



TOWN OF YARMOUTH

1146 ROUTE 28, SOUTH YARMOUTH, MASSACHUSETTS 02664-24451
Telephone (508) 398-2231, ext. 1241
Fax (508) 760-3472

Board of
Health
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Health
Division

BOARD OF HEALTH MINUTES March 11, 2019

MEMBERS PRESENT: Hillard Boskey, MD, Chair
Charles Holway, Clerk
Debra Bruinooge
Eric Weston

MEMBERS ABSENT: Mary Craig, Vice Chair

OTHERS: Bruce G. Murphy, MPH, Health Director
Chris Morin, Independence House
Jess Oyer, Fletcher Tilton PC / CRR
Dr. Michael Siegel, Boston University School of Public Health
Kathy Love, All Town Mobil

I. Public Comment - None

Chair requested that all comments during this time be kept on non-agenda issues. No comments made.

II. Cape Cod White Ribbon Day – March 21, 2019

Chris Morin, Director of Prevention Education and Outreach for the Independence House. The Independence House serves all survivors of sexual abuse and domestic violence, these services are free. Their main office is in Hyannis, they also have full time offices in Falmouth, Orleans and one day a week by appointment in Provincetown. Services include children, teens and elders who have witnessed violence. Anyone who has been effected by sexual or domestic violence and their family members.

White ribbon day is a partnership with the District Attorney's office, Police and Independence House. A little bit of history on white ribbon day is there was a massacre on a Canadian college campus in the early 90's. While both men and women were killed that day the women on campus were the target. The men on campus wanted to take a stand against violence against women and to become educated in how to accomplish this goal. From that the first White Ribbon Day was born and is now international. This will be the 7th year of White ribbon Day being celebrated by Yarmouth. This year it will be held at the cafeteria

at the Cape Cod Community College. Trying to have a more interactive dialogue with young men to break the silence. The event is March 21, 2019 from 11-1pm in the cafeteria. This is the 40th year for the Independence House a commemorative year for them. They will be having a variety of events happening throughout the year. The Clothesline Project and the Silent Witnesses' are looking for 40 venues to show those programs throughout the year. Hillard Boskey, MD, Chair asked what we as a Board could do for the Independence House and Ms. Morin conveyed that getting the word out there about their services and needed support would be greatly appreciated. Enough Abuse Campaign which educates any venue of adults to educate them to identify signs of child sexual abuse. They are now working on bring this coalition to the Cape. May 7th Jenna Quinn who is a survive of child sexual abuse and a part of Enough Abuse presentation there is a documentary about her and her families experience with childhood sexual abuse. The abuser was her father's friend and her soccer coach which is usually the case, abusers are typically not strangers. This is being held at the Yarmouth Cultural Center May 7th from 6-8pm.

III. Listening and Educational Session – Tobacco Board Discussion

Jess D Oyer, Esq. with the Law Firm Fletcher Tilton PC. Mr. Oyer, Esq. represents The Coalition of Responsible Retailing or CRR. Mr. Oyer brought to the attention of the Board that the Town of Yarmouth does not have a Tobacco Control Agency. That agency in fact is their local retail owners, who are here day in and day out, training their employees and working hard to keep their employees from selling age restricted products to minors. The retailers are investing their time and money to train and test their employees. They are on the front lines of keep tobacco products out of the hands of our youth.

Mr. Oyer encourages the town to enact the PUP law system on cigarettes just like they do with alcohol and marijuana. PUP law stands for purchase, use and possession. His stand is that the regulation proposed by the Board puts the burden on the retailers and not the youth. Why should tobacco be treated differently than alcohol and marijuana when they pose the same problems and concerns? The solution should be education, harm reduction policies and the use of PUP laws.

Dr. Michael Siegel, professor at Boston University, School of Public Health. Dr. Siegel has been doing research in the area of tobacco for the last 32 years and serving as an anti-tobacco advocate. Dr. Siegel played a major role in lobbying for 100% smoke free bar and restaurants regulations. Dr. Siegel has an extensive background in the field of tobacco use as well as strong commitment to anti-tobacco research and advocate.

The age group which prefer using flavored e-cigarettes. A national study determined 85% of them prefer flavored e-cigarettes, 74% of those use fruit flavors, 66% use dessert flavors, 49% of these vapors nearly ½ of this age group use candy, chocolate or other sweet flavored e-cigarettes liquids. While you may believe he is speaking of teenagers think again the study in question was a survey of adult vapors. Specifically adult ex-smokers who had quit successfully using e-cigarettes and who are currently relying upon these devices to remain tobacco free.

While the youth of our nation are vaping or julling and choose to use flavored liquids as well, the fear is that many former smokers will lose the alternative choice if he Board severely restricts the sale of e-cigarettes. Youth vaping and julling is a serious concern the problem is they are not the only ones using these products. E-cigarettes are responsible for almost 2 ½ million former smokers having quit smoking

completely. Restricting former smokers from obtaining e-cigarettes puts them at a much higher risk of going back to tobacco products due to easy access. Our youth will also be more likely to start smoking tobacco products which are more dangerous than their counter part e-cigarettes. Dr. Seigel stance is that e-cigarettes are safer and should not be restricted by the Board of Health. There is no Public Health justification for banning e-cigarettes yet leaving all other combustibles to be sold. There is also a concern of the Board differentiating between menthol/mint flavored tobacco and non-menthol tobacco.

The Chair stated that the concept of an adult only tobacco store in the Town of Yarmouth would not be feasible. Due to the fact there are 31 stores with tobacco licensees and to designate just one to sell would be inappropriate. This is not a position of the Board it is his position on the subject. The Chair also wanted to point out there are other means of help to those with a nicotine addiction other than e-cigarettes. Prescription which can be expensive or cover the counter as alternative ways to meet the needs of an addiction when one cannot obtain an e-cigarette. Dr. Seigel stated that the success rate with the alternatives is very low which is why e-cigarettes are so important. Chair stated that the alternatives have been on the market for numerous years with very minimal health risks and that e-cigarettes are very new and the dangers of which are not yet known.

Kathy Love from South Yarmouth All Town Mobil addressed the Board to state that businesses will be moving out of Yarmouth due to the regulations proposed. Ms. Love stated that while they do sell more than just tobacco, restricting the sale of tobacco will force people to buy in Dennis and Hyannis which in turn they will buy their eggs, milk, and gas in these surrounding towns instead of here in Yarmouth. This will put them out of business. Retailers are doing their part not to sell to underage kids via training, education and firing of employees who do not adhere to the law.

Chairman reminded retailers of the time when restaurant owners were wanting to invest a lot of money into curtains and large air-vacs to allow for smoking and non-smoking in restaurants. Chairman Hillard encouraged those folks not to invest their money because a non-smoking ban was coming for restaurants and bars on the Cape. He is encouraging Ms. Love to re-evaluate the direction of her business due to the reality that change is coming in regards to the selling and buying of cigarettes. Chairman Hillard reiterated that the over 21 sale of tobacco products & the banning of flavored cigarettes are already happening in other towns and states and it is just a matter of time before these changes come into effect here in Yarmouth. Stated he is not a businessman and he is doing a lot of reading and urges retailers to re-evaluate.

IV. Discussion Tobacco Regulation Draft – March 7, 2019

The Chair addressed the Board looking for direction on what they would like to do with the proposed draft. Deb Bruinooge stated she was torn due to being able to see both sides of the issue. Charlie Holway stated he was ready to move forward until Dr. Siegle spoke today and informed the Board of how many ex-smokers rely on e-cigarettes. Mr. Holway would not like to push them back to smoking due to banning of e-cigarettes in the Town of Yarmouth. Eric Weston informed the Board of a conversation he had with his 18 year old cousin about e-cigarettes and julling. Mr. Weston was surprised to hear his cousin put julling in a completely different category from e-cigarettes. This young man stated the Board should definitely ban jull products though the Board could not truly isolate one product from the other in this proposed ban. The Chair asked if there was a motion there was no comments. He stated he would

encourage the town to stay where we are for the time being. We will move ahead with an educational program he and Director Murphy have been working on for the school. The program is one evening at the school with parents and kids. There will be an educational video with expert speakers afterwards. We will enter a waiting period to see what is happening in other towns.

MOTION: (Chair, Hillard Boskey) Do not proceed with evaluating or making decisions on specifics of the regulations. Keep tobacco regulations in the Town of Yarmouth as they are now.

Seconded: Deb Bruinooge

Discussion: None

Vote: Unanimous

V. Training – Conflict of Interest Status

Director Bruce Murphy stated this conflict of interest training needs to be completed by Health Department staff and Board of Health Members. There is a pamphlet in each Board members packet and a direct link via e-mail was sent to each member as well. The training video and test takes about 45 minutes please bring them into the Health Department when completed.

VI. Approval of Minutes – January 28, 2019

MOTION: (Debra Bruinooge) To approve the minutes from the January 28, 2019

Seconded: Hillard Boskey, Chair

Discussion: None

Vote: Unanimous

VIII. Adjournment

MOTION: (Debra Bruinooge) To adjourn meeting

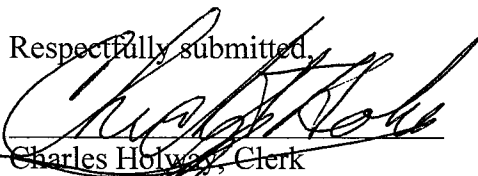
Seconded: Charlie Holway, Clerk

Discussion: None

Vote: Unanimous

There being no further business, the Chair adjourned the meeting at 6:40 PM.

Respectfully submitted,



Charles Holway, Clerk

Minutes Taken by Christine Slack