



CITY OF NEW BEDFORD

JONATHAN F. MITCHELL, MAYOR

HEALTH DEPARTMENT

BOARD OF HEALTH

KIMBERLY A. GRIFFITH, PSY.D.
ELIZABETH M. BLANCHARD, M.D., FASCO

DIRECTOR OF HEALTH
DAMON O. CHAPLIN

APPROVED MINUTES

Regular Board of Health Meeting

Tuesday, October 5, 2022 at 6:00 p.m.

Board to Convene Via Remote Participation

Alternative Means of Public Access Provided: Zoom Meeting/ Telephone Conference Call

To Join Zoom Meeting: <https://zoom.us/j/3966365159>

Dial-In: 1 646 558 8656 US Meeting ID: 396 636 5159

1. CALL TO ORDER

Meeting was called to order at 6:02 p.m. meeting remotely per zoom communications which has been allowed per the Governor due to the pandemic this meeting is being recorded.

ROLL CALL OF MEMBERS

Present were Kimberly A. Griffith, PSY.D.
Elizabeth M. Blanchard, M.D., FASCO
Damon Chaplin, Director

2. APPROVAL OF MINUTES

Dr. Griffith called for a motion to accept and place on file the minutes of the regular zoom meeting held on May 24, 2022. **SECONDED:** by **ROLL CALL** - Dr. Griffith **MOTION CARRIES.**

3. NEW BUSINESS

A. Request for Hearing: 127 West Rodney French Blvd., Establishment: Whaling City Tattoos Co. Re: Request for license Body Art Apprentice requesting approval for Elias Gonzalez.

Invitees: Sofia DaCosta, Sanitarian
Elias Gonzalez, Apprentice
Timothy A. Creed, Owner of Whaling City Tattoo Co.
Joseph Carvalho, Environmental Health Program Director

Sofia DaCosta spoke in regard to Elias Gonzalez application for apprentice. She stated we are requesting not just an apprentice but also if he should be approved as a practitioner. Elias Gonzalez is currently an apprentice at Bourne location which Tim Creed owns. Elias started apprenticeship in 2021 in R.I. prior to apprenticeship in Bourne. According to New Bedford body art regulations it's only a year that we require an apprenticeship. She suggested to actually have Mr. Gonzalez as a Body art practitioner instead of an apprentice since he has already meet the requirements.

Elias Gonzalez spoke about starting in R.I. and then to Bourne but now moved here to New Bedford.

The Board had no problem with approving Elias Gonzalez for practitioner.

MOTION: by Dr. Griffith to approve Elias Gonzalez as a Body Art Practitioner for Whaling City Tattoo at 127 West Rodney French Blvd. **SECONDED:** by **ROLL CALL** – Dr. Blanchard. **YES.** All in favor. **MOTION CARRIES.**

B. Request for Hearing: 127 West Rodney French Blvd., Establishment: Whaling City Tattoos Co. Re: Request for license Body Art Practitioner requesting approval for Jase Parker.

**Invitees: Sofia DaCosta, Sanitarian
Jase Parker, Practitioner
Timothy A. Creed, Owner of Whaling City Tattoo Co.
Joseph Carvalho, Environmental Health Program Director**

Sofia DaCosta spoke in regard to Jase Parker. He meets all the requirements and now looking to work under Tim Creeds Establishment.

Mr. Parker stated he was working in Hyannis for 4 yrs and prior to that in Myrtle Beach, So. Carolina and also licensed in Dartmouth, Hyannis and Bourne. Now hoping to work in New Bedford soon.

Board had no problem with approving Jase Parker for practitioner.

MOTION: by Dr. Griffith to approve Jase Parker as a Body Art Practitioner for Whaling City Tattoo at 127 West Rodney French Blvd **SECONDED:** by **ROLL CALL** – Dr. Blanchard. **YES.** All in favor. **MOTION CARRIES.**

C. Request for Hearing: 127 West Rodney French Blvd., Establishment: Whaling City Tattoos Co. Re: Request for license Body Art Apprentice requesting approval for Yasmin Martinez.

**Invitees: Sofia DaCosta, Sanitarian
Yasmin Martinez, Apprentice
Timothy A. Creed, Owner of Whaling City Tattoo Co.
Joseph Carvalho, Environmental Health Program Director**

Sofia DaCosta stated she has all her information and has no previous experience and is looking for her apprenticeship with Tim Creed at Whaling City Tattoo.

Yasmin Martinez spoke stating she was applying to whaling city tattoo for apprentice. Says she has to practice under a licensed practitioner and have 2000 hrs. required

Sofia DaCosta explained to the Board further what is required of an apprentice.

MOTION: by Dr. Griffith to approve Yasmin Martinez as a Body Art Apprentice for Whaling City Tattoo at 127 West Rodney French Blvd **SECONDED:** by **ROLL CALL** – Dr. Blanchard. **YES.** All in favor. **MOTION CARRIES.**

D. Discussion on Body Art application requirements for medical records.

**Invitees: Sofia DaCosta, Sanitarian
Joseph Carvalho, Environmental Health Program Director
Damon Chaplin, Director**

Sofia explained what the board's perspective is regarding what our regulations say versus what our application states. Body Art practitioners and apprentice required with the application. Sofia provided the documents on screen to show the Board.

Dr. Griffith asked if someone has their physical you would also accept other documents

Dr. Blanchard stated the TB test we should keep as a requirement but does not see the need for a physical exam after the initial exam and the blood serum not sure if that is necessary.

The Board decided on initial examination with a TB test then a TB test annually.

E. Discussion on temporary food events/late fee temporary food events.

**Invitees: Joseph Carvalho, Environmental Health Program Director
Sofia DaCosta, Sanitarian
Damon Chaplin, Director**

Tabled until next BOH meeting.

F. Board appointment for Courtney Cohen from Environmental Stewardship.

**Invitees: Damon Chaplin, Director
Michele Paul, Environmental Stewardship Director
Courtney Cohen**

Mr Chaplin asked the Board to appoint Courtney Cohen as an agent of the board for the purpose of environmental assessments, soil evaluations and other environmental inspections for the City of New Bedford. She currently works for the Dept. of Environmental Stewardship. She is licensed soil evaluator and asbestos supervisor.

MOTION: by Dr. Blanchard to approve Courtney Cohen as an agent of the board. **SECONDED:** by **ROLL CALL** – Dr. Griffith. **YES.** All in favor. **MOTION CARRIES.**

G. Board appointment for New Bedford Public Schools.

Invitees: Damon Chaplin, Director

Jodi Spencer, Manager of Health Services

Mr. Chaplin explained that we have been working with the NB School Dept to provide vaccines for school aged kids. The Health Dept is understaffed with only one full time Nursing Director. The school dept has a larger capacity of nurses so we have asked that a surplus of nurses be appointed as agents of the board so that they are able to help, organize, develop, and support initiate school-based vaccinations. The reason we are asking is, so we do not have any issues with school nurses working under our standing orders as using our vaccines. We have asked 5 school nurses to be appointed as agents of the Board.

Jodi Spencer spoke regarding this issue. We have space identified already down at the main administration building. We will be able to hold clinics 1 to 2 times a week. Some students who don't have records and are under immunized, so this is a great opportunity for us to get students in school at a timely manner. This a great benefit for the city.

The Board had no issue with this would approve motion.

MOTION: by Dr. Blanchard to approve the additional nurses as agents of board to enable them to participate in the vaccine program. **SECONDED:** by **ROLL CALL** – Dr. Griffith. **YES.** All in favor. **MOTION CARRIES.**

H. Discuss certificate of completion approval for Ascend Wellness and Health.

Invitees: Damon Chaplin, Director

**Megan DaCosta, Tobacco and Marijuana Program
Manager/Tobacco**

Marijuana Program

Matthew McKenna, Public Affairs Associate

Paulo Gomes, Consultant

Mr. Chaplin stated we have several applicants who are coming forward to apply for marijuana license in City of New Bedford. This is a long process to getting a marijuana retail license in New Bedford. Part of it is getting a special permit and post agreement with Mayor in the City. Then several other pieces one of them is getting a certificate of compliance with the Health Department which is part of the Marijuana regulations. There are 3 parts of the regulation that retailers must adhere to part one is they have to provide the health impact assessment, second is to provide us with odor control plan, and the third is allow us to do an inspection prior to opening.

Mr. Chaplin, Megan DaCosta and Joe Carvalho have done an initial inspection of the facility, they did not have any product in facility, but it was part of certificate of occupancy inspection. Another letter was provided describing odor control plan for the construction of the Vault room which is used to separately house their flower product when not being used.

The Vault that is described in the letter by Mr. McKenna (works for Ascend) Mr. Gomes is a consultant. It is rated at a 1-hour fire rating which means it would take about an hour before the items in room would be consumed by fire. The concern is if the flower products begin to burn then it would

get in the air. The building does not have a sprinkler system we have asked that they provide some type of a container to keep the flower product from releasing to the environment.

Mr. Chaplin stated there are 2 questions from the Health Impact Assessment that were sent to the Board and highlighted. The first is do you accept the Health Impact Assessment as written or with suggested comments and/or amendments; two do you accept the Odor Control Plan as written or with suggested comments and/or amendments. Mr. Gomes and Mr. Mckenna will answer any questions the Board has.

Dr. Blanchard asked two questions regarding the document that was not addressed; one is reasonable evidence that states that has approved recreational use of marijuana the one area that has a negative impact is in traffic accidents/fatalities. Second, she wanted to make sure that there is adequate protection for people under 21 making sure that they cannot purchase marijuana and that there are safeguards in place and they don't come in with their fake ID and purchase the product.

Megan DaCosta introduced herself to the Board. She started in July of 2022. She is taking over Tobacco Control Program conducting annual inspections etc. In terms of marijuana, they will do 2 annual compliance checks. She will bring youth that are under 21 to these retail stores. They should not be able to get in at all or have products sold to them for either tobacco or marijuana.

Mr. Gomes spoke in regard to the first question that Dr. Blanchard brought up. From the data that they observed there was no causation attributed to the legalization of adult use cannabis as the cause for increased risks of motor vehicle accidents. Researchers pointed to most recently is that police departments do not have a way to test for marijuana driving. It has been difficult to make that link.

Dr. Blanchard stated that it was a fair point, but everyone can agree that the use of marijuana would impair your ability to operate a motor vehicle.

Mr. Mckenna spoke to the security of a dispensary. Before you even go into the sales floor as you check-in you have to give your ID and you have to show your ID at time of purchase as well.

All packaging will be sealed ahead of time no marketing to children or minors or any cartoon caricatures or no use of any images that would appeal to minors.

Dr. Griffith stated so the tracking and packaging is used statewide?

Mr. Mckenna replied that yes it will be used statewide.

Dr. Griffith stated that the Health Impact Assessment was thorough and addressed aspects for potential for impact.

MOTION: by Dr. Blanchard to accept Ascend Wellness and Health Impact Assessment.

SECONDED: by **ROLL CALL** – Dr. Griffith. **YES.** All in favor. **MOTION CARRIES.**

MOTION: by Dr. Blanchard to approve Odor Control Plan. **SECONDED:** by **ROLL CALL** – Dr. Griffith. **YES.** All in favor. **MOTION CARRIES.**

MOTION: by Dr. Griffith to approve the Certificate of compliance for Ascend Wellness and Health. **SECONDED:** by **ROLL CALL** – Dr. Blanchard. **YES.** All in favor. **MOTION CARRIES.**

4. NEXT MEETING DATE

The next meeting to be determined.

5. HEALTH DIRECTOR'S REPORT

A. **General Updates**

Mr. Chaplin stated has no updates other than what was discussed today.

NEW BUSINESS NOT REASONABLY ANTICIPATED AT TIME OF POSTING

6. ADJOURN

Dr. Griffith **adjourned** the meeting at **7:02 p.m.**

A true record attest:



Health Department Chairperson

BOH Meeting Minutes Approved 12 / 8 / 22