Board of Health Meeting Minutes September 16, 2025 9:00 am Via Zoom

**Call to Order**: Chair, Fred Vohr called the meeting to order*.* Others in attendance included: Board of Health members, Ron Kelter, Lynn Dole, Franklin Regional Council of Governments, Cooperative Public Health Services (CPHS) representatives Randy Crochier, Kurt Schellenberg, and Town Administrator, Terry Narkewicz.

**Media Present**: None

**Acceptance of Minutes**: Ron presented a motion to accept the minutes of August 12, 2025 as presented. Lynn seconded the motion. The motion passed unanimously 3-0-0.

**Appointments**:

9:15 am Public Hearing Sarah Davenport, Davenport’s Service Station RE: Appeal of Tobacco Violation – Lynn presented a motion to open the public hearing. The motion was seconded by Ron. Motion passed 3-0-0.

Sarah stated that she was first notified of the violation in early July. While she understands the severity of the offense, she had hoped that by requesting an appeal that the $1,000 fine could be waived. She noted that this was a first offense for her business. When the incident occurred, her usual regular employee was away vacation, and a newly hired employee, working her first evening alone sold the tobacco product with asking for proper identification. The employee responsible for the sale was present for the discussion and indicated that she was mortified by her mistake. She felt that the fine was too high for a small business. Sarah would like to make sure that all of her employees are properly trained so that this does not happen again. Meridith O’Leary, Youth Compliance Check Coordinator for the Pioneer Valley Tobacco Coalition indicated that she would make herself available for in-person on-site training for the business. Unfortunately, the fine cannot be reduced or waived. Members of the Board of Health recommended that Sarah reach out to Terry with regards to payment. Following the discussion, Lynn presented a motion to close the public hearing at 9:25 am. Ron seconded the motion. The motion passed 3-0-0. Ron presented a subsequent motion to uphold the decision to fine Davenport’s Service Station $1,000 for sale of tobacco to a minor. Lynn seconded the motion. The motion passed 3-0-0.

**Old Business:**

Maureen O’Reilly, FRCOG Regional Health Inspector RE: Tobacco Sales Violation – Davenport’s Service Station – in late June, a youth compliance check was made on behalf of the Town of Shelburne and a tobacco product was sold to a person under the minimum age of legal sale. Said offense carries a $1,000 fine per state law. Sarah Davenport has requested a public hearing. See 9:15 am appointment.

**New Business**: None

**FRCOG Health Agent Update**: Randy Crochier reported that CPHS has two open positions. The program is now providing services to the towns of Ashfield, Bernardston, and Conway therefore, the demands on the staff are greater (particularly in the area of Title V inspections). Shelburne’s short-term rental bylaw was recently passed by the Attorney General’s Office therefore Randy will be meeting with Town Clerk, Joseph Judd to review his role. CPHS has been busy permitting festivals and twice a year food inspections. Randy and others recently attended a MEHA Conference and will soon attend a Mass Health Conference in Springfield. In closing, Randy reported that a new café has opened on Deerfield Ave (Salmon Falls Café). CPHS will amend their permitting program to include a means of notifying Town Administrator, Terry Narkewicz so that she is informed of new establishments opening.

**Other Business**: Fred noted that the West Nile virus and Equine Encephalitis has been detected throughout Massachusetts and residents should take precautions to protect themselves when outside. Also, Fred urged citizens to consider obtaining vaccinations for Covid, the flu, and other prevalent viruses. The FRCOG website has information available on a variety of upcoming clinics

Nicotine Free Generation Concept – Randy offered to meet with members of the Board of Health to discuss the Nicotine Free Generation Concept which some neighboring communities are adopting. The Board will meet with Randy via Zoom on September 22, 2025 at 3:30 pm

**Correspondence**:

**Public Comment**: None

**Next Meeting**: October 7, 2025 at 9:00 am via Zoom

**Adjournment**: Ron presented a motion to adjourn the meeting at 9:38 am. Lynn seconded the motion. The motion passed 3-0-0