

TOWNS OF WENHAM and HAMILTON
JOINT MEETING OF THE BOARDS OF HEALTH

Meeting of Wednesday, March 13, 2019
Wenham Town Hall, 138 Main Street

Pursuant to the Open Meeting Law, M.G.L. Chapter 30 A, § 18-25, written notice posted by the Town Clerk in both towns delivered to all Board members, a meeting of the Wenham and Hamilton Boards of Health (BOH) was held on March 13, 2019 at 8:00 PM in the Wenham Town Hall, 138 Main Street.

With a quorum present from both boards, David Smith and Dr. Ting called their respective boards to order at 8:00 pm.

Hamilton Board Members Present: David B. Smith; Dr. Giselle K. Perez; Walter A. Row (by phone, remotely)

Wenham Board Members Present: Dr. Andrew Ting; Gerald Donnellan; Regina Baker

Also Present: Leslie Whelan, Hamilton Health Agent; Christine Lee, Hamilton Public Health Nurse; Maribeth Ting, Wenham Public Health Nurse; Bryan Menegoni, Vice Principal, HWRHS; and Jackie Bresnahan, Wenham Permitting Coordinator and Special Projects Manager/ Recording Secretary

1. Call to order
2. Public Hearing opened and Dr. Ting let everyone know they were being recorded for minutes purposes.

The Wenham and Hamilton Boards of Health will conduct a joint public hearing, per M.G.L. Chapter 111 Section 31, at 8:00 pm on Wednesday, March 13, 2019 in the Wenham Town Hall, 138 Main Street, Wenham, MA in the Board of Selectmen's Meeting Room to gather public input on regulations entitled "Prohibiting Tobacco Products used in Schools," which would create enforcement fines that could be levied against anyone using tobacco products (including but not limited to cigarettes, e-cigarettes, nicotine products) on a school campus. A draft copy can be found in the Board of Health Office at Wenham Town Hall and at Hamilton Town Hall during regular business hours

- a. Chair David Smith provided opening remarks including thanking staff and Town Counsel, residents who provided input, and Joyce Redford, Director of the North Shore/Cape Ann TAPP program. He also thanked Dr. Ting and Bryan Menegoni. Finally, he provided context regarding tobacco school policy research, including policies from the MAHB (MA Association of Health Boards), health regulations from the Towns of Boxford, Newbury, and Manchester.
- b. Dr. Ting let the public know there were copies of the regulation available and opened up a period of public comment.
- c. Permitting Coordinator Jackie Bresnahan asked the Boards if they would like her to read into the record the list of those who sent emails in support of the regulation being passed by the Boards of Health and the Chairs asked her to do so.
 - i. Letters of support of the regulation were submitted by the following residents:
 1. Lorraine Miller, 31 Knowlton St, Hamilton
 2. Sherry Leonard, 229 Lake Drive, Hamilton
 3. Helene Hutchinson, 174 Echo Cove Rd, Hamilton
 4. Suzanne Courtney, 269 Bridge St, Hamilton
 - ii. One letter regarding more substantive feedback was submitted by resident: Michelle Bailey, Remington Rd, Wenham. Ms. Bailey's feedback included the following:
 1. Copies of the School Committee's tobacco policies.
 2. Was outreach done by the private schools on this issue?
 3. MGL Ch 71, Section 37h states that tobacco use is prohibited by anyone on school grounds. She was concerned that the language in the proposed regulation targeted only students.

4. Finally, Ms. Bailey provided feedback regarding the scheduling of the BOHs' public hearing as it was scheduled at the same time as a School Committee meeting.
- iii. The Boards provided the following feedback on Ms. Bailey's comments:
 1. The Wenham Board of Health reviewed the schools policies during their February meeting.
 2. Both Boards of Health provided notification to the private schools in their community. In Hamilton, Pingree School and Gordon Conwell were both contacted. The Chair spoke with staff from both and received no response. In Wenham, Penguin Hall confirmed they received the information, but the Wenham Board of Health did not get feedback from the school. Wenham also did not get confirmation of receipt of the information from Gordon College.
 3. Ms. Bresnahan brought up Ms. Bailey's concern of the regulation to targeting students. Ms. Bresnahan said that she had reviewed the regulation based on Ms. Bailey's comments and posed the question to the Boards that if by defining students in the regulation that the Boards were intending to target students.
 - a. The Boards had a discussion regarding this language. Dr. Ting referred to the school policy which notes that tobacco is prohibited for anyone and that the BOH regulation is similar with the exception of adding the fines. Dr. Ting asked if the intention of the regulation was to fine non students or just students.
 - d. Dr Ting asked if there was any more public comment and discussion continued on potential cessation programming and the importance of cessation programming.
 - i. Mr. Menegoni also noted that while ticketing adults under this regulation may be awkward, it is important that adults model behavior. Ms. Perez noted that offering family or adult cessation education would be ideal.
 - e. The Boards determined that they would follow up with their respective Town Counsels as well as with the schools about implementation if the regulations were to be approved. Planning for educational components is also a priority for the Boards.
 - f. It was noted that April 2 the Dangers of Vaping would be presented to the community and would include a "Hidden in plain sight activity."
 - g. The Boards closed the public hearing.
3. The Boards reviewed the minutes of their prior joint meeting
 - a. Minutes from January 10, 2019 were approved by Wenham unanimously and approved by Hamilton 2-0-1 with one abstention due to absence from the meeting on January 10.

The Boards adjourned unanimously.

Respectfully submitted,
Jackie Bresnahan