

MINUTES
DEDHAM BOARD OF HEALTH
JUNE 29, 2016

IN ATTENDANCE:

LEANNE JASSET, B.S.P. RPH, CHAIRPERSON
JASON BROGAN, MSM, VICE CHAIR
DR. SARAH ROSENBERG-SCOTT, MEMBER
CATHERINE CARDINALE, R.S. HEALTH DIRECTOR
JOAN CONWAY, ADMINISTRATIVE ASSISTANT

Leanne called the meeting to order at 6:30 p.m. The first order of business is to accept the minutes of May 11, 2016. Jason made a motion to accept the minutes, Dr. Scott seconded the motion, Leanne asked any discussion on the motion, all in favor aye opposed none minutes accepted. Leanne asked if anyone was in attendance for open comments no one was.

Cathy began by informing the members that we have been awarded a \$25,000.00 grant for the NC Seven Group, which consists of the 7 communities within Norfolk County. The grant is for proper storage and disposal practices of prescriptions. The specifics have not been explained we have just been notified that we received the grant. We will have a meeting once Tim gets the guidelines. I will keep you informed of our progress. We received over \$9,000.00 dollars in reimbursement for our flu vaccination clinic reimbursements which will go into the revolving account which will allow us to do any type of program we feel is appropriate for public health. Dr. Scott asked if we administer nasal spray flu vaccine. Cathy said the State will provide some nasal spray though we have never done it. Dr. Scott said it is no longer recommended and they are saying no one should be having the nasal spray. It is felt it is not as active and does not protect as well. Cathy said Jessica is working on finishing up the pneumonia (PCV 13) she has a couple of vaccines left. We are purchasing a vile of 10 at a time it is by appointment only and she is in contact with the PCPs to sign approving that the patient can receive it. Leanne asked if we can be reimbursed by the insurance companies for these shots as well Cathy said yes some we can some we can't. Shingles is very costly and we cannot be reimbursed of it. The end of year budgets are good we turned back about \$4,500 out of our budget and brought in \$110,000 in permits and fees.

Advertisement has been posted for the part-time position; in the MHOA and the Town site.

All the camps are done we have 8 camps one new one in town all were opened we are going to have a camp seminar during the winter that they will have to attend in order to get their licenses in the spring. Leanne liked the idea of a training session for the camps. We did one a few years ago for camps and pool and I think we will repeat that program again. Jason asked how the beaver problem was and Cathy replied that we have a little problem at the culvert that crosses Rustcraft Road by East Street. We breach the damn and it seems there is not a lot of activity. It has been quiet the last couple of weeks. Leanne asked about the informational meeting with the senior citizens. We worked with Carol Mullen at the Housing Authority and she asked us to go around to the senior housing and explain what the Board of Health does. Jessica make a slide show which we did not use because it was a very small group at one the other place was a bigger group and we enjoyed answering there questions we may go again. Leanne asked about the Attorney General's office reply about the abandoned houses in town. Cathy said she had a meeting with Town Manager Kern and two people from the AG's office and town council we may be looking for them to attend a meeting and do a presentation because you cannot do the receivership unless there is a sanitary code violation to trigger it. We have to go through a process before we can

actually do that. We will have a major role in it which will be great and we will get some of these properties in town that have been abandoned for a very long time to clean up. Dr. Scott asked what is happening with the transfer station. Cathy said she has had no word on that issue.

Cathy said she has received Chick Fa Lay's plans to review. I hope to have them reviewed by the next week. They will be located between Ocean State Job Lot and Stop and Shop. The tobacco fines that were supposed to attend the training, which was held on May 31, we had 15 attend however Family Dollar who was one of the sellers showed up half way through the training and only the manager attended. Our plan was for anyone that sold to a minor if they came to the training and sent more than one employee the seven day suspension would be lifted. Dr. Scott said Family Dollar had a specific issue and you were going to ask corporate to attend. Leanne asked if Cathy reached out to corporate; she replied we can. Both Dr. Scott and Leanne asked how we left it before we rescind their license. Cathy said she believed they all had to attend and corporate was to attend. The store manager attended half way through the class. All other asked to attend. Dr. Scott read from the previous minutes that it was required that the store manager attend and someone from the corporate office is present at our next meeting in order to review the corporate training and confirm they are aware of our town regulation. And the knowledge of a second infraction will result in a full six month suspension. Corporate should come to our next meeting Dr. Scott asked that a letter be sent to the manager of the store requesting that he and someone from corporate attend the meeting to review the regulations and if they do not that their permit will be suspended or revoked.

Public Hearing Regarding Smoking Regulations

Leanne said we are going to discuss filing an amendment to our regulations that will include such things as the banning of drug paraphernalia in the town as well as flavorings kits that are used for manufacturing compounding testing equipment scales and balances for weighing and measuring of controlled substances. That is our intent so is there anyone with questions comments or concerns?

Ms. Hanna Heald asked if the sale of drug paraphernalia was going on now in the town to which Leanne replied yes. There is a State Law Mass General Law Chapter 94c Section 1 which is under the police Cathy said currently tobacco does not have that portion in there but there is state regulations that prevent the sale of drug paraphernalia. Leanne said we are amending our tobacco regulations to include the definition of drug paraphernalia which is referenced in MGL CH 94c Section 1. Jason said we are opening this up for discussion and addressing Ms. Heald he said you asked if there are places selling what would be considered drug paraphernalia under the state law bongos water pipes etc. Dr. Scott said they are often sold under the guise of being used for tobacco and the goal of our regulation is to clarify what is drug paraphernalia vs. tobacco paraphernalia. Hanna asked for the names of these establishments. Jason said; Kings Smoke Shop, Pam's Market, Amazing Video and some gas stations. Dr. Scott said these have been sold quietly over many years the newest shop that has opened in East Dedham has been a more prominent issue because the neighbors are very concerned about the obvious selling of drug paraphernalia in their neighborhood. In response to the community we have looked into it further and identified other towns in Massachusetts that have enacted similar regulations in order to prohibit the sale of drug paraphernalia in their towns. Some of the Towns are Melrose, Wakefield, Winchester Stoneham, Reading and the City of Lynn there may be others in the Commonwealth. Jean Daley asked if this change goes through does it take effect immediately or are the people already selling this in their store get grandfather in. There is no grandfathering in Board of Health regulations Leanne said. Jason said the rules would be effectively immediately and they would have 90 days to come into compliance or they lose their tobacco permit. Leanne asked if anyone had any other comments questions concerning the proposed amendments to our regulations.

Ms. Daley asked if these are the same rules that other towns have used. Jason said all the towns have referenced Chapter 94c Section 1 as the definition. Ms. Daley asked how this smoke shop got a license. Cathy explained that he came in for a tobacco license and I made sure he had a State license for tobacco there is no restriction of what can be sold we thought this came under the police department. Dr. Scott said there was some discussion about having this type of shop in the adult district and the reaction was no, we don't want this in our town. So we have responded and have drafted these regulations. In addition we have discussed as a board how many tobacco permits we are willing to issue and the plan will be that we will not issue any new tobacco permits. Leanne explained we are already at our maximum and when a store sells or goes out of business that licenses gets transferred to the new owner. No more new licenses will be issued. Dr. Scott said this is a way of keeping tabs on the kinds and types of store and to limit the availability of products that we think are concerning for the public health in particular tobacco. Cathy would like to add prior to us adding this regulation if T. J. Maxx wanted to sell that paraphernalia we would not be able to stop them because it is not in any regulations. This came to us because the police department did not want to enforce the current laws on the books so it is up to us. The Board of Health has the authority to make rules and regulations related to health. It is enforced in other town by their police departments and has been upheld in court. Dr. Scott said the draft regulations list all the things that could be used as growing, processing measuring weighing smoking injecting, roach clips, cocaine spoons, chamber pipes. It is as clear as it can possibly be made from a selling standpoint. Cathy explained that the Board of Health has the authority to make rules and regulations on their own. A woman in the audience mention she was shocked about the smoke shop and congratulations to the board for taking this action today. A gentleman asked when it takes effect the reply was immediately and the stores have 90 days to comply. He asked if the store in attendance would sign in; they complied. Leanne asked if there were any more comments or questions. Leanne asked if there was a motion to accept the amendment to our regulations. Dr. Scott said she liked the limiting of future tobacco permits. Jason made a motion to accept the amendments to the tobacco regulations effectively immediately Wednesday, June 29, 2016 giving 90 days to come into compliance to the regulation. Leanne asked if there was a second to the motion which Dr. Scott seconded. Leanne asked if there was further discussion that said all in favor of the motion aye opposed none motion is unanimously passed. Leanne thanked all the participants. A gentleman asked about the vapor smoking Cathy said those are in the initial tobacco regulations they can be sold they fall under the guidelines of regular tobacco cigarettes. Dr. Scott said flavoring is banned with the exception of menthol, mint and wintergreen this is all listed in the regulations. Cathy said a revised tobacco regulation will be mailed to all the establishments selling tobacco. If you have any questions please feel free to call us or I can come to your store.

With no further business to discuss Jason motioned to adjourn the meeting, Dr. Scott seconded all in favor aye opposed none. Leanne adjourned the meeting at 7:15 p.m.

Leanne Jasset, Chairperson