Board of Health Meeting Minutes June 10, 2025 9:00 am Via Zoom

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

Media Present: None

Acceptance of Minutes: Ron Kelter presented a motion to accept the minutes of April 28, 2025 as presented. Fred seconded the motion. The motion passed unanimously.

Old Business: Ron reported that he met with members of the Buckland Board of Health to explore the possibility of regionalizing on some level. Ron said it was a productive discussion and was tasked with reaching out to the UMass Collins Center to see whether they would provide some insight on the potential process

New Business: Nothing to report.

FRCOG Health Agent Update:

Randy reported that his agency is in the midst of Recreational Camp inspections. He noted that Camp Apex is in great shape and scheduled to open soon. Now that the summer season is almost upon us, there has been an increase in requests for temporary food permits as well.

Maureen O’Reilly’s grant paid epidemiology position will more than likely be coming to an end in the months ahead as a result of Executive Orders from the White House. Given Maureen’s value to the CPHS Program, the FRCOG’s has been training her as a health inspector with an overall goal of retaining her once grant funds are no longer available. The FROCG hopes to continue some of Maureen’s work like her newsletter.

Phoebe Walker has met with the Cannabis Commission to learn more about changes to the Cannabis Regulations. While it appears that the changes may give Boards of Health more enforcement authority, there is no discussion of additional funding for said enforcement.

Correspondence: None

Appointments:

9:10 am Dararuthy Lean, Good Spirits Liquor Shop RE: Request for an Appeal of Violation for Selling Tobacco to a Minor – the Board of Health Chair, Fred Vohr presented a motion to open the public hearing requested by Good Spirits regarding an alleged sale of Tobacco to a minor. Ron seconded the motion. A roll call vote was taken as follows: Fred – yes; Ron – yes. The motion passed 2-0-0. After hearing testimony of those present, it will be up to the Board of Health to determine whether there is sufficient evidence to substantiate the violation.

Franklin Regional Council of Governments, Cooperative Public Health Services (CPHS) representatives Randy Crochier explained that a youth compliance check was conducted by the Pioneer Valley Tobacco Coalition (PVTC) on May 23, 2025. During the compliance check, a youth officer entered the store and requested to purchase a pack of cigarettes. No ID or age verification was requested, and the youth was sold the product.

PVTC notified Randy’s office of the violation on May 28, 2025. A Correction/Cease and Desist Order was issued and hand-delivered on June 3, 2025 at which time the owner, Dararuthy Lean requested a hearing. Randy contacted Town Administrator, Terry Narkewicz and requested that a hearing be scheduled on June 10, 2025. Notice of the hearing date and time was hand delivered to Mr. Lean by Ms. Narkewicz on June 5, 2025.

Meredith O’Leary representing the PVTC provided a detailed explanation of how compliance checks are conducted and provided a detailed synopsis of what occurred on May 23, 2025 (including a description of the store clerk) when a youth officer purchased a tobacco product without a request for an ID or age verification.

Dararuthy Lean, owner of Good Spirts Liquor Shop did not have much to add. When he was asked whether he understood the proceedings, he indicated that he did not know why this was being “pinned on him”. He stated that he has been in business for 14-15 years and has never made a mistake before. He also indicated that he could not pay the $1,000 in one installment.

Fred asked Mr. Lean the following questions:

* Did Mr. Lean recall the sale?

*Mr. Lean stated that he does not remember.*

* Do you have proper signage posted?

*Yes – signage provided by PVTC*

* How will you prevent this from happening again?

*Mr. Lean indicated that he has learned a lesson and will check ID’s.*

After hearing no additional testimony, the Chair closed the evidentiary portion of the hearing.

Final comments: PVTC, Meredith O’Leary stated that every purchaser of tobacco products should show proof of ID. Randy Crochier indicated that Mr. Lean’s tobacco permit cannot be renewed under the violation is paid in full.

Motion to Close the Hearing: Fred presented a notion to close the public hearing at 9:28 am. Ron seconded the motion. Motion passed by roll call vote: Fred – yes; Ron – yes.

Outcome: Following a brief deliberation, Fred moved that the Shelburne Board of Health find that on or about May 23, 2025, Good Spirits Liquor Store, 6 Water Street, did sell tobacco to a person under the age of 21 in violation of state and local regulations. Ron seconded the motion. The Board will impose the $1,000 fine in accordance with state and local regulations and allow Mr. Lean to pay said fine in four (4) installments. The motion passed by roll call vote: Fred – yes; Ron – yes.

Public Comment: None

Next Meeting: the Board of Health will meet on Tuesday, August 5, 2025 at 9:00am

Adjourn: Ron presented a motion to adjourn the meeting at 9:30 am. Fred seconded the motion. Motion passed 2 to 0.