

Board of Health  
Meeting Minutes  
February 4, 2020  
Ashland Town Hall  
Meeting Room A  
101 Main Street, Ashland, MA

*Diane Mortensen, Chair  
Judi Teller, Clerk  
Mark Oram, Agent/Director*

*Chris Daniele, Vice Chair  
Ronald Etskovitz, Member  
Koduvayur Narayana, Member*

**Members Present:**

Diane Mortensen, Chris Daniele, Judi Teller, Ron Etskovitz and Koduvayur Narayana

**Others Present:**

Mark Oram, Health Agent/Director  
Laura Clifford, Administrative Secretary  
Jennifer Ball, Assistant Town Manager

**Call Meeting to Order - 6:00 PM**

Ms. Mortensen called the meeting to order at 6:04 PM and noted that the meeting was being audio recorded.

**Jenn Ball, Assistant Town Manager, Department Goals**

Assistant Town Manager, Jennifer Ball, explained that she is attending tonight's meeting to discuss with Board Members a new process called ELEVATE in which staff goals are established at the beginning of the fiscal year; thereafter, every 2-3 months there is a check-in to discuss the ongoing progress being made towards these goals. This process is used for several staff members who oversee Boards, including the Town Planner and Conservation Agent. Ms. Ball noted that meeting with the Boards offers a more streamlined process to discuss what they, as a Board, are looking for, and what things they would like to see the Health Agent/Director working on. This year the following four goals were outlined:

1. Increase food inspections at high risk locations to three times per year;
2. Explore and implement regulations that address chronic public health issues such as hoarding, substance abuse, underage alcohol and tobacco use;
3. Execute a regional grant with Framingham to provide and increase our public health nursing services, including increasing access to school vaccinations;
4. Increase public education by highlighting a topic each month on the Health Department's website.

Ms. Teller inquired as to the EEE information/summary which was discussed at the EEE After Action Report Meeting; Mr. Oram noted that he is waiting to hear back from Ron O'Connor from the State to ensure he has the latest and most accurate data before sending information out to the Board and the EEE contacts/mailling list. Ms. Ball noted that Stephen Marks, Athletic Director, is already receiving

inquiries regarding spring sports. Mr. Oram noted that Tim Deschamps of Central Mass Mosquito Control will be attending our February 18, 2020 Board of Health meeting and will provide an update. Ms. Ball noted that the Town survey results showed that residents get 80% of their information on the Town website; she suggested that each month there could be a short piece on our website pertaining to topics which are relevant at that time. The Board also discussed doing a WACA-TV show, as had been done in the past.

Ms. Ball noted that Members may send her an email separately with any input which she could incorporate into conversations with Mr. Oram, she will summarize the emails she receives and come back to the Board and discuss where they are and close the loop.

Ms. Ball left the meeting at 6:22 PM.

**Review changes to Tobacco Control Regulations effective January 1, 2020, related to the number of present tobacco licenses; and, reinsert into the definition of characterizing flavors: “other than the taste or aroma of tobacco.”**

Mr. Daniele explained that he received a message from the Chair last week pertaining to a tobacco product being pulled from a vendor’s shelf, which was stemming from a typo in the Regulations which omitted the phrase, “other than the taste or aroma of tobacco”. Mr. Daniele explained that he and Ms. Mortensen spoke and agreed that since it was a typo that an exception would be made for the vendors on that clause, and that vendors should be made aware that they can get that product back on the shelves; they agreed they would bring it back up for discussion with the Board tonight.

Ms. Teller noted that this Regulation went into effect on January 1, 2020, she inquired as to whether the Tobacco Agent had been out to the stores and when the product was removed. Mr. Oram noted that the Tobacco Agent had done a compliance (signage/pricing) inspection.

Board Members noted that banning tobacco would mean eliminating all vape products, they agreed they did not consider tobacco a flavor and that eliminating all vape products was not their intention. Mr. Oram noted that tobacco is also a flavor and when the words were removed from the draft, he believed the intent of the Board was to eliminate all flavors including tobacco. Mr. Daniele noted that this was the legal document that was approved, and what was to be enforced. Ms. Teller requested that if there is ever a question as to intent that anyone on the Board will ask for clarification.

Ms. Teller asked for clarification regarding the chain of events as to when the oversight was discovered. Ms. Mortensen noted that she came to Mr. Oram and made a judgment call because she was certain that the intention of the Board was not to ban all vape products; Mr. Oram had noted that he wanted to first speak to Mr. Daniele for clarification, as the author of the document. Mr. Oram noted that as soon as he heard back from Mr. Daniele he went to each of the five tobacco vendors who sell vape products. Board Members agreed that Mr. Oram should have followed the directive of the Chair.

**Motion:** Mr. Daniele made a motion to amend the current Tobacco Regulations for the Town of Ashland to correct the definition of Characterizing Flavors as prescribed by the state definition, to include “the taste or aroma of tobacco”, and additionally to edit Section 11 of the Ashland Tobacco Regulations, part

A, to read “at any given time there should be no more than 17 tobacco product sales permits”, all in accordance of Mass. General Law 111, Section 31. Mr. Narayana seconded the motion.

**Vote: 5-0.** Motion approved.

The Board discussed whether they can review Board Goals, since this was not listed as a separate or specific agenda item. They agreed to put this as an agenda item during the February 18<sup>th</sup> meeting. Board Members agreed on future meeting dates: March 10<sup>th</sup> and March 24<sup>th</sup>.

**Adjournment**

**Motion:** Mr. Narayana made a motion to adjourn. Mr. Daniele seconded the motion.

**Vote: 5-0.** Motion approved.

The meeting adjourned at 7:14 PM.

ASHLAND BOARD OF HEALTH  
DOCUMENTS REVIEWED AT THE 2/4/2020 MEETING  
(All items stored in the Board of Health files unless otherwise noted)

1. ELEVATE Form indicating Health Agent/Director Goals for FY2020
2. Revised Regulation of the Ashland Board of Health Restricting the Sale of Tobacco and Nicotine Products and Delivery Systems, Effective 1/1/2020
3. Audio Recording is available in Board of Health Office