



CITY OF SOMERVILLE, MASSACHUSETTS  
*HEALTH & HUMAN SERVICES DEPARTMENT*

JOSEPH A. CURTATONE  
MAYOR

*DOUGLAS KRESS*  
DIRECTOR

**MINUTES**  
**BOARD OF HEALTH**  
Regular Meeting &  
Public Hearing  
December 13, 2018  
165 Broadway, Somerville MA 02145

**Present:** Douglas Kress, Director  
Brian Green, MD (Chair)  
Paula Machado, Board Member  
Robert Ciccio, Board Member  
Kathy Teixeira, Recording Secretary

**Absent:** None

**Staff Members in Attendance:** Bonny Carroll, Tobacco Director; Matthew Mitchell, Prevention Services Manager; Kate Kollars, Intern

**Guests:** Members of the Public/Retail Owners, etc. attending the Public Hearing on

**Meeting Called to Order:** On a motion made by Dr. Green the meeting was called to order at 5:37pm and it was seconded by Ms. Machado.

**Previous Minutes:** On a motion made by Dr. Green, the November 15, 2018 minutes were approved and accepted. It was seconded by Ms. Machado.

**Tobacco Violation Hearing:** The establishment Downtown Wine and Spirits were told that they would need to appear in front of the Board of Health for a two violations, selling tobacco to a minor. Ms. Carroll sent out a letter. They did not show up for their hearing and Dr. Green made a motion to suspend Downtown Wine and Spirits permit to sell tobacco from December 15, 2018 to Sunday, December 22, 2018. It was seconded by Mr. Ciccio. All in Favor.

**MOTION CARRIED UNANIMOUSLY**

**Director Updates:** The Environmental Health Liaison has been filled and will start in January of 2019. The annex will soon be handicap assessable, the ramp has been built and waiting for railings to be installed and new windows will be installed too. Dr. Green mentioned that the CDC announced that there have been flu outbreaks. Flu vaccines are still available at local pharmacies, CVS, and Walgreens.

Dr. Green made a motion to suspend the regular meeting until 6:00pm, at which time the Public Hearing on the Restricting the Sale of Tobacco Products will commence. It was seconded by Mr. Ciccio.



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**Public Hearing – Proposed Regulations on Restricting the Sale of Tobacco Products – 6:00pm**

Dr. Green formerly re-opens the meeting to conduct the public hearing. It was seconded by Ms. Machado. The meeting began with Dr. Green giving a quick over of the ground rules in how the public hearing will be conducted. Each member in the room that would like to speak is asked to limit their comments to 3 minutes. First up were staff from the Health & Human Services Dept. Mr. Matthew Mitchell, Director of Prevention and Bonny Carroll, Tobacco Director spoke first and gave a quick summary of why they feel it is important that we prevent and reduce substance use among adolescents. Next was Kate Kollars who presented slides on what are electronic cigarettes and how they work, the health effects of the e-cigarettes, the slides also showed the rising in teen use and the appeal to the youth through advertising exposure and how youth are getting hooked on flavors. Following the staff's comments, the floor was open to the public who were in attendance. There were 21 members from the public who smoke up about their concerns of the 21 – 9 were strongly against the City adopting the new proposed language, they were retail store owners, and their legal representatives of the New England Convenience Store & Energy Marketers Association, Inc. Many were upset that they did not get notified in writing of the upcoming changes and the public hearing that was going to be held tonight – December 13, 2018. They further on to say by removing these products from convenience stores would strike a major blow to their businesses and they want the board to know that the serious financial impact this will cause the businesses if the proposed regulations were to get passed. They also went on to say that the compliance rates in Somerville are excellent. Other members of the public who spoke that were in favor of the city passing the new proposed regulations their concerns were as follows – removing menthol products from convenience stores, gas stations, grocery stores etc. will help reduce tobacco use and nicotine addiction, which will improve health, save lives and reduce health care costs. They also went on to say that nicotine is a highly addictive substance and studies have shown that nicotine is as addictive as heroin. Most people who are current smokers, started smoking before the age of 18. Members who are in favor of adopting the new regulations that we must do all we can – through policies to reduce youth exposure and access to tobacco products. Several more members of the audience spoke giving their reviews on the pros and cons of adopting the regulations.

The public hearing was closed at 7:34pm by Dr. Green.

**Discussion:** All three (3) board members, Dr. Green, Robert Ciccia, and Paula Machado spoke and gave their views of flavored tobacco products be restricting to only 21+ retailers.

One member of the audience asked the board if they would respectfully request not to vote on the regulations until at least considered some of the data provided before voting on the regulations tonight.

Dr. Green made a motion to adopt the "Proposed Regulations of the Somerville Board of Health, Restricting the Sale of Tobacco Products as written. It was seconded by Ms. Machado. All in Favor. **MOTION CARRIED UNANIMOUSLY**

**The regulations will go into effect on Monday, April 1, 2019.**

**Next Meeting:** Thursday, January 17, 2019 at 42 Cross Street in East Somerville starting at 5:30pm

**Adjournment:** On a motion made by Dr. Green, the meeting was adjourned at 7:50pm. It was seconded by Mr. Machado.

**List of Documents:** Sign-In Sheets, BOH Requests for Action (1), November 15 Minutes, and Proposed Regulations of Restricting the Sale of Tobacco Products, E-Cigarettes PowerPoint Presentation, Comments from the public both submitted either electronically and submitted at the hearing.

Respectfully Submitted,  
Kathy Teixeira (Recording Secretary)  
December 21, 2018.

**Next Meeting:** Thursday, January 17, 2019 at 42 Cross Street in East Somerville starting at 5:30pm

**Adjournment:** On a motion made by Dr. Green, the meeting was adjourned at 7:50pm. It was seconded by Mr. Machado.

**List of Documents:** Sign-In Sheets, BOH Requests for Action (1), November 15 Minutes, and Proposed Regulations of Restricting the Sale of Tobacco Products, E-Cigarettes PowerPoint Presentation, Comments from the public both submitted either electronically and submitted at the hearing.

Respectfully Submitted,  
Kathy Teixeira (Recording Secretary)  
December 21, 2018.