Board of Health Meeting Minutes Wednesday, March 20, 2024 Virtual Meeting

BOARD OF HEALTH MEMBERS PRESENT

Marianne Hartmann, Peter Sheckman

Received by Town Clerk April 23, 2024 8:00am

MEMBERS ABSENT

Alicia Reddin

OTHER TOWN OFFICIALS PRESENT

Jeffrey Vaughan, Director of Public Health; Neia Illingworth, Public Health Nurse

OPEN MEETING

The meeting was called to order at 6:01 PM.

REVIEW APPROVE MINUTES OF PRIOR MEETINGS

 On MOTION by Sheckman and SECONDED by Hartmann, the Board of Health voted to approve prior meeting minutes from February 21, 2024. The motion passed unanimously.

DISCUSSION WITH JOYCE REDFORD, DIRECTOR OF NORTH SHORE/CAPE ANN TOBACCO POLICY PROGRAM

- Joyce Redford, Director of North Shore/Cape Ann Tobacco Policy Program joined the meeting to provide updates, trend information, information that will lead the Board to possibly make decisions on their regulations for tobacco sales, and possible other regulation changes following one made in Brookline.
- The North Shore/Cape Ann Tobacco Policy Program serves 16 communities. Joyce's specific role is mainly a technical role with tasks including offering technical assistance for policies around retail tobacco issues and secondhand smoke, compliance checks, inspections of retailers. She turns findings in to Jeff and then he does what is required in terms of fines and suspensions.
- Joyce spoke about Brookline's Nicotine Free Generation Regulation. The regulation
 went to the Supreme Court and the Supreme Court upheld the Board of Health's
 authority to create the regulation. The regulation details that if you were born prior to
 2020, you would be able to purchase tobacco and nicotine products, but if you were born
 after that you would not be able to purchase tobacco in municipalities with this regulation

even after they reached a previous minimum age like 21. The thought process is that eventually, those in generations born after 2020 would never be able to purchase tobacco in those municipalities regardless of age (instead of the current regulation that you must be over 21 to purchase). Malden has had a recent public hearing on the matter and are planning to move forward with it. Melrose and Winchester have done the same. Saugus and Beverly have expressed interest.

 Joyce provided a sample Regulation Restricting the Sale of Tobacco and Vape Products sales regulation form and checklist for policy decisions. Joyce covered language recommendations, regulation items such as including a cap on the number of vendors (Swampscott currently has eight vendors- no new applications in over three and a half years), information regarding what other municipalities have included, and etc.

REVIEW OF OPIOID SETTLEMENT FUNDS - UPDATE

- Neia provided an update on the Opioid Settlement funds.
- Neia provided a brief review of the opioid settlement funds related actions so far:
 - The Health Department surveyed community members from 11/13/23-12/4/23 and received 195 responses.
 - The Health Department provided a detailed update regarding the survey results at their Board of Health meeting on January 17, 2024.
 - The Health Department posted a powerpoint with the survey results and other information on the Health Department's webpage, swampscottma.gov/health.
 - The Health Department held an online Listening Session on January 31, 2024, from 5:30-7 pm.
 - The Health Department formed working group(s) with two main focus areas: 1.
 Prevention and education and 2. Recovery and community supports.
 - The Working Group(s) have met twice and the next meeting is scheduled for April 3, 2024. Those interested in attending can reach out to Neia or Jeff.
 - Neia and Jeff met with Sargent Reen from the Police Department on March 4, 2024, to discuss data, resources that the PD provides, what the police do after an overdose, and etc.
 - Neia and Jeff had a Zoom meeting on March 5, 2024, with the lead person from the "Drug Story Theater" to discuss their program.
 - Neia held Narcan Trainings on March 17, 2024, at the Swampscott Health and Wellness Fair at the high school.
 - Jefff and Neia participated in the State's Municipal Opioid Abatement Conference on March 19-20, 2024.
- Moving forward, the Health Department will:
 - Continue to offer Narcan trainings.
 - Work on purchasing supplies, etc. to have Naloxboxes in municipal buildings (phase 1).
 - Continue to attend/participate in meetings, trainings, etc.
 - Continue to post updates online.

OTHER PUBLIC HEALTH UPDATES

- On March 1, 2024, the CDC significantly changed their isolation guidance for Covid-19 to be:
 - Able to return to normal activities when, for at least 24 hours, symptoms are improving overall and if a fever was present that it has been gone without the use of fever reducing medications.
 - Once people resume normal activities, they are encouraged to take additional prevention strategies for the next five days such as taking more steps for cleaning airs, enhancing hygiene practices, wearing a well-fitting mask, keeping a distance for others, and/or getting testing for respiratory viruses.
- As of today, while the CDC has changed their guidance, the Department of Public Health has not updated their guidance.
- The Swampscott Health Department will be participating in the regional diaper drive for the month of April. More details will be posted online when they are available.

RECREATION/HEALTH - HEALTH AND WELLNESS FAIR - POST EVENT UPDATE

- Neia attended the Swampscott Health and Wellness Fair on March 17, 2024, at Swampscott High School. She offered Narcan training sessions at the fair.
- Members from the Public Health Coalition attended to provide information about sun safety.

HEALTH DIRECTOR REPORT

- Currently dealing with rodent activity in the Hadley School and the end of the Blaney Street area.
- The Health Department has received complaints about mice and rats around New Ocean St.
- The first yard waste pickup will be the week of April 22, 2024, on the day of your regular trash collection.
- A household hazardous waste collection day has been scheduled for April 27, 2024.
 This will be a drop off event located at the Marblehead Transfer Station.
- Jeff met with representatives from the AG's office regarding four blighted properties the Town has been working on for a while. Three have had work done to them. The last property will be moving towards receivership.
- Jeff will be visiting the schools next week to inspect the kitchen areas.
- Jeff gave a brief overview of beach testing procedures and provided water quality updates.
 - Jeff provided an explanation for why beaches are tested. The water quality at public and semi-public beaches in MA is required to be monitored for a specific

- period where they are considered officially open for swimming. Swampscott beaches are testing from mid-June to Labor Day.
- The BOH oversees all water testing within its jurisdiction at approved sampling locations. Operators of semi-public beaches pay for their own sample collection and analysis.
- Jeff provided an overview of what indicator organisms are tested for, how bacteria get in water, the frequency of testing, and the sample collection and analysis processes, why a beach may close due to their test results, the length of closures, and how you would know if a beach is closed.
- Jeff covered information on the cost of beach testing. Each local Board of Health must pay for beach testing and re-testing. Each LBOH contracts with a state provided private vendor through an EPA grant to pay for testing and re-testing.
- Jeff reviewed sources to use to find out if a beach is closed.
- The presentation and links will be available on the Town website.
- Marianne asked about shared beaches. The decision was made that if Lynn receives results indicating their side of the beach should be closed, Swampscott will close their side of the beach as well.
- Liz from the Water and Sewer Infrastructure Committee attended the meeting to speak on testing.
- Andrea Amour joined the meeting and is happy to see this collaboration beginning and mentioned some areas of improvement and some areas that still need improvement.
- The Board discussed how the reportable disease process works.
- Chris Vockley, Vice Chair of the Water and Sewer Infrastructure Committee joined the
 meeting as well. Chris provided an explanation of testing. This testing can be done in
 house via purchasing from IDEX, though a machine is required. The cost of all of the
 equipment would be \$7500 and \$16/test. He stated that some other municipalities are
 current customers of the company and that some municipalities are having interns and
 volunteers conduct sampling.
- Cindy Cavallaro spoke to state that they think more information and transparency is valuable. She suggested that a basic guide of diseases related to water be posted online.

OTHER BUSINESS/ITEMS NOT REASONABLY ANTICIPATED BY THE BOH

None.

SCHEDULE NEXT MEETING DATE

• The next meeting has been scheduled for Tuesday, April 23, 2024, at 6 PM.

ADJOURN

- On MOTION by Sheckman and SECONDED by Hartmann, it was VOTED to adjourn the meeting. The motion passed unanimously.
- The meeting adjourned at 7:58 PM.

2023 Sales Regulation

SAMPLE REGULATION RESTRICTING THE SALE OF TOBACCO AND VAPE PRODUCTS

THIS MODEL REGULATION INCORPORATES THE FOLLOWING:

- 1. The minimum standards required pursuant to the United States Food and Drug Administration relative to the sale and distribution of cigarettes; and
- 2. The minimum standards required pursuant to Massachusetts state law and regulation. This includes G.L. c. 270 regarding sales to those under 21, tobacco and vaping product sales including flavored products, required signage, matching definitions and other relevant state statutes and regulations.

CHECKLIST FOR POLICY DECISIONS (circle decisions):

1. No permit renewal if outstanding fines exist (§E.6) 2. No permit renewal if three sales to persons under 21 (§E.7) 3. Cap and/or reduce number of permits (§E.8) Simple Cap () Reducing Cap () Dual Cap ()	YES YES YES	NO S NO S NO S
Alamany namity within 500 feet of a school (QE.11.a)	YES	NO
(§E.11.	b)YES	NO
500 () 1,000 () 2,000 ()	VEC	NO
6. Ban Smoking Bars (§F)		NO
7. Include minimum cigar package size/price (§G)	VES	NO
8. Ban blunt wraps (§J)	VES	NO
9. Ban free distribution of tobacco products (§K.1)	VEG	NO
10. Ban redemption of coupons (§K.2) 11. Ban Self-Service Displays (§M)	VES	NO
11. Ban Self-Service Displays (§M)	TES	
Exception for Adult-Only Retail Tobacco Stores	YES	NO?
12. Ban tobacco product sales in educational institutions (§Q)	YES	NOP
13. Fining Structure System (§S) Separate State and Local () Unified Fining Structure () 14. Tolling periods for local violations (§S)	YES	NO
State level at 36 months () Over 36 months () 15. Suspension Periods (§S)	YES	NO
16. Choose Suspension Periods (§S) First Violation: 1 to 7 days (mandatory for first underage sal Second Violation: up to 7 days	e) () ;
Third or More Violations: up to 30 days 17. "Shall" vs. "May" language for suspensions (§S)	SHALL (30) MAY

YELLOW highlighted sections are language copied from the latest state law and DPH regulations.

GREEN highlighted sections are uniquely local policy decisions (most are on the above checklist) to be made by the Board of Health.

NO COLOR indicates that language has been previously adopted by Boards of Health.

Swampscott Health Department



Update re: Opioid Settlement Funds, etc.

March 20th, 2024

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Brief review...



- Surveyed community members from 11/13/23-12/4/23 and received 195 responses!
- Provided detailed update regarding the 2023 survey results at BOH meeting on January 17th, 2024
- Posted Powerpoint with survey results and other information on the Health Department's page: https://www.swampscottma.gov/health
- Held <u>online</u> Listening Session on January 31st, 2024 from 5:30-7pm
- Formed working group(s) to help the Swampscott Health
 Department
 - Please contact the Swampscott Health Department if you are interested in participating in the working group(s)



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Other Updates...



- Neia and Jeff met with Sgt. Reen on 3/4/24 from the Swampscott Police Department to discuss data, resources that they provide, what they do after an overdose, etc.
- Neia and Jeff had a zoom meeting on 3/5/24 with the lead person for the 'Drug Story Theater' to discuss their program, etc.
- Neia held Narcan trainings on 3/17/24 at the Swampscott's Health and Wellness Fair at Swampscott High School
- Neia and Jeff participated in the state's Municipal Opioid Abatement Conference on 3/19/24 and 3/20/24 (online)

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Moving Forward...



- Continue to offer Narcan trainings for individuals, groups, etc.
- Work on purchasing supplies, etc. to have Naloxboxes in municipal buildings (phase 1)
- Continue to attend/participate in meetings, trainings, webinars, etc.
- Continue to post information, updates, resources, etc. on the town's website: https://www.swampscottma.gov/health
- Continue to hold additional/future meetings with the 'Lived Experience' Working Group(s) to help the Swampscott Health Department

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Swampscott Health Department



Other Public Health Updates

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Public Beaches Brief Overview Testing for Water Quality



Swampscott Health Department 3/20/24

Public Beaches Testing and Water Quality Updates

Overview

- Beach testing
- Closing of beaches
- Public information and education

Beach Testing

- The water quality at beaches in Massachusetts is **required** to be monitored.
- The Massachusetts Department of Public Health (MDPH) and local boards of health (BOHs) regulate public and semi-public beaches under 105 CMR 445.000.
 - 105 CMR 445.000: MINIMUM STANDARDS FOR BATHING BEACHES (STATE SANITARY CODE, CHAPTER VII)

 https://www.mass.gov/doc/105-cmr-445-state-sanitary-code-chapter-vii-minimum-

standards-for-bathing-beaches/download

• The regulations do not apply to private beaches.

105 CMR: DEPARTMENT OF PUBLIC HEALTH MINIMUM STANDARDS FOR BATHING BEACHES (STATE SANITARY CODE, CHAPTER VII) Section 445.001: Purpose Authority Citation 445.010: Definitions 445.020: Operation 445.030: Bathing Water Quality 445.031: Indicator Organisms 445.032: Collection of Bathing Water Samples Laboratory Analysis and Reporting Bathing Beaches Operated by the Commonwealth 445.035: Sampling and Analysis at Semi-public Beaches 445.036: Public Request for Testing 445.040: Posting and Reopening Notifications 445.100: Variance 445.101: Variance to be in Writing 445.300: Permit Required to Operate 445.400: General Administration 445.500: Severability The purpose of 105 CMR 445.000 is to protect the health, safety and well-being of the users of bathing beaches, to establish acceptable standards for the operation of bathing water and to establish a procedure for informing the public of any bathing water closures. 445.002: Authority

105 CMR 445.000 is adopted under the authority of M.G.L. c. 111, §§ 3, 5S and 127A.

https://www.mass.gov/info-details/frequently-asked-questions-about-monitoring-water-quality-at-beaches

- The MA Department of Public Health (DPH) and local boards of health (BOHs) regulate public and semi-public beaches under 105 CMR 445.000
- The BOH oversees all water testing within its jurisdiction at approved sampling locations.
- Operators of semi-public beaches pay for their own sample collection and analysis.



Are all beaches in Massachusetts monitored?

- Each beach is monitored for <u>a specified period</u> where it is considered officially open for swimming.
- Public and semi-public beaches are <u>required</u> by state and federal regulations to monitor indicator bacteria during their operational dates.

- Pathogens in the water are difficult to measure directly, so indicator organisms are used to predict the presence of pathogens associated with fecal contamination.
- Enteric bacteria are a type of indicator organism found in the intestines of warmblooded animals and humans and are often associated with <u>fecal contamination</u>.
- The bacteria used as indicator organisms to test the waters at beaches are <u>Enterococci</u> and <u>E. coli</u>.
 - Marine beaches are tested for the presence of Enterococci.
 - Freshwater beaches are tested either for the presence of E. coli or Enterococci.



Enterococci image taken from: https://www.cdc.gov/hai/organisms/vre/vre.html

How do bacteria get in beach water?

- Bacteria in the water can come from a variety of sources. These include:
 - Stormwater (rain) run-off
 - Failing or malfunctioning septic systems
 - Combined and sanitary sewer overflows
 - Leaking sewer pipes
 - Illegal sewer hookups
 - Wildlife and pet waste
 - Agricultural runoff



Image taken from: https://www.neponset.org/do-your-part/reduce-stormwater/



Sample Collection and Analysis

- Samples should be taken within the area of greatest usage, remain consistent (sampled from the same location each week), and be collected in the following manner:
 - Wade to a depth of 3 feet and wait for debris to settle.
 - Remove cap of sterile sample bottle and plunge the bottle 12 inches under the surface, filling it in one downward sweeping motion, moving away from your body. Discard a few millimeters to allow air space.
 - Place bottle in cooler with ice packs.
 - Field data must be recorded at time of collection on a form provided by DPH.
 - Samples should be delivered within six hours to a laboratory certified by the MA Department of Environmental Protection to conduct the analysis. Find laboratories here: www.mass.gov/certified-laboratories.





Images taken from: https://www.capecod.gov/departments/health-nvironment/programs-services/water-and-wastewater/bathing-beach-water-quality/

How often is beach water tested?

• The majority of beaches in Massachusetts are tested once a week following sampling frequency guidelines from the US EPA.

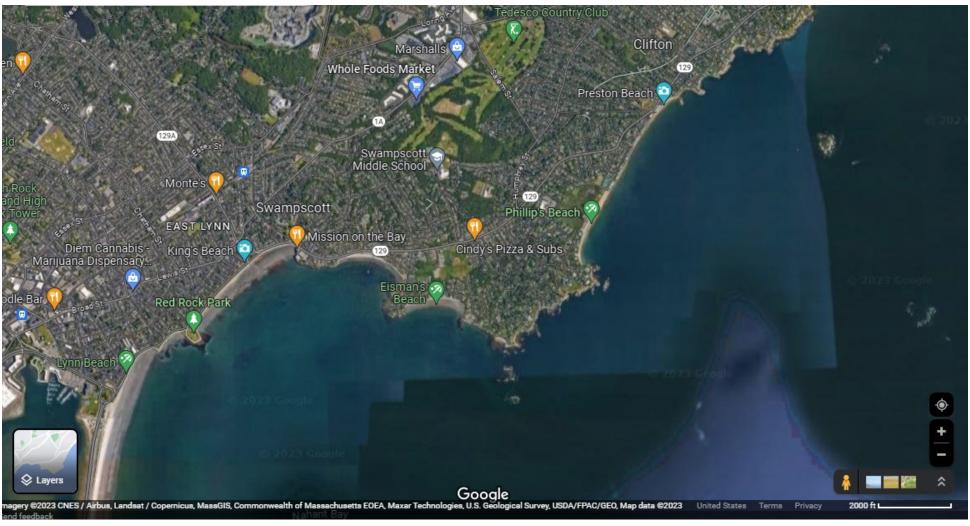
 Beaches must be sampled within 5 days prior to opening and at least weekly thereafter during operation.

 Swampscott beaches: Testing done weekly on Wednesdays from mid-June to Labor Day

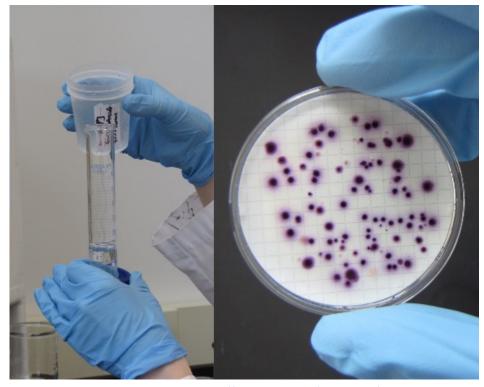


Beaches in Swampscott = 6

King's, Eisman's/New Ocean, Phillip's, Whales, Fishermen's and Preston



- Testing is done at accredited laboratories using laboratory methods approved by the U.S. Environmental Protection Agency (EPA).
 - The laboratory testing takes <u>about 24</u> <u>hours</u> to perform, so water quality <u>results</u> are reported the <u>next day</u>.



Images taken from: https://www.capecod.gov/departments/healthenvironment/programs-services/water-and-wastewater/bathing-beachwater-quality/

What is the **cost** for beach testing?

Each LBOH must pay for beach testing <u>and</u> retesting

- Each LBOH contracts with a <u>state provided</u> <u>private vendor</u> (ex. G&L Labs) through an EPA grant to pay for beach water quality testing and retesting at <u>each beach</u> for <u>each</u> <u>week</u> that the beach is operational during the summer.
 - Each beach sample collected from each beach costs 12 wks: (covered by EPA grant)
 - Retesting a beach sample at each beach costs: approximately \$40-50/sample/beach



Beach Testing and Closures

Why do beaches close?

- When levels of Enterococci or *E. coli* exceed the limits set for beaches, it is called an **exceedance**.
 - Water is considered <u>unsafe</u> for swimming at a majority of beaches in Massachusetts when two exceedances occur following one after another without an interruption (consecutive days).
 - Beaches with a history of multi-day exceedances are required to post after a single exceedance.
- Beaches can be closed to swimming for reasons not related to bacteria.
 - When there are concerns for other physical or chemical hazards, including riptides, poor visibility within the water, cyanobacteria and harmful algae blooms, heavy rainfall, combined sewer overflow events, or hazardous materials (like an oil slick), beach closures may also occur.



Beach Testing and Closures (cont.)

Why do beaches close? (cont.)

- At marine beaches, the <u>accepted</u> level of Enterococci for a single sample is <u>104</u> colony forming units per 100 milliliters (cfu/100 ml) of water **or below**.
- MDPH also has a limit for the last 5 test results at a beach known as the geometric mean, or geomean for short.
 - The geomean is intended to reflect water quality found during a previous time frame (typically a month).
 - At marine beaches, the geomean for Enterococci is 35 cfu/100 ml.



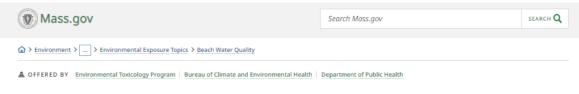
Beach Testing and Closures (cont.)

How do I know if a beach is closed?

- MDPH maintains a list of beach postings during the swimming season:
 - https://www.mass.gov/info-details/currentpublic-beachpostings?auHash=9joLmMGmy0u1HpJGlrfizLbq zdX6HS3CDLdDntdLJUw
 - https://www.mass.gov/info-details/interactivebeach-water-quality-dashboard
- Look for signs posted at the beach
 - Check for any warnings or beach closures indicating that the water is not safe because of bacteria, riptides, or other hazards.
 - Swampscott beaches will have SIGNS posted if/when a beach is CLOSED



MDPH Websites to check if a Beach is Open or Closed



Interactive Beach Water Quality Dashboard

MDPH's Interactive Beaches Dashboard provides water quality testing results for the current beach season. It will tell you which beaches are open or closed. If a beach is closed, do not swim or enter the water at that location to avoid risk of illness.

Interactive data dashboard

Updated twice daily at 9:30 a.m. and 12:30 p.m. See All Closures | See Test Results | See All Beaches (Map) Мар Abington Acton Agawam Amesbury Amherst Andover Aguinnah Arlington Ashburnham Ashby Ashfield Ashland Athol Auburn Beach 333 Commercial Street Beach Status Closed Open 💧 451 Commercial Stree 593 Commercial Street 637 Commercial Street

Mass.gov

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Current public beach postings

The water quality at public beaches in Massachusetts is required to be monitored. When the water quality is unsafe, the beach is required to be "posted" with a sign that indicates swimming is unsafe and may cause illness.

Last updated: August 10, 2023

Show 10 ♥ entri	es		Search:	
Municipality	♦ Beach	\$ Beach Type	Posting Reason	
Agawam	Robinson Pond Beach (DCR)	Freshwater	Bacterial Exceedance	
Ashby	Damon Pond Beach (DCR)	Freshwater	Bacterial Exceedance	
Ashland	Ashland Reservoir - Main Beach (DCR)	Freshwater	Bacterial Exceedance	
Ashland	Hopkinton Reservoir - Main Beach (DCR)	Freshwater	Bacterial Exceedance	
Ashland	Hopkinton Reservoir-Upper Beach (DCR)	Freshwater	Bacterial Exceedance	
Beverly	Brackenbury	Marine	Bacterial Exceedance	
Boston	Constitution Beach (DCR)	Marine	Bacterial Exceedance	
Boston	Savin Hill Beach (DCR)	Marine	Bacterial Exceedance	
Braintree	Smith Beach	Marine	Bacterial Exceedance	
Charlemont	Cold River Pool (DCR)	Freshwater	Bacterial Exceedance	
Showing 1 to 10 of 6	51 entries	Pre	evious 1 2 3 4 5 6 7 Next	

https://www.mass.gov/info-details/current-public-beach-postings?auHash=9joLmMGmy0u1HpJGlrfizLbqzdX6HS3CDLdDntdLJUw

Interactive Beach Water Quality Dashboard

MDPH's Interactive Beaches Dashboard provides water quality testing results for the current beach season. It will tell you which beaches are open or closed. If a beach is closed, do not swim or enter the water at that location to avoid risk of illness.

Interactive data dashboard

As most beaches in the state have closed to swimming for the remainder of 2023, this dashboard will begin updating again on May 27,

See All Closures | See Test Results | See All Beaches (Map)

Beach closures are not tracked here after Labor Day, as most beaches are closed for swimming for the remainder of the year.

Beach Closures (cont.)

Can I still go to the beach if it is posted closed to swimming?

- A beach posting does not mean that a person cannot go to a beach, or that a posting prevents anyone from entering onto a beach.
- If a beach is posted, it simply means swimming is not advised.
- There are plenty of <u>safe</u> recreational activities people can still do at the beach that <u>don't involve contact with the water</u>, including: walking along the shore; sunbathing; collecting seashells/sea glass; and playing sports such as paddleball, volleyball, football, frisbee, etc.







Beach Re-opening

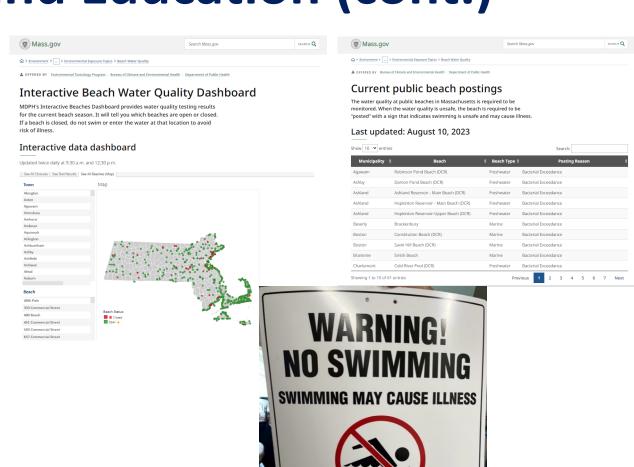
When will the beach re-open?

- Beaches remain posted <u>until</u> test results from laboratory analysis show indicator bacteria levels are <u>back within the acceptable range</u> for water being safe to swim.
- Laboratory <u>analysis</u> for all beach samples takes <u>approximately 24 hours</u>, so it is common for a beach <u>closure</u> to <u>last a day or two</u> following an exceedance.

Public Information and Education (cont.)

How do I know if it is safe to swim?

- Know before you go.
 - MDPH maintains a list of beach postings during the swimming season:
 - https://www.mass.gov/info-details/currentpublic-beachpostings?auHash=9joLmMGmy0u1HpJGlrfizL bqzdX6HS3CDLdDntdLJUw
 - https://www.mass.gov/infodetails/interactive-beach-water-qualitydashboard
- Look for signs posted at the beach
 - Check for any warnings or beach closures indicating that the water is not safe because of bacteria, riptides, or other hazards.
 - Swampscott beaches will have SIGNS posted if/when a beach is CLOSED



Public Information and Education (cont.)

How do I know if it is safe to swim?

- Swimming conditions can also vary throughout the day. Below are a few recommendations for deciding when and where to swim:
 - Check the weather
 - Avoid swimming after heavy rain events bacterial levels tend to rise due to runoff after heavy rains
 - Watch for "signs" of water pollution such as discolored, fast flowing, and strongsmelling water
 - Avoid swimming next to drainpipes, outlets, or other obvious sources of pollution
 - Do not swim near trash or street litter floating in the water
 - Avoid swallowing the water when waterborne pathogens are present, most swimmers are exposed when they swallow the water. You will be less likely to get sick if you wade or swim without putting your head under water.