



Public Health
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Town of Westwood

Commonwealth of Massachusetts
BOARD OF HEALTH

Jared Orsini, REHS/RS, Health Director
Jason Belmonte, Food Inspector/Sanitarian
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 October 8, 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 Christian, M.D.

Staff Present: Jared Orsini, REHS/RS, Health Director
Jason Belmonte, Food Inspector/Sanitarian
Lorraine Donovan, Administrative Assistant

Others Present: Adam Ponte, Esq., Representing Seasons & All Town Mobil
Lester Hartman, M.D.

Approval of Minutes: September 10, 2019

Dr. Christian 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. He presented this initiative to the Board at their February 2019 meeting as well. These 3 flavors are still considered exempt by the FDA and this ban would make them available only in adult 21 and older retail stores. 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 in retail stores in Westwood.

Dr. Hartman has various handouts and studies he shares with the Board and he demonstrates how a JUUL e-cigarette works.

Dr. Hartman states 17 towns in MA have banned all flavors and he would like the Board to once again consider his proposal. He explains other towns in MA are looking at this issue, however, some are not banning these flavors until they see what the State will do on the matter. Dr. Hartman also acknowledges that lawsuits have been filed against several towns.

Mr. O'Sullivan asks Mr. Orsini for his input on this matter and he states his is not opposed

to revising the current Tobacco Regulations. He and Dr. Hartman had a phone conversation prior to tonight's meeting to discuss several points. There will need to be further review by Town Counsel on the issue as well, so Mr. Orsini recommends that the Board consider 4 things could be revised in the Tobacco Regulations:

Cap number of permits from 10 to 4, ban smoking in tobacco bars, ban mint and menthol flavors and ban the sale of vaping products.

It will take time to revise the regulations and then have a public meeting, therefore Mr. Orsini thinks the Board should wait until at least the December meeting to vote on any changes. In addition, Governor Baker declared a public health emergency on September 24th in response to the nationwide outbreak of vaping related lung injuries. This ban is in effect for 4 months and the State may take more extensive action on banning vaping and flavors.

Mr. O'Sullivan asks Mr. Ponte if he has any input on this issue and he states he is representing Seasons Market and All Town convenience stores in Westwood. His clients are concerned with the mint and menthol products being banned. His clients did not have an issue with the ban on fruit flavored products and they agree all tobacco products should be sold to adults 21 and older. They have not had violations during FDA compliance checks (for selling to anyone under 21) here in Westwood and they have passed these checks 100% of the time. His clients are concerned about losing their customers and the effect on their revenue, which could be as much as a 15% loss. In towns where mint and menthol has been banned, his clients have pursued litigation against the towns.

The Board is not voting on any changes tonight and they agree to revisit this topic at a meeting in December or January.

Health Director Report: EEE surveillance, Westwood Day, Flu Vaccine Administration:

Mr. Orsini updates the Board that the EEE risk level has remained at moderate.

Signs have been made to place on town property and conservation areas if there is the need to close those areas at dusk. Once we have an early frost, the risk will subside.

Ms. Loughnane asked Mr. Orsini to speak with the Board to see if there is a contingency plan or recommendation from the Board in regard to Halloween and EEE concerns. Mr. Orsini states that he will continue to monitor the advisories and it seems too early to make any decision on changing the time or date for trick or treating. He will update the Board if this should change.

Mr. Orsini and Mr. Belmonte were at Westwood Day. It went very well and there were only a few issues with the food vendors to resolve.

Flu vaccine is being administered by appointment. There is an online program called Signup genius that is being used to make an appointment with Ms. McCarthy. Staff will assist anyone who calls and cannot access the online system. To date, 37 HD and 48 quadrivalent doses have been given. Another delivery of 290 doses of vaccine is coming in November and the Health Dept. is hoping to do a flu clinic during a weeknight and will set a date once we have a better idea of the delivery time frame and vaccine that will be on hand. The clinic will be advertised in the paper, on the website and Mr. Orsini will do a robo call for the clinic date as well.

The Board has a copy of the Public Health Nurse Report in their packet, Ms. McCarthy could not make tonight's meeting.

Mr. Orsini updates the Board that the tickets given to 70 Walker at still outstanding and he is

working with Town Counsel on this.

Meeting adjourned 6:25PM

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