

# Board of Health Meeting Minutes

## September 13, 2022

**Present:** Holliston Board of Health (BoH): Josh Mann (*Chair*)  
Jay Leary (*Vice-Chair*)  
Peter Liffiton (*member*)

Scott Moles, *Health Director and Agent*  
Kristin Abraham, *Health Department Clerk*  
Ann Adams, *Health Department Clerk*

Jaclyn Winer, *Youth and Family Services Director, Holliston Drug and Alcohol Awareness Coalition Program Director*

Josh Mann, BoH, Chair, opened the meeting at 7:00 PM.

Scott read the Remote Participation Statement.

Board of Health Roll Call: Josh Mann – present, Jay Leary - present, Peter Liffiton - present

**Public Comment:** None

### **Tobacco Regulations Revisions:**

- Scott introduced the discussion on tobacco regulation revisions saying that previous BoH member Brian Moran had sent an email outlining his concerns.
- The revisions that the BoH are considering are: changing the current tobacco permit reducing cap to a simple cap, not banning smoking bars or the sale of blunt wraps.
- Olivia Dufour, Holliston Tobacco Control Program Manager who had presented the options to the BoH is on vacation this week and will rejoin the next BoH meeting September 27.
- Jackie Winer, Youth and Family Services Director, Holliston Drug and Alcohol Awareness Coalition (HDAAC) Program Director, presented her concerns regarding the revisions the Board were considering for the Tobacco Regulations. Tobacco use is a risk factor for youth and she asked the Board to retain the reducing permit cap that HDAAC had petitioned in 2018 and ban smoking bars.
- Josh said that the revisions were being considered to align our local regulations with the State regulations, and to codify the suspension for the first offense of sale of tobacco to a minor.
- Jay said that smoking is a legal activity and that the BoH can't limit legal activities. It is an adult decision. "This isn't a nanny state."
- Eva Marie Stahl, HDAAC co-chair, spoke of her concerns of the effects of these proposed revisions on the Town youth.
- Deb Moore spoke of being a nurse for 50 years and felt that the tobacco revisions being considered were a bad example for our youth. The BoH is supporting smoking with these revisions. She relayed her experience of how young males emulate adult behaviors with regards to smoking. Allowing a smoking bar supports a smoking culture that our Town should not support.
- Jackie Winer said that a smoking bar would not be good for local business. If the reducing cap is removed it opens the door to other businesses such as a cannabis smoking establishment in 5 to 10 years.
- Josh said that more businesses are good and it is planning and zoning that should keep smoking bars away from public properties, because second-hand smoke is bad.

- Jay said these tobacco regulation revisions are a BoH decision, and would not go to Town Meeting. It is an adult (21 year old) decision.
- Scott said perhaps allowing a smoking bar could be tabled until the proper design criteria were in place. Peter agreed.
- Scott said these tobacco regulations revisions could allow Vape City to have a smoking bar/room.
- Cynthia Listewnik, Holliston School Committee, asked the Board why they were making these regulation revisions. She is concerned that a smoking bar at Vape City is near where Holliston youth take driver's education and would be a bad influence.
- Josh said: these revisions are being considered to align the local fines and suspension period with the State, Vape City wouldn't be a cigar bar; there would be zoning rules.
- Peter said he was shocked that these regulation revisions are such a hot issue. That we shouldn't have a nanny state. But perhaps the rules should be in place before we change the policy.
- The Board closed the discussion to move onto the 7:30 PM variance request at 10 Pine Oak Street.
- Other residents present for this tobacco regulation revisions discussion were: Tina Hein, Select Board and Viktoria Sadlovska Anshu, Economic Development Committee.

#### **10 Pine Oak Street – variance request**

- The septic tank was placed 8" from the property line on the Golf Course easement side, where it should have been 10' away. It was moved from the design plan by the installer Doug Brown because he encountered ledge. He should have told the system designer, Eric Dickinson, Civilized Solutions, and Scott Moles, Health Director and Agent.
- Owners Justin and Jessica Tucker were present and petitioned the Board for the variance.
- The installer, Doug Brown wasn't present because he didn't have a computer, although he could have called in with a phone.
- Scott and Eric said that the tank couldn't be moved without moving the pump chamber, and recommended the variance.
- Jay asked Deb Moore, Golf Committee, how she felt about this encroachment. Deb said she had concerns about these type mistakes happening around Town and the contractors "ask for forgiveness rather than permission." It is a recurring problem and there is no accountability.
- The property boundaries and easements were discussed. The front lawn has an easement for the Town well.
- Scott suggested that there should be a survey and installation of 4 boundary markers, done at the owner's expense, so there can be no further accidental encroachment.
- The installer should be held accountable for this problem; his license should be suspended and reviewed before any further permits are allowed.

**Josh made a motion to approve the reduced property line variance for 10 Pine Oak Street with the conditions that the homeowners pay for a survey and the installation of boundary markers, and that the installer has a hearing before the BoH before he gets any new jobs in Town. Peter seconded. Roll Call: Josh Mann- Aye, Jay Leary-Aye, Peter-Aye. Passed.**

#### **COVID-19 update:**

- As of September 6, there are 7 active cases of COVID-19 in Town bringing the cumulative total to 2810.
- The American Rescue Plan Act (ARPA) grant of \$20,000 was approved.
- More COVID-19 Home Test Kits and masks were requested for residents.

**Mosquitos & Ticks:** Due to the dry, hot weather, Central Massachusetts Mosquito Control Project (CMMCP) reports no cases of Eastern Equine Encephalitis. There have been 4 cases of Lyme from ticks.

**Celebrate Holliston:** September 24<sup>th</sup>. Jay said he won't be available. Josh said he would be around.

**Minutes:**

**Josh made a motion to approve the BoH meeting minutes from August 23, 2022.**

**Jay seconded. Roll Call: Josh Mann- Aye, Jay Leary-Aye, Peter-Aye. Passed.**

**Bills:** The Board discussed and approved the following bills:

**Josh made a motion to approve the Salmon VNA bill for contagious diseases: \$1,675.00.**

**COVID paid by American Rescue Plan Act (ARPA) = \$1541.00**

**Other contagious diseases paid by Holliston BoH = \$134.00**

**Jay seconded. Roll Call: Josh Mann- Aye, Jay Leary-Aye, Peter-Aye. Passed.**

**Josh made a motion to approve the G&L Labs bill for beach water testing: \$428.00.**

**Jay seconded. Roll Call: Josh Mann- Aye, Jay Leary-Aye, Peter-Aye. Passed.**

**Board Comment:** None

**Next BoH Meeting** is September 27, 2022.

**Josh made a motion to adjourn the BoH meeting at 8:14 PM. Jay seconded.**

**Roll Call: Josh Mann- Aye, Jay Leary-Aye, Peter-Aye. Passed.**

Respectfully:

Ann Adams, Health Department Clerk

Approval Date: 9-27-22