



Acton Board of Health

Room 126, Acton Town Hall
Acton, MA 01720

TOWN CLERK, ACTON

March 11, 2013

Members Present: Michael Kreuze -Chairman, William McInnis, Dr. William Taylor,
Joanne Bissetta and Mark Conoby
Robert Oliveri-Associate with Voting Rights

Staff Present: Sheryl Ball-Health Agent
Weiyuan Sun-Administration

Other Present: Mike Abboud, Corinne Abboud, Nadia Khabszeh, Tony Buscemi,
Tony Buscemi Jr., Umeth Bhavsar, Matthew Mostoller, Chris Allen,
Stephen Stuntz, Gary D'Agostino, Mary Bassett, Lynn
Protasowicki, Peg Mikkola, Ronald Parenti, Paul Malchodi,
D J Wilson, Scott A. Smith, Barry Rosen, John Cipar,
Jackie Doane, Tina Grosowsky and Michael Gagnon

The meeting was called to order at 7:38 p.m.

Acton Water District

The Acton Water District was present to outline their plan to improve the quality of drinking water for the Acton residents. The District spoke about current and long term plans, potential need for the town to place limits on future growth and possibly having the town retro fit their municipal buildings with low flow devices. The Board thanked the Water District for their update.

Tobacco Regulations

Mr. Kreuze opened the public hearing to discuss and collect information regarding the proposed amendment to the tobacco control regulations Article 18. Ms. Grosowsky requested that the Board prohibit pharmacies from selling tobacco products in Acton stating that CVS pharmacy, located at 393 Massachusetts Ave is nearby Jr and Sr. High School and hopes that this amendment would deter young kids from purchasing tobacco products. Mr. McInnis stated that a distance to the stores does not limit the potential health risk with using tobacco products. Mr. Abboud, owner of Tedeschi's pointed out that if the Board prohibits them from selling tobacco products or a single cigar under the price of \$2.50 will seriously impact their retail sales. A resident pointed out that anyone younger than eighteen years of age legally can't have tobacco products in public area. All persons are forbidden from using tobacco products on school property. The board discussed and gathered this information and continued the public hearing until the next regularly scheduled meeting.

CVS Pharmacy #654-344 Great Road

The Health Department received notification from the Massachusetts Tobacco Cessation and Prevention Program (MTCP) that an employee of CVS pharmacy #654 located at 344 Great Road sold tobacco product(s) to a minor on January 31, 2013. CVS is in non-compliance of following Acton Health Department Rules and Regulations:

18-9.1; No person shall give/sell cigarettes, chewing tobacco, snuff, or other tobacco products in any form any person who is minor (under the age of eighteen)

18-9.3 Each retailer shall verify, photographic identification (on which the bearer's date of birth is stated), that no person purchasing the product is under eighteen years. No such verifications is required for any person who by reasonable physical inspection appears to be over the age thirty.

These violations of Article 18 carry a fine in the amount of \$200. Mr. Gagnon, manager of CVS Pharmacy #654, attended the meeting and mentioned that this was the first time this store violated this regulation. Mr. Gagnon stated that CVS is fully responsible for this serious violation and CVS will reinforce training sales employees, ensuring that employees will verify photographic identification to avoid this violation again. Mr. Gagnon also pointed out that CVS has agreed to pay the \$200 fine. The CVS #654 will train and educate their employees with more care and they will check their store cameras more often to avoid this matter in the future.

Adjournment

On a motion made by Mr. Conoby and seconded by Dr. Taylor, the Board unanimously voted to adjourn the meeting at 9:50pm.

Respectfully Submitted,



Weiyuan Sun, Administrator
Acton Board of Health



Michael Kreuzer -Chairman
Acton Board of Health