

**TOWN OF WENHAM**  
**BOARD OF HEALTH**

Meeting of Wednesday, February 27, 2019  
Town Hall, 138 Main Street

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Pursuant to the Open Meeting Law, M.G.L. Chapter 30 A, § 18-25, written notice posted by the Town Clerk delivered to all Board members, a meeting of the Board of Health (BOH) was held on February 27, 2019 at 8:00 AM in the downstairs conference room at Town Hall.

With a quorum present, Dr. Ting called the meeting to order at 8:04 AM.

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

Also Present: Greg Bernard, Health Agent; Jackie Bresnahan, Permitting Coordinator/Special Projects Manager and Recording Secretary

Dr. Ting announced that the meeting would be audio recorded.

1. The Board made minor clerical changes to the minutes as presented from December 13, 2018. Dr. Ting moved to approve with changes the minutes from December 13, 2018, seconded by Regina Baker, unanimous.
2. Review draft Tobacco use fine regulations as proposed by Dr. Ting and David Smith, Hamilton BOH Chair as well as potential outreach and education programs to coincide with regulations
  - a. Dr. Ting reviewed his meetings with David Smith of the Hamilton BOH. They reviewed the options of a change of bylaw versus a change of regulations and Hamilton determined they would go with regulations for the mechanism. For Wenham, the bylaw process would have been very difficult due to the nearness of Town Meeting. Hamilton BOH worked with Hamilton Town Counsel to create a draft. Dr. Ting noted that the proposed regulations include language including the e-cigarettes/vaping, etc.
  - b. The Permitting Coordinator noted that the draft regulations had not been reviewed by Wenham's TA or Town Counsel and that the formatting may look different from Hamilton so the draft proposed regulations fit into the standards of the other Wenham BOH regulations.
  - c. Dr. Ting outlined that the definition of tobacco, the inclusion of possession (and not just use), and the Board discussed the language of the violations. The Permitting Coordinator note she would be working with Town Counsel on the fees as Wenham has a non-criminal disposition bylaw that may be on the warrant with changes, so that section is in limbo for Wenham. She noted that the revision may change the dollar amounts, but wasn't sure what would be decided and would follow up with the Board of Health regarding those changes, if any.
  - d. The Permitting Coordinator noted that she had spoken with the Wenham Police Captain, when the Board asked about feedback from the Police Department, and she noted that he or his designee would be attending the public hearing. She also noted that the Police Captain had connected with her and the Public Health Nurse on some programing and educational component that the two departments may collaborate on, on this issue.
  - e.
  - f. The Board reviewed the draft regulations as well as the School's current policies prohibiting tobacco. The Board discussed reaching out for public feedback before the Public Hearing with Hamilton on March 13, 2019.
3. Review and provide feedback to updates of the Board of Health Fee Schedule as recommended by Finance & Advisory Committee

- a. The Board was presented with updated data from the Permitting Coordinator on the Board of Health fees.
4. Updates from the Health Agent, Assistant Health Agent, and Public Health Nurse
5. Old business, if any
6. New business, if any

The Board adjourned unanimously at 9:00 am.

Respectfully submitted,  
Jackie Bresnahan