



BOARD OF HEALTH
August 7, 2018

The Board of Health held a meeting in Room 9 at the Town Hall, 121 Glen Road, Wilmington, MA. The meeting was called to order at 5:30 p.m. Present were, Elizabeth Sabounjian, Dr. Daniel King DMD, Dr. Jane Williams and Shelly Newhouse, Director of Public Health. The next regularly scheduled Board of Health meeting will be August 21, 2018, at 5:30 p.m. in Room 9 at the Town Hall, 121 Glen Road, Wilmington, MA.

The Board reviewed and approved the July 17, 2018 minutes.

The Board reviewed the most recent food inspection reports.

New Business

Public Hearing for proposed changes to Section 8 smoking regulations.

The Chairman, Elizabeth Sabounjian opened the public hearing at 5:35 p.m. Changes are being proposed to some of the definitions in Section 8. Section 8.24 is proposed to be added as follows:

"Sale of Flavored Tobacco Products Prohibited: No person shall sell or cause to be sold or distributed any flavored tobacco product, flavored nicotine delivery product or otherwise, except in retail tobacco stores." Section 8.25 is proposed to be added as follows: "Limiting the Number of Tobacco Product Sales Permits Issued in the Town of Wilmington. As of (date tbd) the Wilmington Board of Health shall not issue a Tobacco Product Sales Permit to a first-time permit applicant with a new business. No permit renewal will be denied based on the requirements of this subsection except any permit holder who has failed to renew his/her permit within 30 days of expiration will be treated as a first-time permit applicant. Applicants who purchase a business that holds a current Tobacco Product Sales Permit at the time of the sale of said business may apply, within 60 days of such sale, for the permit held by the Seller if the Buyer intends to sell tobacco products and failure to meet this deadline will result in the Buyer being treated as a first-time permit applicant."

Dennis Lane from the Coalition for Responsible Retailing presented the following talking points.

This regulation is essentially punishing the retailer and by restricting these products could hurt the retailers' business profits. Mr. Lane further stated that tobacco is a legal product just like alcohol and believes it should be treated as such. In his opinion these e-cigarette and vaping products are not being sold to minors in retail stores but are being purchased over the internet. He sees the retailers as being the firewall or gatekeeper between these products and minors. Dr. King asked if there were any long term studies and information on e-cigarettes and have they seen them. In response Mr. Lane stated that the only long term studies are from the UK and they are somewhat dated.

Nicholas John, Northeast Region Manager of the R Street institute previously sent correspondence to the Director for the Board. He presented a short summary of the package. He is in support of our age increase that raised the minimum purchase age to 21. He is in support of our vending machine ban and he is also in support of the permit cap. However, restricting the flavored tobacco to just retail tobacco stores could give that retailer economic advantage over other businesses therefore ultimately hurting profits.

Mary Cole, Program Coordinator for Greater Boston Tobacco Free Community Partnership and Baystate Community Services presented the Board with a packet outlining their support for the proposed changes. Ms. Cole referenced Wilmington's YRBS statistics that show 28.4 % of Wilmington Youth have tried e-cigarettes in the past 30 days. The state average is 23.7%. These products should be out of the sight of kids to reduce the normalization of vaping. By getting rid of these products in retail stores it will help. Ms.

Cole also brought a show and tell of vaping products to show the Board just how these are aimed at teenagers along publications from the state and its' new campaign against these products which are aimed at e-cigarettes and vaping. Ms. Cole will forward some of the information to the Director for posting.

Donald J. Wilson, (D.J.) is the Tobacco Control Director from the Massachusetts Municipal Association discussed his work with the Board of Health Director, Shelly Newhouse, helping to standardize and format our current regulations so that they are consistent with other communities who have passed these regulations. Mr. Wilson presented the Board with statistics of the other 120 communities in the commonwealth who have passed flavored tobacco bans and the list is growing.

Keith Hirst, resident, 2 Nelson Way, presented written comments which he read. He is in favor of the proposed regulations. Mr. Nelson is concerned about his and other teenagers getting easy access to these products and what they do to the human body.

Doreen Crowe, Director of Nursing for Wilmington Schools was there on behalf of the Superintendent offering the School Departments support of the proposed regulations.

The Director also entered written comments into the meeting from Samantha Reif, Health and Recovery Coordinator for the Wilmington Police Department supporting the proposed regulations. Maura Healy, Attorney General written comments urging school departments and public health agencies to address the e-cigarettes and vaping issue.

The Chairman recommended to continue the public hearing to the next meeting so that all the information could be reviewed and be taken under advisement. Dr. King motioned to continue the public hearing to the next scheduled meeting, Dr. Williams, seconded, voted 3-0.

Public Hearing for proposed addition of Section 22 Rdna regulations.


The Chairman, Elizabeth Sabounjian opened the public hearing at 6:55 p.m. The Director outlined and explained the proposed new regulations. In summary, the Board of Health, Town of Wilmington, Massachusetts, acting under the authority of Section 31, Chapter 111 of the General Laws and amendments and additions thereto, and by any other power thereto enabling, adopt the following rules and regulations in the interest of and for the preservation of the public health.

1. APPLICABILITY

All research and development activities associated with constructing and handling the following materials within the Town of Wilmington shall be performed in strict accordance with regulations set forth in this Section including requirements in the Center for Disease Control (CDC) Biosafety in Microbiological and Biomedical Laboratories (BMBL) and National Institutes of Health (NIH) Guidelines. These regulations shall govern in addition to the CDC and NIH.

Jason Burrill, Director, Corporate Environment Health and Safety for Charles River Labs in Wilmington was present. The Director and Mr. Burrill worked closely in developing the proposed regulations. The Board would like to take the information to review and edit. Dr. Jane motioned to continue the public hearing to the next scheduled meeting, Dr. King, seconded, voted. 3-0.

With no new business or department updates, Dr. King motioned to adjourn at 7:15 p.m., voted 3-0.


Recording:
Shelly Newhouse, Director of Public Health