

DOVER BOARD OF HEALTH
MINUTES
March 3, 2025
6:30 PM via Zoom

1. Call to order, roll call: Start time: 6:33 p.m.

Present: Chair Kay Petersen, Member John Quackenbush, Member Stephen Kruskall,
Health Director Jason Belmonte, Public Health Nurse Gael Varsa,
Administrative Assistant Suzanne Hilts

Also Present: Peter Brennan, Josh Pruett, Emily Weija, Alex Weatherall

2. Citizen comments: N/A
3. Next meeting: April 7, 2025
4. Approval and acceptance of minutes:
 - February 3, 2025

Member Kruskall made a MOTION to approve the minutes from the February 3, 2025 meeting. Member Quackenbush seconded the MOTION.

All members voted in favor to pass the motion.

5. Endgame Tobacco Follow-Up

Taken out of order. Chair Petersen recalls the discussion held at the previous Board of Health meeting regarding the Endgame Tobacco Regulation, which aims to phase out tobacco sales in younger generations who have not yet been exposed to tobacco/nicotine products. She notes that the Board has not made any decision regarding the regulation nor will a decision be made during the current meeting. Member Quackenbush adds that the Board finds it invaluable to gather additional information before moving forward with a plan, to gain a greater perspective while weighing the advantages and disadvantages of making a change in tobacco regulations. He notes the importance of gathering feedback from retailers who could be affected by this regulation. Member Kruskall voices his support for hearing opinions from retailers and residents, noting that at some juncture the discussion should take place in an open hearing, which would be more informational than positional. Chair Petersen adds that she would find value in hearing from the municipalities who have enacted this regulation, as well as municipalities that have considered and rejected the regulation.

Director Belmonte acknowledges the attendees and clarifies that, as the Health Director, he does not participate in voting but advises the Board, and oversees day-to-day operations at the Board of Health office. He outlines two key changes in tobacco regulations since 2023: only two retailers currently hold tobacco licenses, and no more than two can ever hold them; and if a license holder relinquishes their license, the Board decides whether to reissue it.

Public Health Nurse Gael Varsa adds that while she is still familiarizing herself with Dover's tobacco regulations, she aims to reach out to other public health nurses in the communities where the regulation has been implemented to understand their point of view. Chair Petersen suggests reaching out to public school nurses and health focused student organizations to gather more feedback.

Peter Brennan represents the New England Convenience Store and Energy Marketers Association, which includes 8,800 convenience stores in New England, including over 4,000 in Massachusetts. He expresses frustration with the Endgame Tobacco Regulation, arguing that removing tobacco products from Massachusetts stores will lead to increased purchases from neighboring states like New Hampshire or through the online black market. Brennan points out the strict carding procedures in Massachusetts, which carry severe penalties for selling tobacco to minors. He notes that tobacco sales are a significant revenue source for local convenience stores, and losing tobacco sales could impact other product sales, such as groceries, gas, and lottery tickets. Brennan suggests that Dover could lose the one or two stores selling tobacco, which residents rely on for these essential items. He emphasizes that with the legal age for purchasing tobacco set at 21, both federally and in Massachusetts, the regulation will not affect youth smoking rates, which are at historic lows. He argues that the regulation could devalue businesses by 20-30% due to reduced in-store revenue, particularly when it comes to borrowing money or selling the business. While respecting the advocates, Brennan believes the policy lacks real-world impact, as people will continue using nicotine products, creating an illegal market similar to what followed the flavor ban. This, he notes, results in lost tax revenue for Massachusetts. He concludes by stating that adults have the legal right to consume tobacco, alcohol, marijuana, and lottery products, and part of adulthood is the responsible exercise of these rights.

Emily Weijs, a Cambridge resident speaking as a private citizen, expresses concern about adult agency and liberty. She argues that the primary consideration should be that the legal age to

purchase tobacco and nicotine products in Massachusetts is 21, and that the focus on youth is irrelevant. Weija is opposed to the regulation, noting it restricts adults' freedoms to make their own choices. She highlights that adults are allowed to consume other addictive substances like alcohol, marijuana, and engage in gambling; a full ban on tobacco and nicotine could unfairly limit adult choice. She also notes that Peabody rejected a similar regulation, which the Board may want to consider as they move forward.

Alex Weatherhall, owner of the Sherborn Fuel Gas Station convenience store in Sherborn, Massachusetts, shares positive news about the decrease in tobacco product sales at his store. He takes pride in not pushing tobacco or nicotine products onto customers and has observed a 16% reduction in combustible nicotine product sales, with a decrease of 4.9 packs per day. Weatherhall agrees with Emily's point that the regulation does not target law-abiding retailers or young people. He expresses support for the Board's current tobacco regulations, which he believes are well-intended and effective without compromising adult rights. However, he argues that the proposed regulation is overly intrusive, ineffective, and primarily impacts retailers like him who are already contributing to significant reductions in tobacco consumption.

Member Quackenbush inquires about the sale of other nicotine products at Alex's store. Alex responds that while he does not sell electronic cigarettes or vaping products, he does carry nicotine pouches like "Zyn." He explains that many customers use Zyn to help wean off combustible tobacco, particularly young men in trades. Alex notes that Massachusetts has become an attractive market for Swedish Match and Philip MorrisF, which are only able to sell four varieties of Zyn here due to flavor restrictions. He shares that it has been challenging for his store to keep Zyn in stock, which, while possibly seen as positive, often leads many young and middle-aged tradesmen to return to Marlboros, causing frustration.

Member Kruskall summarizes that the Board has not yet made a decision on how to proceed and invites others to weigh in on next steps. Chair Petersen expresses support for gathering more information before making any decisions, feeling it's too early to consider drafting a regulation or holding an open hearing. Member Kruskall agrees, emphasizing the importance of hearing from other towns to understand the arguments that influenced their decisions. Member Quackenbush also agrees, expressing interest in learning from the Needham Board of Health and the factors that led them to enact the regulation. Director Belmonte suggests Peabody's perspective would be valuable as well, since they considered the regulation but ultimately chose not to proceed. Member

Quackenbush supports Chair Petersen's idea of hearing from schools, acknowledging that while tobacco use is illegal for school-aged youth, students often find ways to access these products. Director Belmonte proposes adding the Endgame Tobacco discussion to the next agenda and gathering more information in the meantime, with the Board agreeing to invite presentations of findings.

6. PFAS Update

Director Belmonte notes that PFAS testing is not part of well regulations in most Massachusetts municipalities, with Mashpee being the only town to include it. He is currently collecting data to update Dover's well regulations. Member Quackenbush asks if PFAS testing could be required during property transfers, similar to Title 5, and inquires about Mashpee's use of PFAS testing in regulations. Director Belmonte confirms that Mashpee requires testing during property transfers and when new wells are constructed, adding that Dover can establish its own guidelines, potentially requiring PFAS testing for new wells. Member Quackenbush requests clarification on the cost of mitigation systems, and Director Belmonte explains that costs vary, ranging from \$10,000 for whole-house systems to a few hundred dollars for under-sink units, depending on the property. Member Quackenbush stresses the importance of recommending mitigation strategies if PFAS testing becomes part of well regulations. Chair Petersen asks about the maintenance required for remediation systems and whether it would require a deed restriction.

Director Belmonte suggests mitigation systems as a potential solution, advising residents to assume PFAS contamination and install filtration systems. Member Quackenbush agrees, while Chair Petersen expresses concerns about residents' willingness to maintain these systems and suggests further research on PFAS in Dover to guide decisions on mandatory testing. Member Quackenbush proposes creating a map of PFAS detections in Dover for public education. Member Kruskall emphasizes the need for standardized testing from reliable laboratories, noting that few are qualified for reliable PFAS testing. He also asks how many new wells are built annually, Director Belmonte estimates around two dozen. Member Quackenbush highlights the need to assess the significance of PFAS in Dover before considering enforcement in well regulations.

Chair Petersen asks Director Belmonte if he has seen any data related to PFAS upon the transfer of a property in water quality reports, Director Belmonte replies no. He states that if residents' test and results exceed levels of PFAS, this becomes a reportable event with required remediation and DEP

compliance required, thus penalizing residents for testing. He explains this would be a reason to recommend filters to residents who feel concerned about their home's water quality. Member Kruskall questions whether PFAS levels that exceeded norms that were found by testing labs were automatically reported to the state without the consent of the homeowner, Chair Petersen and Director Belmonte reply that this is not the case and the homeowner is the individual responsible for reporting such an event. Chair Petersen adds that it is also not the responsibility of the Board of Health to share this information with the DEP.

Member Quackenbush recalls the 2022 PFAS testing program and inquires about the data for the 16 Dover properties tested. He suggests follow-up tests on the 16 properties to check for changes in PFAS levels, though he expresses concern about a potential reportable event. Member Quackenbush shares information from Mass.gov (Attachments 4-5) regarding PFAS testing, noting the data is shown with no property addresses.

Chair Petersen expresses interest in speaking with Arthur Simen again to see if he has retested his private well for PFAS. She also asks about the Mashpee PFAS regulations, recalling the former military facility that allegedly released toxic materials into the groundwater, and asks if Mashpee has shown high PFAS levels in their tested wells. Director Belmonte offers to connect with the Health Agent in Mashpee for more information.

Chair Petersen suggests contacting the Mashpee health agent for additional data, reviewing results from the 2022 DEP study, and gathering details on specific laboratories and whether the DEP considers state labs standardized enough for testing. She adds that another conversation with Arthur would be constructive at the next meeting. Director Belmonte agrees that gathering more information is the right step in moving forward with the PFAS discussion in Dover Well Regulations.

7. Bird Flu Update

Director Belmonte updates the Board on the Bird Flu discussion from the February meeting, mentioning updates to the Board of Health webpage, information submitted for the Dover Newsletter, and a potential banner. Chair Petersen recalls their conversation about the animal inspector directly communicating with residents who have backyard fowl, noting that many Dover residents keep fowl. Member Quackenbush asks how many sites have poultry. Director Belmonte is

unsure, while Chair Petersen estimates fewer than 20. Belmonte clarifies that the animal agent reports the number of animals from barn inspections, but not the number of sites.

Administrative assistant Suzanne Hilts shares a draft of the banner to inform residents about bird flu. Member Quackenbush agrees it's sensible to display it, but Chair Petersen raises concerns about the songbird image, as waterfowl are the primary birds affected. She suggests replacing it with an image of an aquatic bird. After the change, the Board agrees to have the banner made.

Bird flu topic led into vaccination discussion:

Member Quackenbush asks Chair Petersen and Member Kruskall about the expected lifetime of immunity from the MMR vaccine and how often boosters are needed. Chair Petersen replies that boosters are rarely needed unless an individual becomes immunosuppressed. Member Kruskall adds that while research is ongoing on the MMR vaccine's longevity, he is concerned about funding, believing the Board will have to rely more on the state than the federal level. With the Public Health Nurse now working with the Board, Member Quackenbush proposes considering booster programs alongside other nursing services, though he is unsure how many Dover residents are vaccinated with Shingrix, which is relevant for older residents. Member Kruskall notes his concern with reaching out to elderly regarding vaccinations; he feels that the Board should ensure that elderly residents in Dover are protected with vaccines which are available and effective.

Public Health Nurse Gael Varsa mentions having access to MAVEN software and highlights a rise in pertussis cases in Massachusetts, noting that those affected are fully vaccinated with boosters. Member Quackenbush asks if this could be a vaccine-resistant strain, and Gael responds that it's the B strain, which should be covered by the booster. He adds that he's unsure if adults are being advised to get a pertussis booster and wonders if that's the current recommendation. He also points out that the elderly in Dover haven't been advised about COVID vaccines in recent years. Chair Petersen states the importance of readily available vaccines for residents of the town, noting that clinics are valuable to Dover.

8. Board of Health Fees

Director Belmonte reviews the previous meeting's discussion on a study of the Board of Health fee schedule and the recommended changes. Using this data, he created a new proposed fee schedule, which he presents alongside the existing one. He points out minor fee increases, while some remain

the same, and mentions certain categories were removed to consolidate. The biggest changes are in food establishment fees, temporary food service, and day camps. He explains that day camp fees increased to reflect the time spent reviewing summer camps. He also highlights the tobacco permit fee change, noting it's a small step toward reducing tobacco sales. He asks the Board for feedback on the proposed changes.

Member Kruskall asks for the reason for reducing the cost of fracking; Director Belmonte notes the fee calculator determined the fee for this category was higher, adding that there is no additional review needed after fracking has been performed. Member Kruskall raises concerns that lowering the fracking fee while raising tobacco permit fees could lead to confusion. He suggests not increasing fees for tobacco retailers or fracking unless processing efforts have increased or to account for inflation. Chair Petersen states the consultants recommended lowering the fracking fee because of the slight amount of effort used for reviewing the data. She asks about the consultant's opinion on the tobacco permit fee and whether or not it should be raised. Director Belmonte shares that consultants recommended a fee of \$160. Member Quackenbush asks about the time spent reviewing the tobacco permits, and Director Belmonte confirms that while it is not significant, it does require more effort than fracking reviews. Director Belmonte states that if the calculator was used for every fee, the schedule would be out of sorts. He notes the camp fee was calculated to be nearly \$1000, which does not seem to be a sensible cost. Member Quackenbush asks about the tobacco permit fee in nearby towns, and Director Belmonte shares that Needham charges \$700. Chair Petersen acknowledges the effort involved in reviewing camps and questions whether a \$1000 fee would be reasonable in the future. Member Kruskall notes many of Dover's camps are non-profit and benefit residents. Director Belmonte adds that the Dover Rec Department has their camp fee waived, and the successful inspection of their camp is discussed.

Member Kruskall made a MOTION to approve the proposed fee schedule. Member Quackenbush seconded the MOTION.

All members voted in favor to pass the motion.

9. Rabies Clinic

Director Belmonte announces that the annual rabies clinic is scheduled for Saturday, April 5, 2025, from 9:00 AM to 11:00 AM at the Dover Highway Department. Dr. Christina Poor from Norfolk County Veterinary Service will administer the vaccines, with the Town Clerk and Director Belmonte assisting residents throughout the clinic. The event will be promoted through a banner, Facebook, flyers, a section in the Hometown Weekly newspaper, and information in two

newsletters.

10. Old Business N/A

11. Adjournment

Member Quackenbush made a MOTION to adjourn the meeting, seconded by Member Kruskall. The meeting adjourned at approximately 8:05 p.m.

Documents and Exhibits Used During this Meeting:

Draft Meeting Minutes of February 3, 2025

BOH Fee Schedule 2023 - dated November 2023

Proposed Fee Schedule 2025 - dated March 2025

PFAS in Private Well Drinking Water Supplies FAQ - via [Mass.gov](https://www.mass.gov)

Private Wells PFAS testing Results - via [ArcGIS.com](https://www.arcgis.com)

Respectfully submitted,
Suzanne Hilts