

Supervisor Drozd opened Work Session.

1. Supervisor Drozd had reached out to Public Information Officer Kara Kane at Dr. Burstein's Office at the Erie County Department of Health in regard to No Smoking signs. He was put in contact with Rashawn Smalls, the Program Manager for Tobacco-Free Erie and Niagara through CAI Global. Mr. Smalls and Sue Boyle, Director/DFC Grant Project/Springville Regional Coalition, were in attendance. Mrs. Boyle said that they had received a federal grant and the goal of the grant is to reduce substance abuse among youth. Mr. Smalls is one of their partners in this project with his particular focus on nicotine, smoking and vaping reduction. Mrs. Boyle provided the Board with an informational brochure containing information that was gathered from students in the Spring of 2023. There were graphs showing the past 30-day use which is used to see how many kids are vaping. It was pointed out that since this project started those numbers have been coming down. They feel a project like this will really help with reducing use. She also pointed out some of the risk factors that will contribute to smoking and vaping and a lot has to do with attitudes: if they think that the community is ok, their parents are ok, their peers are ok with this happening, they are more likely to do it. It gives parents a tool to talk to their kids about it. It can make a huge difference. They have found out that if parents talk to kids about substance use and let them know that they don't want them doing it, there is a 50% change that they could live their lives without use.

Mr. Smalls then addressed the Board. He has been working with the Springville Regional Coalition for the last couple of years. He provided copies of a document that helps to explain the NYS Public Health Law. As the Community Engagement Manager for CAI, he oversees the advancing tobacco free community grant initiative. Their particular focus is tobacco and nicotine. The purpose of tonight's meeting is to give some clarity to what the NYS Public Health Law actually says in relation to tobacco and nicotine and vaping in outdoor spaces. Oftentimes with policies you want to create solutions to problems but those solutions are not always clear and creates more confusion. One of the things that they want to highlight is that when it comes to tobacco (and he also mentioned cannabis but that is not his focus or expertise) but when it comes to the use of tobacco and cannabis use in parks and playgrounds, there is a prohibition from sunrise to sunset in playgrounds when children the age of 12 are present. He clarified that this prohibition includes all parks, beaches and pools as of October 13, 2022. There is a mention in this law that allows for local municipalities to expand those provisions for clarity and enforcement. The Town would have the authority to expand on what the Governor has laid as a foundation. When it comes to vaping in outdoor places, you will find that those small instruments that people are constantly using, commonly known as vaping instruments but also known as electronic smoking devices (ESD). These vapors can have affect on one's respiratory system and exacerbate respiratory illness. There are also environmental concerns when it comes to how it introduces hazardous materials in the eco system. Unlike other tobacco products like cigarettes, they are no biodegradable. Another point he wants to emphasize is that when it comes to the Town's authority for enforcement. The Town has the authority to adopt signage and that is one of the benefits of working with Tobacco Free Erie & Niagara of which he is a representative. They do provide signage. He showed an example of a Smoke-Free, No Smoking, No Vaping sign. These signs could be customized if the Town would want only changes if the Town were to adopt a policy which would include vaping; making it more comprehensive in outdoor spaces. Mr. Smalls has worked with the Town of Marilla and the City of North Tonawanda on this project. Supervisor Drozd doesn't believe the Town wants to get too fancy with the signs; just get the word out there especially with the added use at Community Park because of the new pavilion. One of the things that Mr. Smalls wants to emphasize is that when it comes to beaches, parks, recreational spaces, it is covered under Gov. Hochul's law; however, when it comes to municipal properties, your walkways, your parking areas, the law does not cover those areas. There is an opportunity for the municipality to expand the law or make it more comprehensive; that these spaces could be free of second-hand smoke when it comes to vaping and combustible cigarettes.

Supervisor Drozd questioned a scenario where the Town has a Senior Center and people go outside the Center to smoke and then come back in. What can we do? Is it against the law? Mr. Smalls explained that if it is not explicit, if it doesn't say that it is a 100% smoke-free campus, or vape free space, then it is not illegal. The goal here is to establish social norms around these spaces. That is his position here. Not necessarily to fine someone but the law should have teeth. Just to say these are spaces where we want to protect from smoke or second-hand smoke, but the Town could adopt a policy that would say that this is a no smoking area and is subject to fine based on the criteria in any law the Town may adopt. Supervisor Drozd noted that that is what the person said when confronted about smoking on the Senior Center property and where's the sign? Mr. Smalls said that this is a way to begin to be more clear about what the expectation is; similar to a STOP sign; if you want someone to stop at a particular place, there needs to be guidance as to where that place is. As humans we oftentimes need things to be very clear and having a policy that outlines the expectations and having signage to support that will go a long way to provide clarity or sense of direction. Council Member Zittel asked how many signs would need to be put up, at a park? Just one at the entrance or different areas? Mr. Smalls noted that that part could be discussed by the Town. Where are the hotspots? And focus on those hotspots. Definitely the entrance because that is the first encountered area. Supervisor Drozd said that last year during baseball season there were a group of parents up there vaping and smoking and another group of parents asked them do not do that near the kids. There are currently no signs. The Town would like to alleviate that this year; be proactive. Mr. Smalls said doing some education around the issue; that strengthens the voice or the policy, the social norm. That is where the Springville Regional Coalition comes in to find how to create awareness and do outreach with different organizations, to get youth involved. Supervisor Drozd asked Mr. Small to forward what Marilla did as a template. Mr. Smalls noted that there are different options. Marilla did not pass an ordinance; they just passed a resolution. It is really more of a subtle suggestion to the community. A step in the right direction. Mr. Smalls advised that there is a requirement for signage according to NYS Public Health Law. It is up to the Town whether or not they want to include vaping, whether or not the Town wants to include municipal spaces; those are all considerations. Mrs. Boyle said she will reach out to the ECRT to see about signage on the trail. They can approach any of the entities that have the property and get the patch work going to get this covered. Council Member Krzemien asked the timeframe for this project. Mr. Smalls noted that he could begin the process almost instantly once he received some indication that the Town would adopt some kind of policy or resolution. He would even present an unofficial copy to his supervisor and begin the process of ordering signage. Mr. Smalls would need to know is how many signs. The Town would need to identify the locations and how many signs would be needed. Council Member Zittel asked if other towns have included the fine amount on their signs. Mr. Smalls said that in the case of Marilla, they did not because they just passed a resolution. He leaves that in order for a law to be enforceable, there needs to be some kind of penalty be a part of it. The City of North Tonawanda passed an ordinance and they have penalties included in their ordinance. Mr. Smalls said that the Town could indicate what that penalty is; "subject to penalty".

Supervisor Drozd and the Board thanked Mr. Smalls and Mrs. Boyle for their presentations tonight.

2. Supervisor Drozd, Hwy Supt Edwards and Park Laborer Schweikert met with SGI today. The school will not be using Community Park for Varsity anymore or for softball. It will be modified and JV. Districts are now scheduling those on the same days because of busing. The Town does have something in writing that they will send up two to three personnel from the Grounds Department to broom off any standing water near home plate or the batter's boxes. They will rake home plate and the pitcher's mound in preparations for the game day and they will paint/strip all the foul lines and batter boxes. They will get in there about 2:30 on game days. That will take some of the work off of Park Laborer Schweikert. The schedule has been provided; it is subject to change. Hwy Supt Edwards will be included in the emails too. SGI wanted two rakes available and the Town purchased two last year and they will be out there for use. Supervisor Drozd thought it was a productive meeting. SGI put in a new pitcher's mound that the school

donated to the Town. There is currently one port-a-john up there now provided by SGI. It will be there for two months. This is the first year SGI has provided one.

3. Supervisor Drozd said once he receives more information from Mr. Smalls, he will forward it on to the Members. Council Member Drake asked if these signs had to be every 50 yards like with hunting signs; Town Atty Attea said no, he didn't think so; the Board has to first make their decision if they are going to pass a section in the Code, so that if it is a Code violation, what is the penalty? That needs to be spelled out. He can help with that. It should be similar to parking restrictions. You need appropriate signage in order to ticket or tow. The particular language on the signage could be determined once the Town decides their option. A resolution is wonderful but to what end? It's not that the Town is going to be looking to fine every person \$50 that gets caught with a cigarette or vape but to the extent that somebody is going to continually or habitually flaunt or ignore the rules, then the Town needs to have something in there to create a disincentive. Council Member Drake noted that time is of the essence if the Town wants this at Community Park before baseball starts. The Board could pass the Resolution and then move on to the ordinance. Town Atty Attea said yes, of course. The Board could pass a Resolution tonight and then do the local law later. The Town Board members would like this on all Town properties; not just at Community Park.

4. Supervisor Drozd and Council Member Krzemien met with SYI last night. The Town got a Narcan cabinet at Community Park and a case of Narcan. Erie County Health Department provided the cabinet and they recommend that amount. The Town has an extra AED which will go to Community Park. Supervisor Drozd will be getting new pads for the AED machine. Council Member Krzemien noted that SYI also has to buy an AED machine. SYI Baseball is just starting; teams were drawn. Now SYI will work on the schedule and get that to the Town.

5. Supervisor Drozd noted that the band schedule is complete. One last contract just came back and he will be asking for authorization to sign that contract later tonight under New Business. All bands are scheduled for Heritage Park and for Community Park. The Town has received the Fireworks Permit for the July 4th event at Community Park as well as their Certificate of Insurance.

6. Supervisor Drozd noted that the Maplewood Cemetery check will be going out to them because they want to get started on some projects.