

Date: August 29, 2016
Date Minutes Approved: September 12, 2016

TOWN CLERK
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DUXBURY, MASS.

BOARD OF SELECTMEN MINUTES

Present: David J. Madigan, Chair; Theodore J. Flynn, Vice Chair; and Shawn Dahlen, Clerk.

Absent: *none*

Staff: René J. Read, Town Manager; and C. Anne Murray, Administrative Assistant

I CALL TO ORDER

Mr. Madigan called the meeting to order at approximately 7:03 PM in the Town Hall (Mural RM).

II OPEN FORUM - nothing was brought forward.

III NEW BUSINESS

Discussion and review of the following Special Town Meeting Article:

*Article 8 - Citizens' Petition – proposed petition to the General Court
“Should the public water supply for domestic use in Duxbury be fluoridated?”*

Mr. Madigan asked if there were any proponents of the article present. Several hands were raised. He asked the first individual, who indicated he wanted to speak to step to the microphone and to identify himself.

Mr. Brad Bessie, of South ST, mentioned that he has been a resident since 2007. He said that he would not get into the numerous studies, i.e., medical data because they are numerous and this might be an area where the sides might “agree to disagreed.” In his opinion it comes down to two reasons:

1. Informed Consent: and
2. Freedom of Choice

With respect to 1. Informed Consent he pointed out that this is a guiding principle of medicine in which a doctor may prescribe medication or treatment, but a patient has the right to refuse the prescribed medication or treatment. He pointed out that other things, such as some common medications, calcium, vitamin D, etc. are not added to the public water supply so he questioned why fluoride should be. He said that those things should not be prescribed through the public water supply because the dosage cannot be properly calibrated for all the individuals using it. He does not want fluoridation of the water and therefore argues that the Town does not have his informed consent to fluoridate the water.

With respect to 2. Freedom of Choice, he argued, that unlike chlorine which can easily be filtered out. it is difficult to filter out sodium fluoride as standard filters do not do so. He said that a much more expensive (about \$5,000 to \$10,000.) whole-house filtering system would have to be installed. As a taxpayer he argued that he should not have the burden of the additional expense. He also noted that there are numerous ways for people who want fluoridation to get it through other means, such as tooth paste or topical treatments by a dentist, etc.

He equated fluoridated water to be somewhat like second-hand smoke.

He also mentioned some statistics which seemed to support his position not to fluoridate:

- Of the 351 towns in the Commonwealth only 140 are fluoridated, which is less than 40% and that of the 47 Public water systems only 6 are fluoridated (Duxbury, Scituate half of Hingham, Pembroke, Bridgewater and Laurel Hill Condominiums).
- Studies have shown that rates of cavities have gone down regardless of whether there is or isn't fluoridation. He mention a handful of countries that have stopped fluoridating (e.g., Germany and Finland), and said that globally only a small number of countries do.
- Since 2010 in the United States there are 113 towns that have stopped fluoridation.

Whether you are for or against fluoridation Mr. Besse hoped that the Selectmen would support the article to put it on the ballot.

Mr. Bessie briefly provided information about his background mentioning that he works for a manufacturing company that makes equipment that produces liquid drugs for pharmaceutical companies. He said is not a doctor or a dentist, but he does deal with scientists who formulate drugs and vaccines so he as some understanding of such things.

For clarification, Mr. Flynn just mentioned that regardless of whether the Board takes a position the article will be discussed and voted on at Town Meeting.

Before the next speaker Mr. Read passed out the wording of Article 9 – Proposed Petition to the General Court.

Ms. Sarah Murray, Abrams Hill, read a prepared statement. She is against fluoridation of the public water supply. In her statement she mentioned the following:

- The fluoride being added is imported from China and she questioned the quality of the product.
- According to information she received it is not inspected in the US.
- She said it is 98% sodium fluoride and wondered about the make-up of the other 2%.
- Sodium fluoride is not easily filtered out, and therefore those who don't want it only have costly alternatives, i.e., whole-house filtering systems or bottled water.
- She mentioned that the Duxbury Board of Health did vote to reduce the amount of fluoridation due to the fact that fluoride is in a variety of other things. However, the goal has been difficult to achieve due to the mechanism currently used to add the sodium fluoride.
- Sodium Fluoride is a drug; not a mineral. She also suggested that fluoridation is an issue of informed consent.
- The warning labels on the product and the concerns the label raises.

Ms. Patricia Boynton, of Saint George ST, spoke in opposition to the fluoridation by echoing the concerns about the purity of the product.

Mr. Madigan indicated the Board was advised that Dr. John Fisher, a dentist, would be attending to speak as a proponent of fluoridation and he then invited Dr. Fisher to speak.

John P. Fisher, D.D.S. introduced himself by indicating he is a general dentist in Salem MA, a past President of the Massachusetts Dental Association, and the Chair of Better Oral Health for

Massachusetts Coalition. He has taught at both Temple University Dental School and Boston University School of Dentistry and has been a speaker at numerous conferences

. The following is an overview of Dr. Fisher's comments:

- Initiated his comments by mentioning that we live in a great time pointing out the advances made in medicine which came about because of how things used to be. Because of the advancements we seem to have forgotten what it was like before these treatments.
- He gave a bit of background of how fluoridation came about. Dr. Frederick McKay first noticed in Colorado that there was little tooth decay, but there were brown stains on the residents' teeth. He came to the conclusion it must be something in the water. Further analysis by a chemist determined it was fluoride. In Colorado fluoride existed naturally but in a wide ranging amounts. After further studies it was determined that with a dosage of 1.0 parts per million the decay was prevented and the staining (either brown stains or white stains) did not occur.
- In the 1940s studies were done in several locations that showed tooth decay was reduced by 60% with fluoridation. As an aside Dr. Fisher mentioned that in WWII inductees to military service had to have at least 6 opposing teeth, but that was changed as many did not have even that number.
- He spoke about his experience working in a mobile dental van, which serviced a number of communities on the North Shore. The communities of Salem and Beverly had fluoridated water, whereas the affluent towns of Marblehead and Swampscott did not have fluoridated water. In his experience there was significantly less decay in the patients seen in the communities, which had fluoridation. He lived in Marblehead at the time and gave his own kids fluoride drops.
- He believes that this a public health issue. Fluoride is the 13th most common element in the earth's surface. Virtually all water has some level of fluoride so it is more an issue of adjusting the level up or down.
- Fluoride is a mineral; not a medication.
- In response to the comment that only 141 towns have fluoridation, he said that 51% of the population of the Commonwealth of Massachusetts does.
- He suggested that opponents to fluoride sometimes criticize the fact that the early studies were not double-blind studies, i.e., ones in which neither the participants nor the research knows which group individual participants are in, which is the ideal for studies. In response he said it would be difficult to do so that a community would be split for half to get fluoridation and half not to get it.
- He cited statistics from a number of studies which reflected increased dental costs for those without fluoridation.
- He mentioned that the major health agencies, such as the EPA, Mass. Public Health and past and present Surgeon Generals all support fluoridation.
- He mentioned that in tooth formation fluoride helps harden the teeth. Ingested fluoride comes back in the saliva to bath the teeth. It helps with the re-mineralization of the surfaces of the teeth, and helps by interrupting the metabolic processes of bacteria in the mouth.
- To address the warning label he said that warning labels are standard on lots of products.
- Regarding Dosages: dosages aren't exact but typically set as a range. For infants the dosage is .01 mg/ kg/ day. For adults it is almost impossible to drink enough water for it to be a problem.

- Dr. Fisher said that there are many different combinations (i.e., calcium fluoride, sodium fluoride, sodium florate, sodium fluorosilicic acid), but when mixed with water they are all the same fluoride. Fluoride is fluoride.
- In response to comments made about the product being inspected, he mentioned that the product is certified American Water Works Association (AWWA) and National Sanitation Assoc. so it is tested. It may not be inspected locally, but the local water systems do test the water regularly and anything outside of established ranges must be reported.
- He mentioned the following websites for more information about the topic: American Academy of Pediatrics' (AAP) website www.Ilikemyteeth.org and the American Dental Associations website: www.ada.org/fluoride.
- With respect to the personal rights arguments, he indicated that in the Courts of last resort (i.e., the highest Court that heard the case) the personal right's argument has never won. He stressed that fluoridation is viewed as a public health issue.
- He expressed concerns with some of the information on social media, and recommended reading the National Geographic article of March 2015 entitled "The War on Science" which talks about some of these issues.
- Fluoridated water consumed as a child does have long-lasting positive effects regarding reduced tooth decay.
- Less than a teaspoon of fluoride for approximately 1400 gal of water.

Mr. Dahlen said that a parent can bring his/her child to a dentist and get fluoride treatment. So he questioned why that would not be sufficient versus fluoridation in the public water supply? In response, Dr. Fisher suggested two reasons:

- 1) 20% of kids in Massachusetts are food insecure, i.e., 1 in 5 kids go to bed hungry. While Duxbury might be a more affluent community, there are those on the bottom of the spectrum. So the reality is not all parents can afford the treatments. He added that many of the elderly patients also can't afford it.
- 2) You are only allowed for prescription for 90 days. So the parent has to get the prescription from the dentist, go to the pharmacy to get it filled, and then monitor the child to make sure the child is using the drops daily. So convenience to make sure the treatment is being received is another reason.

Mr. Dahlen mentioned about ½ the towns in Massachusetts have fluoridated water but ½ do not. How does he respond to that? Dr. Fisher mentioned some of the areas without fluoridation are the bigger cities, e.g., Brockton, Springfield, Worcester. He said he had done some dental van work in those areas and he found the level of decay shocking. He mentioned that is how he came to get involved in this controversy and suggested that this is a matter of prevention.

Andy Weimeyer, DMD, Duxbury dentist, suggested that not all of Duxbury is affluent. He also mentioned that he has plenty of wealthy patients who aren't good about getting to the dentist or getting their kids to the dentist. He added that studies have shown that typically there is a 25% increase in tooth decay if fluoride is removed from the water supply. He also said that for children 0-8 yrs. really need a daily dose of fluoride during tooth formation. The topical dose really does not focus on tooth formation. He stated that fluoridation provides a lifetime benefit and crosses all socio-economic boundaries. While he respects personal rights he does advocate for fluoridation and suggested that those who don't want it could choose to get a filter and use bottled water.

Dr. Lindsey Burghardt, of Saint George ST, introduced herself as a practicing Pediatrician, who treats kids from birth to age 24. She worked for about 7 years at Boston Children's Hospital and now works more locally. She also mentioned that she has a Master's in Public Health and has a background in

studying Pediatric health policies. She spoke to address the question of parents going to a doctor or dentist for a fluoride treatment and/or a prescription versus fluoridation in the public water supply. At this point, she said she is a mother of three young children. She said imagine every day from the age of 6 months until the child leaves your care having to monitor a daily dose of fluoride drops for not one but multiple children. She said for even the most dedicated mother it is nearly impossible and just doesn't happen. She said the average family is 2-5 kids and that is a lot of prescriptions for a doctor to write. She added that she has never once had a family say they don't want the fluoride treatment. She also mentioned that if a patient is from an unfluoridated area she makes it a point to discuss oral health. With all the other things being asked of working parents she suggested that fluoridation of the water is a beneficial convenience. She mentioned a number of the major health organizations, which have many very intelligent experts studying this issue, and they all support fluoridation. She advocated for keep fluoride in the Duxbury water supply.

Mr. Dahlen asked Dr. Burghardt "how do you reconcile parents who are against vaccinations with the fluoride issue since don't mandate that a child be vaccinated?" In response Dr. Burghardt mentioned she equates it to folic acid, which is added to commercially-prepared bread, because it has been found that reduces the cases of spina bifida. For those who choose to avoid the folic acid in commercial breads, they can make their own bread. So likewise for those who don't want fluoride in the water, she would suggest that they buy unfluoridated bottled water.

Dr. Mairead Wilson, of Duck Hill Road, said that she also is a Pediatrician, who formerly practiced in Brockton and now practices in the Duxbury area. While those are different patient populations she still sees children with significant tooth decay. In Brockton it was not uncommon for her to have pre-op visits for kids having surgery for significant dental decay. She did not expect to see much of that in Duxbury, but within the last month she has had 4 pre-op visits for surgery for significant dental decay. She reinforced what the previous pediatrician mentioned about families being overwhelmed and not being able to keep up with prescribed treatments. She mentioned that a majority of parents are not keeping up with dental visits and kids often aren't visiting a dentist until ages 3-4. Regarding the vaccination issue, she mentioned that some practices are not accepting patients who have not been vaccinated.

Dr. David Brumley, Chair of Duxbury Board of Health (BOH), introduced himself as a family physician with 2 adult children, who grew up in Duxbury. He mentioned in 2013 a group came to the BOH with similar concerns and wanting fluoride removed from the Duxbury water supply. At the time the Board of Health had a pharmacist, a registered nurse, and a medical doctor (himself). The BOH reviewed the fluoride issue at that time and felt that it was safe and decided the water supply should continue to be fluoridated. He then read a letter, which indicated that at the June 16, 2016 BOH Meeting they completed their annual assessment of the fluoridation of the Duxbury water supply. They noted that there is "continued strong and consistent support of fluoridation from public health, governmental, scientific, medical, and dental organizations..." Therefore, the BOH is "recommending and planning continuing fluoridation of town water." The letter mentioned the BOH was taking the following steps:

- 1) Consistent with the U.S. Dept. of Health and Human Services proposal and recommendation from the Massachusetts Dept. of Public Health, the BOH recommended the concentration of fluoride in the public water system of Duxbury be lowered to a level of .7mg/l (ppm). As of the BOH's June, 2016 review they have recommended to the Town Water Superintendent the purchase of new equipment which will facilitate consistency in maintaining the concentration at this level.

- 2) The BOH verifies on an annual basis Duxbury's compliance with the NSF/ANSI Standard 60 Certification. Should the Board not be able to verify the compliance, then the Board will place fluoridation of our community on a moratorium to be lifted when compliance is verified.
- Regarding the labeling of the product he said that 98% is Sodium fluoride. The other 2 % is water and soluble matters .5%, sulfate .3% , silicon dioxide (i.e., sand) .5% , sodium carbonate .2 % , acidic sodium .2%.
- He concluded his remarks but stating that fluoridation is safe and it is a public health issue. The BOH feels taking fluoride out of the water supply could be a mistake the studies seem to indicate that there is a benefit and there is no evidence of significant harm.

Mr. Brad Besse spoke again to rebut some of the doctors who had spoken. He said he had hoped to avoid the back and forth regarding studies because he thinks this is an area where the parties might have to agree to disagree, but given that the other side has cite them he felt he had to respond.

- He said a lot of the data is old data and suggested that the more recent data shows that tooth decay in general has gone down even in those areas that are unfluoridated. He cited 3 studies from countries (Canada, Finland, and Germany) that have stopped fluoridation and the anticipated increase in tooth decay has not been seen. In fact, the results showed dental cavities went down.
- In rebuttal to the comment that sodium fluoride is a mineral, not a medicine, he pointed out that it does require a prescription, and therefore it is a medicine. So he argues that it is medicine being prescribed through the local water supply.
- He said that potassium bromide, which is in commercial breads, and has been found to be Class 2 B carcinogen. He mentioned that other countries are much more progressive and said it is banned in the EU countries, Canada, India, Peru, and a number of other countries. So his point was that the CDC and other US government agencies are slow to change and adopt new guidelines.
- He again stated that it does come back to informed consent and freedom of choice as he stated previously. As a taxpayer he argued that he should not have to spend more by buying bottled water to avoid fluoride.

Mr. Flynn asked Mr. Besse what he currently does about the water. Mr. Besse responded that they do have a filter to eliminate some items of concern, but it does not filter out fluoride. This is a concern to him and his wife. Beyond the water filter he added that he and his family try to eat organically to minimize things that they don't want to ingest. His dentist does not support fluoride, and he feels he should have freedom of choice.

Mr. Dahlen said that the dilemma is that either way someone's choice will be compromised.

Ms. Sarah Murray asked Mr. Besse for clarification as earlier he had mentioned that in Hingham ½ the community's water is fluoridated and ½ is not, and she wanted to know how that is done. Mr. Besse said that they have 2 different water systems in Hingham so it depends on where you live, but he did not know how and why that came about or why one fluoridates and the other does not.

Ms. Susan Curtis, of High ST, said that it is her understanding is that fluoride is most beneficial to kids 0- 8 years old, which in Duxbury is only 13-14% of the population. Given that, she suggested that that those who want it should purchase it, not the other way round.

Dr Brumley spoke briefly again:

- He reiterated that this is a public health concern; not a personal right's issue. It is more equivalent to the folic acid in the bread situation.
- With respect to choice, if you take it out of the water supply, then you are taking away the choice of those who want to receive it in a more convenient way.

Mr. Flynn again stressed that Town Meeting will decide the issue and therefore, he suggested that whether you are for or against it you should attend the Special Town Meeting on Monday, September 19, 2016.

The Selectmen explained that it was hoped that the Special Town Meeting would just be for items that were time-sensitive and more of a housekeeping nature. They would prefer that new items or significant money items wait until an Annual Town Meeting when more of the Town's residents are likely to attend. Since this article about fluoridation came to the Town as a citizen petition because of the timing it has to be heard at the Special Town Meeting, and only the proponent could consider postponing it. It is hoped the Special Town Meeting will only last one evening, but that is hard to predict as it depends on how long discussion on the articles are.

As he ended the discussion, Mr. Madigan read the first announcement, which was as follows:

Last day to register to vote to participate at the Duxbury Special Town Meeting:

Tomorrow -Tuesday, August 30, 2016 is the last day to register to vote to participate at the Duxbury Special Town Meeting. You must be a registered Duxbury voter in order to vote at the Special Town Meeting.

The Special Town Meeting will be held on September 19, 2016 at the Performing Arts Center, 73 Alden Street beginning at 7:00 PM.

IV TOWN MANAGER'S REPORT

Mr. Read just reported that the landscaping for the Route 53 roundabout should be installed in September.

V COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/ RESIGNATION

Alternative Energy Committee

Mr. Dahlen moved to appoint Colby Perkins to the Alternative Energy Committee for a term to expire on June 30, 2019. Second by Mr. Flynn. VOTE: 3:0:0.

VI ONE-DAY LIQUOR LICENSE REQUESTS

9/11/16 – Duxbury Beach Park II Fundraising event

Mr. Flynn moved that the Board of Selectmen grant to Mr. Dana Battista, as a representative of Duxbury Beach Park II a One-Day Wine & Malt License for a fundraising event to be held under the pavilion at Duxbury Beach Park II on Sunday, September 11, 2016 from Noon to 6:00 pm, subject to the conditions on the license. Second by Mr. Madigan. VOTE: 2:0:1 (Mr. Dahlen abstained.)

VII EVENT PERMITS *None presented*

VIII MINUTES

Executive Session Minutes: 07-25-16, 08-08-16, and 08-22-16 Exec. Session Minutes –DRAFT

Mr. Dahlen moved that the Board approve the Minutes of the 08-22-16 Executive Session Selectmen's Minutes, as written, with the contents to remain sealed due to medical confidentiality. Second by Mr. Flynn. Vote: 3:0:0.

Mr. Dahlen moved that the Board approve the Minutes of the 07-25-16 and 08-08-16 Executive Session Selectmen's Minutes, as presented, with the contents to remain confidential until the need has passed. Second by Mr. Flynn. Vote: 3:0:0.

Open Session Minutes: 08-08-16 and 08-22-16 Open Session Minutes -DRAFT

Mr. Dahlen moved that the Board approve the Minutes of the 08-08-16 and 08-22-16 Open Session Selectmen's Minutes, as written. Second by Mr. Flynn. Vote: 3:0:0.

IX ANNOUNCEMENTS

- 1. Last day to register to vote to participate at the Duxbury Special Town Meeting:**
Tomorrow -Tuesday, August 30, 2016 is the last day to register to vote to participate at the Duxbury Special Town Meeting. You must be a registered Duxbury voter in order to vote at the Special Town Meeting.

The Special Town Meeting will be held on September 19, 2016 at the Performing Arts Center, 73 Alden Street beginning at 7:00 PM.

- 2. Massachusetts State Primary Election**
The Massachusetts State Primary Election will be on Thursday, September 8, 2016 from 7:00 a.m. to 8:00 p.m. at the **Lt. Timothy J. Steele Athletic Building** located at 130 Saint George Street.

Mr. Dahlen mentioned that traffic to the polls will enter on the west side and proceed in a clockwise direction. *(Editorial Note: A map of the traffic flow pattern to be followed for voting at the Steele Building has been posted in the Town News column on the Town website.)*

- 3. Duxbury Public Schools**
The Duxbury Public Schools will be back in session on Wednesday, August 31st. Please use caution driving near bus stops and the school campuses.
- 4. Labor Day holiday:**
The Town Hall will be closed on Monday, September 5, 2016 for the Labor Day holiday.

5. Remembrance Service for the 15th Anniversary of 9/11:

The Interfaith Council will be holding a 15th Anniversary Service of September 11, 2011 on the Duxbury Millennium Town Green on Sunday, September 11, 2016, from 4:00 – 5:00 PM. The public is invited to attend.

6. Next Scheduled Selectmen's Meeting is on: Monday, September 12, 2016.

X BONUS SHELLFISH SEASON (FOR SEPTEMBER, 2016)

Mr. Dahlen moved that the Board of Selectmen declare a temporary Bonus Shellfish Season for the commercial harvesting of quahog clams for the month of September 2016, in accordance with posted Attachments A & B. Second by Mr. Flynn. VOTE: 3:0:0.

XI ADJOURNMENT

At approximately 8:29 p.m., Mr. Dahlen moved that the Board adjourn. Second by Mr. Flynn.
VOTE: 3:0:0.

Minutes respectfully submitted by: C. Anne Murray

LIST OF DOCUMENTS FOR 08-29-16 SELECTMEN'S MEETING (DOCUMENTS LOCATED IN THE SELECTMEN'S OFFICE FILES.)

1. *Agenda for 08-29-16 Selectmen's Meeting*
2. *OPEN FORUM: no documents*
3. *NEW BUSINESS:*
 - Discussion pertaining to 2016 FALL STM Article 8 - Citizens' Petition – proposed petition to the General Court "Should the public water supply for domestic use in Duxbury be fluoridated?", Wording of the article as it appears in the warrant; Curriculum Vitae of John P. Fisher, DDS, who has been invited by the Board of Health to speak for keeping fluoride in the water supply; email from Geoffrey Wilkinson to Selectmen in support of Dr. Fisher and his position, Letter from Dr. David Brumley, Chair of the Duxbury Board of Health following its annual assessment of fluoridation reviewed at the June 16, 2016 BOH Meeting.*
4. *TOWN MANAGER'S REPORT: none*
5. *APPOINTMENTS /RE-APPOINTMENTS & RESIGNATIONS: APPOINTMENT-REAPPOINTMENT Sheet for 08-29-16/*
6. *ONE-DAY LIQUOR LICENSE REQUESTS:*
 - 09/11/16 – Duxbury Beach Park II Fundraising event – packet of information and department feedback.*
7. *EVENT PERMITS: (For each event there was a packet of information including the drafted permit and event information and if appropriate route map.) -none*
8. *MINUTES: Executive Session Minutes: 07-25-16, 08-08-16, and 08-22-16 Exec. Session Minutes –DRAFT. Open Session Minutes: 08-08-16 and 08-22-16 Open Session Minutes –DRAFT*
9. *ANNOUNCEMENTS: 08-29-16 Suggested Announcement Sheet*