



**Public Health**  
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**Town of Westwood**  
Commonwealth of Massachusetts  
**BOARD OF HEALTH**

*Nora Loughnane, Interim Health Agent*  
*Lorraine Donovan, Administrative Assistant*  
*Tiffany McCarthy, R.N., B.S.N., Public Health Nurse*

*James M. O'Sullivan, J.D., Chairperson*  
*Carol Ahearn, R.N., B.S.N*  
*Roger L. Christian, M.D.*

Minutes of the Westwood Board of Health meeting held on February 19, 2019

The meeting began at 5:05PM and was held at the Carby Street Municipal Office Building, 50 Carby Street, Westwood.

Members Present: Jim O'Sullivan, JD, Chairperson  
Carol Ahearn, R.N., B.S.N  
Roger L. Christian, M.D.

Staff Present: Nora Loughnane, Interim Health Agent  
Lorraine Donovan, Administrative Assistant

Others Present: Lester Hartman, M.D.

**Approval of Minutes: January 8, 2019**

Mr. O'Sullivan moved to approve the minutes, Ms. Ahearn seconded, approved 3-0-0.

**Tobacco Presentation by Lester Hartman, M.D.:**

Dr. Lester Hartman is attending tonight to discuss his petition to ban menthol, mint and wintergreen flavored tobacco products in all Westwood retail stores that currently sell tobacco products. These 3 flavors are still considered exempt by the FDA and this ban would make them available only in adult 21 and older retail tobacco stores, often referred to as Vape Shops. Dr. Hartman has brought some flavored products for the Board to see and he also distributes various documents related to teens using these products.

The Board revised the Westwood Tobacco Regulations last June; they became effective on September 1, 2018. All but these 3 flavors of tobacco products are now prohibited, except in smoking bars and adult 21 and older retail stores.

Recently Somerville, Needham and Ashland have banned menthol, mint and wintergreen products. Dr. Hartman would like the Board to consider having Westwood join these towns in his petition. He explains other towns in MA are looking at this issue, however, there will be no legislative action at the state level until at least 50% of communities join other towns in prohibiting the exempt flavors. Dr. Hartman also acknowledges that lawsuits are expected to be filed by the tobacco industry and he has an attorney that could assist Westwood regarding this issue.

Ms. Loughnane explains to the Board that Westwood currently does not have any smoking bars or adult-only retail tobacco stores and she is concerned banning menthol, mint and wintergreen flavors without taking other steps to restrict vape shops could encourage these

stores to come to Westwood. Recently there have been two inquiries from vape shops looking for locations to operate in Westwood. She believes the opening of a vape shop would increase the profile and availability of vaping products here. Ms. Loughnane is aware of the petition Dr. Hartman has initiated and after talking to some residents that signed it, she learned that they did not know the current tobacco regulations already ban all flavors but mint, menthol and wintergreen, and that they incorrectly assumed that vape shops were prohibited in Westwood.

After discussion, the Board decides not to hold a public hearing regarding this petition, but they may reconsider this issue in the future. Mr. O'Sullivan makes a motion to take no action on holding a public hearing in order to consider a ban on the sale of menthol, mint and wintergreen tobacco flavored products, Ms. Ahearn seconded, approved 3-0-0.

**January Health Department & Public Health Nurse Report:**

Copies are provided to the Board outlining accomplishments for the Health Department and Tiffany McCarthy, PHN.

Ms. Loughnane updates the Board on an issue at Which Wich that occurred on January 18<sup>th</sup>. She received a call from the Fire Department regarding an incident at the restaurant. The initial report indicated there was a smoke alarm that went off and as a result the power was turned off. The restaurant remained closed for several days while the business owner tried to identify and correct the problem. He eventually discovered that a malfunctioning hot water heater was the source of the problem.

Ms. Loughnane contacted Ms. Cheryl Kelly, former food inspector, and she agreed to assist in inspecting the restaurant. On January 22<sup>nd</sup> Ms. Loughnane and Ms. Kelly went to Which Wich. Because the business owner had failed to keep a temperature log for the refrigeration units, most food items had to be discarded. Ms. Loughnane and Ms. Kelly instructed the owner and manager on which items had to be thrown away. While Ms. Kelly & Ms. Loughnane were there, they noticed condiment bottles being refilled, however, despite the fact there was no hot water for staff to wash the bottles and wash their hands. Staff were told to discard the products. The manager was instructed to properly clean and sanitize once hot water is turned on.

Ms. Loughnane returned to re-inspect on January 23<sup>rd</sup>, once electrical and plumbing inspectors signed off and the restaurant reopened on January 24<sup>th</sup>.

**Update on filling Health Director Position:**

Ms. Loughnane updates the Board on the two candidates that are finalists for the Health Director position. Ms. Loughnane is leaning towards one candidate over the other and she would like to see additional information on their references and will then make a decision. The food inspector/sanitarian position has also been advertised and resumes have been coming in.

Meeting adjourned 6:00PM

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