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**ADAMS BOARD OF HEALTH
MEETING MINUTES
THURSDAY, NOVEMBER 19, 2020
4:00 P.M.**

MEMBERS PRESENT: Chairman David Rhoads, Vice-Chairman Peter Hoyt and Member Laura Grandchamp

OTHERS PRESENT: Attorney Edmund St. John III; Code Enforcer, Mark Blaisdell; John Sheerin; Tracy Sheerin and Administrative Assistant Pam Gerry

CALL TO ORDER: Chairman Rhoads called the meeting to order at 4:00 P.M.

Join Zoom meeting by video

URL: <https://zoom.us/j/93697032583?pwd=d292M1FzZmxCRi9FU3JvRXFVZWJiQT09>

Meeting ID: 936 9703 2583

Passcode: 401848

Join Zoom meeting by phone, dial by your location

1-929-436-2866 (New York)

Meeting ID: 936 9703 2583

Passcode: 401848

Note: If you are having trouble joining, please call David B. Rhoads, Ph.D., Chair, at 71-507-1627.

NOTICES ON RECORDING & PANDEMIC WAIVER TO CONDUCT PUBLIC MEETING VIRTUALLY:

Chairman Rhoads began the meeting by stating that according to Governor Baker's March 12 and March 15, 2020 order suspending Open Meeting Laws and proposing strict limitations of attendees that are allowed to gather in one place, the Board of Health meeting would be conducted remotely with their participants.

PUBLIC COMMENT: Chairman Rhoads asked if there were any members of the audience who wished to make a public comment. There were none.

PUBLIC HEARING: Brandy Shade

Chairman Rhoads stated that Ms. Shade had withdrawn her request.

NEW BUSINESS:

- Original Seed Cigar Lounge: Update permit information

Mr. Blaisdell began discussion by stating that the Original Seed Cigar Lounge was issued a permit for a smoking bar on a conditional basis, however the application did not contain the DOR permit and the site for the smoking bar had not been purchased during that time. Mr. Blaisdell informed members that currently, the property had been recently purchased by the owners. Mr. Blaisdell noted that construction had commenced and he was told that it should be

finished in a few weeks. Mr. Blaisdell stated that after the board's last review of the conditional permit, the Coronavirus pandemic began. He told them that in May, 2020 he allowed the business to change their model to a retail adult only business with curbside sales to offer the applicant an opportunity to "establish revenue, pay bills and provide reportable data to DOR for their smoking bar permit." He recommended that the board allow the applicant to continue with the conditional permit while construction was in process. Mr. Blaisdell stated that upon completion of the construction process, the inspectors and code enforcement officers would be prepared to sign off on the building permit. Mr. Blaisdell stated he would then complete his pre-open inspection, noting that with the board's permission, he would revise the permit to a full retail adult only establishment and when they were ready to progress to an official smoking bar, he would ask the applicant's to return to the board for further review and approval.

Chairman Rhoads asked for clarification of the permit that was submitted to the board members from Mr. Blaisdell, asking him if the permit had expired on August 20, 2020. Mr. Blaisdell stated that the status of the permit was the owners' responsibility and they were required to contact the Board of Health Office for further review of the progression of their permit.

Chairman Rhoads asked if the permit expired on August 20, 2020 was for their sale of tobacco. Mr. Blaisdell stated that this was correct. Chairman Rhoads was curious to know if tobacco sales were continuing after that date. Mr. Blaisdell stated that he could not confirm that.

Tracy Sheerin addressed the board members stating that she agreed that this information was their responsibility to provide to the Board of Health Office. She added that they had never received a paper copy of the permit from the Town of Adams, further noting that they were not aware of the expiration date and after a year passed, they anticipated the permit was still valid. She explained to the members that when she was informed of this by Mr. Blaisdell that they moved forward on filing for a current permit. Mr. Blaisdell reminded the Sheerin's that since the town's permitting process went to an automated system, it would become their responsibility to print their permits.

Chairman Rhoads stated that he understood that the Sheerin's permit expired and Original Seed was required to apply for a new tobacco permit. Mr. Blaisdell stated that he felt this was an oversight and he suggested that the board continue their conditional permit to allow the retail adult only sales at curbside. He told them that the Sheerin's have currently submitted their application for food service and tobacco for 2021. He stated that he anticipated their construction would be completed and they would have local sign offs and would open for interior sales before the start of the new year. Mr. Blaisdell stated that the permitting for the retail adult only sales would be progressive and would not require them to come before the board again. He emphasized that at the time the applicant was ready to progress to an official smoking bar when they receive their permit from DOR, further noting that they would need to then come before the Board of Health to present those formalities.

Chairman Rhoads stated that this process would be a separate permitting process which the state was required to issue their permit for the indoor smoking lounge.

In closing, Mr. Blaisell requested that the board approve the continuation of the conditional permit for the retail adult only tobacco sales at curbside so he could move the permit forward pending all sign offs for construction were completed. He stated that he was confident that they would be conducting their business inside the premises.

A motion made by Vice-Chairman Hoyt, seconded by Member Grandchamp to waive the expiration of the Original Seed's current permit and extend the provisional permit to December 31, 2020, passed unanimously. A roll call vote was taken 3-0.

Vice-Chairman Hoyt recommended to the Sheerin's that they print their permit and post the document at their business. They agreed that they would do so.

Ms. Sheerin stated that they had renewed the permit recently and was curious to know if they would be responsible to pay an additional fee in December, 2020. Mr. Blaisdell stated that they do not owe an additional fee. Vice-Chairman Hoyt reminded them to print the new permit as well.

APPROVAL OF MINUTES: October 14, 2020

Vice-Chairman Hoyt stated that several amendments to the meeting minutes needed to be made. He stated that the delay in the starting time of the October meeting should be noted in the minutes, adding that it was due to technical difficulties. Chairman Rhoads agreed.

Vice-Chairman Hoyt commented that when the board voted for Chief Bacon's Halloween plan, the word "commend" should be changed to "support."

Vice-Chairman Hoyt concluded with a change should be made to the next scheduled meeting to read; "November 18 from November 14."

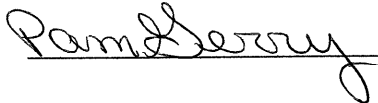
Chairman Rhoads requested that the blank page be removed from the conclusion of the minutes.

A motion made by Vice-Chairman Hoyt, seconded by Member Grandchamp to approve the amended minutes, passed unanimously. A roll call vote was taken 3-0.

SCHEDULE NEXT MEETING: A motion made by Vice-Chairman Hoyt, seconded by Member Grandchamp to schedule their next meeting to December 9, 2020 at 4:00 P.M., passed unanimously.

ADJOURN: A motion made by Vice-Chairman Hoyt, seconded by Member Grandchamp to adjourn the meeting at 4:34 P.M., passed unanimously. A roll call vote was taken 3-0.

Respectfully Submitted,



Date

12-10-20