

**Newburyport Board of Health Meeting
September 19, 2019**

Date of Approval: 11/14/2019

Attendees

Dr. Robin Blair, Chairman of the Board
Dr. Sam Merabi, Board Member
Frank Giacalone, Health Director
Patricia McAlarney, Note Taker

Call to Order: Dr. Blair called the meeting called to order at 7:08 p.m.

Approval of Minutes: Motion to approve the Minutes of the Board of Health meeting on August 15, 2019 was made by Dr. Merabi ; seconded by Dr. Blair . Votes to approve: 3 ; votes opposed - none. Minutes of the August 15, 2019 meeting were approved as submitted.

Board of Health Agenda Form - Dr. Merabi submitted an intake form that he suggests the Board require be submitted by anyone that wants to present at a Board of Health meeting. The completed form would be submitted to the Health Director and forwarded along with any pertinent articles, data or documents for the Board's review. This procedure will allow the Board to become knowledgeable about the topic and aware of any actions or votes that are being requested. The form would also indicate whether the requesting party has any vested interest in the particular topic. Dr. Merabi stated that it would be preferable if the form were submitted a week prior to a meeting at which it would be discussed amongst Board Members; followed by a meeting at which the requesting party would present their case. Director Giacalone stated that the current procedure requires only a seven day advance notice when someone wants to present before the Board. Director Giacalone stated that he would put the form on Board Letterhead and make the form available on the City website. A motion was made by Dr. Slocum to approve the use of the "Newburyport Board of Health Request Form"; seconded by Dr. Merabi. Votes to approve: 3 ; votes opposed - none. Motion passed.

Eastern Equine Encephalitis (EEE) and West Nile Virus (WNV) Update – Director Giacalone

Director Giacalone informed the Board that a human case of EEE recently occurred in Manchester which prompted the State Health Department to raise the risk level for Newburyport from Low to Moderate. Some neighboring communities, such as Ipswich, Topsfield, Boxford have now been elevated to a high risk level (Newbury and West Newbury remain at a moderate risk level.) Mass. Department of Public Health (MADPH) recommends that communities at a 'moderate risk level' continue to educate residents about the importance of personal protection from mosquito bites. Director Giacalone informed the Board that a mosquito advisory was distributed through the public school newsletters, and to the Parks and Youth Departments. If the city's risk level were to be raised to high, the recommendation from MADPH would be that residents be encouraged to refrain from outdoor activities during peak mosquito times until the first hard frost has occurred (typically in mid-October.) Director Giacalone stated that Northeast Mass. Mosquito Control is currently focusing their service and spraying in communities that are at elevated risk levels. Jane Raskel, 51 Woodland Street, Newburyport, approached the Board and questioned how the decision whether to conduct aerial spraying for mosquitoes is made, and by whom? Director Giacalone stated that the aerial spraying that has been conducted in and around Newburyport has been larvicide spraying over the

salt marshes; not adulticide spraying in residential areas. If circumstances (such as a case of EEE) occur that cause the Board of Health to order that ground spraying be conducted, residents would be notified via the local newspaper, city website, school newsletters and, if approved by the Fire Chief, by Code Red Alert. There is also a considerable amount of information available on the Northeast Mass Mosquito Control website.

E Cigarettes and Vaping – Director Giacalone:

Director Giacalone informed the Board that the Mayor had approached him with concerns about the rash of lung diseases associated with vaping. The Board stated that they had already voted to prohibit flavored vaping products and had raised the age to purchase tobacco products to 19 before it was mandated by the state. The Board further stated that even before the association between vaping and lung diseases was suspected, the Board had considered banning all forms of vaping and e-cigarettes because it often leads to nicotine use/addiction. At this time, the Board plans to reconsider such a ban and asked that Director Giacalone request the Tobacco Control Director, Ron Beauregard, to draft a regulation prohibiting vaping/e-cigarettes for the city. The draft regulation is to be forwarded to Board Members in advance of the next meeting so that members will have time to review and prepare to discuss them. Mr. Beauregard will be asked to present to the Board how other communities have handled the vaping issue. The Board also wants to review minutes from previous meeting(s) when retailers spoke against banning flavored tobacco products to better understand the business owners concerns. Director Giacalone noted that a high percentage of the current illnesses appear to be related to the vaping of products that contain THC, vaping juices sold on the 'black market' or personally created/altered vaping products. Dr. Slocum noted that there is currently a greater incidence of nicotine dependence in youth secondarily to vaping, as opposed to nicotine dependence from cigarette smoking. Vaping products are often misrepresented by large companies, such as Juul, as "medicinal" or as "smoking cessation products" but clinically, there is a higher incidence of nicotine addiction developing from vaping, than by cigarettes.

CBD Regulation – Dr. Slocum

At a previous Board of Health meeting, Cape Ann Botanicals was ordered by the Health Department that as of January 15, 2020 they must cease selling any food product containing CBD. They were allowed to "sell down" any food product that they currently have in stock but are not allowed to re-order any product. If the state determines that foods containing CBD are allowed to be sold, the Board will consider drafting regulation to ban the sale on the local level. Director Giacalone will conduct on-site audits at Cape Ann Botanicals to determine the current amount of inventory and be aware if there seems to be an increase (which may indicate that additional product has been obtained.) Director Giacalone stated that either he or Ron Beauregard will inspect at the other retail stores (gas stations, convenience stores, etc.) to make sure that food products containing CBD are not being sold. A letter will be sent from the Health Department to all food establishments advising that foods containing CBD are not legal and cannot be sold.

Reference/Research Materials - Dr. Merabi asked whether the City has access to reference materials and published articles that Board Members could utilize to research various issues. Dr. Slocum indicated that he may have access to some reference materials, and Director Giacalone stated that the Department has some funding that could be used to purchase research articles.

Solid Waste and Recycling – Director Giacalone

Director Giacalone informed the Board that the Pay-As-You-Through draft regulation is still in the subcommittee of the City Council. Director Giacalone explained that the City ordinance will address the program fees and general parameters; whereas the Board of Health Regulation will stipulate which streets and which apartment/condominium complexes qualify to receive municipal trash pick-up.

Flu Clinics – Director Giacalone

Community Clinics will be held on October 17 at the Nock/Molin School and on October 28 at the Senior Center. Due to a delay in receiving our shipment of high dose vaccine for seniors ages 65 and over, the high dose will only be available at the clinics on and after October 28.

Dr. Slocum noted that the CDC has not been highly recommending that the high dose is necessarily much more effective than the regular dose.

Visiting Mothers Program – Director Giacalone

The Public Health Nurse visits new mothers referred to her by Anna Jaques Hospital. During the visit, health information is shared with the new mothers and each is provided with a 'baby box' which contains a firm fitting mattress in which babies may sleep, and some baby supplies. Newburyport performs more new mother visits than any of the other five communities in the program. Funding for the grant-run program has become an issue and Director Giacalone asked whether any of the Board Members have any connection with possible funding sources, such as Anna Jaques.

Animal Control – Director Giacalone

Scott Purdie is retiring as the lead Animal Control Officer the second week of October. Since this is a Union position it will be posted internally for a period of ten days.

The vehicle provided by West Newbury as part of the Shared Animal Control Services Agreement is working out well. And because of its visibility, the vehicle may act as a deterrent to violations (dogs off leash, etc.), especially at the beach at Plum Island.

Food Establishments – Director Giacalone

- Courtyard – Plan reviews is being conducted, and the new establishment will be Pomodores
- Bubble Tea – This Asian tea establishment seems to be quickly gaining popularity
- Shell Station at Storey Ave is under new ownership and has been approved for a Food Permit and Tobacco Sales Permit
- Eva's Organic Butcher Shop has closed - A local farmer has expressed interest in taking over the store but has not yet submitted an application to the Health Department

Meeting adjourned 8:16 p.m.