



**TOWN OF PLYMOUTH
BOARD OF HEALTH MEETING
July 12, 2023 @ 4:00 PM
MINUTES**

The following Board of Health meeting was held on Wednesday July 12, 2023 at 4:00 PM via PACTV

Present

Barry Potvin, PhD, Professor Emeritus, Chair
Teri Reid, MD, FAAP, Vice Chair
Amy Palmer, MPH
David Golden, MPA
Lorenzo Pizarro, MBA

Department

Margaret Coe, Health Agent
Rachael Milroy, Health Technician

Excused

Deb Zona, RN, MHA, CMCN, FACHE (alternate)

Agenda

- Reorganization of Chair and Vice-Chair: Nominations and Vote
- Approval of Minutes: 6/14/2023
- Septic Variance Request – 17 Manomet Ave – Merrill Engineering
- Discussion of Template for Secondhand Smoke Regulations
- Plan Possible Dates & Times for PFAs Public Forum
- Fall Vaccinations Update
- Board of Health Goals: Update & Discussion
- Chairperson’s Announcements
- New/Old Business
- Adjournment

- *Disclosure: These minutes are not verbatim – they are the secretary’s interpretation of what took place at the meeting. – Open Meeting Law, G.L. c. 30A § 22.*
- *These minutes are a record as accepted by the Board of Health.*
- *All materials presented during this meeting are available in the Public Health Department.*
- *Administrative Business – May include topics not reasonably anticipated by the Chair 48 hours in advance of the meeting.*

HYBRID PARTICIPATION IN-PERSON OR VIA ZOOM WEBINAR

Pursuant to Chapter 2 of the Acts of 2023, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency, signed into law on March 29, 2023, this meeting will be conducted via remote means and in person, as long as members of the public can easily access the proceedings in real time and participate remotely, this meeting will be conducted both in person and via remote participation. Members of the public who wish to watch the meeting may do so in the following manner: tune into PACTV government cable access channels Comcast Channel 15 or Verizon Channel 47 and watch the meeting as it is aired live or watch the meeting live on the PACTV website at: <https://www.pactv.org/pactv/towns/plymouth>. You may also watch when the show is replayed on [pactv.org](https://www.pactv.org)

4:00 PM

Welcome

4:02 PM – Reorganization of Chair and Vice-Chair: Nominations and Vote

On a motion by Amy Palmer and seconded by Teri Reid, Barry Potvin is nominated as Chair of the Board of Health. Dr. Potvin accepts the nomination. Vote by roll call: Palmer – yes / Reid – yes / Golden – yes/ Pizarro – yes/ Potvin – abstain. Vote: 4/0/1

On a motion by Amy Palmer and seconded by Lorenzo Pizarro, Teri Reid is nominated as Vice-Chair of the

Board of Health. Dr. Potvin accepts the nomination. Vote by roll call: Palmer – yes / Reid – yes / Golden – yes/ Pizarro – yes/ Potvin – yes. Vote: 5/0

4:07 PM – Approval of 6/14/2023 Minutes

On a motion by David Golden and seconded by Amy Palmer, the board unanimously voted to approve the minutes of 6/14/2023. Vote by roll call: Golden – yes/ Palmer – yes/ Reid – yes/ Potvin – yes/ Pizarro – abstain (not present). Vote: 4/0/1

4:10 PM – Septic Variance Request – 17 Manomet Ave – Merrill Engineering

Chris Sanderson of Merrill Engineering presented the variance for 17 Manomet Ave.

On a motion by Amy Palmer and seconded by Teri Reid, the board voted unanimously by roll call to approve the variance as presented.

4:17 PM – Discussion of Template for Secondhand Smoke Regulations (SSR)

A discussion regarding the template for secondhand smoke regulations was as follows:

- Votes on Section C: Definitions
 - Adult-Only Retail Tobacco Store: The Board opted to use the definition proposed in the SSR template that was the same as the definition used in the Tobacco Sales Regulations, for the purpose of consistency.
Approved on a motion by Amy Palmer and seconded by David Golden. Vote by roll call: Palmer – yes/ Golden – yes/ Reid – yes/ Potvin – yes/ Pizarro – no. Voted: 4/1
 - Enclosed: The Board voted to include the following sentence in the existing definition: “Any space that does not qualify as an outdoor space, as defined herein, shall be deemed to be enclosed.”
Approved on a motion by Teri Reid and seconded by Amy Palmer. Vote by roll call: Reid – yes/ Palmer – yes/ Potvin – yes/ Pizarro – yes/ Golden – no. Vote: 4/1
 - Municipality, Municipal athletic fields and courts, Municipal beach, Municipal building, Municipal forests and wildlands, and Municipal parks, playgrounds, and pools
Approved on a motion by David Golden and seconded by Amy Palmer. Vote by roll call: Golden – yes/ Palmer – yes, Reid – yes/ Potvin – yes / Pizarro – yes. Vote: 5/0
 - Nursing Home
Approved on a motion by Amy Palmer and seconded by David Golden. Vote by roll call: Palmer – yes/ Golden – yes/ Potvin – yes/ Pizarro – yes/ Reid – no. Vote: 4/1
 - Smoking (or Smoke): The Board voted to include the following words in the existing definition: “or nontobacco products”
Approved on a motion by Amy Palmer and seconded by Teri Reid. Vote by roll call: Palmer – yes/ Reid – yes/ Golden – yes/ Potvin – yes/ Pizarro – yes. Vote 5/0
 - Smoking Bar: The Board voted to include the entire definition as proposed in the template.
Approved on a motion by David Golden and seconded by Amy Palmer. Vote by roll call: Golden – yes/ Palmer – yes, Reid – yes/ Potvin – yes / Pizarro – yes. Vote: 5/0
 - Short-Term Rental: The Board voted to exclude the entire definition as proposed in the template.
Approved on a motion by Teri Reid and seconded by David Golden. Vote by roll call: Palmer –

yes/ Golden – yes/ Reid – yes/ Potvin – yes/ Pizarro – no. Voted: 4/1

- **Votes on Section D: Smoking Prohibited**

- Section D(4): Option A for Smoking Bars: The Board voted to approve Option A, as smoking bars are prohibited in the Town of Plymouth.

Approved on a motion by David Golden and seconded by Amy Palmer. Vote by roll call: Golden – yes/ Palmer – yes, Reid – yes/ Potvin – yes / Pizarro – no. Vote: 4/1

- Section D(5): Option A for Adult-Only Retail Tobacco Stores: The Board voted to approve Option A, as smoking is prohibited in all Adult-Only Retail Tobacco Stores in the Town of Plymouth.

Approved on a motion by David Golden and seconded by Amy Palmer. Vote by roll call: Golden – yes/ Palmer – yes, Reid – yes/ Potvin – yes / Pizarro – no. Vote: 4/1

- Section D(6)(a) – Smoking is prohibited withing 30-feet of any entrance/exit of a municipal building:

Approved on a motion by Amy Palmer and seconded by Teri Reid. Vote by roll call: Golden – yes/ Palmer – yes, Reid – yes/ Potvin – yes / Pizarro – no. Vote: 4/1

- Section D(6)(b-f): The Board voted to approve the prohibition of smoking at municipal parks, playgrounds, and pools; municipal athletic fields and courts; municipal beaches; municipal forests and wildlands; and municipal campgrounds.

Approved on a motion by David Golden and seconded by Amy Palmer. Vote by roll call: Golden – yes/ Palmer – yes, Reid – yes/ Potvin – yes / Pizarro – yes. Vote: 5/0

- Section D(6)(g) – Membership Associations, including but not limited, to private clubs:

Amy Palmer made a motion to keep the prohibition in the regulation. There was no second to the motion. Motion failed.

David Golden made a motion to remove the section. Amy Palmer seconded the motion. Vote by roll call: Golden – yes/ Pizarro – yes, Reid – yes/ Potvin – yes / Palmer – no. Vote: 4/1

- Section D(6)(h) – Nursing Homes:

Approved on a motion by Amy Palmer and seconded by David Golden. Vote by roll call: Golden – yes/ Palmer – yes, Reid – yes/ Potvin – yes / Pizarro – yes. Vote: 5/0

- Section D(6)(i) - A guest room in a hotel, motel, inn, bed, and breakfast or lodging home that is designed and normally used for sleeping and living purposes:

Approved on a motion by Amy Palmer and seconded by Teri Reid. Vote by roll call: Palmer – yes/ Reid – yes/ Pizarro – yes/ Golden – no/ Potvin – no. Vote 3/2

- Section D(6)(j) – Short-Term Rentals: The Board voted to remove the prohibition from the proposed regulations.

Approved on a motion by Teri Reid and seconded by David Golden. Vote by roll call: Golden – yes/ Palmer – yes, Reid – yes/ Potvin – yes / Pizarro – yes. Vote: 5/0

- Section D(6)(k) – Outdoor Dining Areas: Dr. Potvin allowed Steven Lydon, Chair of the Visitors Services Board, to speak (public comments handout attached). Mr. Lydon expressed the impact smoking on the sidewalk is having on downtown businesses. They are unable to keep doors open as smoke wafts in and gets into the fibers of clothing and other permeable fibers. Customers have to walk past smokers lingering on the sidewalks in order to get into the stores/restaurants. Workers are having to breathe the smoke in. Lastly, but not in the least, the litter the cigarette

butts lead to is not a good representation of the town and they wash out into the storm drains.

The Board discussed the idea of broadening the prohibition of smoking from the outside dining areas to include all of the sidewalk areas. There was also discussion of imposing a penalty for littering with cigarette butts, or the like. It was decided that Margaret Coe, Health Agent, would follow up with Cheryl Sbarra, MAHB attorney, to see if this could be legally imposed.

Approved on a motion by Amy Palmer and seconded by Teri Reid. Vote by roll call: Reid – yes/ Palmer – yes/ Potvin – yes/ Pizarro – yes/ Golden – no. Vote: 4/1

o Section D(6)(l) – Public Transportation :

Approved on a motion by Amy Palmer and seconded by Teri Reid. Vote by roll call: Palmer – yes/ Reid – yes/ Pizarro – yes/ Golden – yes/ Potvin – yes. Vote: 5/0

The Board will hold a public hearing to vote and adopt the regulations on August 9, 2023 at 4:00 PM in the Great Hall.

5:34 PM – Public Forum Discussion

Dr. Potvin stated that the next public forum to be held would be on the topic of PFAS. Depending on the availability of a meeting room, it will be on August 16th or August 30th.

5:38 PM – Vaccination Updates

Dr. Reid wanted to remind parents of the necessary vaccinations that needed to be in place for students to attend school and participate in sports. A complete schedule will be posted on the Public Health website.

Dr. Potvin informed the board that the levels of COVID found in wastewater has dropped. There is a new variant of COVID and also a new COVID vaccine available.

5:41 PM – Board of Health Goals – Update and Discussion

Lorenzo and Amy both stated that with the public forums being held, the education piece of their goals is being fulfilled and that the board is going in the right direction.

5:43 PM – Chairman’s Announcements

Dr. Potvin wanted to make the board and audience aware of a new energy drink called Prime. The drink contains as much caffeine as six cans of caffeinated soda or two cans of Red Bull. The drink can prove to be very harmful to those that drink it, especially the youth.

5:50 PM – Adjourn

On a motion by David Golden and seconded by Amy Palmer, the Board voted to adjourn. Vote by roll call: Palmer – yes/ Reid – yes/ Pizarro – yes/ Golden – yes/ Potvin – yes. Vote: 5/0