



TOWN OF SHREWSBURY

Richard D. Carney Municipal Office Building
100 Maple Avenue, Shrewsbury, Massachusetts 01545

Date: August 21, 2020 – **REMOTE PARTICIPATION**
To: Board of Health
From: Kerry Stockwell, Administrative Assistant
Re: Board of Health Meeting Minutes

REMOTE PARTICIPATION ATTENDANCE:

Stephen Vigeant, Jennie Fishman, and Dr. George Abraham – Shrewsbury Board of Health
Phil Leger, Jennifer Nakijoba, and Micah Blondeau - Central Massachusetts Regional Public Health Alliance (CMRPHA)
DJ Wilson – Tobacco Control Director / Public Health Liaison for the MA Municipal Association (MMA)

Confirming Member Access: As a preliminary matter, this is Stephen Vigeant, Chair of the Shrewsbury Board of Health. Please permit me to confirm that all members and persons anticipated on the agenda are present and can hear me.

- Members, when I call your name, please respond in the affirmative.
Dr. George Abraham – Affirmative / Jennie Fishman – Affirmative
- Staff, when I call your name, please respond in the affirmative.
Kerry Stockwell – Affirmative
- Anticipated Speakers on the Agenda, please respond in the affirmative.
Phil Leger – Affirmative / Micah Blondeau – Affirmative / Jennifer Nakijoba – Affirmative / DJ Wilson - Affirmative

Introduction to Remote Meeting: Good morning. This Open Meeting of the Shrewsbury Board of Health is being conducted remotely consistent with Governor Baker’s Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the “COVID-19 Virus.”

In order to mitigate the transmission of the COVID-19 Virus, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor’s Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible *physical* location. Further, all members of public bodies are allowed and encouraged to participate remotely.

The Order, which you can find posted with agenda materials for this meeting allows public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting.

Ensuring public access does not ensure public participation unless such participation is required by law. This meeting will not feature public comment.

For this meeting, the Shrewsbury Board of Health is convening by telephone conference as posted on the Town’s Website identifying how the public may join.

Meeting Business Ground Rules: We are now turning to the first item on the agenda. Before we do so, permit me to cover some ground rules for effective and clear conduct of our business and to ensure accurate meeting minutes:

- The Chair will introduce each Board Member or Staff Member who has the lead role for this particulate item or guest/speaker associated with this item on the agenda. After they conclude their remarks, the Chair will go down the line of Members first and then to staff members, inviting each by name to provide any comment or questions. I will then call upon the members to offer a motion and then for a second. Please hold until your name is called. Further,
 - Please remember to mute your phone or computer when you are not speaking.
 - Please remember to speak clearly and in a way that helps generate accurate minutes.

For others in attendance that are expected to present:

- Please hold until your name is called to present.
 - Please remember to mute your phone or computer when you are not speaking.
 - Please remember to speak clearly and in a way that helps generate accurate minutes.
 - After your presentation, members of the Board will be given the opportunity to ask questions.
- Finally, each vote taken in this meeting will be conducted by roll call vote.

AGENDA

1. **Call to order.** The meeting was called to order at 8:07 a.m. by Stephen Vigeant.

2. **Review and approval of Minutes from the July 17, 2020 Board of Health meeting.**

On a motion made by Dr. George Abraham, seconded by Jennie Fishman, and on a roll call vote; Dr. George Abraham, aye, Jennie Fishman, aye, Dr. Abraham, aye, and Stephen Vigeant, aye, the Board of Health voted unanimously to approve the Minutes from the July 17, 2020 Board of Health meeting. Approved 3 – 0.

3. **Review and Act on updating Local Tobacco Regulations.**

Stephen Vigeant mentioned that this topic was touched upon at the last Board of Health meeting that was held on July 17, 2020. The intent is to have the local tobacco regulations conform with the state tobacco regulations. Kerry Stockwell had provided copies of both the current local tobacco regulations and the proposed tobacco regulations that incorporate the state regulations. To assist the Board with this item, Jennifer Nakijoba from CMRPHA and DJ Wilson from MMA were remote participants via telephone.

The Chairman had reviewed both sets of regulations and felt it was clear that the state tobacco regulations need to be incorporated into the local tobacco regulations. There were several changes to wording, definitions, etc.

Question: There are local tobacco regulations and state tobacco regulations. If there was a question about any discrepancy, would the state tobacco regulations supersede the local tobacco regulations?

Answer: DJ Wilson prepared a tobacco sales sample to ensure that the local and state tobacco regulations are in synch. This will make the local and state fines clear to the tobacco retailer. Once the local tobacco regulations are updated, it is recommended to provide a copy to the Town Clerk so they are aware of the fine structure.

Question: Has the Board seen the sample yet?

Answer: No, not yet. DJ Wilson will email that along. Everything needs to jive. If the Board wants to move forward, DJ can customize the language for Shrewsbury and highlight the policies that Shrewsbury currently doesn't have. Then the Board of Health can decide whether to add those in or not.

The Board thought that sounded very good.

At this time, the Chair asked Jennifer Nakijoba if she had any input. She recommended that Shrewsbury touch base with their legal counsel. This will ensure understanding about the new regulations and if it's appropriate to pass those regulations as well.

The Chairman felt that the retailers will be shocked about the substantial increase in fines. DJ Wilson said that the tobacco retailers should have already received some communication from tobacco control and/or made aware via their tobacco distributors. The Board had received the template of what the changes would look like prior to this meeting and they are looking forward to receiving the latest revised regulation for their review.

At the last Board of Health meeting held on July 17, 2020, it was mentioned that holding a public hearing was a best practice even though there's nothing controversial. DJ Wilson said that it would make perfect sense. He referenced an email that Karyn Clark, Director of Public Health had previously sent asking if the Board wanted to ban Smoking Bars. If the Board were to include that, it's helpful to hold a public hearing. Currently, the Town of Shrewsbury does not have any Smoking Bars.

Jennifer Nakijoba noted that even after a public hearing has been scheduled, she will continue to reach out and educate the tobacco retailers to ensure they are aware and understand the changes.

The Health Department has the ability to immediately notify Tobacco Retailers through an established email distribution group and then follow up with a hard copy via regular mail.

The Chair reiterated next steps: Receive and review draft regulations, discuss revised regulations at the next schedule Board of Health meeting, and then at the following Board of Health meeting, possibly schedule a public hearing.

At this time, the Chair asked if there were any questions. There were no further questions.

The Board will list the updating of the local tobacco regulations as an item on the next Board of Health Agenda. At that time, the Board can discuss any comments, changes, etc. and ensure it's in good order prior to scheduling a public hearing. The Board thanked both DJ Wilson and Jennifer Nakijoba for their participation in this morning's call and for their important input.

4. Review and Act on the Report from the Central Massachusetts Regional Public Health Alliance (CMRPHA).

Phil Leger provided the following updates:

Grants through the Center for Disease Control (CDC) Foundation: There will be six (6) temporary positions to assist the Department of Public Health (DPH) with COVID-19 efforts. There will be nurses added to the public health nursing group, a couple of people allocated to the Environmental Health (EH) group, and there will also be additional Administrative support. Interviews were conducted via Zoom Meeting technology.

Personnel: Micah Blondeau started on August 10, 2020 as Regional Environmental Health Specialist. Happy to have him onboard.

COVID-19 Testing: Have been taking place in the City of Worcester.

School Reopening: The reopening of schools and colleges are in the forefront. The Local Boards of Health, MA Department of Elementary and Secondary Education (DESE), and the MA Department of Public Health (MDPH) are in the thick of it.

Local Board of Health (LBOH) and MA Department of Public Health (MDPH) Bi-weekly Calls: Trying very hard to stay on top of everything and provide local guidance. LBOH's are requesting more specific sports guidance which comes out of the Executive Office of Energy and Environmental Affairs (EEA) cabinet. Local Boards of Health are receiving multiple inquiries about sports-related activities.

COVID-19 Complaints / Concerns / Non-compliance: Kerry Stockwell has been doing a great job of recording and following up on complaints which come in daily through multiple channels.

Eastern Equine Encephalitis (EEE): There are three (3) human cases now in Massachusetts. There won't be a hard frost for another two (2) solid months. The Health Department is paying attention to mosquito activity. The Town of Shrewsbury is part of a mosquito control district called the Central MA Mosquito Control Project (CMMCP).

Environmental Health (EH): It's been very busy in the field. The Health Department recently responded to a mercury incident whereby a blood pressure cuff broke in a private resident. There were a couple of emergency incidents that the Shrewsbury Fire Department assisted with regarding a towing company that spraying paint without being in a spray booth which was emitting fumes into adjacent businesses. There were a couple of other incidents which required the assistance of the Shrewsbury Police Department.

At this time the Chairman asked the Board if they had any questions. There were no questions.

Micah Blondeau introduced himself to the Board. For the last few years, he has worked for the City of Nashua in the capacity of Environmental Health Specialist. This made for an easy transition into his current role with the CMRPHA. He is looking forward to working with us. The Board welcomed him to the team and are very much looking forward to working with him on various EH issues.

Environmental Health (EH) Data: Kerry Stockwell provided clarification on the number of routine food inspections.

The Chairman asked the Board if they had any questions. There were no questions.

5. **Review meeting schedule.** The next Board of Health meeting will be held on September 18, 2020 at 8:00 a.m. via Remote Participation (subject to change due to COVID-19).
6. **Adjourn.** Dr. George Abraham made a motion to adjourn the meeting at 8:35 a.m. On a motion made by Dr. George Abraham, seconded by Jennie Fishman and on a roll call vote; Dr. George Abraham, aye, Jennie Fishman, aye, and Stephen Vigeant, aye, the Board of Health voted unanimously to approve. Approved 3 – 0.

Referenced Materials

- Board of Health Meeting Minutes – July 17, 2020
- Where and What Tobacco Products can be sold in Massachusetts – December 11, 2019
- New Tobacco Law Retail Letter – December 16, 2019
- Regulation of the Shrewsbury Board of Health Restricting the Sale of Tobacco Products – Effective January 1, 2020
- Sample Regulation Restricting the Sale of Tobacco Products – not dated
- Email from Karyn Clark regarding Updating Local Tobacco Regulations – June 18, 2020
- Town Meeting Guidance – June 2020
- Monthly CMRPHA Updates – July and August 2020
- Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A § 20 – dated March 12, 2020