**DEDHAM BOARD OF HEALTH MINUTES**

**February 13, 2020**

IN ATTENDANCE:

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

Kathy Reda, RN., BSN Vice Chairperson

Mary Ellard, RN., Member

Bridget Sweet, Interim Health Director

Fior Griffin, Administrative Assistant

**Meeting called to order at 5:32 PM**

**5:33 Board Meeting Minutes Accepted**

1. Motion made by Kathy Reda to accept the minutes from the December 12th meeting. Mary Ellard seconds the motion. Mary Ellard motions to accept the meeting minutes from January 9th. Kathy Reda seconds the motion.

**5:45 Public Hearing Tobacco**

**Regulations Affecting Smoking and the Sale and Distribution of Tobacco and Nicotine Delivery Products in Dedham**

1. Motion made by Mary Ellard to open the public hearing regarding tobacco regulations. Kathy Reda seconds the motion.
2. The purpose of the hearing is to review and hear comments related to the proposed amendments to the Board of Health Regulations affecting smoking and the sale and distribution of tobacco and nicotine delivery products in Dedham. Those changes include both policy changes and draft regulations including but not limited to the following:
	* + Elimination of flavored tobacco products, including mint and menthol
		+ Elimination of the sale of Electronic nicotine delivery systems, in the town of Dedham, including disposable nicotine delivery products.
		+ An update of the definitions contained in the regulations
		+ The effective date of the changes
3. D.J. Wilson is the Tobacco Control Director for the Mass Municipal Assoc. and is joining the meeting to provide more insight to the Board and the public about the changes in the Tobacco regulations. He provided a list of the cities and towns, in MA, that have eliminated or limited smoking bars (see Exhibit 1).
4. Mr. Wilson applauds the Board for updating the regulations, most of which are updating to the new state law that has been put in place or that will soon go into effect.
5. No comment from the audience
6. Mary Ellard moves to close the public hearing on Tobacco regulations. Kathy Reda seconds the motion. Public hearing is closed.
7. Mary Ellard motions to accept the updated Tobacco regulations as written to include the elimination of the sale of nicotine delivery systems, including disposable nicotine delivery products, as well as mint and menthol nicotine flavors and to accept the updated definitions. Kathy Reda seconds that motion.
8. Mary Ellard motions to make the effective date April 1, 2020. Kathy Reda seconds the motion.
9. D.J. Wilson states that there have been approximately 20 towns, state-wide, that have banned the sale of flavored tobacco products, including mint and menthol. Dedham and Canton are the only towns, thus far, to ban the sale of all electronic nicotine delivery products.
10. Chairperson Jasset asked Mr. Wilson if any towns have been sued for banning the sale of flavored tobacco products or electronic nicotine delivery products? He stated that there were some lawsuits that were filed in the fall, when the Governor issued his temporary ban on the sale of electronic nicotine delivery products, but no additional cases since then.

**5:50 Staff Reports**

1. It was brought to the attention of the department that some areas of town have shown increased rodent activity. The department has sent information to these residents to give them best practices regarding how to prevent rats from being attracted to their properties. These include:
* Pick up animal feces
* Keep bird seed under control and in the feeder as much as possible
* Pick up fallen tree fruit
* Tie up trash bags and store them in covered containers until they can be disposed of properly.
* Keep grills and grilling areas clean and clear of food waste
* Make sure compost piles are maintained securely and covered.
* Keep yard maintained and ensure yard waste is properly disposed of in yard bags.
* Cover openings that are greater than ½ inch in diameter with concrete, sheet metal or wire mesh.
1. The Inspectors participated in an in-house training to review the new food code. They received class lecture, field training and will schedule a follow-up meeting to review any additional questions or concerns they may have. Inspections under the new food code will take longer to complete and some locations will require increased frequency of inspections.

The inspectors then facilitated 3 informational sessions for local restaurant managers and staff regarding the New food code. There was a good turnout and approximately 75-80 representatives attended.

1. New owner at Deli After Dark.
2. La Taqueria should be opening soon.
3. The Inspectors are also meeting with summer camp directors to review any changes to the permitting process and review how to assemble the binders in a complete and streamline manner.

**6:15 Update on Gun Shop and the role of Public Health**

1. Chief D’entremont is in attendance for the discussion of the Gun shop.
2. Chairman Leanne Jasset opened the discussion with the following comment from the Board:

“The Board of Health has carefully reviewed the issue of regulation of firearms businesses and whether the sales of guns, either generally or in a particular area within the Town, constitutes a threat to public health.

While statistical data does exist indicating mental health, social isolation and bullying, as well as other factors, contribute to the number of injuries and deaths related to guns and gun violence, more research is needed to formulate successful policy.

Clearly, there is a broader issue of gun violence and its impact on public health.

Currently, however, we are not aware of any Board of Health in the Commonwealth or the country which has undertaken regulation of gun sales and firearms businesses.

Research dollars from the federal and state level, to the Institute of Public Health, universities, and other agencies is needed to study the root causes of gun violence, and to provide the basis for policy development, to successfully address this issue.

At this time, in the Town the zoning process is being undertaken to specifically address firearms businesses. We are aware that other communities have undertaken regulations of gun sales through the zoning process, and we believe that it is currently the appropriate mechanism to regulate these activities, and we fully support the efforts of the Planning Board, Board of Selectmen and Town Meeting in undertaking this mechanism that may best control the sale of guns in our Town.

**Again based on the Boards research:**

The broader issue is Gun Violence and the Role of Public Health.

That discussion should take place on a larger platform with all stakeholders. (Public Health, Mental Health Agencies, Schools, Youth Groups, etc.)”

Mark Rich, the attorney with KP Law, is present for the meeting. He stated that no regulations have been taken by the Board of Health in MA or nationwide as to the sale of firearms as a business. Worked carefully with the town on the one article that was presented and passed by the town at the November town meeting and is subject to the approval of the Attorney General. The way that the bi-law was presented, it would restricts fire arms sales to a specific district with in the town. This is not a discussion on whether we agree with the 2nd amendment or not but the town is subject to the requirements placed upon it by the federal courts because of the 2nd amendment.

Mary Berkit, resident at 18 Sanderson Ave, presented to the Board, information from Medical literature correlating the number of gun shops/presence of gun shops in a town and the increased number of homicides and suicides in that town.

Board member Ellard replied that although there is a lot of statistical data, there is a lack of scientific data and you need the scientific data to drive policy change. She explained that a broader discussion includes gathering more scientific data to determine what the Health Department’s role should be in gun control. She would also like to include other stakeholders in the conversation. Stakeholders including, the state public health department, schools, churches, police personnel, etc. And of course we would need to get more money from Washington to help fund some of these programs.

Mr. Rich, reminded the audience that we cannot prohibit the sale of guns as it is a 2nd Amendment right. The Board of Health is not in the business of closing businesses. Using the Zoning laws and moving the location was the most they could do.

Resident Anna Kiask, 105 High St., asked if the town has been collecting data regarding gun violence? Have they looked into ways to identify risk factors as a town? And if not, do they plan to start?

Chief D’entremont responded to the inquiry. He stated that there is no specific data and there is very minimal/rare occurrences of gun violence in town.

Anna asked if the Board is going to partner with any schools or other agencies in town to provide services or counseling for residents?

The Board agreed that we need to have more discussions and get more information regarding mental health & drug addiction. We need to figure out what resources the town has available and how the Board of Health can help. Providing education to the community can help eliminate or diminish the stigma attached to mental health and domestic violence.

Pat Sampson, East Dedham, feels that the issue points back to mental health. She would like to see more of a focus on mental health to help stop the violence…all violence.

In conclusion, Attorney Rich reiterated that the Board of Health was very involved with the zoning process during the meetings regarding the gun shop, despite not having authority to prevent the gun shop from staying in town.

Board member Mary Ellard added a statement from the public health institute on Nov 17, 2015, which said “…the need to replace ideology, intuition and common sense with the a science based public health approach to gun violence, *that* conversation needs to take place and the bottom line is that they need more research.” Mary also added a statement from Ann Lesner of the American Association for the advancement of Science which states, “The problem is, not only does the United States lack public health strategies for dealing with gun related violence but it also has no database from which to develop one. All effective public health strategies are typically science based. Those that we make up in the shower, those that are based on people’s ideology, intuition or common sense rarely are effective. The fact that we don’t’ have a science base is heavily responsible for keeping us with this problem.” Mary Ellard pointed to the need for more research dollars so that we can gather the scientific data to develop public health strategies.

**7:15 Float Tank**

1. Vice Chairperson Kathy Reda motions to agree that a Float tank is not considered a swimming pool and the Dedham Board of Health will follow the North Adams application. Mary Ellard seconds the motion.

**7:19 New Business**

1. The grant is on the “Recommendation for Approved Effectiveness and Efficiency of Local Public Health Profession”. It is a study on the NC8, public shared services program. Grant is $50,000/year over a span of fourteen months with Norwood acting as the fiscal agent. It is an assessment of the Health departments in the eight communities and looking for potential areas of improvement. The Board will vote on it during the next Board meeting.

No Executive Session

Motion to adjourn @ 7:22 PM by Kathy Reda. Motion seconded by Mary Ellard.

Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Correspondence/Exhibits:

1. Municipal Tobacco Control Technical Assistance Program
2. Inspection reports (3)