

Needham Board of Health

Meeting Minutes

May 11, 2018

Board: Edward Cosgrove, PhD, Vice Chair
Stephen Epstein, MD, MPP, Chair; and
Kathleen Ward Brown, ScD, Member

Staff: Timothy Muir McDonald, Director, Tara Gurge, Assistant Director, Diana Acosta,
Maryanne Dinell, Catherine Delano, Carol Read, Tiffany Zike

Convene: 7:05 am, Public Services Building, 500 Dedham Ave., Needham, MA 02492

Dr. Stephen Epstein, Chair of the Board of Health, called the meeting to order at 7:05 am

Approve Minutes

Dr. Cosgrove made a motion to approve the previous meeting minutes. Dr. Brown seconded the motion. Upon motion duly made and seconded, the minutes of the April 13 meeting were approved. The motion was carried. The vote was unanimous.

Staff Reports

Regional Substance Abuse Coordinator Report—Ms. Carol Read

Representative Denise Garlick has submitted house Bill 4470, *An Act for Prevention and Access to Appropriate Care and Treatment of Addiction*, which includes a request for a permanent Promote Prevent Commission. The Commission released a report in May which promotes mental, emotional, and behavioral health.

Ms. Read worked with Bill Brooks, Police Chief in Norwood, on the Substance Abuse Prevention Collaborative (SAPC) regional bi-annual town alcohol licensee compliance check program. A meeting with police chiefs, public health directors, and prevention program managers from Dedham, Needham, Norwood and Westwood was held in May. The police chiefs reviewed the protocol and agreed to conduct bi-annual compliance checks in each town.

Ms. Read then discussed the AlcoholEdu which is administered in high school health classes in Dedham, Norwood, Needham, and Westwood. The online curriculum presents the impacts of alcohol on youth and identifies refusal skills for teens. There is also a 20 minute parent component which includes communication techniques for parents. The SAPC grant funds the AlcoholEdu curriculum.

Assistant Director Report—Ms. Tara Gurge

Ms. Gurge stated that a few body works practitioner permit applications are still coming in. When Public Health, along with the state inspector and local police, did spot checks of Needham body works establishments we found a few practitioners without permits and are getting them on board.

Ms. Acosta is working on permits for the Farmer's Market which opens May 27th. Tom Gehman, the market manager, is getting more vendors.

Ms. Gurge noted that the Cappella Restaurant build-out has had another setback. Pre-operation inspections are still pending.

Ms. Gurge reported that Homewood Suites (in the industrial area) now has the kitchen and retail store complete and the permits have been issued. Ms. Gurge said that their pool has no Certified Pool Operator (CPO) and she had to explain to the management that borrowing one from Brookline was not acceptable. CPOs are required to monitor the pool, keep and maintain pool chemical logs, and take chemical readings 4 times a day. Homewood Suites is training their staff engineer as the CPO.

Ms. Gurge then reviewed Residence Inn which is closing their pool when the maintenance manager/CPO is not there, per pool variance requirements. The hotel owners have changed and the one maintenance person/CPO is only there once a week. Ms. Acosta said that they are trying to share CPOs but that is not acceptable. Ms. Gurge will check back to make sure the new CPO is on site and trained.

Dr. Epstein asked how the CPO versus lifeguards works. Ms. Gurge said that if there are no lifeguards the CPO has to be on site and accessible during the entire week. Ms. Gurge said that Residence Inn will hire lifeguards for the weekends, since their maintenance manager (current CPO) will not be there on weekends. (They currently have a variance to have no lifeguards on site.)

Environmental Health Agent Report—Ms. Diana Acosta

Ms. Acosta said that the town now has designated parking areas for each approved mobile food truck. Ms. Acosta reported that: one new food truck, Bowl Boys, has been permitted; Roadworthy Barbecue, a past vendor, passed their food truck inspection; Curbside Caps will not be returning this year; and the Chicken and Rice Guys truck was inspected on May 9th and met all the requirements.

Ms. Acosta noted that each truck is scheduled on certain days and times on either A Street or Fourth Avenue in the designated parking areas for mobile food trucks. Ms. Acosta said that overall the food truck process is going well.

Dr. Cosgrove asked about Purple Carrot. Purple Carrot is a vegetarian version of the delivery service Blue Apron. Ms. Gurge noted that two years ago the State said no permit was required because Purple Carrot was only a marketing site demonstrating meals for photography purposes. Dr. Cosgrove asked her to check again because it looked like a food delivery operation. Ms. Gurge said that she would check and report back to the Board.

Ms. Acosta visited the Presbyterian Church of Needham where a woman wants to prepare a vegan delivery kit, under the name alFreshCo. Ms. Acosta noted that the church does not have a proper food preparation sink. Ms. Acosta said that if they are able to address this issue then she will consider permitting. She will follow up with the MA Dept. of Public Health and report back to alFreshCo's owner.

Dr. Epstein asked about any follow-up on last month's resident smoking complaint. Ms. Gurge noted that she and Ms. Acosta would be happy to go to the site to witness the offense if the complainant calls again. Ms. Gurge said there were no follow-up complaints this month.

Traveling Meals Coordinator Report—Ms. Maryanne Dinell

Ms. Dinell reported that the volunteer appreciation lunch was very nice. Ms. Dinell noted there has been an uptick in meal requests.

Ms. Dinell noted that during the week of May 9th, Roche Bros-Sudbury Farms and Trader Joe's donated large brown paper bags for delivering meals when the hospital mis-ordered them

The job opening for the Summer Traveling Meals Program has been posted and there were six applicants. Offer letters went out to the applicants with previous experience with the program.

Ms. Dinell reported that the Traveling Meals program was featured on Needham Cable and that the Monday volunteers presented the program as a very positive and valued Town service. In answer to a question from Dr. Epstein, Mr. McDonald said that the cable show aired after the uptick so the increase cannot be attributed to the publicity.

Program Director for Drug Free Community Grant Report—Ms. Catherine Delano

Ms. Delano reported that a letter was submitted to HR in April to hire the diversion coordinator. The candidate appears to be a good fit and has verbally accepted the position.

Ms. Delano, Mr. McDonald, and Ms. Read met with Needham High School Administration where the administration agreed to implement the MetroWest Health Survey for 6th graders.

Ms. Delano noted that at the National DEA Drug Take Back day, Needham collected about 44 pounds of medication, which is on par with last October's collection day.

Ms. Karen Mullen, who directs SALSA, met with the High School Principal and a student regarding the student's concerns about vaping in the classroom and bathrooms. The student suggested changes to which the Principal and the School Resource Officer were receptive. They will have a follow-up meeting.

Ms. Delano is in discussion with the coalition and school administration to pilot a program for Needham seniors in January 2019. The program will focus on independence in college ("Independence 101" is the working title) and will include substance use prevention, harm reduction, mental health, and wellbeing issues. This is in the beginning phases.

Ms. Delano and her team have been working on policies and procedures for the substance use prevention team.

Mr. McDonald said that Mrs. Lois Sokol has approached him and Ms. Delano to make a presentation to the Rotary club on opioids. She will be in touch with some ideas about dates and a more specific title.

Dr. Epstein noted that there is much more focus on vaping at the federal level so that focus will filter down. He said that Juul is the major brand, it is much smaller now, vapor more translucent so that you can vape in class without being noticed. The package now lists nicotine with some of the ingredients but not all, and the packaging does not say anything about the addictive nature of nicotine. Dr. Epstein added an agenda item for the June AMA meeting to put pressure on the FDA to further regulate the product; a hearing will occur at FDA at some point. Ms. Delano mentioned that some students complain about vaping in class and in the bathrooms on a fairly regular basis. When asked what the coalition is doing, Ms. Delano stated that students from the coalition have met with school administration; the

coalition provided a presentation on vaping to parents in March; and the coalition continues to discuss how to educate and positively impact the Needham community about this issue.

Dr. Epstein noted that one of the Juul cartridges is 5% nicotine by weight, which is equivalent to 1 pack of cigarettes. With the opioid crisis and people more attuned to the addiction issues in general, Dr. Epstein thought maybe we would get more traction. Ms. Delano noted that students have stated that they believe there is no nicotine and no carcinogens and therefore nothing really bad is in them. Students question why adults are concerned. Ms. Delano said that the Coalition would welcome any suggestions from the Board of Health about educational opportunities for the community. Dr. Epstein said we could consider writing as a region or as a Town to the FDA, especially since Needham is known as one of the leaders in Tobacco 21

Ms. Read noted that e-cigarettes are also included in the Tobacco 21 bill which will likely pass in the Senate after passing in the House of Representatives.

According to Ms. Read, Needham, as the first town in the country to raise the minimum purchase age to 21 years, has been the leader in Massachusetts in limiting access and availability to tobacco and e-cigarette products to youth. Needham's quarterly compliance checks, store protocol inspections, and licensee training is a comprehensive approach that has resulted in Needham having the lowest youth and adult smoking rates in Massachusetts.

Dr. Epstein asked if we could treat tobacco the same as interstate alcohol sales. Mr. McDonald had checked with the Attorney General's office several years ago and they could not address it then but it is being considered now. Dr. Epstein asked Mr. McDonald to follow up with the Attorney General's office.

Dr. Epstein noted that the FDA has jurisdiction on the issue. Tobacco packaging requires the nicotine content and asked if as a town or region we can require nicotine content on individual cartridges or a package as a whole.

Public Health Nurse Report—Ms. Tiffany Zike

Ms. Zike reported 5 cases of varicella two of which appeared to be chicken pox. It was noted that no investigation into the cases is needed per state regulations. Ms. Zike said that the flu is decreasing significantly. There were two Hepatitis B cases and 2 Hepatitis C cases, all in people over the age of 65. One case of Norovirus was reported. It occurred in a 48 year old who ate oysters at a conference that was catered by Legal Seafood. The state was notified of the conference so that they could contact any other members of the conference who may present with the same symptoms. There was one TB contact investigation with a person who was at a New York City museum. Ms. Zike is monitoring that case and so far no other cases have been reported.

Project Updates

Food Code Adoption Update: the new 2013 regulations in effect as of July 1, 2018.

Ms. Gurge noted that all the training has been done. Ms. Gurge and Ms. Acosta have been getting good feedback. Pamela Ross-Kung, a consultant, is working on the second phase of the risk. Ms. Ross-Kung is

confident about the school and supermarket surveys and is going to a training on full service restaurants. Ms. Acosta will contact Ms. Ross-Kung at the end of May about where she is on the full service restaurants.

Mr. McDonald noted there is a demonstration of the new food inspection software the week of May 19th. Lisa Berger will be meeting with IT for Needham; this looks very promising. Mr. McDonald got signoff from IT on the concept. The meeting will iron out the details. Town IT is working with the school IT to refurbish their iPads over the summer. Ms. Gurge and Ms. Acosta will use the hand me down iPads to see if the inspection software works.

Mr. McDonald mentioned that Debra Bailin, Economic Development Director in Needham, reached out to Public Health about reciprocity with other towns, specifically with the permitting of food trucks. In conducting a recent food truck plan review, there was some discrepancy about the requirement of having a food handler vs. food manager certification and discovery that the food safety standards differ between Norwood and Needham. There may be some concern with specific food safety standards across abutting towns especially in regards to food truck permitting requirements, which is why Ms. Gurge will need to contact neighboring towns to verify their current standards.

Dr. Epstein mentioned there might be other ways to cover the reciprocity among the towns and suggested a standard where the four town health departments agree on some common elements, pass those as a group, and only inspect on the differences. Ms. Gurge said that she is open to new strategies and compliance ideas, but she wants to make sure the permitting process is working.

Rosemary Update

Mr. McDonald reported that the target date for completion August 12th. We may move at the end of August or in early September. Moving later will allow the carpet to off-gas, etc. It will be a good place to work, with more space for regional meetings, Board meetings, and other large groups.

Compliance Tobacco Checks

Ms. Gurge reported another successful round of tobacco compliance checks. We worked with a couple of students, including one underage and one 21 year-old. We did the reviews at 6 pm on Mondays. Ms. Acosta sent a letter to the paper congratulating the establishments as recommended by the Board.

Trash Hauler Regulations: Dr. Stephen Epstein officially opened the Public Hearing.

We sent out the notifications to all haulers with the regulation changes and have not heard from anyone. We have one resident comment. We are doing a long term phase in. We need to educate both residents and haulers towards the January 2019 rollout of the new regulations.

Board questions and comments:

Dr. Brown inquired if we have information on which haulers currently provide recycling services on their trucks. Ms. Gurge said that bigger companies offer recycling and this is verified during annual truck

inspections. Ms. Gurge reported that she has been asking smaller companies if we go this route how would they manage the recycling piece. If they do not have recycling on the same truck they will have to split between their trucks and contract out the recycling service since it will be a requirement as of January 1, 2019.

Ms. Carolyn Dann stated that she works for the Massachusetts Department of Environmental Protection (Mass DEP) and that they have been looking into new regulations as an agency for a number of years. There have been waste bans since 1990 in all communities with the local the Boards of Health regulating the haulers. In response to interest from several communities, DEP created a template with standard language and worked with both haulers and Boards of Health. Ms. Dann noted that DEP realized that Boards of Health were not on the street during trash collection and that the haulers who were on the street could not always enforce regulations. DEP thus designed this set of regulations as a partnership; the authority resides with the Boards of Health but the haulers are obligated to provide trash and recycling services as most municipalities have been required to do for many years. She also noted that it is especially important for communities who have pay-to-throw as it closes a loophole in recycling. To date, haulers have been allowed to offer the cheaper service with just trash removal to apartment dwellers and private homes without recycling. This is not in compliance with the waste bans and so the new DEP regulations make it clear that is not an option anymore. Ms. Dann said that she worked with Ms. Gurge and Mr. Smith, the superintendent of the recycling and solid waste division (RTS), to fit within Needham's regulations. It will take time to roll out and there will be an education phase, an implementation phase and, a phase where the haulers will provide documentation on their tonnage of waste versus recycling. In 2019 Needham will require the tonnage numbers on both trash and recycling. Mr. Greg Smith said that this is the rationale behind the regulation and noted that he has been trying to address the lack of compliance with waste bans in commercial trash collection since he became a superintendent. Mr. Smith said that he worked with Ms. Dann, Ms. Gurge, and Ms. Acosta on a new DPW survey to provide missing information from the haulers such as collection information and numbers of households served by each operation. Mr. Smith noted that the regulations may help DPW to assist with what he and his staff may want to do at the transfer station in the longer term.

Mr. McDonald, Ms. Gurge, and Ms. Acosta have done the following outreach: sent an email to all haulers; posted for public comment; sent copies of new regulations and the surveys and; followed up with email and phone calls to make sure email was received. Ms. Gurge and Mr. McDonald noted that no comments have been received from any of the haulers.

One resident in attendance at the meeting commented that, in the many years she has lived in Needham she has not seen trash bins all over the place. But, within the last two years, new people in town are asking for trash pickup and barrels are out every day. The resident asked if we regulate when the trash pick-up occurs and when barrels are out.

Ms. Dann stated that she was not aware of many good examples in other towns unless there is municipal trash service where they contract for a specific day. It is curbside everywhere for everyone town wide. This regulation primarily affects the people who do not use the transfer station and condo and apartment complexes with a lot of barrels.

Dr. Epstein stated other concerns regarding the time of day, for example no pickup before 7 am. If the truck is turning into every driveway or putting barrels back to the house from the curb there is more noise and more air pollution.

Dr. Cosgrove suggested that we might regulate how long the barrels can be out on the street, such as out by 7 pm the night before and back to the house by 7 pm the day of pickup.

It is hard to manage the pickup times without town wide municipal pickup. Dr. Epstein stated that it is difficult to regulate the different days for the private haulers.

Dr. Brown stated that her hauler charges extra to keep the barrels at the house because it slows them down.

Mr. Smith said that with bundle requirement will even the playing field so that the commercial vendors will cost more and more people may choose the transfer station. We would like to see patronage increase. Mr. Smith noted that the trash from more haulers would be welcome as it is a revenue stream; the recycling is not.

The hearing on trash haulers was closed at 8:31 am.

Dr. Cosgrove moved to accept the Trash Hauler regulations. Dr. Brown seconded the motion. There was unanimous approval of the new Trash Hauler regulations.

Public Safety communication systems

Mr. McDonald provided a brief overview of recent events in Needham relating to the installation of new public safety communications equipment. As part of the proposed construction of new public safety buildings, the communications systems used by the Town's Police and Fire/EMS were assessed and recommendations were made for an improved system that incorporated updated technology. One part of that proposed update was the construction of monopoles on two or three Town parcels.

In particular there was a request submitted from the Select Board to the Planning Board asking the Planning Board to re-zone the parcel containing the Birds Hill Water tank to allow for the possible future construction of a monopole with a microwave radio communications dish. A significant amount of public attention was focused upon this proposal and upon the communications equipment overall, with some residents at two Board of Selectmen meetings (in Town Hall and in the Center at the Heights) expressing concern about perceived health impacts from radio frequencies/electronic-magnetic fields (RF/EMF).

Dr. Cosgrove attended one of the Select Board's meetings, and noted that many questions were asked and comments were made that did not acknowledge that RF/EMF already exists in Needham. What was proposed was an update and upgrade, not a whole new system. Drs. Brown and Epstein noted that residents and neighbors had approached them with questions and concerns about the project and about RF/EMF in general.

In the recent past as part of the Eversource Utility Redundancy project and as part of the Verizon Small Cell Site project, the Board of Health has examined the available scientific literature about radio frequencies and electronic-magnetic fields, especially any conclusions about the possible health impacts. Dr. Epstein noted that in the past the Board found that in a residential setting with a modest setback of 10 yards or more both horizontally and vertically from the emissions source, radio frequencies have no documented impact on health. They are classified as non-ionizing radiation.

Mr. McDonald noted the Public Health Division staff members could develop a policy statement for the Board's review or the Board and the Public Health staff could focus upon community education. Dr. Brown said that, in reviewing a broad review of the scientific literature about RF/EMF and cancer, she found that there is not much shown and there is no consensus within the research. An education campaign may not convince those residents with concerns, so a policy statement is a better idea. Dr. Cosgrove suggested putting together a statement relative to police and fire communication along with additional literature for interested residents. A Board of Health statement could note that it is not hazardous in the context of that specific installation and refrain from making a broader comment about RF/EMF.

Mr. McDonald noted one of the challenges is the Select Board and the architects working on the public safety buildings project have gone back to the drawing board on siting new towers so it will be a challenge for the Board of Health to address the health and safety of a particular siting choice.

Dr. Epstein suggests a different strategy. Every time an individual infrastructure project arises, members of the public state they have read papers that address health impacts. He suggested that the Board of Health and the Public Health Division reach out to the community and state that the Board is reviewing all literature related to radio frequencies and anyone in town who is an expert in the health impacts should send literature citations and their background information to us. The Board will review the literature and schedule an open hearing. Once the Board has reviewed everything, it can form an opinion of the body of information. This might limit some of the confusion that can occur in public meetings where some individuals who are not experts in the area cite literature that is out on the internet in a general way, and not peer reviewed in a scientific journal.

Dr. Cosgrove agreed with Dr. Epstein's proposal, noting that it helps the Board to obtain a comprehensive viewpoint. Dr. Epstein added that the Board's longer term goal is to develop a uniform strategy for all frequency exposure as the sources grow.

An overall strategy will help set a baseline for the cumulative exposure Town-wide and will allow the Board to compare current levels to those recommended by the World Health Organization. Dr. Epstein suggested a two-pronged approach: 1) the Board of Health gathers community information and input; and 2) the Board will review site specific projects as needed. As a follow-up, the Board of Health will work towards developing a more comprehensive policy. Dr. Epstein believes that such a plan will allow the Board to ask pertinent questions during all future requests for more towers and that will allow the Board to consider the overall community exposure as a part of its review.

Mr. McDonald said that the Public Health Division does not have enough in-house expertise to comprehensively study the issue, noting that he would need to go the Town Manager and ultimately the Finance Committee to ask for a reserve fund transfer to retain a consultant. Mr. McDonald thought that perhaps the Public Health Division could retain a consultant in June and have that consultant work on an assessment from July through September 2018; this would coincide with the request for public input. If pursued, then such a plan would include a public hearing and a written policy by mid-to-late fall.

Dr. Epstein indicated that requesting a reserve fund transfer should not be a problem. This topic will come up again in the future so it would be prudent to develop a thoughtful plan in advance. He added that if the Board of Health is asked to weigh in on such projects, then the Board needs to bring in expertise to have the best available information to inform its decisions.

Dr. Brown said that having baseline data about community exposure to RF/EMF would be very useful as the Town discusses the possible health impacts of the public safety communications towers.

Recreational Marijuana

Dr. Epstein noted that the Board of Health has been asked to testify at Town Meeting as a proponent for Articles 43 and 44. He reminded the Board and the staff that when medical marijuana zoning was approved at the 2015 Annual Town Meeting it designated districts that were commercial or industrial and not residential. When Sira Naturals applied to the Town to open a Registered Marijuana Dispensary, its proposed site (and the two others that were proposed simultaneously) was in a commercially zoned district and the Board supported that site.

A year later at the 2016 Town Meeting the Planning Board submitted a warrant article to change the zoning from commercial to mixed use. Town Meeting approved that request, which opened up the possibility of a marijuana store in relatively close proximity to residential parcels. Dr. Epstein believes that the Planning Board may not maintain buffer zones and setup distances, and believes that the Board of Health should approach this issue from a public health perspective.

To date, the Board is quite comfortable with the operation of SIRA Naturals and its medical marijuana dispensary. Inspections have gone well and Sira has been relatively prompt in submitting required paperwork. State law allows Sira Naturals the option to change its medical store into a recreational site and that may cause challenges if a recreational store operates in close proximity to housing. The Select Board will note that there is an agreement with Sira not to pursue a recreational license on that site, but that agreement is not legally binding (according to MMA lawyers) and, in fact, recently Sira applied to the State to convert some or all of their medical stores into recreational stores.

As a planning tool, the Board should assume that both the zoning and the general by-laws fail, though it will be easier to get the simple majority required for the general by-law than to get the two-thirds majority required to pass a zoning by-law. Dr. Epstein believes that the Board should go on record now before any of the site is sold and building occurs in that zone; that to preserve health and well-being, the Board of Health will require a 500 foot setback between a recreational marijuana establishment and a residential parcel. Dr. Epstein is looking at other towns with recreational marijuana uses and believes that other towns use 1000 foot buffer zones. Dr. Epstein noted that the Town's GIS staff needs to start looking at 1000 foot buffer zone for all potential recreational marijuana sites. His suggestion would be 1000 feet away from where children congregate or 500 feet away from a residential parcel the greater thereof. This would mean many sites in Needham would not be available and the Board will need the GIS folk to determine any available sites.

When presenting to Town Meeting, Dr. Epstein indicated that he would highlight two issues:

1. Impaired Driving; for which there is no solution
2. Youth Access; in other areas (tobacco and alcohol) there exists best practices from CDC that suggest where buffer zones exist there is reduction in youth access to marijuana.

Youth access especially is a health issue that the Board of Health can regulate. The adolescent brain does not fully develop until age 25, and with the demonstrated effects marijuana has on the developing brain preventing access is good public health. Dr. Epstein noted that it is important the Board keeps the

discussion to the one issue that is a health issue – the youth access issue and how does the community control youth access. Dr. Cosgrove noted that Belmont went to age 25 to purchase tobacco products based on the issue of brain development.

Dr. Epstein noted that a member of the public was in the audience and had a question. He asked for the gentleman to please introduce himself.

Bruce Greenfield moved to Needham 3 years ago from Ohio, and his question was about the medical marijuana store. He indicated that he doesn't believe the land near Sira Naturals is all that attractive to developers. Mr. McDonald noted that the Planning Board's stated goal was to encourage a 250 unit complex with first floor restaurant or retail space. To accommodate that type of development, at least two parcels would need to be combined and one developer would need to buy the second lot. Such a purchase has not yet occurred.

Mr. Greenfield noted that at Sira Naturals' other dispensary locations in Cambridge and Somerville, the company allows discounts for seniors and veterans, but the Needham Board of Health does not allow these discounts. Mr. Greenfield asked why the Board wouldn't let seniors and veterans get the discount on their meds.

Dr. Epstein responded to the gentleman's question and noted that Sira Naturals has agreed that anyone demonstrating financial hardship will be provided with free marijuana and for anyone whose physical infirmity does not allow them to get to Sira's location at 37 Franklin Street, Sira will provide free delivery to those customers. Those stipulations allowed them to be in Needham. The Board of Health treats the dispensary as a pharmacy and treats these medicines as a drug and regulates Sira accordingly.

Mr. Greenfield conceded that, if the Board treats a medical dispensary as a pharmacy, then he understands why discounts are not provided to veterans or seniors, though he might not agree with that policy. Dr. Epstein queried why a veteran should receive a discount as they would not for Lipitor or another medication at a regular pharmacy. Mr. McDonald mentioned that the CEO of Sira was at the March meeting and proposed discounts for those two groups. The Board asked for specifics, material arrived on May 10th and will be presented at the next meeting. Mr. Greenfield said he would probably attend the next meeting if it was on the agenda, and he would be happy to provide any community input or be part of a working group on the subject.

Mr. McDonald noted that the existing moratorium on recreational marijuana which lasts until the end of 2018 provides the Board of Health and the Public Health Division with additional time to develop recreational marijuana regulations. He indicated that the subject matter is complicated and needs to be well planned and vetted, so it is not too early to be in the discussion phase if the Board wants to meet a December 2018 deadline which coincides with the end of the 2018 moratorium.

Ms. Read asked for clarification. Would the Board of Health propose a separate regulation for recreational marijuana for cultivation and sale which would include guidance on siting, proximity and outlet density similar to the guidance included in the Board's tobacco regulations? Dr. Epstein will advocate for 1,000 feet because every town he has looked at nationwide uses this number. Ms. Read noted that the Needham Board of Health would be providing real leadership for other Boards of Health across the Commonwealth if these regulations were set up. Some communities cannot pursue an "opt

out” because those votes are failing with their residents. If the Needham Board of Health can make regulations it is really significant.

Dr. Epstein noted that regardless of what Town Meeting does, the Board can go back to the fact that Needham residents had a referendum on this issue (medical marijuana) and voted it down. The Board can make the argument that it is working in concert with the citizens wishes.

Dr. Cosgrove added that this argument will not put the Board of Health into conflict with the Select Board’s desire to keep the medical marijuana dispensary where it is, but added that medical dispensaries are strictly regulated by the State. Mr. McDonald noted there are key differences between medical and recreational marijuana stores, especially in the context of security, external displays, and advertising, as well as the by-appointment nature of Needham’s medical marijuana dispensaries.

Dr. Epstein indicated that he is concerned because during Sira’s March presentation where the company requested two-for-one discounts, for example, that appears to him as though the company is already acting as if it is recreational when it is still a regulated medical dispensary.

Ms. Gurge provided additional context about Sira Naturals, and noted that she had not heard from the interim set-up Sira manager. As a result, the paperwork which the Board requested in March was not provided until May 10.

Ms. Read added that during the inspection she attended, the building’s security was not up to Chief Schlitter’s requirements. In the information packet dropped off this week, Sira Naturals had provided the updated security information. Ms. Gurge will plan to conduct a follow-up site visit. She will attempt to coordinate this meeting so that staff and Board members can attend.

June Meeting Goals

Mr. McDonald noted that it is nearly time to develop a new, two-year set of goals for the Board of Health. This has been an agenda item the past few months to keep the topic fresh in everyone’s mind, but it will need a more robust discussion in June. The objective is to adopt a set of goals for fiscal years 2019 and 2020 when the Board convenes in either July or September.

Mr. McDonald promised to provide a status report to the Board about how the Public Health Division and the Board of Health are doing on the current goals at the June meeting. One point that Mr. McDonald noted was that the Public Health Division needs a better way to collect data and to inform program decisions with more efficiency. He said that the Division is trying to do more electronically with inspections or applications. Mr. McDonald asked the Board to email other ideas or suggestions for goals and objectives.

The next two Board of Health meetings will be held on:

- **June 14, 2018, from 7:00 to 9:00 PM**
- **July 20, 2018, from 7:00 to 9:00 AM.**

- There will be no meeting in August.

Dr. Epstein asked for a motion to adjourn. Dr. Cosgrove made a motion to adjourn, Dr. Brown seconded. The vote was unanimous. Meeting adjourned at 9:10.

Respectfully Submitted, Faith Crisley, Recording Secretary