SWAMPSCOTT BOARD OF HEALTH

MINUTES NOVEMBER 4, 2015

The Board of Health meeting of Wednesday, November 4, 2015 was called to order at 6:17 PM. Attending were Martha Dansdill, Chairwoman, Marianne Hartmann, RN, and Dr. Larry Block, Board Members, and Jeff Vaughan, Director of Public Health.

The minutes of July 22, 2015 were accepted. The minutes of September 2, 2015 were amended and accepted. The minutes of October 7, 2015 were accepted.

Health Director Vaughan spoke of a five thousand dollar ($5,000.00) grant from the Massachusetts Department of Public Health (MDPH) to gather information and implement change regarding the issue of underage drinking and substance abuse. Marianne Hartman, RN, Board Member, and Danielle Strauss, Recreation Director, will conduct surveys and focus groups to assist in this grant.

Jeff Vaughan notified the Board that monies received from the button cell battery reimbursement program will no longer be available. In the past, the Recycling Task Force used this rebate to purchase various educational materials including: reusable canvas bags, LED bulbs, and Public Health signs. The Board will offer the reusable bags to residents at the Town Meeting in November.

Marianne Hartmann, RN, will attend the Massachusetts Association of Health Boards conference in Marlboro, MA on Saturday, November 14, 2015 at 8:00 AM. This is a training program for all new members of the Massachusetts Boards of Health.

Mr. Vaughan stated that Swampscott has again received a one thousand dollar ($1,000.00) educational grant from the Department of Environmental Protection (DEP). This grant could be used for educational information if the Town were to switch from dual-stream to single-stream recycling.

The Town of Swampscott will additionally receive a Solid Waste and Recycling Technical Assistant grant. The Town uses Sharon Kashida Byrne, Regional Solid Waste and Recycling Coordinator for Massachusetts Department of Environmental Protection Northeast Division 2, who will meet with Jeff on Thursday, November 5, 2015.

Martha Dansdill suggested that Jeff Vaughan ask about a pilot compostable food waste program. This may require a town wide survey to judge how many residents would be interested in this service. Currently, there is a private food waste contractor in town with approximately fifteen (15) clients.

The possibility of banning smoking on public beaches was discussed. The Regulations would be clarified to include beaches as well as public parks. Signs would be placed at entrances on each of the six (6) town beaches. It is estimated that the signs will cost five hundred dollars ($500.00)

Marianne Hartmann, RN, suggested notifying Danielle Strauss, Recreation Director, so that she could inform her lifeguards of this change.

In the future, this regulation could lead to banning of open fires on beaches; a health concern for many with respiratory issues.

Household Hazardous Waste Day is Saturday, November 7, 2015 from 9:00 to noon at the Marblehead Public Health Garage on Tower Way in Marblehead, MA. Along with hazardous waste, residents may dispose of prescription drugs, Styrofoam, electronics and televisions.

The public hearing began at 7:00 PM. Attending were Joyce Redford, Program Director of the North Shore/Cape Ann Area Boards of Health Collaborative Tobacco Control Program, Jim Samms, Swampscott resident, Fran Peralta, owner of C & L Liquors, Ronnie Amar, owner of Fisherman’s Crossing re: Richdales, and Anum Asif, Owner of Essex Shell.

Martha Dansdill, Chairwoman, read a statement as follows:

This public hearing is in regards to the Swampscott tobacco and nicotine regulations entitled Restricing the Sale of Tabacco Products and Nicotine Delivery Products and the Use of E-Cigarettes”.

This regulation is promulgated pursuant to the authority granted to local Boards of Health by Massachusetts General Laws Ch. 111, Sec. 31, which states that Boards of Health may make reasonable health regulations.

We are here tonight to discuss amending our regulation to raise the minimum legal sale age of tobacco and nicotine delivery products from 18 to 21 years of age. This is in step with trends in MA whereby 78 communities have raised their minimum legal sale age to 21 as have cities and towns across the country.

We will not be discussing other aspects of the regulation, be it cigars, preventing pharmacies from selling tobacco and nicotine delivery products, or banning smoking on beaches.

Just a few random bullet items about nicotine and smoking age:

* 90% of smokers start by the age of 21
* The chemicals from cigarette smoke damage the human body regardless of age

**Minutes for Wednesday, November 4, 2015 continued page 2**

* The frontal lobe of the brain is not fully wired until the age of 25. During this critical period, the brain remains especially vulnerable to tobacco addiction. A delay in the age of initiation of nicotine significantly prevents a lifetime of addiction.
* Studies show the use of e-cigarettes and other nicotine delivery systems serve as a gateway to cigarettes and cigars.
* Research shows a minimal impact to retail by raising the sales age to 21.
* The U.S. Army Surgeon General says soldiers who smoke are less combat ready and take longer to heal.
* Minimum legal age for casino gambling, buying alcohol, a license to carry a gun, and rent a car or hotel room is 21.
* Nicotine is a powerfully addictive substance.
* Tobacco smoke contains 69 cancer causing chemicals and can affect every major organ in the body.
* Smoking causes diminished overall good health, absenteeism from school and work, and increased health care utilization and costs.
* Smoking is responsible for 480,000 deaths per year in the US (and all the suffering that goes along with that) and second hand smoke is responsible for 42,000 deaths per year. This is not mentioning the many other illnesses associated with nicotine and smoking.

Today, tobacco remains the single largest preventable cause of disease, illness and death in the U.S. We, as a Board, have the desire to promote good, sound policies, to protect public health and prevent disease.

Those wishing to speak on this subject were asked to sign in.

Fran Peralta, of C & L Liquor Store, spoke first asking the Board to postpone this decision until the State passed the bill into law affecting the entire state instead of just the Town of Swampscott. Mr. Peralta’s business is located on the Lynn line and he feels that customers will make their purchases in the neighboring community that has not passed this age hike as yet. Mr. Peralta fears this would hurt his business.

Ronnie Amar of Fisherman’s Crossing echoed Mr. Peralta’s concerns. Speaking on behalf of the new owner of Richdale’s, she stated that fifty percent (50%) of their business is generated by tobacco sales. When asked what percentage of those customers were ages 18 to 21, they did not have the statistics.

Resident, Jim Samms, pronounced that the time has come for this change. Seventy-eight (78) communities have already passed this regulation and the number is growing daily. Wishing that this age limit was the case when raising his own children, Mr. Samms stated that he cannot help in other communities, but he can do what he can in his own town. Anum Asif, Owner of Essex Shell, also implored the Board to wait until the bill is passed into law.

Joyce Redford, Program Director of the North Shore/Cape Ann Area Boards of Health Collaborative Tobacco Control Program, reassured the merchants that no business has closed as a result of this minimum age increase. Ms. Redford suggested that people contact their legislators to voice their opinion in this matter. Nearly thirty percent (30%) of the State has already adopted these changes showing the State and Federal politicians that their constituents approve and support this bill. Since April the number of communities adopting this regulation increased from forty-three (43) to seventy-eight (78).

Dr. Block likened this issue to the concerns of restaurant owners when passing the smoke-free workplace regulation. Swampscott was one of the grass root communities to explore this avenue which has since become the law. Restaurant business did not suffer as a result of the regulation.

Martha Dansdill suggested that revenue from stores like CVS and Target that have banned tobacco sales altogether will generate business for the Swampscott merchants. Stating that the Board of Health is not focused on commerce but on the protection of public health issues, Ms. Dansdill thanked all who spoke on this issue and promised to take all comments into consideration. The Board of Health will vote on this regulation at the next meeting on Wednesday, December 9, 2015 at 6:00 PM in the second floor conference room of the Town Hall.

If the regulation passes, it will not go into effect until the next permit cycle on June 1, 2016.

The public hearing ended at 7:26 PM.

Meeting adjourned at 7:28 PM.