



Hudson Board of Health

78 Main Street
Hudson, MA 01749
(978) 562-2020

MINUTES

September 12, 2023

5:30 pm

Hudson Town Hall – Auditorium

Board Members: Michael Delfino, Cassia Monteiro, Allyson O'Malley

1. Preliminaries

- a. **Call Meeting to Order** – Mr. Delfino called the meeting to order at 5:31 pm. Mr. Delfino reminded those in attendance that the public hearing on the *Regulation of the Hudson Board of Health Restricting the Sale of Tobacco Products and Smoking Accessories Regulation #23-1* held on August 14, 2023 is now closed. The Board of Health allowed for two weeks of written testimony. All testimony was provided to the Board of Health in advance of tonight's meeting for their review. Because the public hearing was closed and the time limit for written testimony is over, there will be no questions or comments this evening.
 - b. **Approval of Minutes from 8.14.2023** – Ms. Monteiro motioned to approve the minutes from 8.14.2023 Public Hearing and Board of Health Meeting. Ms. O'Malley Seconded the motion and the motion passed 3-0. Ms. Monteiro motioned to approve the minutes from 8.14.2023 Public Health and Board of Health meeting. Ms. O'Malley seconded the motion and the motion passed 3-0.
2. **Vouchers to be Approved** – Ms. O'Malley motioned to approve the vouchers. Ms. Monteiro seconded the motion and the motion passed 3-0.
 3. **Restricting the Sale of Tobacco Products and Smoking Accessories Regulation #23-1**

- a. Cheryl Sbarra, Director and Senior Staff Attorney at Massachusetts Association of Health Boards (MAHB) was in attendance to speak to the proposed changes to the tobacco regulation. Ms. Monteiro motioned to allow Attorney. Sbarra to speak, Ms. O'Malley seconded the motion and the motion passed 3-0. Attorney Sbarra stated that the MAHB provides legal and technical support to local Boards of Health in the Commonwealth of Massachusetts. Ms. Sbarra reviewed and explained in simpler terms *Regulation of the Hudson Board of Health Restricting the Sale of Tobacco Products and Smoking Accessories Regulation #23-1* for the benefit of the public and the Board. She pointed out each section that was required under state law and explained areas that may have been confusing. In particular, Attorney Sbarra clarified that the section on the transfer of Tobacco Permits was not clear from the state of Massachusetts and acknowledged that it often causes confusion and concerns in municipalities. She further explained that the new language better spells out that Tobacco Permits can in fact be transferred as part of the sale of a business, but that it still does require notifying the Board of Health and obtaining approval. She explained that, while Hudson does have a cap on permits and a waitlist, in cases where businesses are sold, transferring of the permit supersedes the waitlist. Director of Public and Community Health Lauren Antonelli apologized for any confusion that was caused during the public hearing, and acknowledged that the section about the transferring of permits in the draft regulations was missing, which was a typo/oversight. A section on the topic was intended to be there – the same language as in the current regulations – but it was unintentionally missing from the draft. After further discussion with Attorney Sbarra, and after reviewing notes from the public hearing and the written testimony that was submitted, the language in the proposed regulations was added and changed to better explain the rules around transferring of permits. The new language was read. The Board also discussed the proposed amendments to the fining structure, which would decrease the suspension period and clearly state the number of days permits would be suspended (vs. using the language “up to X amount of days”). Lastly, Lauren Antonelli proposed that the section on Smoking Accessory Sales Permit should be removed for further review at a later date. Following Attorney Sbarra’s presentation, there were no questions from the Board or audience.
- b. Ms. Monteiro motioned to approve the updated *Restricting the Sale of Tobacco Products and Smoking Accessories Regulation #23-1* with the discussed edits (ex. transferring of permits, updated fining structure, removal of smoking accessory sales permit section). The Board voted that the new regulations would go into effect on November 1, 2023. Ms. O'Malley seconded the motion and the motion passed 3-0.
- c. Ms. Monteiro motioned to have Dab Smoke Shop grandfathered with regard to updated *Regulation of the Hudson Board of Health Restricting the Sale of Tobacco Products and Smoking Accessories Regulation #23-1* section on spacing of businesses with tobacco licenses. Ms. O'Malley seconded the motion and the motion passed 3-0.

4. Housing Updates

- a. **26 Worcester Road** - Mr. Poole, Lakeview Engineering
Current septic system has failed. Requesting to waive the requirement of a three-bedroom system for a single-family house and allow a two-bedroom system with a deed restriction to prevent any additional bedroom expansions above two bedrooms due to limited space

availability of the property. Ms. Monteiro motioned to approve waiver request, Ms. O'Malley seconded the motion and the motion passed 3-0.

- b. **25 Crump Street** – Tabling until second well on property is located.

5. **Migrant Response**

- a. Press release went out describing newly arrived homeless families. As of 1983 Massachusetts is a ***Right to Shelter*** state which guarantees shelter to homeless families. This has overwhelmed the state shelter system. Many families are being placed in random towns because there is nowhere else for them. There are also not enough non-profit service providers. As a result, the Hudson Health Department has become the de facto service provider. We are meeting immediate and basic needs such as diapers, food, clothing, and hopefully more long-term help for permanent housing. We have a great team. We've created a fund for monetary donations. There has been a great response with generous donations from the community. We also had a very successful clothing drive. In the coming weeks we will be working in all areas to help with medical, housing, mental health, and we will be partnering with schools. We will continue to support these families until the state can place them. We are here to help them.

6. **Upcoming Events**

- a. YSAP along with MAP hosting our second annual 5K Run, Walk, Roll, and Stroll for prevention on Saturday, September 30th at Assabet Valley Regional Technical School.
- b. Hazardous Waste Day will be held Saturday, October 7th at the Easterly Wastewater Treatment Facility in Marlborough.

Adjournment

Ms. O'Malley motioned to adjourn the meeting at 6:33 Ms. Monteiro Seconded and the motion passed 3-0.

Next Meeting

October 10, 2023