. The mall manager was copied on this via email.

Arthur added that there was a restaurant where the conditions were not good. 48 hours were given to have them clean up and they complied. There was a retail establishment that had expired food. We had them clean off their shelves as one area had expired food.

Joe asked about the Cobb Ave rodent issue. Arthur will look at it and go for a visit. Joe asked Arthur to follow up.

DISCUSSION:

- To expedite the payment of bills. "The Board of Health votes to accept the Health Agent as the authorized signatory for any invoices needing to be paid from Board of Health funds. In the event of the absences of the Health Agent, the Board Chairman OR Board Vice Chairman will act as signatory." Signed off by the Board.

HEALTHY KINGSTON UPDATE:

- The new episode went out on women's health issues. Heidi Whipple spoke as well as Dr. Christine Saba. At the end of this month on the 27th, the new episode will be recorded for May. Jean Naumann mentioned she wanted to be on to discuss the Plastic Bag Ban, the Annex collection pilot and swap date for early June. She would like to discuss these. Joe would also like to have a show on or a segment to encourage people to maintain their septic system. Another topic would be Manganese and the water. Bob Kostka would be a good guest to have on.
- Joe noted that Public Health policies and procedures were going to be discussed tonight but Heidi is not here tonight so we will put it on until the next meeting. Gloria stated that now is the time to look at the job descriptions and make any changes.
- Janet mentioned a reimbursement check. Leanne had found out late that she could complete paperwork that would reimburse the Town for vaccines that were given out. Lori stated that a check came in very recently from UMass for \$2,246.45. Gloria stated that the reimbursement goes to the General Fund since it is a reimbursement to the Town.
- Shared Excellence Grant Committee. Joe suggested a step to eliminate by putting a Board member on the committee as a voting member to make the decisions they make including the hires they make. The Board of Health also votes independently and additionally on the same thing. To eliminate duplication.

7:05 pm Motion made by Joe Casna to add a voting member, assigned by the Kingston Board of Health, to be the subsequent vote necessary by the Board, to accept the hire the Shared Excellence Grant Committee decides upon.

Second: Bill Kavol

3-0-0

7:07 pm Motion made by Joe Casna for the Board of Health, on behalf of the Town of Kingston, to accept the check in the amount of \$2,246.45 as reimbursement for Covid vaccines, to be deposited to the General Fund.

Second: Bill Kavol

3-0-0

NEXT REGULAR MEETING:

- **April 19, 2023**

DISCUSSION:

- Three applications were distributed. On April 11th at 6:00 pm, these will be discussed if there is a room available to meet. Human Resources should be present. Gloria stated that in any interview, the same exact questions must be asked to each applicant.

ADJOURN

7:18 p.m. Motion to Adjourn made by Janet Wade

Second: Bill Kavol

3-0-0

Lori Jones, Administrative Assistant
Kingston Board of Health

Approved: April 19, 2023