

Call to order 5:00pm

Members present: Margaret Kidder, Chair, Mary Spinner, Clerk and Marilyn McMillan, Member
Also present: Michelle Carlisle, Administrative Assistant

- M. McMillan arrived at 5:05pm.
- Jeff Thomas, Parks Supervisor, Jason Mayo, Parks Commissioner and Joan Hamlett, Tobacco Alliance appeared before the Board to discuss the possibility of the Board of Health enacting a No Smoking Regulation for the Town of Ayer.
 - Reviewed updated draft of the proposed No Smoking Regulation.
 - Reviewed definition of Retail Tobacco Store and Smoking Bar.
 - M. Kidder asked what happens if a contractor plows with his own truck? Can he smoke in it? Joan Hamlett – yes because the truck is not owned by the Town.
 - M. Kidder asked who gets fined if someone smokes in a Town owned vehicle? Joan Hamlett – the person driving. The manager is fined only if there is an established “don’t ask don’t tell” policy.
 - Jeff Thomas asked if sidewalks would be included. Joan Hamlett – yes but only if specified in the regulation.
 - M. Kidder stated that she would like to see sidewalks that are around Town owned property included.
 - Joan Hamlett will ask D.J. Wilson from the Mass Municipal Association to draft language regarding sidewalks.
 - Joan Hamlett stated that Mass law already prohibits smoking in Town owned vehicles.
 - M. Kidder asked if the new regulation would need to be posted in the paper in its entirety? Joan Hamlett – no, she has language to use.
 - Joan Hamlett stated that Townsend has a very strict regulation and Leominster is in the process of adopting one through its BOH.
 - M. Kidder asked if Joan has seen resistance from other Towns. Joan Hamlett – no. Some Towns are doing By-Laws through Town Meeting.
 - Joan Hamlett stated that Ayer is below the State smoking rate of 18%.
 - Joan Hamlett stated that the President of the Civil Libertarians are against no smoking bans.
 - Joan Hamlett to send “cost of smoking” information to M. Carlisle.
 - M. Spinner and M. Kidder stated they would like cable to cover the Public Hearing on 1/11/09 at 6:30pm.
 - Jeff Thomas asked who owns the Senior Housing. M. Spinner – Housing Authority.
 - Joan Hamlett – state law applies to Housing Authorities.
 - Joan Hamlett explained some rules of a Tobacco Public Hearing that have been used and will send to M. Carlisle.
- Minutes approval – 10/19/09
 - **Mary Spinner motioned to approve minutes from 10/19/09, M. McMillan 2nd, A 3/0.**
- Bills Approval – none.
- Mail reviewed.
- M. Kidder asked Jim Garreffi, Director, Nashoba Associated Boards of Health about the issues at 31 Main St. There have been two complaints recently. Jim will look into.

- M. Spinner asked Jim Garreffi about leaving mattresses in the swap shed. Jim stated there aren't any MGLs against it but some Towns have banned them from being left on Town owned property.
 - **M. Spinner motioned to adopt the policy that mattresses are prohibited from being left at the swap shed at the Transfer Station, M. McMillan 2nd A 3/0.**
- Nashoba Associated Boards of Health – Bridgette Braley, Health Agent – material review
 - Title 5 for 123 Oakridge Drive (or 85 Fitchburg Rd – unclear).
 - **M. Spinner motion to approve conditional inspection for 123 Oakridge Dr. subject to clarification of the address, M. McMillan 2nd A 3/0.**
 - M. Carlisle to check with B. Braley.
 - M. McMillan received a complaint re: ducks at Ayer Community preschool. Ducks are aggressive and scaring the staff, parents and kids. M. Spinner stated there have been other complaints that B. Braley has looked into. M. Carlisle to check with B. Braley.
- Old fire station re-use survey – move to next meeting agenda.
- M. Carlisle to take off 11/12/09 and work 11/13/09 instead.
- M. Kidder needs to leave the meeting and can't attend the H1N1 Virus mtg.
- 5:50pm – H1N1 Virus Meeting.
 - Jim Garreffi, Director, Nashoba Associated Boards of Health, Ken Gikas, Program Consultant, Region II, Emergency Preparedness Coalition, Fire Chief Pedrazzi, Becky Gardner, Middle/High School Nurse.
 - Jim Garreffi – received a small amount of H1N1 doses. Scheduled appointments to give H1N1 vaccines using State priority guidelines. Have two different injectables. Tentatively scheduled the clinic for December 1, 2009.
 - Fire Chief asked if his paramedics will be needed. Jim – maybe.
 - Fire Chief stated that paramedics are being used in surrounding Towns.
 - Becky stated that 100 doses were sent to the school for staff.
 - Becky stated that the Page Hilltop school has a higher absence rate than the Middle/High school
 - Becky confirmed one case of H1N1 at the Middle School. (tested by the state lab).
 - M. McMillan asked if there was a lead time for the clinic doses. Jim – not sure – don't want to have the clinic at the school w/less than 500 doses.
 - Jim Garreffi stated that more seasonal flu vaccines might be coming in at the end of November. If he has any by December 1st, he'll bring them to the H1N1 clinic.
 - Ken Gikas stated that Ayer will receive approximately \$15,000 in grant money for H1N1 related expenses.
 - Fire Chief asked if the paramedics can get paid for overtime. Ken stated that yes they can out of the grant money.
 - Jim Garreffi stated that he would like to advertise the clinic as "for community residents only". Ken stated that is ok.
 - M. McMillan asked what went wrong with the Worcester clinic. Ken – not enough doses and they opened it up to everyone instead of just community residents.
- **M. McMillan motioned to adjourn, M. Spinner 2nd, A2/0.**

Meeting adjourned at 6:15pm.

May Spinner - 11/23/09
Margaret M. Kidder 11/23/09