

**BOARD OF HEALTH**  
Ralph Jensen, Chairman  
Robert Ogilvie, Clerk  
Peter Marinelli, Board Member

**HEALTH AGENT**  
Kathleen M. Waldron, RS

# Town of Avon

## Massachusetts



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TOWN OF AVON  
2023 APR 12 A 11:14  
TOWN CLERK

*POSTED IN ACCORDANCE WITH THE PROVISIONS OF MGL 30A S18-25*

**Board of Health**  
**March 15, 2023**  
**4:00PM**  
**MINUTES**

**This meeting was hybrid. All board members met in person. Meeting called to order at 4:00PM**

**Present:** Chairman, Ralph Jensen; Clerk, Robert Ogilvie; Member, Peter Marinelli; Kathleen Waldron, Health Agent and recording secretary; Sharon Simon, Board of Health Administrative Assistant; Emmanuela Isidor, ACES Prevention Coordinator; Kevin Reilly, Esq., A1 Market; Peter Patel, A1 Market; Oanh Quach, A1 Market.

**Old Business**

• **Tobacco Violation of 85 East Main Street**

Mrs. Isidor read a letter from ACES, see attached. There was more discussion about how the compliance checks were made and why the establishment was not immediately notified. The violations were reviewed again. Mr. Patel explained the new equipment he has in place to scan identification to ensure products are not being sold to minors and how this will not happen again. The new application was quickly reviewed and the Health Agent pointed out that even though there seems to be a change in ownership, a lot of the information on the application is the same as the current owner (email and phone numbers). It was explained that the new owner doesn't have an email address. The Health Agent still recommends to the Board that the hold true to their word from the last violation outcome where it was agreed upon by all parties that if there were any other violations at this establishment, than the permit would be permanently revoked. If the Board is not going to revoke the permit, than she suggested a permit suspension for six months, a fine of \$5,000.00, to deny the application that was just submitted with new ownership for this establishment, with the understanding that it will be re-evaluated once the suspension and fees have been fulfilled, that if the current owner will still be involved with the establishment that the violations are not reset and any other violations will have progressive disciplinary action (i.e. longer suspensions or higher fines). After much more discussion, Mr. Marinelli made a motion to suspend the permit for this establishment for 60 days and to fine the establishment \$2,000.00. Mr. Ogilvie made a motion to amend the motion to a fine of \$5,000.00. Mr. Marinelli seconded the motion specifying that these violations are for the establishment located at 85 East Main Street and that the application for the change in owner will be taken under consideration after the suspension has taken place and the fine has been paid. The Board agreed that all tobacco products must be removed from the premises of this establishment by Saturday, March 18 at 8:00AM. The permit suspension will begin on March 18, 2023 and end on May 17, 2023. Ralph will accompany the Health Agent during the inspection. All were in favor of this motion.

**Next Meeting:**

- Thursday April 6, 2023 at 4:30PM

Mr. Jensen made a motion to adjourn. Mr. Marinelli seconded, all in favor. Meeting adjourned at 5:06PM

ATTEST: 

DATE: 4/6/2023