

# **Draft Board of Health Meeting Minutes**

## **September 27, 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*

Olivia Dufour, *Holliston Tobacco Control Program Manager*  
Cheryl Sbarra, *Executive Director and Senior Staff Attorney at Massachusetts Association of Health Boards*

Josh Mann, BoH, Chair, opened the meeting at 7:30 PM.

Scott Moles 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:**

- Olivia Dufour, Holliston Tobacco Control Program Manager and Cheryl Sbarra, Executive Director and Senior Staff Attorney at Massachusetts Association of Health Boards to the Board were present to discuss the revisions to the Holliston tobacco regulations.
- Michelle Zeamer, 583 Winter Street, and previous BoH member (1996-2005) when the first tobacco regulations had been written in 2002, had sent background material on tobacco regulations to Scott to share with the Board.
- Julia Lane, 37 Maple Dell Lane, and BoH member when the previous tobacco regulation revision was signed in 2018, had sent her concerns to Scott to share with the Board, regarding the tobacco regulation revisions that the current BoH is considering.
- Olivia had sent a draft of the BoH's tobacco regulation revisions that Cheryl had provided, which was forwarded to the Board. Cheryl said she needed to make another version and would get it to Olivia soon.
- Josh asked the public present if they wanted to comment on the tobacco regulation revisions.
- Julia Lane said she was concerned with the tobacco regulation revisions and wanted to hear what the community had to say.
- Mary Greendale, 198 Highland Street, said she was attending the meeting to watch what was happening regarding the tobacco regulation revisions. Mary had written an article in HollistonReporter outlining the proposed revisions.
- Brian Moran, 267 Norfolk Street, and BoH member (1991-2004) when the first tobacco regulations were written in 2002, said he has concerns that the proposed changes are “moving backwards” after they had a hard fight in 2002 for the regulations, including a threatened lawsuit from RJ Reynolds. The BoH had received congratulations from President Bill Clinton for their Holliston Tobacco Regulations.
- Bill Rainsford, 170 Karen Circle, said he was listening to what the BoH was proposing.
- Peter Liffiton said he was blindsided by the response from residents to what he considered a routine measure regarding the tobacco regulations. He does not feel the revisions they are proposing are undoing the previous regulations efforts. He thinks they are simply aligning the Town with the State regulations. He is surprised citizens are taking this to the Town Meeting.

He thinks conversation is highly valuable, without demonstration. He is totally open to conversation.

- Viktoria Sadlovska Anshu, 860 Marshall Street, said she is wondering why the Board is considering the revisions and wants to learn more.
- Cheryl Sbarra summarized the revisions the BoH were considering:
  - Not to ban smoking bars. Many towns include a smoking bar ban. There are 25 smoking bars in the Commonwealth, most of them in Worcester.
  - Change the current reducing tobacco permit cap to a simple cap of 10 permits. Currently when a tobacco retailer chooses not to renew a tobacco permit, the total number of permits are reduced. If a tobacco retailer sells their property the tobacco permit is transferable for that location only. Changing to a simple permit cap of 10 means that there can be tobacco retailers at different addresses in Town.
  - Not to ban sale of blunt wraps.
  - Align the Town fees and suspensions with the State's Tobacco Regulations.
- Josh said: he is envisioning a cigar bar, and restricting where it can be located; Josh is distressed at the response to the BoH's proposed revision; The petition to Town Meeting is absurd; Nothing should happen with the Tobacco Regulations until they have zoning restrictions regarding the location of a smoking bar. Josh feels people are rabble-rousing and he's tired of it. Personally, Josh feels that smoking is a disgusting habit and he is not an advocate for tobacco; Smoking is an adult decision and the response to the proposed tobacco regulation revisions is out of hand.
- Jay said he wants to have a simple tobacco permit cap at 10; The Town Meeting article is vague and all encompassing; The BoH can listen to advice but it is a BoH decision.
- Peter echoed Jay's sentiment that the Town Meeting has no power over this tobacco regulation revision; The BoH is autonomous. Peter said they will listen, decide and watch.
- Bill Rainsford said smoking is bad for health and he doesn't understand why the BoH would change the tobacco regulations to invite a business that will destroy people's health.
- Jay replied that there are a lot of things that destroy health: excess drinking and eating; Smoking is an adult decision; Smoking is not a wise choice, but it a legal activity and an individual's choice; If likeminded people want to get together, because it is legal, they can make their own decision; It is difficult to regulate adults; We are talking about residents over 21 years old; We are not encouraging smoking but allowing it; Some residents like to tell other how to conduct themselves.
- Josh said prohibition is ineffective to stop habits; We need to educate people not ban things.
- Bill Rainsford said since the tobacco regulations were brought to Town, smoking has reduced. Why not leave the smoking bar ban in place?
- Josh said he invited Jackie Winer, Youth and Family Services and Holliston Drug and Alcohol Awareness Coalition (HDAAC) to provide data on the cause/effect relationship of Holliston tobacco regulations and reduction in tobacco/drug use in Town. He believes all drug use is down except marijuana.
- Eva Marie Stahl, 66 Winthrop Street, and HDAAC Co-Chair, said the data does show that smoking is not a good choice, and the Board needs to focus on regulation issues. She doesn't support a cigar bar. Vaping and tobacco are gateway drugs.
- Brian Moran asked if cannabis could be smoked at a smoking bar. Not at this time, but it is being discussed at the State level.
- Josh said that a smoking bar requires 51% of the proceeds of a smoking bar must come from the sale of tobacco. Josh thought that there would be no alcohol or food sales at a smoking bar.
- Josh said he wants to get the draft tobacco regulations from Cheryl for review and discuss it with Cheryl and Olivia.
- Peter said that the BoH is required to have a public hearing before voting on the tobacco regulation revisions.

- Scott discussed the timeline of the next BoH meetings: October 11 and 25. Town meeting is October 17<sup>th</sup>.
- Cheryl and Olivia will attend the October 11 BoH meeting.
- Cheryl will draft the proposed Holliston Tobacco Regulations with the 4 revisions outlined above and get them to Olivia, Scott and the Board.

**COVID-19 update:**

- There are 13 active cases of COVID-19 in Town bringing the cumulative total to 2846.
- Holliston received 42 cartons (90 kits each, 2 tests per kit) of COVID Test Kits. They are being dispensed to Town residents similarly to the last shipment of kits, through the Town Hall, Library, Senior Center, Pantry Shelf, Cole Court, Mission Spring, Veterans Agent, Youth and Family Services, and others to the most at risk populations in Town.

**Mosquito** activity is down Scott reported, but we must wait for the first hard frost before we can drop our adherence to safe preventative practices.

**Celebrate Holliston** on Saturday was successful. Len Izzo, Food Inspector did the food inspections and all went well.

**Housing:** 164 Westfield Drive is going through probate receivership with the State. The Fire Department had boarded it up to secure it after the owner died without heirs.

**Sampling at the Marshall Street Landfill:** The Kleinfield FY23-25 Contract was sent to Scott today and he forwarded it to the BoH before this meeting. Town Administrator Travis Ahern asked if the BoH would authorize Scott to sign it so that the sampling could happen this week. Jay said he wanted to look over the contract and he would get back to Scott.

**Minutes:** Jay made a motion to approve the BoH meeting minutes from September 13, 2022.

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

**Bills:** The following bills were discussed and approved:

**Josh made a motion to approve the Stantec bill for Covanta Compliance Officer: \$276.00**

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

**Josh made a motion to approve the Massachusetts Association of Health Boards bill for membership dues: \$150.00.**

**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: \$410.00.**

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

**Board Comment:** None

**Josh made a motion to adjourn the BoH meeting at 8:13 PM. Jay seconded.**

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

Respectfully:

Ann Adams, Health Department Clerk

Approval Date: 10-11-22