

East Longmeadow Board of Health Minutes

Thursday, February 8, 2018; 6:00 p.m. at East Longmeadow Senior Center, Media Room, 328 North Main Street, East Longmeadow

Board of Health Members Present: Dr. Sarah Perez McAdoo, Karen Robitaille, R.N., Dr. Kevin Hinchey

Health Staff Present: Aimee Petrosky, Donna Bowman, and Deneen DelMastro

Visitor:

Topic	Discussion/Action Taken/Decision Made
Call to order and Chair Announcements	Meeting called to order by Chair, Sarah Perez McAdoo at 6:04 p.m.
Public Hearing	<p>Regulation Restricting the Sale of Tobacco Products. Proposed policies in the draft regulation include, but are not limited to, cigar minimum packaging/pricing, restriction on the sale of flavored tobacco products, banning the sale of blunt wraps and capping the number of local tobacco sales permits issued.</p> <p>Chairperson, Sarah Perez McAdoo, introduced the Council members and read an opening statement. Karen Robitaille made a Motion to Open the Public Hearing the Motion was seconded out of necessity.</p> <p>Aimee Petrosky, Director of Public Health read the legal notice into the record.</p> <p>Sarah Perez McAdoo presented the rationale for the Board of Health to propose the Tobacco Regulation.</p>
Public Hearing: Testimony	<p>Brian Simonds, 144 Orchard Road, East Longmeadow, MA; resident, American Lung Association Board Member, and Respiratory Therapist. American Lung Association of Massachusetts supports the proposal, statistics, research, and evidence to support changing the age to 21 for tobacco access exists. This change will impact the smoking rate among youth and overall the population within the community; statistics show that 90-95% of people have started smoking by the age of 18; American Lung Association statistics also clearly show that 18 and 19 year olds are the ones who usually buy cigarettes for younger kids, it is rare that a younger kids in high school are coming in contact with 21 year olds. The Institute of Medicine (IOM) indicates that if the age was raised to 21 across the country 223,000 lives would be saved for kids born between 2000 and 2019 a staggering number for kids in our community and across the United States; 50,000 of those would see far fewer deaths from lung cancer. Lung cancer is the #1 killer for people with cancer (including women). This regulation and regulations like this across the Commonwealth will have major impact in terms of reducing that known factor. Finally jurisdiction within the country has forced big tobacco to place ads to clearly state in commercials that they lied to the community, that cigarettes contain nicotine, this is not a revelation, but it is how long it has taken for big tobacco to admit after billions of dollars in fines that they had to state publically that it is a product that kills people, it contains carcinogens, and by raising the age, clearly we will reduce that risk. American Lung Association letter attached.</p> <p>Ken Farbstein, 16 Perrault Road, Needham, MA, of the NIATEC Foundation; In agreement with every one of the regulations. On January 23d, an article in the NEW YORK TIMES quoted the National Academy of Sciences recent comprehensive review of e-cigarettes and E.N.D.S. products “National Panel of Public Health experts concluded in a report released on Tuesday that vaping with e-cigarettes that contain nicotine can be addictive and that teenagers who use the devices may be at higher rate of smoking” they reviewed all the evidence on this and concluded that there is substantial evidence e-cigarette use increases risk of ever using combustible tobacco cigarettes among youth and young adults. In the 2010 Surgeon General’s report we learned well that the tobacco industry has used every iteration of cigarette design to undermine cessation and prevention. This issue is way too familiar and way too old. Letter attached.</p>

Umer Rehman, Owner of tobacco shop at 173 Shaker Road, East Longmeadow, MA; owns several smoke shops in towns (Springfield) that have gone to 21; concerned about his new business which opened a little over a year ago; if you raise age to 21 what about the people who are age 18, 19, 20? These are the customers who will instantly be lost; he is not against raising the age, he is totally for it; but can we grandfather in those who are at least 19 and 20 and let them buy while still using 21 for everyone else; this would be much more effective for his business, for him to even exist in East Longmeadow is very expensive, without grandfathering almost 50% of his business will be lost; otherwise 21 is a fair age – Springfield is 21 they have been there for seven years and are doing well. Tobacco prices (for dutches and stuff) that is something that is a little difficult to deal with, a lot of companies don't even make anything beyond, max \$2.99 plus tax so that would be not more than \$4.25, maximum price of dutches accumulate all together; lastly the vaping part, e-cigs are technically not a part of tobacco, vaping is totally different and not a tobacco product; no tobacco contained; the devices themselves would remain 18 because it is a vaping package.

Hugh Martin, 38 Mill Road, East Longmeadow, MA; it seems kind of redundant at this time, in a few months a lot of the stuff you want to ban (wraps and paraphernalia, and other things) will be perfectly legal for all adults over 18 to smoke marijuana. The kids are just going to be smoking something else besides cigarettes, I really don't see the point; I do believe Mr. Simons had a better idea, a national law because if you institute this here they're just go over the line to Springfield to go to another state. You're just putting the hardship on business in town and they're just going to go somewhere else, they are going to go to Connecticut. So unless there's a 21 and over law, period, across the country, I don't think it's going to be effective. You are not going to get to the point you are looking for, to get the kids to stop smoking cigarettes, they are just going to go to Springfield, to Enfield, somewhere else.

Wendy Martin, 38 Mill Road, East Longmeadow, MA; working in a local high school I can tell you firsthand about some of the problems you are seeing here, but I do not think raising the law to 21 is going to make a difference. I think education is more the way to go, teaching the kids the dangers of smoking, vaping and whatever you want to call dangerous. I am a former, former smoker so I know smoking cigarettes isn't the best thing for you, but I think raising the law to 21 is just going to make kids go to another town. I have kids now who vape, and smoke, and do other things; but they are going to find access wherever, whether it be in East Longmeadow or another town. So by prohibiting it in town you are stopping local people who own business from doing the business that they are already in. I just feel that the health reasons should be education not raising the law because they are still going to get it, and I know firsthand because I work in a local high school, not East Longmeadow High School but a high school very close to East Longmeadow.

Sid Starks, 28 Elm Street, East Longmeadow, MA; First of all, I feel this is an over regulation of town's rights as the previous speaker said, we can say drinking alcohol is age 21, youngsters still drink, they still get alcohol. It goes back to parental control. As far as jurisdiction, you mention Longmeadow has passed it, Springfield, other towns, do we have to follow suit and jump over the bridge or off the cliff like other towns? We are East Longmeadow. We need to work with the citizens of East Longmeadow and not over regulate. I know you probably already made your decision according to the Town Council that this is already a done deal. I'm saying give the town a chance; less regulation is often better than over regulation. We have vape shops in town, the previous speaker mentioned education, back to parental control. How many parents would love to tell their children 'yes don't smoke', anytime you take a right away, people want to do it more than ever. Many of you may have received a letter from the State regarding bump stocks being illegal for guns, personally I do not own one, I do not have one, but I have heard so many people say 'the fact that I can't have one is the reason I actually want one'. So I am just asking the town to give our young people some respect and give them some credit that they are smart enough not to smoke and through education that they

won't necessarily say 'hey I'm going to smoke regardless of what the town says'. Yeah they can go over the state line they can go anywhere else to buy cigarettes or cigars but give East Longmeadow credit, work with the town, don't necessarily try to throw these regulations on saying 'you can't do this'. This is not what our town, our state, our country was created over. It was created over freedom; it was created over giving each and every person credit for being able to make their own decisions, not having the government tell them what to do. Thank you.

DJ Wilson, Tobacco Control Director of Mass Municipal Association; The state's program has been around for 23 years. In the early days of the program East Longmeadow was a part of the funded communities that had gotten money to do policy and enforcement. The state decided to have cities and town do policy and enforcement because that is where they would be most effective, better enforcement and have a better understanding of each community. Most importantly the tobacco industry really owns congress you are not going to see anything happen at the federal law but at the state law it has been very difficult. There is an Omnibus bill in the state house that does about half of what you are proposing tonight but it has been sitting at the state house for 5 years. So we know that the industry has a stronger foothold at the state house. Marijuana is 21 so raising the age would align it with both marijuana and alcohol; we have 167 cities and towns that have gone to age 21. Of those 167 cities and towns only 2 have done that step up process going from year 1 to 19, year 2 to 20 and it was Needham being the first in the country and Arlington being the other. We've seen no other city or town or any other state do the step up process though in this omnibus bill there is a step up process so we will see how that goes. It is projected that Springfield will go June 30 and they will be doing the leap from 18 to 21. In the draft regulation there is a very long tobacco definition that includes anything that can be vaporized or aerosolized. The reason for that is that it matches the definition in the proposed omnibus bill; to capture all products that do contain nicotine. The Attorney General went further including anything no matter what the nicotine level is. It has been very difficult to trust the manufacturers of e-cigarettes when they say how much nicotine is contained or that no nicotine is contained. You will see that the definition you have is the definition in the Omnibus bill and it aligns with the regulation to include e-cigarettes like tobacco and in fact the nicotine in e-cigarette juices are probably sourced from tobacco if you had to go back in a chemical research way. Restricting flavors is something that is great, it expands the 2009 federal ban on the sale of flavored cigarettes and we know that this is going to be effective because flavor is a #1 reason why kids try traditional smoking, traditional chew tobacco, or e-cigarettes. Documents attached.

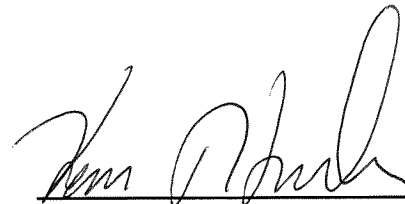
Madison Dupre, 33 Frankwyn Street, East Longmeadow, MA; works at local vape shop 173 Shaker Road. I do not agree with age jumping to 21 for the pure fact that with vapes we know what's in them and nicotine is not what's hurting people and not what's giving everyone cancer. It's the chemicals that are in the cigarettes not the nicotine. I feel like limiting where tobacco is sold rather than completely changing everything up to 21 and jumping in with everyone else. For people 18, 19, and 20 trying to quit cigarettes and then can't use devices to try to get off the nicotine is a little unreasonable just for the fact that you are leaving people in the dust to do other things and like everyone said they are just going to go over the line to Connecticut. It is unfortunate but you can't really stop kids in high school from smoking cigarettes besides teaching them about what actually happens. I think more education not jumping on up to 21. You would be taking away every 18, 19, and 20 years old's right to make their own decision is just jumping the gun because everyone around us is doing it. I don't believe vapes should be 21. I believe they should stay 18. I respect the law going to 21 for cigarettes but technically I don't consider vapes a tobacco product they are a product that holds nicotine to help try to get off tobacco.

Vote Karen Robitaille made a Motion to Close the Public Hearing the Motion was seconded out of necessity by Sarah Perez McAdoo.

	Vote Karen Robitaille made a motion to go out of agenda order by moving Actions Items to the present and Approval of Meeting Minutes to the end of the agenda. The Motion was seconded out of necessity.
Public Comment	
Old Business	
Action Item Review	2018 Action Items were reviewed based on conversations from January 11, 2018. Karen Robitaille requested more specific target dates be added. Items were discussed in detail and dates were clarified.
Discuss Prevention Needs Assessment Survey Next Steps	Aimee will get more information from Lena; funding and next steps were discussed in detail.
Approve minutes of previous meetings: January 11, 2018	Vote Motion to approve minutes from the January 11, 2018, meeting was made by second Kevin approved.

Motion to adjourn by Karen Robitaille, seconded by Dr. Kevin Hinchey, meeting adjourned at 7:12 p.m.

Upcoming Meetings / Events:



Dr. Kevin Hinchey

3/12/2018

This listing is reasonably anticipated by the Chair to be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.