



City of Westfield, Massachusetts  
Health Department

Board of Health Meeting  
Room 220  
September 20, 2023

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OCT 23 2023

WESTFIELD CITY CLERK

Present: Juanita Carnes, Chair Stanley Strzempko, M.D. Carrie Hildreth-Fiordalice

Staff: Debra Mulvenna, Assistant Health Director  
Cheryl McMordie, Secretary

Chair Carnes opened the meeting at 6:08 p.m. There was no one present wishing to speak during public participation. Minutes from the August 9, 2023, meeting were reviewed and accepted as printed. A motion was made and seconded to approve the August 9, 2023, meeting minutes as submitted.

*The vote was as follows:*

Carnes	–	Yes
Strzempko	–	Yes
Hildreth-Fiordalice	–	Yes

All in favor, the Motion was declared passed.

Monthly bills for the Health Department and Transfer Station were signed.

**PUBLIC PARTICIPATION:**

None.

**INSPECTIONAL SERVICES:**

Condemnation Hearing for 9 Zephyr Drive Postponed to October 11, 2023: The condemnation hearing previously scheduled for today has been postponed to October 11, 2023, to provide sufficient notice to interested parties.

81 South Maple Street: A reinspection is scheduled for next Thursday. The tenant was able to secure services to assist with clean-up. If the property passes this inspection, the case will be closed unless the tenant wishes it to remain open.

Citgo, 41 Franklin Street – Tobacco Violation: Citgo is not the actual owner of the tobacco license. The Health Dept. was not aware that the police were investigating this property. Prior to September 5, 2023, three compliance checks were conducted and violations found. Once the police investigation was completed, Inspector Dugay issued a cease and desist order, a copy of which was distributed to the members of the Board. MZY Corp. was cited for selling tobacco products to minors; selling flavored tobacco and/or tobacco flavored enhancer products; and offering for sale flavored tobacco products or tobacco product flavor enhancers. Because the City's regulations

do not address flavored tobacco products, the State regulations would apply. These regulations would impose fines of \$1,000 for the first offense, \$2,000 for the second offense, and \$5,000 for the third offense. Inspector Dugay reached out to Sarah McColgan, the Tobacco Control Program Director at the Massachusetts Health Officers Association regarding this issue. A discussion arose among the members of the Board as to what the penalties and total fines should be. Because the offenses were so egregious and three instances of selling to minors were found through the police investigation, Ms. McColgan stated that the fines could be stacked, for a total fine of \$8,000, with the Board's approval. It was decided that, prior to the issuance of penalties and fines, a request to the City's Law Dept. should be made for a legal interpretation of the law. A motion was made and seconded to oppose fines and restrictions on the violator with the following caveats after consultation with legal. If legal approves, the board recommends a stacking of fines and imposing a prohibition on the sale of tobacco products for 30 days. If the advice of legal, based on their interpretation of the statute, is that this represents a first violation, then the board votes to fine \$1,000 per 105 CMR 665.000.

*The vote was as follows:*

Carnes	-	Yes
Strzempko	-	Yes
Hildreth-Fiordalice	-	Yes

All in favor, the Motion was declared passed.

#### CITY COUNCILOR RALPH FIGLI

Apartment Registry Presentation: Councilor Figli distributed information to the board and presented them with his proposed new ordinance wherein it would be required that everyone who owns rental property for housing register by July 1<sup>st</sup> of every year and an inspection of all units be conducted every 5 years by an inspection crew run through the City's Building Dept. This crew would consist of members of the Fire, Building and Health departments to identify any hazards and/or violations. A voluntary registration form would be included in the packet which would ask for the property owner's name, who would be the 24-hour contact, and the names of the individuals listed on the lease. An inspection fee of \$10 per unit would be imposed. Fees would be waived for some owner/occupied units such as two or three-family homes. He noted that there are currently approximately 44,000 apartments in the City. A 5-year rotation on inspections to be in place by July 1, 2024. Timing as well as budget impact will be items to consider. These inspections are required under State law. Actual inspections will be conducted once every 5 years. A concern was raised regarding the current staff being able to conduct all of these inspections, however, Councilor Figli felt that the total inspection fees collected would cover the costs of additional employees, should they be needed. These inspections may reduce housing complaints. Penalties may be imposed for violations. All Board members stated their approval of this new ordinance.

#### NURSING DIVISION:

Covid Update: Until mid-August, there were zero cases. Since then, numbers have risen to 15-20 official lab-confirmed cases. No home tests are included in these figures. Whooping cough cases have also been showing up as well as hand, foot and mouth disease. There are very few free test kits left for distribution.

Flu Clinic at Senior Center 9/27 and 9/28: The doses required for the clinic are delayed. Debra Mulvenna has been working to get these expedited. The clinic on 9/28 may need to be cancelled if the doses do not arrive.

**SUBSTANCE USE OUTREACH COORDINATOR:**

Staffing Update: There were 12-15 applicants of which 4-5 were good, qualified candidates. One has withdrawn. Two interviews are scheduled for Friday.

There has been some criticism of the Overdose Awareness Day vigil which will be used as a learning tool for future events. Nurse Tessa Sweeney is gathering feedback. Carrie Hildreth-Fiordalice will Google Forum for input. A meeting with Mark Jachym was held to discuss improvements for next year.

**LANDFILL/TRANSFER STATION:**

Update on Repairs: Repairs needed for the damage to the solar field are progressing. Cap repair needs to be done; however, funds will be needed as this was not in the budget. The Purchasing Director is involved and will be looking for free cash once it becomes available. The flare continues to go out and options are being reviewed with Tighe & Bond. Clean up of the shrubs and weeds needs to be done prior to winter.

One of the railings/gates at the Transfer Station has been damaged and will need replacing.

A motion was made and seconded to adjourn the meeting at 7:08 p.m.

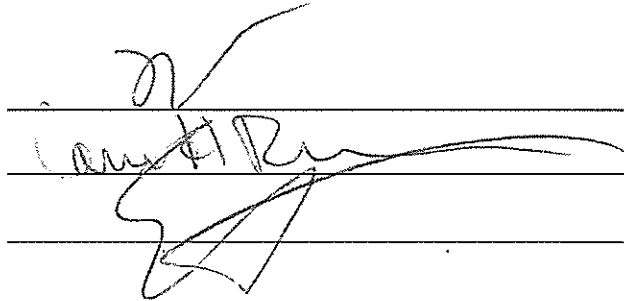
*The vote was as follows:*

Carnes	-	Yes
Strzempko	-	Yes
Hildreth-Fiordalice	-	Yes

All in favor, the Motion was declared passed.

The meeting was adjourned at 7:08 p.m.

Minutes approved by:



A handwritten signature, likely "Camille", is written over three horizontal lines. The signature is in cursive and appears to be a name with a last initial.

/cam

*Next anticipated meeting date: October 11, 2023*

