



Board of Health Meeting Minutes

Date: October 8, 2024

Location: Public Service Administration Building & via Zoom

Members: Tejal K. Gandhi, MD, MPH Chair; Stephen Epstein, MD, MPP, Member; Robert A. Partridge, MD, MPH, Member; Edward Cosgrove, PhD, Member; Aarti Sawant-Basak, PhD, Member

Staff Present: Timothy Muir McDonald, Director of Health, and Human Services; Tiffany (Zike) Benoit, Assistant Director of Public Health; Tara Gurge, Assistant Director of Public Health; Taleb Abdelrahim; Rebecca Hall; Carol Read; Kerry Dunnell; Ginnie Chacon-Lopez

Welcome & Public Comment Period

Dr. Epstein called the meeting to order at 6:30PM and initiated a roll call. Present were Dr. Gandhi – Y, Dr. Epstein – Y, Dr. Cosgrove – Y, Dr. Partridge – Y, Dr. Sawant-Basak – Y.

According to Chapter 107 of the Acts of 2022, as an act relative to extending certain states of emergency accommodations, as passed by the General Court, and signed into law by Acting Governor Karyn Polito, on July 16, 2022, revised Section 20 of Chapter 20, the Acts of 2021. In so doing, provided modifications to the Massachusetts Open Meeting Law, which allow for flexibility to hold remote only, and hybrid meetings, while preserving public access and, where appropriate, public participation. Currently, that additional flexibility will expire on March 31, 2025, unless additional legislative action occurs. As part of today's hybrid meeting, all votes will occur via a roll call.

Carolyn Day, Needham Children's Center, expressed concerns regarding rats on the playground coming from nearby dumpsters. She asked what can be done about this issue.

Review of Minutes: September 5, 2024

Upon motion duly made by Dr. Cosgrove, and seconded by Dr. Partridge, it was voted to approve the meeting minutes September 5, 2024, as presented. Motion passed unanimously.

PUBLIC HEARING – Article 22 “Regulation for Prohibiting the Manufacturing, Sale, and Distribution of Synthetically Derived Cannabinoids”

Mr. McDonald explained that this is a continuation of the Board of Health's public hearings from its June 14th and July 12th meetings. The proposed amendments to Article 22 now focus solely upon synthetic cannabinoids and other drugs. Kratom is no longer included in the draft amendment language, though one of the synthetic forms of kratom is included. The packet includes an Equity Analysis of the proposed regulatory changes, a new practice that the Public

Health Division proposed, and the Board of Health supported, to help inform the Board and the staff members' understanding of the possible impact of the changes.

Dr. Epstein asked about the potential implications to this regulation if ballot item #4 passes. Mr. McDonald stated that he would need to run this by Town Counsel. Dr. Partridge stated that ballot item #4 does not deal with distribution.

Mr. McDonald stated that staff would work to restructure the regulations with the categories as discussed and bring the document back to the Board for review.

Nicotine Free Generation

Maureen Buzby, Regional Tobacco Inspection Coordinator City of Melrose & Mark Gottlieb, Executive Director, Public Health Advocacy Institute: Northeastern University School of Law, addressed the Board on the topic of Nicotine Free Generation.

PUBLIC HEARING – Article 1 - Regulation Affecting Smoking and the Sale and Distribution of Tobacco Products in Needham

The Board of Health continued its hearing, begun at the September 5, 2024, Board meeting, of proposed amendments to Article 1: Regulation Affecting Smoking and the Sale and Distribution of Tobacco Products in Needham. The proposed amendments to Article 1 include a number of updates, as well as the incorporation of the Nicotine Free Generation (NFG) policy which would restrict the sale of tobacco products to all persons born after January 1, 2004.

Stephen Helfer, Cambridge Citizens for Smokers' Rights, stated that the CDC recently released important statistics that teenage tobacco use is under 2%, the lowest in recording history. Adult use is 11%, the lowest in 80 years. There is not a reason to further restrict these products from adults. The CDC also stated that 2 out of 3 adults who have ever smoked have quit. There is a great imbalance of power in this issue, as many activists have legal degrees and those effected are usually immigrants of color. Minority businesses will be impacted by this proposal. This will mean that a 21 year old could risk death in the military, be sentenced to death in federal court, but not purchase a cigar. This is an imbalance of adult liberties.

Peter Brennan, New England Convenience Store and Energy Marketers Association, addressed the Board, representing the 7,000 convenience stores throughout New England including over 3,000 in Massachusetts. The Association is opposed to the NFG policy and any restrictions on nicotine pouches. Adults have the right to make their own choices about the products they consume and put into their bodies. This product is currently legal and the NFG does not even attempt to impact youth usage, which seems to be the stated goal. This will impact retailers the most.

Isabelle Tashie, Needham High School student, stated that this is a youth issue as it effects the rising generation. Many parts of the tobacco industry target minorities. There are disparities with the racial aspect of tobacco targeting. Many youth view this as an important issue.

Dr. Epstein noted that the regulation gives a definition of tobacco products. He would like this to include the following language, "...or any product containing, made, or derived from nicotine." This makes it clear that nicotine derivatives are also included.

The Board agreed to continue its hearing on Article 1 to its next meeting, planned for Friday, November 22, 2024, at 8:00 a.m.

Dumpster Regulation Research

Ms. Gurge explained that thorough research was completed by staff on this topic. This will give staff more enforcement and fining options.

Dr. Cosgrove stated that there needs to be a clear mandate for this purpose and separate dumpster regulations. This is a definite issue around Town.

Dr. Epstein suggested seeking a point of view from local business owners on the draft regulation.

Dr. Partridge stated that the problem dumpsters need to be able to be identified and then fined. He asked that staff revisit the proposed fees to make sure they are reasonable.

Ms. Gurge stated that staff would continue to work on this item and draft potential regulations for the Board's review.

St. Mary Street Update & Decision on Extension

Ms. Gurge stated that the Board of Health previously granted another 30-day extension after an update was provided to the Board by the Health Agent and Building Commissioner. Another reinspection was performed on October 1, 2024. One of the responsible parties has been having health issues and the other has been spending time discarding and organizing what they can. Some visible progress has been made.

Barbara Ardine, 169 Saint Mary Street, stated that her husband and son are in the hospital. She continues to work on the house but cannot do all that is needed. She requested additional time to get the work done.

Dr. Partridge noted that there are some cars on the site that should likely be removed by someone else. Ms. Ardine stated that her husband is having trouble parting with certain things. The Board discussed putting a condition that the cars be removed from the property by the end of this year.

Upon motion duly made by Dr. Cosgrove, and seconded by Dr. Sawant-Basak, it was voted to extend the decision contingent upon continued improvements on the site, including the removal of all unregistered vehicles on the property by January 1, 2025. Motion passed unanimously.

Staff Reports

- Public Health Preparedness –Taleb Abdelrahim

Mr. Abdelrahim explained that staff highlighted September as National Preparedness Month by attending several preparedness webinars by FEMA Region 1 and supporting the Public Health Nursing unit. Staff participated at the Needham Harvest Fair showcasing the MRC and emergency preparedness to the community.

- Epidemiology – Tiffany Benoit

Ms. Benoit stated that MWRA data has shown an uptick of Covid over the past month. MA DPH is working on a respiratory dashboard that will include vaccination information.

- Nursing – Ginnie Chacon-Lopez

Ms. Chacon-Lopez stated that over 330 flu doses have already been administered. The nurses are still awaiting a shipment of COVID vaccines. There was a recent pertussis outbreak at a school. The nurses are monitoring the pertussis cases until October 3rd.

- Environmental Health – Sai Palani & Tara Gurge

Ms. Gurge stated that, as of September 1st, the food inspection reports have been posted online. Staff have started to prepare to offer three in-person food safety trainings that will be held at Needham Town Hall in Powers Hall on November 6th and November 7th. The trainings will be another overview about the Food Safety Excellence Program as well as the Food Code Enforcement Policy, along with other helpful food safety information. Speedway had their tobacco sales suspension take place from September 16 through September 30. A \$2,000 fine was also issued to the store. Spot checks were performed throughout this suspension period to confirm products were not being sold and the suspension signage was posted.

- Accreditation

As listed in the written report.

- Traveling Meals – Rebecca Hall

Ms. Hall stated that 807 meals were delivered in September to 48 clients. There were four new clients and six cancelled the program. Meals are on a downward trend this year.

- Substance Use Prevention: Regional – Carol Read

Ms. Read stated that staff continue to work on the grant mission. Walpole was supported this past year to rebuild their coalition and work towards a Drug Free Grant. Staff will continue to work on this for Westwood as well.

- Substance Use Prevention: Needham

As listed in the written report.

- Shared Services Grants – Kerry Dunnell

Ms. Dunnell stated that Strategic Planning work continues for the group.

BOH Policy Position – Needham’s MBTA Communities Zoning

Mr. McDonald stated that the Board previously expressed support for the policy position statement, with a request for additional information on the Neighborhood Housing Plan. The Needham Housing Coalition asked whether the Board would like to sign a letter to the community saying it supports the Neighborhood Housing Plan. The policy position statement reflects the Board's role as a body that is driven by data and science, and it talks about the important role that housing has as a social determinant of health.

Dr. Epstein stated that he believes the Board would like to support going beyond the Base Plan but not specifically support any other Plan at this time. Mr. McDonald stated that he would work on wording the policy position statement to reflect that directly.

Other Items

Ms. Benoit stated that staff would be going back to Town Meeting to request \$82,000 from opioid settlement funds to increase peer recovery services to a full-time position, increase SAMBOXes in places where activity and overdoses have been seen in the past, and to fund an educational effort to create programs for youth.

- **Next meeting time**

The Board agreed to meet on November 22, 2024, at 8:00am.

Adjournment

Upon motion duly made by Dr. Partridge, and seconded by Dr. Cosgrove, it was voted to adjourn the meeting. Motion passed unanimously.

The meeting was adjourned at 8:26 PM.

Attachment:

October 8, 2024, meeting packet