

NEEDHAM BOARD OF HEALTH

December 2, 2016

MEETING MINUTES

PRESENT: Edward V. Cosgrove, PhD, Chair, Jane Fogg, Vice-Chair, M.D., and Stephen Epstein, M.D

STAFF: Timothy McDonald, Director, Maryanne Dinell, Tara Gurge, Carol Read, Dawn Stiller, Kerry Dunnell, Lynn Schoeff

GUEST: Denise Garlick, State Representative, Mitch Breen, Needham Resident

CONVENE: 3:00 p.m. - Public Services Administration Building (PSAB), 500 Dedham Avenue, Needham MA 02492

DISCUSSION:

Call To Order - 3:04 p.m. - Dr. Cosgrove, Chairman

APPROVE MINUTES:

Upon motion duly made and seconded, the minutes of the BOH meetings of November 10, 2016 were approved as amended.

The motion carried. The vote was unanimous.

BOARD DISCUSSION OF POLICY POSITION AND GOALS

Chair Dr. Cosgrove opened the discussion on the draft Board of Health mission. He referred to the five areas that organize the document: Community Health, Emergency Preparedness, Environmental Health, Public Health Nursing, and Substance Use Prevention. Mr. McDonald stated that included in the document will be a description of the Board's priorities to expand data collection, community health conditions, and expand electronic permitting for inspections. A general discussion followed on staff responsibilities in this regard.

Mr. McDonald asked the Board to consider the role of Public Health Nursing and potentially the role of a new staff person that Ms. Carmichael could help transition into the Board's vision for Public Health Nursing.

The conversation veered to a discussion on waste hauler regulations. Mr. McDonald stated that he and Ms. Gurge are working with the State Department of Environmental Protection (DEP) to revise Needham's waste hauler regulations. Mr. McDonald added that the Public Health Division partnered with the Recycling Transfer Station to apply for a technical assistance grant from the DEP. He stated that draft recommendations, based

on best practices and technical assistance, would come to the Board for their consideration. Dr. Cosgrove asked if this is

something that the Needham Public Health Division would use as a statewide model or would it be specific to Needham only. Mr. McDonald replied that the DEP has been working with other communities and that the Needham regulations would be adapted from the DEP's model regulations to fit Needham.

The conversation continued with a preliminary discussion on a review of the *Rules and Regulations for the Registration and Construction of Private Water Supplies*, in particular, section 12.7 *Irrigation Wells*. Mr. McDonald pointed out that the Mass Association of Public Health Boards has developed a brief set of guidance for municipalities on the ability of Boards of Health to regulate irrigation wells during a time of drought. Mr. McDonald stated that the Board could consider how Needham would adapt its regulations to the state regulations or the Board could submit a declaration that there needs to be conservation of water and it applies to private irrigation wells. A brief discussion followed on Needham's use of irrigation wells.

Mr. McDonald stated that he would incorporate the suggestions and feedback from the Board on its mission in preparation for the next BOH meeting.

REVIEW BUDGET PRIORITIES

Mr. McDonald referred to the Health and Human Services, Town Manager's Department budget submission and spoke about his meeting with the Finance Committee liaison on Monday, November 28. Mr. McDonald described the items that were reviewed at this meeting. Mr. McDonald outlined budget priorities, two of which are specifically for the Public Health Division and one of which is intended to benefit the Health & Human Services Department as a whole. The budget priorities are: Data Gathering, Substance Use Prevention Education Training and Compliance, and Public Health Accreditation. A general conversation followed on operating expenses for the other three divisions of the Health and Human Services Department.

Mr. McDonald spoke about a proposed opportunity that would benefit The Center at the Heights Fitness Center. This would include a \$20K commitment each year for a period of five years. He noted that this is still in preliminary discussion.

Dr. Cosgrove spoke briefly about the joint meeting with the Chairs of all four divisions of the Health and Human Services Department. The meeting was held with Town Manager Kate Fitzpatrick and Assistant Town Manager Chris Coleman. The discussion centered on the Youth Services Director's job

description revisions, a process that would take place over the next 18-24 months.

UPDATE ON CONCUSSION TRAINING AND TRACKING SYSTEM

Mr. McDonald introduced Kerry Dunnell. Ms. Dunnell works on Fridays for the Public Health Division. She also works full-time at the Boston University School of Public Health. Mr. McDonald described how the online concussion training works. He stated that he is still working on some of the administrative processes and would like to test the program. Mr. McDonald stated that next steps would involve piloting the program and reconvening the public hearing. Dr. Epstein stated that sports teams would voluntarily pilot the program in the spring with the mandated regulations in full effect starting in the fall. A brief discussion followed on the logistics for rolling out this requirement.

FOLLOW-UP DISCUSSION ABOUT HEALTHY AGING REPORT AND POSSIBLE NEXT STEPS

Mr. McDonald stated that the Public Health Division has received a grant in the amount of \$20,000 from the MetroWest Health Foundation to support the Healthy Aging Project. Funding would support a Transportation Summit and a Task Force. Mr. McDonald spoke about additional funding received in the amount of \$10,000 to study the viability of a Ride Sharing Program for seniors in Needham. A general discussion followed on options to increase availability of the CATH shuttle buses to seniors in the evenings and on Saturday. He mentioned that there is an additional grant opportunity that closes next Friday for \$200,000.

Mr. McDonald spoke about the importance supporting encouraging the Board of Selectmen to be involved in supporting the recommendations of the Healthy Aging Report. Mr. McDonald described some of the scenarios the town could achieve in making it easier for seniors to modify their homes and additional steps to take to help seniors in Needham age in place.

BOARD OF HEALTH PUBLIC HEARING - Began at 4:23 p.m.

- **Revision to Article 1: Regulation Affecting Smoking and the Sale and Distribution of Tobacco Products in Needham**

Motion and Vote

Ed Cosgrove moved and Jane Fogg seconded the motion to open the Public Hearing and not close, on Revision to Article 1, and to open and not close the Public Hearing on Article 24.

The motion carried. The vote was unanimous.

The Board opened the Hearing. There were no members of the public present to comment on the draft regulations. The board engaged in a general conversation and reviewed regulatory changes.

Mr. McDonald referred to two letters that he had received earlier that day. One was from a law enforcement perspective, the other from the Mass Municipal Association. Mr. McDonald distributed copies to the Board.

Mr. McDonald stated that one of the features of the regulation change for the Board's consideration would be the addition of a more graduated penalty and with the graduated penalty a wiping out of violations on a vendor's record, with the trade-off being a longer period of performance. Mr. McDonald stated that he has spoken with DJ Wilson and Cheryl Sborra on developing a no transfer policy. A discussion followed.

The conversation continued with a discussion on the labeling requirements for e-cigarettes. Mr. McDonald stated that should the Board require a warning label on e-cigarettes, it would be a challenge and he would clarify this with DJ Wilson, MMA. Dr. Epstein suggested that a warning on e-cigarettes sign be placed at the display of e-cigarettes. Dr. Fogg expressed the importance of educating the consumer on the level of toxicity of e-cigarettes, which are targeted to underage smokers.

- **Consideration of Article 24: Regulation to Ensure the Sanitary and Safe Operations of Commercial and Recreational Marijuana Establishments, and to Minimize Community Impacts and Collateral Consequences of Widespread Recreational Marijuana Use and Both Commercial and Personal Marijuana Cultivation**

The Board began its deliberation on the homegrown aspects of this regulation as it relates to hardship requirements for cultivation for medical use versus recreational use.

Dr. Epstein stated that the regulations should mirror the Registered Medical Marijuana Dispensary regulations. He noted that the major differences are going to be the advertising aspects and attraction to kids. A general discussion followed on commercial regulation and zoning.

Dr. Epstein asked State Representative Denise Garlick about the level of modification of this law from the Legislature.

Representative Garlick stated that even though 121 State Representatives formally signed a petition opposing the

language of this referendum, it passed with 54% of the vote. She added that the legislature is accountable to the voters in what they asked for and the Legislature is responsible for health and safety of the citizens in the commonwealth. Rep. Garlick stated that there might be a way to control some of the language through a moratorium. A lengthy discussion followed.

Public Hearing will be kept opened.

OTHER ITEMS -

Ms. Gurge presented a brief update on Bodyworks regulations and the concerns expressed by one vendor on the rigorous permit paperwork that is required. Ms. Gurge pointed out the simplicity of the paperwork for massage establishments have changed and that the definition for Bodyworks establishments are completely different than what was required in the past for massage establishments.

Ms. Gurge presented an update on demolition reviews. Ms. Gurge stated that upon review of a particular demolition review she learned that she was in receipt of forged pest control documents from the builder. She explained that with further research she learned that this builder has forged documents for four other demolition permits. Ms. Gurge will speak with Town Counsel to determine how documents from this builder can be verified.

Ms. Gurge also presented an update on Acapulcos Restaurant in Needham. Ms. Gurge stated that an inspection was conducted and critical violations were noted. Acapulcos was advised to hire a food consultant. A follow-up inspection was conducted and items were addressed but the establishment is being monitored.

Adjournment -

Upon motion duly made and seconded, that the December 2, 2016 BOH meeting adjourn at 5:25 p.m.

The motion carried. The vote was unanimous.

Next meeting is scheduled for, Friday, January 13, 2017

Respectfully submitted: Cheryl Gosmon, Recording Secretary