

**Newburyport Board of Health  
Minutes of the Meeting on October 11, 2018**

**Date of Approval: November 29, 2018**

**Attendees:** Dr. Robin Blair, Chairperson,  
Dr. Rob Slocum, Board Member  
Dr. Sam Merabi, Board Member  
Frank Giacalone, Director of Public Health  
Molly Ettenborough, Energy & Sustainability  
Elaine Wozny, Candidate for Food Inspector position

**Meeting called to order** at 7:06 p.m. by Dr. Robin Blair

**Minutes:** A motion to approve the minutes of the August 23, 2018 Board of Health meeting was made by Dr. Merabi; seconded by Dr. Slocum. Votes to approve: 3; votes to oppose: none. Minutes were approved as submitted

**Energy and Sustainability - Molly Ettenborough**

Recommendations that were drafted by the Waste Stream Task Force were presented to the Board of Health for review and are attached to this document as part of the meeting minutes. Ms. Ettenborough explained that the recommendations would be presented to the Mayor on October 12, 2018 and would then be presented to City Council. Ms. Ettenborough discussed the documents and provided a summary of the contents which included explanations of various recycling and cost reduction programs already implemented by the City, current and projected costs associated with solid waste and recycling, waste reduction options with cost comparisons from Waste Zero, and the Task Force's recommendations.

The Task Force is recommending that the City provide at no charge one medium size bag every week for seniors (age 70 years and over). Curbside pick up of organic waste would be offered to residents with a portion of the cost paid by the city. The amount of the subsidy has yet to be determined. With the exception of dumpsters on City property, no municipal pick up of dumpsters would be included in city pick up. If enough residents composted their organic waste, thereby reducing the quantity of solid waste it may, at some point be possible to offer weekly pick up of recycling.

The Waste Stream Force Task Force cited the following goals:

1. Reducing waste
2. Creating fairness and consistency for all taxpayers
3. Reducing costs
4. Simplifying the waste collection system

Options include:

1. Maintain the current system and increase budget as needed
2. Remove some sectors (such as apartments, condominiums) from municipal trash pick up
3. Introduce a Waste Reduction Program

The Waste Stream Task Force is recommending Option #3. The program would include: provision of (one) free trash disposal bag per week for seniors; non-senior residents would purchase trash disposal bags from local retail stores, an optional organics recycling curbside pick up option for residents, mandatory organics recycling for downtown businesses/restaurants and for non-profit organizations (if it is decided that non-profits would be eligible for municipal pick up.) It has not been determined whether there will be a limit on the number of barrels

or bags that are allowed to be put out weekly. Limiting the number of barrels or bags may qualify the city for incentives from the Department of Public Health.

The current contract states that the City will only provide municipal pick up for apartments and condominiums with less than seven units, however, but this has not been uniformly applied. It needs to be determined whether eligibility for municipal pick up will be dependent upon the number of units. Currently, any new development that has a private thoroughfare does not qualify for city services (street lights plowing, etc.); however, trash pick up has been offered to some private roads upon request. Another issue that is currently faced by the City is that residents from surrounding communities illegally dispose of their trash curbside in Newburyport.

The Board discussed the Solid Waste Streams Task Force recommendations and questioned whether dumpsters would be more economical. Ms. Ettenborough noted that dumpsters make it difficult to make sure that recycling is not being co-mingled with trash in dumpster.

The Board discussed the Solid Waste Streams Task Force recommendations. It was suggested that free bags be provided based on resident's income instead of age. Ms. Ettenborough stated that if this option were to be used it would likely be overseen by the Community Action Agency in Newburyport. Ms. Ettenborough informed the Board that The Housing Authority, which is a HUD program, currently receives city pick up (which is contrary to most other communities.) The Board also questioned whether dumpsters would be more economical for pick up. Ms. Ettenborough noted that dumpsters make it difficult to make sure that recycling is not being co-mingled with trash in dumpster. Ms. Ettenborough stated that some of the issues that may be encountered with implementation of the waste reduction program include: 'trash crime' (disposing of one's waste into another resident's barrels); inconvenience to residents due to having to purchase and maintain a supply of bags. It was discussed whether the bag program could be run as a city-wide pilot program. As an alternative to implementation of the bag program, the Board suggested that it may be easier and more palatable for residents to maintain the current trash/recycle system and increase the budget (tax) to absorb the increase in cost.

It was suggested that the idea that costs are increasing is a universal concern that most residents will understand. Suggestions for how to address the increased cost could then be presented to residents as a solution to the rising cost. Combined with the incentive to reduce waste as an ecological issue, the concept of implementing a waste reduction program as a means to curtail rising costs may make residents more amenable to the necessary behavioral changes (purchasing and stocking trash disposal bags.) Ms. Ettenborough explained that the process will likely begin with City Councilors who would introduce the solid waste issues and the proposed cost reduction program to their constituents.

Ms. Ettenborough noted that a grave concern for Massachusetts is the rapid loss of space for landfills and incineration. Reducing the amount of solid waste through the addition of organics recycling would be of great benefit. Ms. Ettenborough also reminded the Board that the Mayor has joined the C40 initiative to reduce solid waste disposal by 2020 so the City is further incentivized to find means to reduce solid waste. The Board questioned whether the Mayor would support having the issue of how to address the increased cost for solid waste disposal put out to vote as a referendum. Ms. Ettenborough stated that she would discuss this suggestion with the Mayor.

Director Giacalone stated that he will send the Board Members a re-cap of tomorrow's Waste Reduction Meeting with the Mayor.

**Food Inspector:** Director Giacalone informed the Board that City's previous Food Inspector, Christopher Webb, has resigned his position due to personal issues. Mr. Webb provided exceptional service to the city during his eight year tenure.

Director Giacalone introduced Elaine Wozney who is applying for the Food Inspector position. Ms. Wozney is a retired Health for Essex, MA and is currently working part-time as a Health Agent for the city of Medford. The Board commented that her resume was impressive. She maintains her continuing education for her Registered

Sanitarian and Certified Health Officer. Director Giacalone explained to the Board that the 173 food establishments are divided between our two food inspectors, and in addition, the Inspectors often provide inspectional services at temporary food events.

**Federal Food Code:** Director Giacalone informed the Board that the Massachusetts Department of Public Health has recently adopted the 2013 Federal Food Code. Among changes that are incorporated in the new code are:

- Retail establishments that sell pre-packaged foods only will no longer be permitted or inspected by the local boards of health
- Required temperature for hot holding of foods is reduced from 140 degrees Fahrenheit down to 135 degrees
- Food establishments must maintain a protocol for handling vomit and diarrheal incidents
- Date labels must be in place for foods that are to be held for 24 hours or longer before use
- Greater emphasis on active managerial control over food handling

Director Giacalone stated that he recommends that the Board vote at the next meeting to adopt the 2013 Food Code effective on July 1, 2019 (unless immediate enactment is required by Massachusetts General Law.). Delaying the effective date would provide ample time for the Health Department to educate food establishments about applicable changes created by the 2013 Food Code.

**Public Health Nurse:** Director Giacalone informed the Board that the Flu Clinics are going well. A clinic held at the Nock Molin Middle School also served as a required trial for the City's Emergency Preparedness Plan. A clinic was held this morning at the Senior Center. Clinics will be held at each of the Senior Housing buildings and vaccines will also be administered in the Health Department on a scheduled basis for residents and city employees.

**Festivals:** The Fall Festival and Chili Festival were held this month; both events were well attended and no issues were noted. The Health Department continues to face problems associated with late submissions of applications for review and approval.

#### **Tobacco Sales:**

**Purchase Age for Tobacco** – The state's newly adopted tiered age for purchase of tobacco does not require any immediate change of Newburyport Regulations since the City's current age for tobacco purchase is 19. The state law will include provision for 'grandfathering' of individuals who are of legal age to purchase tobacco prior to the effective date of the change. The City will need to adjust the local regulations within the next two years to coincide with the state's increase in legal age from 19 to 20, and from 20 to 21 which will take effect at the end of the next two calendar years.

**Tobacco Violations** - Richdale was inspected by a Federal Inspector of Tobacco and was found in violation for a second offense which resulted in a 30 day suspension of their license to sell tobacco. The state failed to notify the Health Department of this violation and the City is not allowed to penalize based upon results of Federal inspection. On two previous occasions Richdale was cited by the City for violation of the Board of Health's Tobacco Sales Regulations. Director Giacalone will be consulting with Ron Beauregard, Director of the Coalition for Tobacco Control regarding these issues.

**Marijuana** Director Giacalone informed the Board that an article in today's newspaper stated that the City Council had voted that the two areas for retail sale of marijuana will be at the Route one traffic circle and storey ave. The maximum number of retail marijuana stores is based upon a percentage of the number of licensed liquor stores in the City, and as a result, the maximum number of retail marijuana stores in Newburyport will be limited to two.

**Motion to Adjourn:** A motion to adjourn was made by Dr. Merabi; seconded by Dr. Blair. Meeting adjourned at 8:18 pm.

# Waste Stream Task Force Recommendations

## Goal:

- Reduce waste
- Creating fairness and consistency for tax payers
- Reduce costs
- Simplify the system

## Options:

1. Status quo- budget increases and no waste reduction
2. Remove some sectors -see potential savings below
3. Introduce a waste Reduction program where users pay for their own usage
  - a. Fee per bag
  - b. Yearly fee
  - c. Yearly fee with cart

## Recommendation:

- Institute a waste reduction program city wide where residents pay for bags.
- Seniors get one free bag per week.
- Low income residents get one free bag per week.
- City wide organics pick up subsidized by the city.
- No dumpsters paid by city except municipal buildings.

Seniors	Age	Newburyport residents
	62-64	905
	65-69	1480
	70+	2758

## Low Income:

Based on income as approved by

Must currently be authorized by

## Bags

	<u>Size</u>	<u>Thickness</u>	<u>Type</u>	<u>Cost</u>
Small	7-8 gal	1.5	Draw string	
Med	13-15 gal	1.5	Draw string	\$.22-.25/bag
Large	30-33 gal	1.5	Draw string	\$30-.32/bag
Ex Large	42 gal	1.5	Draw string	
<b>Note:</b> cost decrease: thickness, bag size				
<b>Recycled content</b>	Darker is high %	Average is 1/3	No cost for printing	

**Other Considerations:**

	Apartments	Condos	Non-Profits	DT Businesses	City bldgs
Law	1-3 city 3 + owner responsibility				
contract	1-6	1-6			
Total number of units	351 units 78 bldgs		26		
Number of units 1-6		540 units			
Number of units 7 and up	185 units	909 units			
Owner Occupied	Investment Property	75 % rule?			
Estimated city cost					
Dumpsters – currently pd. by city	Beacon, East Row, Kelleher Park, Sullivan- 4 all front loaders.	Horton's Yard, Courtyard Condos,Riversedge- 2		Abes -1	12-
Dumpsters not on city	Washington St, Captain Carey,	Maritime Landing, Newport Condos-2	Hope and Hale Street churches-2	West Row, Stone Crust, Ceia, Grog, Loretta's, Black Cow, Michaels, Poynt, Brick and Ash, Tannery -10	
Organics					1

**Organics**

	Earth Machines sold since	Curbside Service	Disposals
Residents			
DT businesses			



