

Mr. Hooper stated that it takes about four to six weeks.

Legislator LoBue questioned how this works on the user's end.

Mr. Hooper stated that the user fills out an enrollment form and sends a check or gives the okay to charge their credit card.

Legislator LoBue questioned if the County would be responsible for the marketing.

Mr. Hooper stated that the County would be responsible with their help.

Legislator LoBue stated how costly dental insurance can be especially for a small business owner. She stated that she recognized names of the dentists on the list and they are all top notch.

Chairman Oliverio stated his concern for dissemination. He stated that ProAct was a mailing and he questioned if it was possible to send this to each home in the County.

Mr. Hooper stated that would be great and things like that have been done in other counties.

Chairman Oliverio stated his support and interest in this.

Legislator LoBue stated this could be posted on the County website as well.

Legislator Gross questioned if an individual could sign up for the card or if they had to go through the County.

Mr. Hooper stated that anyone could sign up, but they want to give the County recognition.

Item #5) Tobacco Ban for Pharmacies/Discussion

Commissioner of Health Dr. Allen Beals stated that tobacco results in the #1 cause of death in the United States today. He stated that the three most common types of cancer are prostate, lung, and breast (12%-15%). He stated that lung cancer, compared to prostate cancer kills 8 times more patients. He stated that as compared to breast cancer, it kills 4 times more patients. He stated that fiscally, \$9.8 million is budgeted for Medicaid and that the tobacco cost of health care is almost 14%, which is over \$1 million. He stated that smoking also complicates other medical issues. He stated that a comparison was made between banning tobacco sale in pharmacies and banning candy or sugary drinks, which he called invalid. He stated that smoking tobacco kills half of its users and takes ten years off their lives. He stated that an issue that may be raised here is infringement on one's freedom, but the Legislature would be infringing on the citizen's freedom for the greater good. He stated that the use of

tobacco combined with the high levels of radon in Putnam County is a very serious issue and any measure to decrease the use of tobacco would be a tremendous boom.

Chairman Oliverio stated that there is a rumor that stores that sell over-the-counter medication will not be able to sell tobacco with this bill. He stated that this is not in the legislation, it is only restricting pharmacies.

Commissioner Beals stated that a pharmacy is a place that is licensed by the State to sell prescriptions.

Chairman Oliverio stated that he wants to remove tobacco from where kids are. He stated that this includes supermarkets where they tend to go food shopping with their parents regularly. He stated this may actually increase business for small convenient stores that do not have a pharmacy.

Legislator Gross stated that he is not a smoker. He stated that in 2011, 400,000 people died of lung cancer and 300,000 died of diabetes and obesity related illnesses. He also stated that not everyone that has lung cancer is or was necessarily a smoker. He stated that Haverstraw was opposed to the advertisements of the seven leading tobacco companies in the United States. He stated that they went after this and the companies came back after them. He stated his concern that this will happen to Putnam County. He stated that he feels that this is a violation of Freedom of Speech and Freedom of Commerce. He stated that looking into the future, he feels that diabetes and obesity will surpass lung cancer and these are caused by sugary products also sold in pharmacies. He stated that education is the key and it would be helpful to intervene early, in middle and elementary schools to talk about both obesity and tobacco.

Chairman Oliverio stated that this intervention is happening in schools.

Legislator Gross stated that Putnam County is bigger than Haverstraw and believes the companies are going to go after the County.

Chairman Oliverio stated that this legislation is not a ban on cigarettes. He stated that what Haverstraw went after was a blatant infringement on freedom of speech. He stated that tobacco smoking is most insidious in Putnam County because of the radon levels. He stated that when the County motioned to outlaw smoking in public places, Albany followed suit and it became statewide. He stated that where health is provided, death should not be.

Legislator DiCarlo stated he understood Chairman Oliverio's view. He stated that as a Legislative Body, he feels they are picking winners and losers since some stores will be able to sell tobacco while others cannot. He stated that the Attorney General recently made a speech in San Francisco about legalizing small amounts of marijuana. He stated that he feels that the County would be going to the opposite end by restricting the sales of tobacco. He stated that within schools, counseling is done on smoking and drugs, etc. yet drug problems persist. He stated that right now there is a heroin

epidemic that is killing young adults. He stated that a choice is a choice for a person to make. He stated this is a great thing to look at, but bottom line is that it is a choice.

Chairman Oliverio stated one of the greatest things that has happened in the State was banning smoking in work places and it brought addiction down. He stated that restrictions bring percentages down and it limits exposure. He stated that if there is a struggle to acquire the substance, it may be more likely for the user to quit.

Legislator Nacerino stated that she is a non-smoker. She stated that speaking to what Dr. Beals mentioned earlier about seatbelt laws or the texting and driving laws, there is no conclusive evidence that this legislation will save lives. She stated that laws such as the seatbelt laws do in fact save lives. She stated that restricting where tobacco can be sold is not deterring people from buying it, just inconveniencing them.

Chairman Oliverio stated that this is not to stop current smokers, but to prevent children from starting.

Legislator Nacerino stated she is not sure this legislation is going to reach its goal.

Chairman Oliverio stated that he thinks it will reach the goal as it will lower exposure to children. He stated that big retail stores that sell tobacco do not make a large percentage from them so taking it away would not harm the business.

Legislator Nacerino stated she would like to see evidence supporting the success of this law.

Chairman Oliverio stated the evidence will come after the law gets passed. He stated that this is more of a preventative measure rather than an intervention.

Legislator Gross stated that he is not pro-smoking but he is afraid of being sued by the tobacco companies. He stated that whether to smoke or not is an adult decision. He stated that in CVS, they sell candy and soda that are loaded with sugar and it is in the same boat as tobacco.

Maureen Kenny, Director of Pow'r Against Tobacco, stated that the United States is the only country in the world that allows tobacco sales in pharmacies. She stated that the lawsuit in the Village of Haverstraw was the first of its kind in the country. She stated that this has been successfully done in other countries. She stated that once the law was passed, it trickled down to New York City and Mayor Bloomberg is interested in doing the same. She stated that the difference between Haverstraw and New York City is that New York City has the power and money to withstand a lawsuit from the tobacco companies. She stated that the ban of tobacco in pharmacies was done in Los Angeles and Boston. She stated that these cities were approached by the tobacco industry, and they fought them successfully. She stated that there are now 64 municipalities in Boston that banned the sale of tobacco in their pharmacies. She stated that prevention programs are vital and are even more successful when public policy comes down from the top and meets the program. She stated that in 2009, the Family Smoking

Prevention and Tobacco Act was passed and it states that municipalities may regulate tobacco as they see fit. She stated that they decide the times, places, and proximity to schools. She stated that the type of tobacco retailer can also be regulated, such as this discussion on pharmacies. She stated that pharmacies are for health and wellness. She stated that the pharmacies where you pick up prescriptions are located in the back of the store, yet cigarettes are right up front. She also cleared up myths that often come out of a discussion like this. She stated that banning the sale of tobacco does not result in economic loss. She stated that in Canada and Massachusetts there was no loss. She stated that another myth is that banning will begin to target other products. She stated that tobacco is a unique product that kills half of its consumers. She stated that there is great public support; 67% of people reported they were supportive of the tobacco ban in pharmacies. She stated that banning the sale will change social norms.

Michael Rosen of the Food Industry Alliance stated he is opposed to this bill. He defined a pharmacy as a place where drugs and medical prescriptions are offered for sale. He stated that in New York State Education Law 6802 it states drugs include over the counter medication as well as prescriptions. He stated any convenience store that has aspirin for sale will not be able to sell tobacco.

Chairman Oliverio stated he would like to amend the law right now to exclude over-the-counter medication.

Mr. Rosen stated that the bill is counterproductive as he believes places such as supermarkets and pharmacies are more responsible about selling the product to those who are old enough than the smaller convenience stores. He stated that in supermarkets the cigarettes are in lock boxes away from the food and pharmacy. He stated that the seatbelt or texting and driving laws were a bad comparison because those laws apply to everybody. He stated that he thinks it does not make sense to allow some stores to sell and forbid others. He stated that since there is a state license required to sell tobacco, he questioned if the County has the authority to take it out of stores.

Chairman Oliverio stated that he understood his concern and that the same push back was received when smoking in restaurants and bars was banned. He stated that he would like to see companies place the monetary factors behind the safety. He stated that the County has an obligation to counter and the right to regulate the sales. He stated that he is willing to have this challenged. He stated that this is taking the cigarettes out of kid's hands.

Mr. Rosen stated that when smoking was banned in bars, that was in all bars. He stated that his problem here is that the places are being picked.

Coordinator for Reality Check of Putnam County Diane Moore stated that a pharmacy is almost a literal scale of health vs. tobacco as the stores are set up with the medication to make one better located in the back and the cigarettes, which makes one less healthy is in the front. She stated that she feels this cancels out the message of good health. She stated that of the adults that smoke now, 90% started when they were too

young to even buy it. She stated that everything that a child is exposed to is a learning experience. She stated that when they are in a store that is promoting health, and they see tobacco products it sends the message that they are okay. She stated that smoking used to be allowed in places like hospitals and airplanes and times are changing.

Legislator LoBue stated that she used to smoke and she started in high school. She stated that she is conflicted about this bill. She stated that she agrees with Michael Rosen because the kids from the high school are outside on the street smoking.

Chairman Oliverio stated that we will not know the results of this until it is enacted. He stated that the tobacco industry is the most corrupt in the United States.

Legislator LoBue stated she agrees with Chairman Oliverio, but this is not a solution. She stated that this diverts the customer from one outlet to another.

Commissioner Beals stated that the American Pharmacies Society is supportive of this.

Legislator Othmer stated his concern with the first amendment. He thinks we should be careful and investigate before bringing this to the Full Legislative Meeting.

Chairman Oliverio stated this is just a discussion.

Legislator Othmer asked when this was passed in Massachusetts.

Director Kenny stated it was passed in 2008.

Legislator Othmer questioned if the cancer rate had decreased in those five years.

Director Kenny stated that she would find that information out.

Legislator Othmer stated he did not want a feel good law.

Chairman Oliverio stated it is not, just as smoking in public places was not and that lead to the State following through with that law as well.

Director Kenny stated that in Albany County, they are close to taking this same matter to their Full Meeting by the end of September.

Chairman Oliverio stated this will be a decision made by the majority vote.

Legislator Nacerino stated she supports the concept. She stated she would like to see statistics and conclusive evidence that this is making a difference.

Legislator Gross stated that education is the secret and banning will not do anything, for example, marijuana is illegal, yet it is everywhere.

Legislator Albano stated that this bill is a step in the right direction.

Legislator Castellano stated that he is a non-smoker and is conflicted as well. He stated that supermarkets do a better job selling the tobacco product to those over 18 years old.

Legislator DiCarlo stated he is concerned with the goal. He stated that proximity to schools may need to be added on.

Legislator Othmer stated this is a good idea as Carmel High School is located near many retailers.

Director Kenny stated that New York State Assemblywoman Sandy Galef is exploring this as an option. She stated that State laws usually follow local laws.

Chairman Oliverio stated that this discussion will continue at the September Health Committee Meeting.

Item #6) Medication Take Back Lock Boxes/Discussion

Chairman Oliverio stated that a lock box will be placed in the Sheriff's Office.

Commissioner Beals stated that on September 21, 2013, there will be a Medication Take Back Day in Cold Spring. He stated that if residents cannot wait for events such as this, they can get in touch with them as to how to dispose of their unwanted medication.

Legislator Nacerino stated that she commends Legislator Scuccimarra for making this happen.

Item #7) Approval/Putnam County Solid Waste Management Plan (SWMP)

County Attorney Bumgarner questioned if there was a SEQRA resolution.

Chairman Oliverio stated one will be put together by next month.

Legislative Counsel Clement Van Ross stated he had a letter from First Deputy County Attorney Andrew Negro regarding this, referring to a resolution from 2010.

County Attorney Bumgarner stated it has been amended since 2010 and a new one is needed.

Chairman Oliverio moved this item to the September Health Meeting pending the new SEQRA; Seconded by Legislator DiCarlo. All in favor.

Item #8) Approval/Budgetary Amendment (13A047)/Health/Early Intervention

Chairman Oliverio made a motion to approve Budgetary Amendment 13A047;
Seconded by Legislator DiCarlo. All in favor.

Item #9) Approval/Budgetary Amendment (13A046)/Health/CAC Child Fatality Prevention Program

Chairman Oliverio made a motion to approve Budgetary Amendment 13A046;
Seconded by Legislator DiCarlo. All in favor.

Item #10) Fund Transfer (13T169)/Health/Nursing Education/Training/FYI

Chairman Oliverio made a motion to approve Fund Transfer 13T169; Seconded by Legislator DiCarlo. All in favor.

Item #11) Fund Transfer (13T170)/Health/Health Education Temporary/FYI

Chairman Oliverio made a motion to approve Fund Transfer 13T170; Seconded by Legislator DiCarlo. All in favor.

Item #12) Other Business - None

There being no further business at 7:00 p.m. Chairman Oliverio made a motion to adjourn the meeting; Seconded by Legislator DiCarlo. All in favor.

Respectfully submitted by Beth Green, Administrative Assistant.