

**SUGGESTED SCRIPT FOR BOARD OF HEALTH'S**  
**INTRODUCTORY STATEMENT AT PUBLIC HEARINGS**

This public hearing is to discuss proposed tobacco flavor ban restrictions and tobacco establishment cap reduction for **TOWN OF FAIRHAVEN**. Copies of the proposal have been made available at the **HEALTH DEPARTMENT AND ON THE HEALTH DEPARTMENT WEBSITE**.

The **TOWN OF FAIRHAVEN** Board of Health is a **THREE**-member board that is **elected** for a 3-year term. The duty of the board is to promote and protect the public health of the residents of **FAIRHAVEN**. The board derives its authority from the Massachusetts Legislature. The members are:

1. JEANNINE LOPES, Chair
2. MICHAEL SILVA, Vice-Chair
3. PETER DETERRA, Member

**MARY FREIRE-KELLOGG** is the **HEALTH AGENT** for **FAIRHAVEN**. The **HEALTH AGENT** is an employee of the **TOWN OF FAIRHAVEN**. **HER** duties are to carry out the wishes of the Board, assist in the enforcement of our regulations and deal with the day-to-day operations of the Board of Health.

With the exception of Title V regulations, it is not legally required for the Board of Health to hold a public hearing on proposed regulations before them, even though all proposed regulations are addressed at meetings to which the public is always invited.

However, because of the broad interest in tobacco control, every effort has been made to provide a public forum. As the purpose of the public hearing is to collect information and opinions, the Board will not ask for a vote from the audience nor will the Board itself vote on the proposed regulations at this public hearing. The Board will announce the meeting date at which they will discuss and vote on the proposed regulations. This meeting will be public, however, the Board will not provide time for further public testimony unless a Board member has a specific question to which an audience member can offer some clarification.

After the public hearing, the Board will accept written testimony for a period of **10** days until **NOVEMBER 6, 2019 at 4:30pm**. Letters can be emailed (BOH@Fairhaven-ma.gov), mailed or delivered to **40 CENTER STREET – HEALTH DEPARTMENT**. 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 **FAIRHAVEN NEIGHBORHOOD NEWS** within **14 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 on the far right corner of the Board's meeting table.
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 the impacts your comments.
4. Identify the section or proposed policy of the proposal that you wish to comment on.
5. Please limit your comments to **5 minutes** so that other members of the audience will have a chance to speak.
6. Please be considerate of those persons speaking, whether you agree or disagree with them and refrain from commenting out of turn.
7. A written comment period, for those who are unable to attend or do not wish to testify at the public hearing, will be allowed. Written testimony will be accepted by the Board of Health until **NOVEMBER 6, 2019**. Please send comments to: **40 CENTER STREET – HEALTH DEPARTMENT**.
8. Any person showing verbal disrespect to those speaking will be asked to leave the public hearing.

Thank you for your anticipated cooperation.

May I have a motion to open the public hearing?

Is that motion seconded?

[VOTE ON MOTION]

## **HELPFUL INFORMATION FOR BOARDS OF HEALTH REGARDING PUBLIC HEARINGS**

1. Decide if you want photocopies of the proposed regulation draft to be available to the audience. If yes, make a best guess as to the number of copies to be required.
2. Do not start the public hearing before the time indicated on the legal notice.
3. Note that the state's Open Meeting Law requires everyone to be able to see and hear the proceedings. Seating for everyone is not a requirement.
4. If the BOH chair opts to use the Introductory Statement, it should be read at this time.
5. A BOH member should make a motion to open the hearing.
6. Vote on the motion.
7. It is easier to not control the order to which PRO and CON testifiers should speak as there is bound to be confusion as to whose turn it is, who missed their opportunity to speak and what to do with those testifiers who are latecomers to the hearing.
8. Have anyone testifying state their name, address or professional affiliation.
9. If the BOH aims to limit the time length of each person's testimony, typically 3 to 5 minutes, assign someone to time each testifier.
10. The BOH may want a sign-in sheet for either (a) everyone in attendance or (b) for those intending to testify.
11. It is advisable for BOH members to not start a substantive dialogue with testifiers but just accept their testimony for review at the next BOH meeting.
12. While it is not advisable to allow for "rebuttals", if you are going to allow a testifier to testify a second time, that opportunity should be afforded to everyone in attendance.
13. Someone should note any written communications received by the BOH. It is not necessary to read whole letters but it is helpful to at least acknowledge to the BOH and attendees that A, B and C have written the BOH with comments.
14. A BOH member should make a motion to close the hearing.
15. Vote on the motion.
16. The Chair may want to make note of (a) the deadline for written comment; (b) that the next meeting is X date and (c) while that meeting will be open to the public, no further written or oral testimony will be accepted.