DEDHAM BOARD OF HEALTH MINUTES

April 25th, 2017

IN ATTENDANCE:

Leanne Jasset, B.S.P., RPH, Chairperson

Jason Brogan MSM Vice Chairperson

Catherine Cardinale, Health Director

Renee Johnson, Administrative Assistant

Gregg Corbo Attorney KP Law

Elizabeth Martin, Reporter Dedham Times

Meeting called to order at 7:07 PM

## First Order of Business,

No Comments

# 1.) Minutes Accepted for March 15th 2017

# 2.). Cathy Cardinale, Board of Health Director Report

#  127 Curve St, Owner contacted. An inspector went by last week and progress was definitely made, and she will continue to monitor Cathy Cardinale had been in contact with caretaker and was able to see changes.. Mrs. Jasset asked if it was possible to receive a status report or an update to see what corrections have been made. From the nephew/caretaker? Mrs. Jasset says the neighbors are asking and it would be nice to be able give them an update

# 40-80 High Street Condos, Fence is up blocking the dumpsters

1. Renee Johnson and Kris McMillan have reached six month mark,
2. Permitting for business licenses are still in process, some are still late, and BOH is working to process them.
3. Roadworthy is looking to open soon, Chick Filet, Chills may be a Wahlberg’s or a tilted Kilt Oscars
4. 7:15 Jason Brogan wants to talk about how to proceed with the marijuana situation. Mrs. Cardinale introduces the attorney Gregg Corbo; of KP Law;

Attorney Corbo speaks specifically regarding the authority of the board Health generally and how that might relate to authority to regulate recreational marijuana. Under Chapter 11 Section 31 BOH has broad authority to enact regulations for the protection of Public Health, the court gives wide latitude in enacting these regulations. He also states that there are several sections that address the municipalities to act by bylaw, but nothing that takes about health regulations.

Attorney Cabo recommends to enact a moratorium, as well as to consider what the public health implications are, in regards to manufacturing or growing. Ground water protection areas etc.

Mr. Brogan states from his perspective and in talking to other reps in town, the idea would be to make it a ballot question and ban it outright, and asks what the drawback in doing so?

Attorney Corbo states that if you think an outright prohibition is something that is in the interest of your community, he recommends a belt and suspender approach.

Mr. Brogan states that under the Board of Health, he believes we potential authority to do it.

Attorney Cabo states that the board of health has separate independent jurisdiction to regulate in the Board of Health. And it’s presumed valid until a court says otherwise.

Mr. Brogan asks what if we were to enact regulation, as well as put it on a warrant to for town meeting for fall.

Attorney Corbo states that he has always taken the position that the Authority of the Board of Health is separate from the town, to enact bylaws.

Mr. Brogan asks for clarification on medical marijuana dispensary being independent of the recreational law?

Attorney Corbo confirms that a medical marijuana facility you need to be a registered nonprofit, but the recreational law says, you cannot prohibit a medical establishment from also selling recreational marijuana

The board of Health agrees to wait and inquire down further avenues and research other communities before drafting anything.

3.). The board collectively thanks Attorney Corbo for his time

 Meeting is Adjourned 8:02pm.

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 Leanne Jasset, Chairman