

**CITY OF SALEM
BOARD OF HEALTH
MEETING MINUTES**

December 12, 2023

MEMBERS PRESENT: Jeremy Schiller, Chair, Sara Moore, Geri Yuhas, Datanis Elias, Paul Kirby

MEMBERS EXCUSED:

OTHERS PRESENT: David Greenbaum, Health Agent, Joyce Redford, Director, North Shore Tobacco Control Program

TOPIC

DISCUSSION/ACTION

1. Call to Order

7:01pm

**2. Approval of Minutes
(October 10, 2023)**

S. Moore motioned to approve the minutes. P. Kirby 2nd.

All in favor, Motion passed by a vote of 5 to 0.

3. Discussion of proposed Regulations Restricting the Sale of Marijuana and Marijuana Products and Prohibiting the Manufacture, Sale, or Distribution of Synthetic Cannabinoids

Dr. Schiller advised the Board that Your CBD Store on the corner of Essex and North Streets is still selling Delta-8 products as well as flavored CBD vape cartridges as advertised by the signage in the windows of the store.

J. Redford advised the Board that any flavored vape was prohibited by state law and this would fall under the purview of the Board of Health.

J. Redford introduced the regulations that the City of Beverly passed in June of 2023, and informed the Board that the City of Beverly has unfortunately had to enforce this regulation. They found Delta-8 drinks in a liquor store. This was a thoughtful process that the City Solicitor was involved with throughout. Currently there is no enforcement on these products and if no one is conducting enforcement that leaves it to municipalities to pass local regulations to prohibit these types of products from being sold.

J. Redford advised the Board that a complaint was received about a store in Salem selling several prohibited products. Joyce conducted an inspection and found the store was selling numerous flavored products, products above the allowable nicotine levels, blunt wraps, and tobacco products with tax stamps from Connecticut and New Hampshire. Joyce notified the Department of Revenue (DOR) who came to the store and seized products that were in the store illegally.

J. Schiller asked for clarification, there are two separate regulations? The regulation that unlicensed CCC establishments can't sell marijuana, why isn't this a legal or criminal issue?

J. Redford explained that the amount is too small for the police to take criminal action against an offender. However, because it is illegal, they should at least be seizing it from these establishments.

Further explanation took place about who could and can enforce laws around marijuana and synthetic cannabinoids.

J. Schiller asked if it would be redundant for the Board to enact a regulation on something that is already illegal. It was explained that it wasn't as the Board can make a law stricter but cannot make it weaker.

J. Schiller asked what are the resources to take this on? J. Redford explained that DPH thinks this is not part of the tobacco control mandate and believes it is better

for another funding source to take this on. J. Redford discussed what is happening with these products in other communities. D. Greenbaum reminded the Board that the store in Salem we received the complaint about was blatantly flouting the rules on flavors, nicotine levels, and the regulations in general. He advised the Board that beyond the fines and suspension he will receive for these violations this operator should be brought before the Board for a hearing at the January meeting to inform him that these violations will not be tolerated in Salem.

J. Schiller recommended that these regulations be placed on a future meeting agenda for a vote and prior to that meeting the regulations be reviewed by the City Solicitor.

J. Schiller asked how easy it would be to for the regulations to address other variations of Delta products should they come on the market should the regulations pass. It was determined that the regulations address this in the definitions.

P. Kirby asked if you could issue fines for a tobacco violation, a marijuana violation, and a synthetic cannabinoids violation? The answer was yes, but they would all be first offenses as they are separate regulations. Discussion took place about how the regulations could work together to increase fines. J. Redford explained that fines can be “stacked”, meaning that if you find multiple violations during the same inspection the Board can fine for all violations on an increasing scale. Discussion took place regarding the ability of the Board to suspend or revoke a permit on a temporary or permanent basis. J. Redford further advised the Board that the City of Beverly notified all Board of Health permitted establishments about these regulations so that they were aware of these prohibitions.

The Board thanked Joyce for all her had work and all she does throughout the year.

4. Discussion and Update on the Public Health Excellence/Regional Field Training Hub Grant

D. Greenbaum updated the Board on the Regional PHE/RFTH grant. The initial grant was \$300,000 and over the last two years the grant has increased to over \$1.2 million. This encompasses the regional grant for the eight north shore communities as well as the regional field training hub grant that covers PHE grantees from Amesbury to Wakefield. We have hired several staff members under the grant and will be hiring additional staff through the grant. D.

Greenbaum will be having discussions with the Mayor regarding the office space, due to the staffing from the grant we have outgrown the space, and he is looking at options for how best to accommodate all staff. D. Greenbaum explained that these grants have been earmarked in the state budgets for upwards of 20-25 years for around \$20-\$25 million dollars and this is an investment in local public health that has never been made in MA.

S. Moore asked what come out of the conversations about what to do with the opioid settlement funds? D. Greenbaum explained that not a lot came out of those conversations. He has created an initial proposal, including Naloxone boxes and staff. No money has been spent to date.

J. Schiller stated he would love to see some money allocated to mental health. D. Greenbaum agreed but the problem is there is a lot of money up front but then it kind of dries up in the long run. D. Greenbaum spoke about what the City of Peabody has proposed, creating a human services division to provide social services for their residents. He believes this is something that is greatly needed but will cost a great deal of money to sustain. D. Greenbaum also stated a long term goal would be to look at grants from the state to explore the idea of a peer recovery center.

5. Chairperson Communications

J. Schiller announced that in January he would be resigning the Chairmanship and he thinks Sara Moore would be a great replacement.

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| 6. Public Health Announcements /Reports/Updates | NONE |
| 7. Administrative Report | Copy available at BOH office. |
| 8. Council Liaison Updates | NONE |
| | NONE |
| 9. New Business/Scheduling of Future Agenda Items | NONE |
| 10. Items that could not be anticipated prior to the posting of the agenda. | NONE |

MEETING ADJOURNED:

P. Kirby motioned to adjourn. G. Yuhas 2nd.

Motion passed by a vote of 5 to 0.

Meeting Adjourned: 7:41 PM

Next regularly scheduled meeting is Tuesday, January 9, 2024 at 7:00pm at City Hall Annex, 98 Washington Street, 1st Floor, Salem, MA

Respectfully submitted,

David Greenbaum
Health Agent