

A

TOWN OF BARNSTABLE
Ordinance or Regulation

BAR-W

4057


~~WARNING NOTICE~~
CEASE AND DESIST

Name of Offender/Manager Joseph Carleo, Executive Director dob _____

Address of Offender 428 South Street ^{P.O. Box 1522} Provincetown MA MV/MB Reg.# _____

Village/State/zip Hyannis MA 02601 02651 SS# _____

Business Name Aids Support Group of Cape 5:00 am pm on Sept 21, 2015
Sept 22, 2015

Business Address 428 South St Co D Hyannis MA  Signature of Enforcing Officer

Village/State/zip Hyannis MA 02601

Location of Offense 428 South Street Hyannis MA Public Health
Enforcing Dept/Division

Offense MGL 111 Sect 215 and Chapter 94C, Section 27

Facts Syringes were being distributed to persons without local approval.

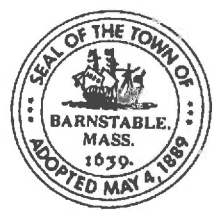
This will serve only as a warning. At this time no legal action has been taken. It is the goal of Town agencies to achieve voluntary compliance of Town Ordinances, Rules and Regulations. Education efforts and warning notices are attempts to gain voluntary compliance. Subsequent violations will result in appropriate legal action by the Town.

WHITE - OFFENDER CANARY - ORD /REG.-PROG PINK - ENFORCING OFFICER GOLD - ENFORCING DEPT.



**BARNSTABLE
POLICE DEPARTMENT**
**MATTHEW K. SONNABEND
DEPUTY CHIEF**

(508) 778-3850
sonnabendm@barnstablepolice.com
1200 Phinney's Lane
Hyannis, MA 02601
www.barnstablepolice.com

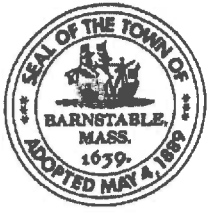


Thomas A. McKean, RS, CHO
Director of Public Health

Town of Barnstable
Department of Regulatory Services

PUBLIC HEALTH DIVISION
200 Main Street, Hyannis, MA 02601
Tel: (508) 862-4644
Fax: (508) 790-6304
health@town.barnstable.ma.us

B



Town of Barnstable
Regulatory Services
Richard Scali, Director
Public Health Division
Thomas McKean, Director
200 Main Street, Hyannis, MA 02601

Office: 508-862-4644

Fax: 508-790-6304

September 23, 2015

Mr. Joseph Carleo
Executive Director
AIDS Support Group of Cape Cod
336 Commercial Street
P.O. Box 1522
Provincetown, MA 02657

and Ms. Donna Mello
AIDS Support Group of Cape Cod
428 South Street
Hyannis, MA 02601

ORDER TO CEASE AND DESIST DISTRIBUTION OF NEEDLES/ SYRINGES

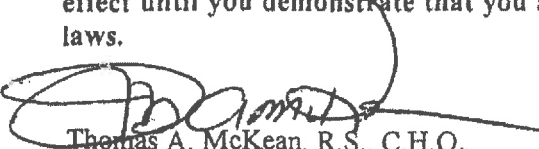
At 5:00 p.m. on September 21, 2015, needles/syringes were distributed to a person from the property managed by you or your staff, located at 428 South Street Hyannis Massachusetts.

Pursuant to M.G.L. 111, Section 215, the Massachusetts Department of Public Health is authorized to promulgate rules for the implementation of not more than ten pilot programs for the exchange of needles in cities and towns within Massachusetts upon nomination by the Department. This Section of the Massachusetts General Law specifically reads as follows: "local approval shall be obtained prior to implementation of each pilot program in any city or town." You failed to receive approval of the Barnstable Town Council to distribute needles/syringes within the Town of Barnstable.

In addition, in accordance with M.G.L.A. 94C Section 27, hypodermic syringes or hypodermic needles may be sold in Massachusetts only by a pharmacist or wholesale druggist licensed under the provisions of Chapter 112, a manufacturer of or dealer in surgical supplies or manufacturer of or dealer in embalming supplies.

On September 22, 2015 at 10:20 a.m., Deputy Chief Matthew Sonnabend was accompanied by Thomas McKean, Director of Public Health for the Town of Barnstable, who handed Donna Mello a handwritten cease and desist order at 428 South Street Hyannis, Massachusetts, where syringes were being distributed.

You, your employees, volunteers and agents are hereby ordered to immediately cease and desist the distribution of any needles/syringes within the Town of Barnstable. This cease and desist order shall remain in effect until you demonstrate that you and your organization are operating in compliance with the above cited laws.


Thomas A. McKean, R.S., C.H.O.
Director of Public Health
Town of Barnstable