

BOARD OF HEALTH
Hearing Room, Second Floor-City Hall- 210 Main Street
DRAFT June 7, 2018 Minutes

BOH Members Present: Joanne Levin; Suzanne Smith; Cynthia Suopis and William Hargraves

BOH Members Absent: None

Staff: Merridith O’Leary, Director; and Melissa Roberts-Cote, BOH Clerk

Meeting opened June 7, 2018 at 5:28 pm by Joanne Levin

I. Public Comment Session: None

II. Review Minutes

A. Meeting Minutes from May 10, 2018

Motion: Approved: Motion made by Suzanne Smith to accept the minutes with the change of the location, seconded by William Hargraves. All were in favor (4-0).

III. Discussion: Draft Regulation: Draft Retail Marijuana Establishment and the Sale of Marijuana Regulation

It was recommended by Director O’Leary and endorsed by Attorney Alan Seewald, City of Northampton Solicitor, that the Board table the Draft Regulation of Retail Marijuana Establishments and the Sale of Marijuana for the City of Northampton. Director O’Leary felt that the few amendments to the draft regulation really did not have public health impact, nor fell under the scope of the Board of Health. Director O’Leary also noted that permitting and inspectional services would be difficult to perform without staff having the training or education to handle the responsibilities to inspect this type of business. Attorney Seewald commented that the state has comprehensive regulations and much of what the Board of Health included in the draft regulation was outside of the Board’s scope of authority. Attorney Seewald stated that he would be willing to work with the Board of Health in the future if there is a need to revisit writing policy. Director O’Leary pointed out that food is the primary concern and under the state regulation the Cannabis Control Commission (CCC) does not consider edibles a food product.

The Board discussed with Attorney Seewald whether or not they would be able to proceed with a regulation in the future if a public health impact or concern were noted. Attorney Seewald verbalized that he could argue that the sanitary code would apply in some areas allowing the Board of Health to exercise their jurisdiction despite marijuana not being classified as a food product.

Board Chair Joanne Levin asked Attorney Seewald about the Host agreement and if it was possible to review the host agreements that have been submitted. Attorney Seewald stated that there is a 3% tax to the host community, 3% additional tax and the host agreement is a 5 year agreement. Additionally, Marijuana Retail Establishments are also required to donate \$10,000.00 a year to a non-profit to work on youth prevention. The non-profits chosen would be local organizations. The CCC is expected to perform enforcement of the regulation and is that is outlined in the host agreement.

IV. Motion: Motion made by William Hargraves, to table further discussion of the Draft Retail Marijuana Establishment and the Sale of Marijuana Regulation. The motion was seconded by Suzanne Smith at 7:15 pm. All in favor (4-0)

Meeting Closed: Motion to Close Meeting: Motion made to close the board of Health Meeting by William Hargraves, seconded by Suzanne Smith, all in favor (4-0)

Meeting closed at 7:38 pm

The next scheduled Board of health Meeting: September 20, 2018
Melissa Roberts-Cote, BOH Clerk

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Meeting Document List

The following documents were available to the Board of Health during their scheduled meeting.

These documents are available for review at the:

Northampton Health Department, 212 Main Street, Northampton, MA 01060

- Meeting Agenda
- May 10, 2018 Minutes
- Draft Regulation for the City of Northampton Health Department for Marijuana Establishments and the Sale of Marijuana