

BOARD OF HEALTH

Minutes of Meeting of April 9, 2013

Chairman McNamara, Board members, Linda Huet-Clayton, Carol Bradford, Robert C. Leupold, Health Director and Michele Korman, Health Coordinator were present in the DPW conference room at 7:35pm and the meeting commenced at 8:00p.m

1. Minutes of Meeting of March 12, 2013 were approved
2. Invoices were approved
3. Correspondence was reviewed and included the following:
 - (a) March 2013 Sudbury Board of Health Monthly Report
 - (b) Dept. of Public Works memo: March 2013 inspection report: Sand Hill Sanitary Landfill
 - (c) Dept. of Public Works memo: Landfil Gas, Sand Hill Landfill: March 27, 2013
 - (d) ERM memo: Former Sperry Research Center: 100 North Road, Sudbury: March 13, 2013
 - (e) DEP memo: Sudbury Sand hill Sanitary Landfill: April 2, 2013
 - (f) ERM memo: Former Sperry Research Center: 100 North Road, Sudbury: March 13, 2013
 - (g) Waste Water Environmental Management Inc. Test Report for Wastewater treatment plant at Lincoln-Sudbury Regional High School, Sudbury, MA.
 - (h) Woodward & Curran memo: Discharge Monitoring Report- Permit #: 4-23, Raytheon Sudbury Facility
 - (i) Mark Herweck e-mail: Rooster Nuisance from 24 Pelham Island Road Continues: April 9, 2013
 - (j) MetroWest Health Foundation Brochure
 - (k) The Beacon newsletter: April 2013

MRC:

- Carol Bradford, BOH & MRC member discussed that there was no meeting in April 2013
- Discussed setting up a definite meeting time and date, possibly the first Wednesday of the month. Said that Ippolit would contact RCL, Health Director about possible meeting dates.
- Also discussed a trade-off between meetings, one month MRC, the next month with CERT.

Tobacco Sales Ban/Pharmacies:

- Chairman McNamara and fellow Board members, Carol Bradford and Linda Huet-Clayton discussed a Tobacco Sales Ban in pharmacies in the Town of Sudbury.
- Chairman McNamara was concerned about the legality of moving forward with such a ban. A town-bylaw?
- RCL, Health Director: A Tobacco Sales Ban regarding pharmacies in Town could be added to current tobacco regulations already in effect in the Town of Sudbury. In order to move forward with this process, the Board of Health would have to plan for a public hearing.

- Chairman McNamara: Discussed how to move forward with the process without alienating retailers in Town.
- Sarah McColgan, Mass Health Offices Association and Jackie Doane, Greater Boston Tobacco-Free Community Partnership were present at the meeting and added:
 - Pharmacies are the only health-wellness-related centers that still sell tobacco and tobacco-related products. This goes against their health and wellness message
 - Pharmacies are also licensed as a health institution
 - There are currently fifty-six (56) communities in Massachusetts that have already passed a pharmacy ban on tobacco and tobacco-related products
 - When these regulations were passed in other communities, they were not met with much resistance from the tobacco lobby.
- Terri Curran, resident, was also present at meeting and contributed:
 - Ms. Curran discussed that she has done some grassroot appeals to local pharmacies and has received no opposition or surprise at the prospect of a ban. She has also talked with a pharmacist in Town, who is in full support of a ban.
- Linda Huet- Clayton, BOH member: Would a prospective ban include patches or gum related products?
 - These products are cessation alternatives as well as being FDA-Approved
- Chairman McNamara: Discussed what types of certification a pharmacy must go through
- Linda Huet-Clayton, BOH member: Discussed wanting to keep products associated with cessation out of any proposed ban
- Sarah McColgan, Mass Health Offices Association: Ms. McClogan discussed a broader revision to existing Tobacco Regulations as well as including a pharmacy ban within re-drafted regulations.
- Ms. McClogan: A lot of tobacco products have been developed since the Town Tobacco Regulations were approved and passed in 1998. She discussed including an age-restriction on the sale of electronic tobacco products, including the electric cigarette that is now widely available. Also, she discussed that these types of electronic products be included in a re-work of current smoke-free environments. Although youth cigarette sales are currently down, Other Tobacco Products (OTP), have risen with youth.
- Regulations should also be expanded to include information regarding available cessation programs, including the Massachusetts Smoker's Quitline information.
- A revolving fund should be set up to use tobacco sales permitting fees for town cessation programs.
- Chairman McNamara: Discussed that the Board would go through current Town of Sudbury Tobacco Regulations to determine if revisions/amendments should be made. Also discussed what else can be done legally, why not ban all tobacco and tobacco related products from retailers, not just pharmacies? Said that the Board would check with Town Counsel on the legalities of such a ban.

- RCL, Health Director: Discussed the fact that any new tobacco regulations, revisions or amendments would most definitely need to go through the Public Hearing process.

Miscellaneous Business:

- RCL, Health Director: Discussed response to the Town Manager's request for a Town Forum/Selectman's Meeting Q&A from the audience. Town Manager has asked for prepared written statements ahead of Town Forum for review
- RCL, Health Director discussed whether the Board of Health should add a chicken license application to current stable license application or should applications be separate?
- Chairman McNamara: discussed the rooster complaint from # 24 Pelahm Island Road, Sudbury. Discussed that # 24 Pelham Island Road has been zoned for agriculture and are allowed to have roosters.
- Discussed that the crowing roosters would be considered a "nuisance" outside of the public nuisance hours of no earlier than 7:00am and no later than 10:00pm.
- RCL, Health Director: Discussed the Old County Road complaint concerning noise from the contractor yard. Neighbors are complaining of the noise and bright lights from the trucks that shine into their home windows. The Health Director has talked with DEP regarding this and DEP has advised that it is a ZBA issue.

Meeting Adjourned:

9:00pm

Respectfully submitted:

Michele Korman
Health Coordinator
Sudbury Board of Health