

BOARD OF HEALTH MEETING

November 4, 2015

Watertown Administration Building, Town Council Chambers

CALL TO ORDER: Dr. John Straus called the meeting to order at 7:07 PM.

PRESENT: Dr. John Straus, Chairman, Dr. Barbara Beck, Richard Arnold, Deborah Rosati, Director of Public Health, Kristel Bennett, Chief Environmental Health Officer

Minutes

Dr. Beck offered a motion to approve the minutes of the October 15, 2015 meeting as presented. R. Arnold seconded the motion. Voted unanimously.

Public Comment: No appearances

Review of Tobacco Control Regulations

Present: DJ Wilson, Mass. Municipal Association

The Board thanked DJ Wilson for meeting with them to clarify the definition of flavored tobacco and the application of regulations relative to flavored tobacco.

Mr. Wilson advised about a Federal Court case ruling from 2013 in the City of Providence, RI which determined that the flavors of menthol, mint and wintergreen are not characterizing flavors for tobacco products and e-cigarettes, and are therefore exceptions to the flavored tobacco definition, thus only these may be allowed in cigar bars, hookah bars, retail food establishments, etc. if flavored tobacco is prohibited.

Per a June 30, 2015 request from Arax Market to continue selling flavored tobacco for hookah use, Arax will have to remove all the flavored tobacco products, but may retail plain (tobacco) and menthol-flavored tobacco products.

Following further discussion, Dr. Beck offered the following motion:

“Based on our regulations and after considering Federal Court precedent from the Providence case, the Board cannot make an exception for one type of flavored product and therefore the Board offers the following options:

Remove all food and apply for retail tobacco permit only.

Only sell unflavored and menthol tobacco product.

Establish a separate storefront/entity to create a retail tobacco store.”

Motion was seconded by Richard Arnold, voted unanimously.

Further discussion on the Tobacco Control Regulations determined that the regulation does not contain a provision for variances, however the Board can amend the regulation to grandfather the existing humididor that is located in a retail establishment.

Updates

Fee Schedule – the department is working on a revised fee schedule for consideration at the December meeting. The Board asked for a report, if possible, of total fees collected for each category.

Chicken and Bee Keeping Regulations – if being placed on December meeting agenda, Donna will need to have revised regulations within two weeks for distribution.

The Board thanked Deb Rosati for her leadership on the W.A.T.E.R.town Task Force on Substance Use Disorders.

D. Rosati updated the Board on grant opportunities.

Health Priorities Planning – continued discussion

The Board reviewed the Health Priority list and assigned priority to environmental and community health programs as follows:

High Priority – Asbestos Abatement – remove oversight and defer to State program, Mobile Food/Food Trucks, Keeping of Animals, Personal Protective Equipment – generate policy and stock PPE clothing, Temporary Food Permits, Fee Schedule

Medium Priority – Hazardous Materials, Abrasive Blasting Regulations – update regulation and provide training to Building Dept., Food Inspection Program, Swimming Pool Inspection Program.

D. Rosati indicated that Town Council will meet with them regarding a Health Needs discussion following induction of the new Council in January.

Next meeting – Tentative December 9, 2015

Adjourn: The Board meeting adjourned at 10:00 pm.

Respectfully submitted: Deborah M. Rosati, Director of Public Health

Approved: December 9, 2015