



## Hudson Board of Health

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

### MINUTES

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August 14<sup>th</sup>, 2023  
5:30 pm  
Hudson Town Hall  
Auditorium

***Board members: Michael Delfino, Cassia Monteiro, Allyson O'Malley***

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### New Business

1. **Preliminaries:**

- a. **Call Meeting to Order** – Mr. Delfino called the meeting to order at 5:30 pm.

2. **Public Hearing:** *Regulation of the Hudson Board of Health Restricting the Sale of Tobacco Products and Smoking Accessories Regulation #23-1*

- a. Mr. Delfino made an opening statement that the meeting would be audio recorded. Mr. Delfino states all three Board of Health Members are present, Mr. Delfino, Ms. Monteiro, and Ms. O'Malley. Mr. Delfino opens the Public Hearing regarding proposed changes to the Regulation of the Hudson Board of Health Restricting the Sale of Tobacco Products and Smoking Accessories Regulation #23-1. Copies of the proposal have been made available both online and in the Health Department office at Town Hall. Mr. Delfino states that the Board of Health is a three-member board who is elected to a three-year term. The duty of the Board is to promote and protect public health and the Town of Hudson. Lauren Antonelli is the Director of Public and Community Health and is an employee of the Town of Hudson. Her duties are to carry out the wishes of the Board of Health and the enforcement of The Board of Health regulations and the day to day operations of the Health Department. With exception of Title V Regulations, the board is not legally required to hold a public hearing on proposed regulations before them, even though all proposed regulations are addressed at the Board of Health meetings to which the public is always invited. Because we value community input, we are holding this hearing tonight. If the proposed regulation is passed the regulation will be posted at the Board of Health office and online, and will be publicized, in summary form, in the Community Advocate within 30 days of passage. Before we begin taking testimony and in the interest of time, we ask that you adhere to the following ground rules:

1. Any person wishing to make comments should sign in. The sign-in sheet is located at the door as you walked in.
  2. Before addressing the Board of Health, please be familiar with the proposed regulation.
  3. When addressing the Board of Health, you must first identify yourself by name address and any professional affiliation you may have that impacts your comments.
  4. Please limit your comments to 3 minutes so that other members of the audience will have a chance to speak. There will be no rebuttal arguments and we will be keeping time.
  5. Please be considerate of those persons speaking, whether you agree or disagree with them and refrain from commenting out of turn.
- b. Ms. Monteiro motions to open the public hearing. Ms. O'Malley seconded the motion and the motion passed 3-0.
- c. Mr. Delfino summarizes the changes to the Regulation of the Hudson Board of Health Restricting the Sale of Tobacco Products and Smoking Accessories Regulation #23-1 (documents available upon request from the Health Department)
- d. *Evidence Collection* - Mr. Delfino invites those in attendance to give testimony.
1. Doug Schaefer, Eaton Drive – Question regarding fines – where does that money go?
  2. Dean Booth, 17 Alton Road – Why is it only a draft? Is it subject to change before it is voted on? With regards to the June 6<sup>th</sup> Board of Health Meeting, does the Board of Health need higher town government review to make changes?
  3. Arthur Redding, 3 Redco Road – Disappointed in the BOH Chair. Only 2900 residents receive the Community Advocate therefore notice of public hearing should have been posted in a more widely distributed paper such as the Middlesex News.
  4. Brian Buscemi, Business Owner- Why weren't businesses notified? There are only 21. 25% of their revenue comes from tobacco sales. It's difficult to get help and we shouldn't be penalized for employees making mistakes.
  5. Judy Congdon, Select Board – Asks the board to table the vote on regulations
  6. Sven M., 16 Pierce Street – Asks who is in charge Board of Health or Health Department. Asks for a chance to review changes.
  7. Shortstop Convenience – Will Tobacco licenses be transferred if the business is sold.
  8. Scott Duplisea, Select Board – asks that the Board tables the vote. Why no smoking bars?
  9. Concerned parent – asks that the Board looks at the bigger picture to protect the children of Hudson.
  10. Tony Buscemi – The Town of Hudson made changes a full year before the state did. You didn't notify anyone of these changes. Asked for a summary, and was told to read 15-page report. Board is interfering with our businesses by not allowing them to transfer licenses. Why does it all fall on business owners to keep kids from using tobacco?
  11. Hudson Shell – Suspensions are excessive. What is the process to sell/transfer licenses?
  12. Arthur Redding – How many permits all together?
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13. Why is there a month delay to minutes being posted online?

e. *Board of Health Response* –

1. We have a specific tobacco fund/account that sits within the Board of Health that is used for Tobacco Control purposes.
2. When the draft is voted on it becomes final. Yes, it is subject to change before it is voted on. No, the Board of Health does not need higher town government review to make changes to these regulations.
3. No response
4. Notice of proposed changes was posted in The Community Advocate back in July and has been available in Health Department office since then, and anyone that called or emailed requesting a copy of proposed changes was given them. We will potentially do things differently in the future but we did what was typical and what was required by the State of Massachusetts. The discussion regarding the changes began in June and those meeting are always open to the public.
5. The Chair thanks Ms. Congdon
6. The Board is in charge. The Board of Health is a three-member board that has been elected by residents of Hudson and they have the authority to make these changes.
7. No and that is new with these changes to the regulations.
8. This was part of 2014 regulations. Secondhand smoke causes health issues. There is a ban on smoking indoors. It was a different Board of Health then.
9. Chair thanks concerned parent.
10. License transfers is not up for discussion this evening since that is on previous years regulation changes. Trying to prevent companies from monopolizing licenses. The Health Department does have a Youth Substance Abuse Coalition that is meant to work across the community schools and other entities to try to limit youth substance use.
11. The Board will have to look at transferring licenses at future meetings.
12. 21 including Rolling Stogies which is a cigar bar
13. Minutes aren't posted until they are approved by the Board of Health at the following meeting. Meetings are always open to the public and if you see something on the posted agenda that affects you are welcome to attend that meeting.

f. *Board of Health Judgement* – Mr. Delfino motions for vote on Regulation #23-1 be continued until the next Board of Health Meeting on September 12<sup>th</sup> 2023

**Adjournment** Mr. Delfino closes the public hearing at 6:30pm

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