



**Needham Public
Health Division**
Prevent. Promote. Protect.



Board of Health Meeting Minutes

Date: December 13, 2024

Location: Public Service Administration Building & via Zoom

Members: Tejal K. Gandhi, MD, MPH Chair (remote); Stephen Epstein, MD, MPP, Member; Robert A. Partridge, MD, MPH, Member [9:30AM]; Edward Cosgrove, PhD, Member; Aarti Sawant-Basak, PhD, Member

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

Welcome & Public Comment Period

Dr. Epstein called the meeting to order at 8:30AM.

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.

Dr. Jonathan Winickoff and Dr. Lester Hartman addressed the Board in support of Nicotine Free Generation. Dr. Winickoff provided information about other municipalities in Massachusetts where Nicotine Free Generation has been adopted.

Stephen Helfer, Cambridge Citizens for Smokers' Rights, spoke in opposition to Nicotine Free Generation. He stated that youth tobacco use is at a historic low and that the proposed approach is designed to deny rights to adults rather than to prevent youth tobacco use.

Lindsey Stroud, Senior Fellow at the Taxpayers Protection Alliance, reminded the public health community that it should be focusing on the adults who smoke. She reviewed smoking rates among adults and young adults in Massachusetts and other New England states and said that many adults continue to struggle with quitting tobacco. Harm reduction products, such as oral nicotine products and pouches offer these individuals safer alternative to cigarettes.

Elizabeth Hicks, Consumer Choice Center, spoke in opposition to Nicotine Free Generation and the proposal to move the sale of nicotine pouches exclusively to adult-only locations. Ms. Hicks stated that these proposals will create unintended consequences, that, according to the CDC, from 2023-2024 e-cig use declined among middle and high school students and there was no

significant change in nicotine pouch use. Anyone who sells tobacco products to underage youth already faces heavy penalties. The proposal to ban nicotine pouches from these locations neglects adult consumers who are seeking a less harmful nicotine product in comparison to combustible cigarettes

Review of Minutes: November 22, 2024

Upon motion duly made by Dr. Cosgrove, and seconded by Dr. Sawant-Basak, it was voted to approve the meeting minutes November 22, 2024, as amended. Motion passed unanimously.

PUBLIC HEARING – Article 8 – Proposed Dumpster Regulations

Dr. Epstein opened the public hearing at 8:47am.

The Board reviewed the proposed Dumpster Regulations.

Dr. Gandhi asked about enforcement. Ms. Gurge explained that these regulations would not take effect until February 1st and there will be time for public education prior to implementation. A \$50 annual permit fee is proposed at this time.

Dr. Epstein closed the public hearing at 8:53am.

Upon motion duly made by Dr. Cosgrove, and seconded by Dr. Gandhi, it was voted to approve the new Article 8: Dumpster Regulation, with a \$50 annual permit fee. Motion passed unanimously.

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

Dr. Epstein opened the public hearing at 8:53am.

The Board reviewed the updated regulation language.

Dr. Epstein stated that the language in the regulation reading “January 1, 2005,” should be updated to read “2004.” Mr. McDonald explained that this language was a recommendation from Town Counsel. The Board discussed approval with the instruction for Staff to revise the date from 2005 to 2004.

Dr. Epstein asked about restriction of the nicotine pouches. Mr. McDonald explained that sale of these items is restricted to adult-only retail tobacco stores in Needham, of which there are not any. Ms. Gurge stated that they are sold in three of the six cigarette vendors that currently have a permit in Needham. If the restriction is put in place, these items would need to be eliminated from the three vendors. Dr. Epstein stated that he is unclear if this ban should be put in place on these items in these locations. Dr. Winickoff explained that Belchertown picked up the regulation and allowed for the pouches to only be sold only in adult-only retail stores. Dr. Cosgrove stated that he believes these items should be able to be sold in the locations they

currently are, while banning the sale from spreading further. Mr. McDonald explained that these items are not yet regulated federally and so are in a grey area. The recommendation by those who work in tobacco control is to include Section G of the regulations, to regulate these items only to adult-only stores. Dr. Epstein stated that this would remove an item, which is less harmful than combustible tobacco, from these vendors.

There was discussion regarding the other available FDA approved products.

The Board agreed to table this item until Dr. Partridge was available to join the meeting.

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

Dr. Epstein opened the public hearing at 9:11am.

The Board reviewed the revised language for Article 22. There was discussion regarding revising some of the language.

Upon motion duly made by Dr. Cosgrove, and seconded by Dr. Gandhi, it was voted to approve Article 22 “Regulation for Prohibiting the Manufacturing, Sale, and Distribution of Synthetically Derived Cannabinoids” as amended. Motion passed unanimously.

Off-Street Drainage – Belle Lane 5 Lots

Mr. Gurge explained that Environmental Health staff received a request from the Planning Board that the developer is looking to release five of the eight off-street drainage bonds at this time, specifically for the following lots/addresses at \$3,500/lot, for a total amount of \$17,500.00.

#27 Belle Lane
#45 Belle Lane
#65 Belle Lane
#87 Belle Lane
#119 Belle Lane

Upon motion duly made by Dr. Cosgrove, and seconded by Dr. Gandhi, it was voted to approve the release of the five Belle Lane off-street drainage bonds, for a total amount of \$17,500.00 or \$3,500/lot. Motion passed unanimously.

Staff Reports

- Public Health Preparedness – Taleb Abdelrahim

Mr. Abdelrahim explained that a new Memorandum of Agreement between the American Red Cross and the Medical Reserve Corps (MRC) has been signed to enhance collaboration in disaster assistance, training, and exercises. This opens new opportunities for NC-8 MRC

volunteers to engage in impactful activities. Also, the State is working to improve how Massachusetts MRCs track volunteer training by connecting MA Responds and MA Trains systems. This update aims to streamline training program development and management in the future.

- Epidemiology – Tiffany Benoit

As listed in the written report.

- Nursing – Ginnie Chacon-Lopez, Hanna Burnett & Tiffany Benoit

As listed in the written report.

- Environmental Health – Sai Palani & Tara Gurge

Mr. Palani stated that he and Ms. Gurge both attended conferences and conducted three in-person Needham Food Establishment Educational Food Safety Forum Trainings.

Ms. Gurge stated that there are a few establishments on watch.

Dr. Partridge joined the meeting.

Article 1 - Regulation Affecting Smoking and the Sale and Distribution of Tobacco Products in Needham – *With the arrival of Dr. Partridge, the Board resumed discussion of this item.*

The Board discussed the oral nicotine pouch item. These are currently being sold by three of the six tobacco licensees and the recommendation is to restrict the sale of nicotine pouches to adult-only tobacco stores, of which there are none currently in Needham. Dr. Partridge stated that he would be in favor of non-flavored pouches being available at the currently permitted sites. Mr. McDonald explained that the question is whether unflavored oral nicotine pouches have a place only in adult-only nicotine stores or in regular stores where youth may be exposed.

Dr. Epstein suggested removing Section G from the regulations in order to further discuss this item and enforcement.

Upon motion duly made by Dr. Epstein, and seconded by Dr. Cosgrove, it was voted to approve Article 1 - Regulation Affecting Smoking and the Sale and Distribution of Tobacco Products in Needham, with the amendments of changing the date to January 1, 2004, that warnings will be issued until April 1, 2025, and that Section G be removed. Motion passed unanimously.

- Accreditation – Lynn Schoeff & Alison Bodenheimer

Mr. McDonald explained that the application for accreditation has been submitted. It will likely take approximately two months to receive initial feedback on the application.

- Traveling Meals – Rebecca Hall

As listed in the written report.

- Substance Use Prevention: Regional – Carol Read & Lydia Cunningham

Ms. Read stated that Westwood has hired a consultant to restart a coalition and apply for Drug-Free Communities.

- Substance Use Prevention: Needham – Karen Shannon, Karen Mullen, Monica DeWinter, Angi MacDonnell, Vanessa Wronski

Ms. Shannon stated that planning has been ongoing for the winter series. The Train the Trainer session hosted eight people to be trained to become certified instructors of ServSafe Alcohol. The Peer Recovery Service coordinated with the Elliott House to launch a Dual Recovery Anonymous Meeting.

- Shared Public Health Services – Kerry Dunnell & Samantha Menard

Ms. Dunnell stated that Jenn Gangadharan has begun working on some MAVEN cases in Medfield with the guidance of the Needham nursing staff. Ms. Gangadharan assumed primary responsibility for monitoring MAVEN cases for the Town of Medfield on December 3rd while Medfield's public health nurse is on leave. Ms. Dunnell explained that Ms. Menard facilitated breakout groups at the in-person Tier 2 Housing training held November 12th in Springfield in advance of the MHOA conference. The first Tier 3 food trainee of the NCMW Hub has completed all requirements and will receive a Local Public Health Food Training Program certificate of completion from the MA Department of Public Health.

There was agreement to allow Mr. McDonald to sit in Dr. Cosgrove's place at the next Shared Public Health Services meeting.

Briefing on Public Health Division's Financial Status and FY2026 Budget

Mr. McDonald explained that the Public Health Division did well on its previous year budget and returned \$348 against a \$2.5M budget. For next year's budget there are no additional service requests from HHS. The proposed budget is mostly a maintenance budget with slight adjustments. One exception is that the capital budget includes three items for renovations to the Center at the Heights which were included in the Town's five year capital plan. There is a question as to what operational commitment the Town could make to help with Traveling Meals program. Mr. McDonald is working with a consultant determine these considerations.

Other Items

- Report – Understanding the Connections Between Children's Mental Health & Housing

Mr. McDonald explained that this is a report regarding understanding the connections between children's mental health and housing. Housing is currently a popular topic of discussion in Town.

- The Board discussed an article in Science Journal - Of the first five U.S. states with food waste bans, Massachusetts alone has reduced landfill waste
- Next Meeting Date and Time

The Board agreed to choose a January meeting date by poll and also to discuss a potential standing meeting date and time.

Adjournment

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

The meeting was adjourned at 10:23AM.

Attachment:

December 13, 2024, meeting packet