

BOARD OF HEALTH

Minutes of Meeting of April 11th, 2017

Chair Carol Bradford, Board members Susan Sama, Linda Huet-Clayton, and Health Director William Murphy and were present in the DPW conference room at 4:00pm and the meeting commenced at 4:05pm. Tobacco hearing attendees were Dennis Lane, Coalition for Responsible Retailing, Kenny Hiltz and Joe Saia, Sudbury Wine and Spirits, Larissa Swenson, Baystate Community Services, Gino Allia, Cigar One, Cheryl Sbarra, Massachusetts Associated Health Boards (MAHB) , Dan Mancuso, Cambridge.

Minutes of Meeting- March 14, 2017 were approved.

Invoices were approved.

Correspondence was reviewed and included the following:

- (a) *DRAFT* Regulation: Town of Sudbury Board of Health Restricting the Sale of Tobacco Products
- (b) Health Director's Report: February March 2017
- (c) BOH Nurse Report- 2017
- (d) Social Worker's Report- January 2017
- (e) Account Summary- FY '17
- (f) Issues with By-Law, Health Director, Water Bottles
- (g) 4A Public Health Emergency Email Updates
- (h) Notice of Decision ZBA 278 Maynard Sudbury Housing Trust
- (i) List of Hazardous Waste Collection available for Sudbury Residents
- (j) Resume- Brian Boates, Summer Intern
- (k) Notice of Decision- Appeal of Order To Correct, 1055 Boston Post Road
- (l) Town of Sudbury Warrant Article XXVII- Amendment to the In-ground Irrigation By-law
- (m) Letter for DEP re: Groundwater Discharge Permit Approval
- (n) Warrant Article- Regulation of Sale of Use of Bottled Water
- (o) Warrant Article- Proposed Plastic Check-out Bag Ban
- (p) Letter 3/21/17 from William Murphy to Carlos Gutierrez re: 25 Lynne Road

7:10-7:45pm: Discussion of Proposed Warrant Articles

1. Water Bottles - The Health Director communicated his concerns with the by-law as written. Mr. Murphy had discussion with other towns that implemented a similar by-law. The following problems with the by-law were discussed; enforcement issues, water bottles were replaced by sugared drinks, by-law lacked educational components, loopholes were discovered such as free water, police as enforcement agents, lack of department resources, and limited solid waste reduction data. The Board discussed supporting the intent of the bylaw. **The Board voted 3-0-0 to support an indefinite postponement of the Water Bottle by-law until it is re-written to address their concerns.**

2. Plastic Bags- Concerns with the plastic bag ban by-law were discussed. Lack of public education, limited enforcement, police as enforcement agents, and excluding smaller stores from the requirements were discussed.

The Board of Health voted 3-0-0 to support the by-law with a revision that removed the smaller retail establishments from compliance requirements.

3. Amendment to the In-ground Irrigation By-law-The Director reviewed how the amendment was proposed. After a drought year, the water department, planning department, health department, and concerned citizens identified irrigations wells as a potential threat to limited amounts of water in our aquifers. A working group was formed and as a result, an amendment was proposed. The amendment would place restrictions on the use of irrigation wells in drought conditions. The Director advised the Board to indefinitely postpone the amendment pending State legislation allowing the Environmental Affairs Secretary is impose similar restrictions.

The Board voted 3-0-0 to indefinitely postpone the irrigation by-law amendment.

7:45-8:00pm: Health Directors Report

Nurse's Report

Social Workers Report (not included)

The Board reviewed all of the staff's reports. No comments or concerns were noted.

Health Director's Report February and March 2017

Food Inspections- DiVinci's opened and has been inspected during operation. The establishment complies with the Food Code. The Methodist Church on Old Sudbury Road renovated and upgraded the kitchen and is again serving the Open Table community dinners.

Preliminary inspections have begun at Whole Foods and will continue until the proposed opening in early July.

Septic Inspections- There were 5 soil evaluations and 27 installation/repair inspections.

Housing- A hearing regarding 1055 Boston Post Road was held in late February. The results of the hearing are on file at the Board of Health office.

Animals Permits- An application will be made to house a pot-bellied pig on Concord. A meeting with the owner was held to discuss the process.

Bylaws and regulation changes- Significant amount of time and resources have been directed toward revising the Tobacco Control regulations, Irrigation By-law, and reviewing the proposed plastic bag ban and water bottle sale.

List of Meetings:

1. Meeting with town staff regarding the GIS system
2. Staff meeting
3. Meeting with town staff regarding Livermore lots
4. Meeting with town staff regarding Lot E & F Maynard Road.
5. Meeting with Town staff regarding 378 Maynard Road
6. Town Counsel (3)
7. Collective Bargaining
8. Selectman's meeting to discuss proposed by-laws
9. Emergency Preparedness- ICS

March 2017 BOH Nurse Report

Screenings

- COA had 89 Blood Pressure, Heart Rate and Pulse Oximeter participants
- COA had 38 Blood Glucose Screenings
- Town Wide Employee BP screening 8
- Housing authority BP screening 3

Health Education

- Senior Center Bulletin Board Women and Heart Disease
- Norovirus Outreach to School Nurses
- Habit for Health and Happiness (HHH)- 12 week employee weight loss and health living group meeting and exercise program started March 1st with full group
- Planning Tick Talk and Outreach to the MRC for a Spring project
- CPR class set up with Fire department for COA and BOH

Communicable Disease

- 9 Case Investigations included: 2 food borne illness, 3 Influenza, 3 tick borne illness and 1 EEE.

Community Outreach

- Working with Bethany Hadvab on social service outreach
- Identify new resident in need of services
- 12 home visits
- Provided one resident with walker
- Medication review and counseling with resident
- Outreach to Chinese American group in Sudbury through translator. Will be providing BP screenings monthly
- Provided a GO Bag to the Senior Center for emergency health incidents

Camps

- Met with Mel Gonsalves from Beyond Basic's track and field to review required documents and camp guidelines. Many violations occurred on last season's inspections.
- Met with new camp Game Time Training to discuss proves of camp licensure. This camp will need several meetings to meet compliance
- Met with Park and Rec Department for Summer Camp review and planning

Meetings/Trainings

- Monthly Meeting at the COA for at Risk Senior with B. Hadvab, D. Galloway and New Senior Outreach Worker
- Wellness Committee Meeting for the School District. Rewriting wellness policy. Offered to do employee and student outreach for wellness with HHH and Tick Borne Illness
- Fire Department meeting with Bill Francis to set up CPR training for COA and BOH and to start to plan quarterly emergency response drills for Fairbanks building (what to do if residents fall, collapse, pool accidents etc.)
- MAPHN Meeting with training from MAVEN (disease reporting system)
- Training for Emergency response for Active Shooter Event at the Police department
- Attended 4 MRC AB meetings. Currently tasked with new Volunteer Coordinators job performance evaluation. Met with advisory board, and CHA to discuss challenges with the new employee.
- Attended a PHEP meeting. The region did not concur with DPH plan for the next 5 year budget agreement. Major reasons for non-concurrence was the defunding of Local Public Health Institute which is responsible for training new Public Health Employees and also the continued increased amount of time and deliverables at a local level to manage the grant.
- Started training of new tax outreach worker Marie Royea. Will be working with public health nurse on camps, flu season, inventory, disease outbreak education and community projects.

Emergency Planning

- Participated in an OPEM emergency preparedness drill on 3/6/2017
- Sent out an inquiry and received two Doctor's interested in Board of Health Physician Position. Dr. Perter Hoenig of Lincoln physicians and Sudbury resident will come in early summer to a meeting for introductions.
- Storm Shelter Standby drill activated on 3/13/17 with 10 responses for availability
- Ippolit Manjucha, MRC Sudbury Member, will be doing a Physiological First Training
- Amy Hansen, MRC Volunteer Sudbury, will be doing a tick talk at the Senior Center in May

- Received computer, supplies and portable printer with PHEP money allocated for Sudbury

Other

- Conflict of Interest Training
- Revolving fund check of \$4,233.41 for insurance reimbursement for flu season. Total funds so far for the 2016-2017 Flu season are \$8, 623.86 with two more payments to receive

Future Plans

- Physiological First Aid CERT in Wayland
- Tick Talk May 18th Senior Center
- Tick Borne Disease outreach to the community by the MRC
- Get ready for Camp Inspections
- MAPHN conference May

Respectfully Submitted by:
Phyllis Schilp BSN, RN
04/10/2017

8:00-9:15pm: Public Hearing- Revisions to Tobacco Regulations

Carol Bradford, Chair, opened the hearing by reading the legal notice. The Director gave an overview of the proposed changes:

- Modifying the definitions of tobacco products (to capture e-cigarettes, vaporization, and aerosolization), flavored tobacco, minors, and smoke;
- Prohibiting e-cigarettes wherever smoking is prohibited;
- Raising the age of tobacco sales to minors from 19 years to 21 years (consistent with all surrounding towns);
- Capping the number of permits to the number already issued (9) and “retiring the permit” when the establishment closes;
- Prohibiting tobacco sales within 500 ft schools;
- Mandatory posting of cessation information at point of sale;
- Prohibiting the sale of single cigars and raising the minimum price of multi-packs to \$5.00;
- Limiting the sale of flavored tobacco products to smoking bars and adult only stores;
- Modifying the enforcement section to increase penalties for frequent violators

Susan Sama, Board member emphasized the need to raise the sales age to 21, consistent with all abutting towns. Carol Bradford discussed the current regulations and how they were developed. Linda- Huet Clayton supported the drafted regulations and thanked DJ Wilson of the Massachusetts Municipal Association for his assistance.

Opponents and concerned citizens were allowed to address the Board about proposed changes;

Dennis Lane, Coalition for Responsible Retailing, emphasized the revenue that tobacco sales generates and the benefits stores can give back to communities. Mr. Lane prefers frequent compliance checks and strict enforcement of existing laws rather than increased regulations.

Kenny Hiltz, manager of Sudbury Wine and Spirits, had concerns about cigar sales restrictions. Mr. Hiltz did not want to restrict customers from buying single cigars with alcohol purchases.

Larissa Swenson- Baystate Community Services supported the regulations.

Gino Allia, owner of Cigar One, asked the Board to exempt his establishment (adult only cigar bar) from single service display, locked humidor requirement, and promotional events due to the unique nature of the establishment.

Cheryl Sbarra, MAHB- Supported the regulations and defended the requirement to “retire” permits. Refuted testimony by Mr. Lane that strict tobacco regulations hurts small retailers.

The Board of Health deliberated the issue of “retiring” permits. At the advice of Town Counsel, Carol Bradford, recommended that the permits be capped to the amount already issued. Retiring permits should be removed from these amendments and addressed at a future time.

The following revisions were requested by the Board:

1. Remove the requirement for retiring permits;
2. Exempt cigar bars from promotional and locked humidor requirement;
3. Correct typos.

The Board voted 3-0-0 to continue the hearing until May 16th, 2017.

9:15- 9:35:

Correspondence
Review of Minutes
Review of Invoices

Adjourned at 9:35pm

