

Charlemont Board of Health Minutes

December 11, 2025

Zoom

Present: Doug Telling, Rob Lingle, Scott Randall, Star Atkeson - secretary

Guests: Kurt Schellenberg, Meredith O'Leary, Kim Blakeslee, Randy Crochier, Jasmine Ward, Lisa Stevens-Goodnight, JJ Prusack, Kristie Faufaw, Mike Sisum, Isaac Sisum

**3:05 PM Hearing on Cold River tobacco sales**

**Rob Lingle made a motion to enter the hearing at 3:10 pm. Doug Telling seconded the motion.**

**Lingle - Yes, Telling -Yes**

- Lingle spoke eloquently about the purpose of the tobacco regulations, and the Board not wanting to put their neighbor, Cold River, out of Business.
- Crochier went over the timeline of the violation: November 25<sup>th</sup>, 2025, notification from Meredith O'Leary that there was a sale to a minor on November 22<sup>nd</sup> at 1:05 PM. On December 3<sup>rd</sup> a Cease and Desist was delivered to Cold River with the fine and the date and time of hearing.
- JJ Prusack, Pioneer Valley Tobacco Control Officer did the youth compliance check, and went over the visit as described by the youth officer.
- K. Faufaw went over all the precautions they had taken with their employees. She thinks it would make a difference if the employees also had to face some liability in the sale of tobacco to minors. She wants to know why the clerk is excluded from the fine, or jailtime.
- Lisa Stevens-Goodnight said it was a decision made by the state legislature, it was a specific and clear focus on the permit holder, not the clerk, she found the citation in the state law 665.045 subsection A.
- Randy pointed out that some local towns did hold clerks accountable, but that it wasn't state law. Charlemont used model MAHB regs, also holding the establishment accountable, not the clerk.
- Lingle wondered why the legislature did not require cash registers to use special registers that took the ID.
- O'Leary spoke to K. Faufaw and recommended that she ID every person who buys tobacco. And to post a "we card all" statement regardless of how young or old. She also suggested the tobacco sales online training which takes place twice a year.

- K. Faufaw spoke of an ID verification system that she has subscribed to that can determine whether an ID is fake or not, it can also accept out of State IDs. It does not connect to the Point-of-Sale register, though.
- M. Sisum thought there could be more prompt communication after the tobacco compliance checks, telling them if they passed. No communication about passing the check doesn't let the employees know that stings are happening. O'Leary said they do not want to put youth in harm's way. The businesses are informed after 7-12 days, and none of the clerks can remember it. Sisum thinks letting them know 1-3 days after would be more helpful, the clerk may remember. Then they could leave with more awareness.

**Rob Lingle made a motion to close the hearing at 3:49 pm. Scott Randall seconded the motion. Telling yes, Lingle yes, Randall yes.**

The violation includes a \$5,000 fine and could include permanent revocation of their tobacco license, as well as a 7 day no sale period.

Crochier let the Board know that the BoH could petition the Town on how to spend the fine money in a warrant article at Town Meeting.

K.Faufaw, suggested the Board impart conditions, if they were allowed to keep the license. Such as you need to use scanners, for example.

O'Leary said the scanners are not foolproof as establishments can override them.

They spoke about the different kinds of registers again. She is looking at the smaller scanners to interface with the Osprey system.

Telling suggests reaching out the State Legislators about at least lowering the amount of days of the suspension going forward.

**D.Telling made a motion that the Charlemont Board of Health received notice that on or about November 22, Cold River Package Store did sell tobacco to an under-21 individual, in violation of state and local regulations, and further moved that a seven-day suspension of the tobacco permit begin on Monday the 15th, end on December 21st, and that business resume on the 22nd. S. Randall seconded the motion. Telling —yes, Randall—yes, Lingle—yes.**

Action items:

1. Review/Approve Minutes from September 23, 2025  
**R. Lingle made a motion to approve the minutes as written. D. Telling seconded the motion. All in favor. Telling —yes, Randall—yes, Lingle—yes.**

2. Appoint MAPHCO representative

Frcog CPHS can be the primary representative and the local BoH representative can be the alternate. Randall will do it. **Telling motioned to take that option. Lingle seconded the motion. Telling —yes, Randall—yes, Lingle—yes.**

3. FY2027 BOH Budget request

Crochier reiterated that they can ask the SB about the BOH fines, not necessarily with the entire 5,000, but possibly creating a revolving fund to help with tobacco compliance, they could help Cold River get a card reader. Lingle thinks it would be a good idea. The Board could have something ready for town meeting. Perhaps pay ½ of the 64\$ a month subscription to the ID verification program, still following state law but with local flair.

The BoH budget covers the Town Contribution to the Tick testing program. Lingle would like to keep the tick testing program going.

**Lingle made a motion to Level spend the BoH budget at \$700. Telling seconded the motion, all in favor. Telling —yes, Randall—yes, Lingle—yes.**

The Board talked about using Federated Church as a warming center. They can talk to Sheila Litchfield. They'd like a written agreement between the Town and the Church and the selectboard can approve the agreement.

**Telling motioned to adjourn at 4:27 pm. Lingle seconded the motion, Telling —yes, Randall—yes, Lingle—yes .**

These minutes are not official until signed.

Documents Reviewed

- Agenda 12/11/2025
- Minutes 9/23/2025