



Needham Public Health Division



Board of Health Meeting Minutes DRAFT

Date: September 20, 2022

Location: Needham Town Hall – Powers Hall, 1471 Highland Ave., Needham MA 02492 OR via Zoom

Members: Edward Cosgrove, PhD, Chair; Member; Kathleen Ward Brown, ScD, Member; Tejal K. Gandhi, MD, MPH, Member

Staff Present: Timothy Muir McDonald, Director of Health, and Human Services; Tara Gurge, Assistant Director of Public Health; Tiffany Zike, Assistant Director of Public Health; Mary Fountaine; Julie McCarthy; Lynn Schoeff; Carol Read; Michael Lethin; and Karen Shannon.

Call to Order

Dr. Cosgrove called the meeting to order at 8:00AM and initiated a roll call. Present were Dr. Cosgrove-Y, Dr. Brown – Y, and Dr. Gandhi- Y.

According to Chapter 107 of the Acts of 2022, as an act relative to extending certain states of emergency accommodations, as passed by the General Court, and signed into law, Acting Governor Karen Toledo, on July 16 2022, revised Section 20 of Chapter 20, the Acts of 2001. In so doing, provided modifications to the Massachusetts Open Meeting Law, which allow for flexibility to hold remote only, and hybrid meetings, while preserving public access and, where appropriate, public participation. Currently, that additional flexibility will expire on March 31, 2023, unless additional legislative action occurs. As part of today's hybrid meeting, all votes will occur via a roll call.

Approval of Minutes – July 19, 2022 & August 2, 2022

Upon motion duly made by Dr. Cosgrove and seconded by Dr. Gandhi, it was voted to approve the minutes of July 19, 2022. Dr. Brown – Y, Dr. Cosgrove - Y, and Dr. Gandhi-Y. Motion passed 3-0.

Upon motion duly made by Dr. Cosgrove and seconded by Dr. Gandhi, it was voted to approve the minutes of August 2, 2022, as amended. Dr. Brown – Y, Dr. Cosgrove - Y, and Dr. Gandhi-Y. Motion passed 3-0.



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Rice Barn Discussion

Ms. Gurge noted that the Board last met to sustain the three-month suspension for the Rice Barn. Rice Barn Owner, Mr. Intha, has since sent a letter stating that he was confused regarding the time for the meeting and believed it to be in the evening instead of the morning. He is requesting a new hearing at this time.

Dr. Cosgrove asked if proper notification was given. Ms. Gurge stated that it was and there is proof of that.

Dr. Brown stated that the Board has offered multiple opportunities for Mr. Intha during this process and waited 45 minutes online during the meeting after reaching out to the attorney.

Dr. Cosgrove noted that he does not believe the decision would change at a new hearing, based on the information provided. This would only move the permit suspension date to later in the year. Dr. Gandhi agreed.

Upon motion duly made by Dr. Cosgrove and seconded by Dr. Brown, it was voted to deny the request for a new hearing on the Rice Barn. Dr. Brown – Y, Dr. Cosgrove - Y, and Dr. Gandhi – Y. Motion passed 3-0.

State Capacity Assessment

This item was held until later in the meeting.

Statewide Accelerated Public Health for Everyone Community Act

Mr. McDonald explained that the State has been working with local public health partners regarding State Action for Public Health Excellence Act (SAPHE) 2.0. This bill has been recently revised to become optional, as it could be an unfunded mandate per Governor Baker. This essentially removes the whole intent of the bill. The purpose of the bill is to establish minimum public health standards for every community, increase capacity and effectiveness, and dedicate sustainable State funding.

Dr. Cosgrove stated that he believes the Board needs to lobby the legislature. He suggested inviting Representative Garlick to attend a Board meeting to hear her view and update on this item.

Dr. Cosgrove reviewed his experience with shared services.

Dr. Brown expressed some concern regarding the data record systems for shared services.



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In response to a question from Dr. Gandhi regarding funding for shared services, Dr. Cosgrove stated that this was left open to Boards of Health in communities. This could include looking into strengthening and/or developing regional health systems.

State Capacity Assessment

The Board took up this item at this time.

Diana Acosta, Shared Public Health Services Grant Manager, explained that the MA Department of Public Health (DPH) is assessing the current state of local public health, and assessing resource availability throughout the Commonwealth. The current system, where local public health departments are solely funded through local operating budgets, means that there exists tremendous disparities in the local public health capabilities in each community.

The Special Commission on Local and Regional Health published a blueprint for how to begin assuring minimum services levels, appropriate workforce credentialing and development, and adequate funding to each community. A necessary first step is a comprehensive assessment of local public health capabilities. The Office of Local and Regional Health (OLRH) at MA DPH just issued a three-part capacity assessment.

The assessment includes a Baseline Capacity Assessment, detailing where departments stand on existing statutory and state regulatory obligations for Boards of Health (BOH). This is to be completed by each Health Department. The second part is a Workforce Survey, to be completed by each individual working to support the Health Department or BOH. The final part is a Document Request, which is to be completed by each Health Department.

The anticipated effects of this process include improved understanding of efforts Public Health Excellence (PHE) Grantees and municipalities have made to address existing capacity gaps, allocation of resources to address needs/gaps in resources and capacity, alignment of training resources with regional needs, expansion of workforce development efforts, and improved access to public health services throughout the State.

In response to a question from Dr. Gandhi regarding how the findings of these assessments will be shared, it was noted that the results will be made public and shared per PHE group.

Statement by Charles Intha

Mr. Intha stood up and asked to make a statement to the Board. The Board agreed to interrupt the agenda and allow this.

Mr. Intha apologized for missing the last Board meeting, due to a misunderstanding regarding the time. He bought the Rice Barn in 2013 and continues to run it as a Thai restaurant. He came to this community because he admired it as an immigrant. He has come across prejudice



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experiences while owning the Rice Barn. Mr. Intha maintained that the Rice Barn restaurant has continually been kept clean and continuing to force it to remain closed is a difficult position to be put in. It was Mr. Intha's assertion that many food code violations were not included in the original April 16, 2022 report and later were used as reasons to keep the restaurant closed. He asserted that the kitchen ventilation hood seemed to be thrown into the list at the last minute to make the Rice Barn look bad and keep it closed. An inspection completed on July 1, 2022, contained fabricated items, Mr. Intha alleged. He has not received any form of feedback. This is a lynching of the Rice Barn. He asked the Board to stop the prejudice, corruption, and lies. He has done a lot of work to make sure the Rice Barn is clean and safe. This is an extreme effort to ruin his business.

The Board thanked Mr. Intha for his comments.

Mr. McDonald stated that Mr. Intha's comparisons are inappropriate and wildly exaggerated. There is extensive documentation, including photographic evidence, of all inspections carried out by the Public Health Division. The staff follows the Food Code ([105 CMR 590](#)) and does not act with discrimination. Unfortunately, the Rice Barn does not meet the Food Code standards.

Dr. Cosgrove concurred with this assessment. He stated that there is no reason at this time for the Board of Health to reconsider the revocation of the Rice Barn's permit, as carried out on August 2nd.

Dr. Gandhi noted that there are many minority-owned businesses in Needham. Unfortunately, this one has risen to the top based on poor health standards.

Dr. Brown noted that the Board has never done more for a restaurant in terms of extra hearings and inspections than it has for the Rice Barn. It is overstepping to call the staff racist based on their application of inspection standards; the inspections were properly carried out each time.

Dr. Cosgrove noted that he disagrees with comments made and sees no reason to change actions already carried out by the Board.

Dr. Gandhi suggested that the Town prepare a possible response to this item as well.

Board of Health Vote: Proposed Revisions to Article 20: Regulation to Ensure the Sanitary and Safe Operations of Marijuana Treatment Centers

The Board took up this item at this time.

Ms. Zike explained that the original letter was received from Sira Naturals in 2021. This process began in January 2022. She reviewed the number of changes proposed to Article 20.



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Ms. Gurge read comments from Dr. Partridge. He stated he is okay with the amendment stating that discounts can be offered to all patients with a medical card, as the edit now reads. In terms of the amount, he believes 10%-20% seems reasonable and is in keeping with the nearby Medical Treatment Centers (MTCs). An employee discount of a similar 10%-20% seems reasonable. Any higher than that may result in unintended consequences. He acknowledged that these discounts may result in much higher foot traffic around Sira, and the Planning Board should consider that.

Ms. Zike read comments from Dr. Epstein. He stated that he disagrees with the characterization that medical marijuana patients are not like pharmacy patients and should therefore be allowed to have discounts. A medical marijuana patient's remedy is through the State Insurance Division. If this is a medication approved by the State, the State has the authority to require that it be covered under medical insurance like any other drug. The other remedy would be to petition the State to change the means testing, if Sira believes that the current verified financial hardship regulations are inadequate. Neither of these are in the purview of the Board.

Dr. Gandhi agreed with Dr. Partridge's suggestions.

Dr. Cosgrove stated that he believes permit discounts should be consistent. A 10-20% discount is reasonable for employees as well.

Dr. Brown suggested that the language be left as is proposed in the Article, so as to be more generic.

A representative from Sira Naturals explained that MTC's are competing with each other for discounts and trying to be competitive. There is no reason for Sira to offer more of a discount than others nearby are. He noted that the discount numbers were generated by the MTCs themselves and not dictated by any Board of Health or other agency.

Dr. Cosgrove agreed with keeping the language generic.

A representative from Sira expressed concern that the current draft has no provision regarding employee discounts. The way this is written, employee discounts could not be offered, and he is unclear if that was the Board's intention.

Mr. McDonald explained that everyone who purchases from Sira must hold a medical marijuana card. This would also apply to employees, so employee are also patients. This is how employees are covered in the Article.

Upon motion duly made by Dr. Brown and seconded by Dr. Gandhi, it was voted to approve Article 20 as proposed and amended by the Board of Health.



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Dr. Brown – Y, Dr. Cosgrove - Y, and Dr. Gandhi – Y. Motion passed 3-0.

Sira Naturals Planning Board Comment Discussion

The Board took up this agenda item at this time.

Ms. Gurge explained that Sira Naturals has submitted seven proposed amendments to its Planning Board Special Permit. The Planning Board has asked the Board of Health to submit comments on Sira's requests, prior to the Planning Board's upcoming meeting. She discussed points #2, 3, 4, and 7. Item #2 is to require the applicant to comply with the requirements of the Massachusetts cannabis control Commission, rather than the Massachusetts Department of Public Health. Ms. Zike read comments from Dr. Epstein. He noted that compliance should include all regulatory standards from the Cannabis Control Commission and from state and local public health, rather than one or the other. A representative of Sira noted that Sira has all of its recreational licenses already spoken for. Mr. McDonald asked if it would be appropriate to say that the applicant will follow the regulations of the Cannabis Control Commission and the Massachusetts Department of Public Health when it comes to time and temperature control for food safety. The Board agreed with this suggestion.

Item #3 is to eliminate the "appointment-only" operational requirement for the facility. Dr. Cosgrove stated that this seems to be a way to increase foot traffic and he is unsure if that is an issue. Mr. McDonald noted that this will make access more convenient for patients.

Item #4 is to allow sales of marijuana products other than those cultivated and processed at the applicants Milford facility. Dr. Cosgrove stated that he does not see a problem with allowing products from other inspected and regulated facilities. Mr. McDonald suggested that the Board could reserve the right to inspect other facilities if issues and concerns are brought to their attention. Ms. Zike noted that this already exists within the recently approved regulations. It states that the Board of Health and designated agents will conduct a plan review which may include a facilities inspection to ensure sanitary handling.

Item #7 is to make such additional amendments to the decision as are needed to comport with the preceding proposed amendments. The Board had no comment regarding this item.

Ms. Zike noted that the changes will go into effect November 1, 2022. Mr. McDonald noted that the amended Article will be posted on the website and in the newspaper for potential public comment.

Review of Draft Food Policy

The Board agreed to table this item to later in the meeting.

Public Health Accreditation



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Lynn Schoeff reviewed the workplan and timeline. The Healthy Aging Assessment was conducted to augment the Beth Israel Lahey Community Health Needs Assessment. She intends to produce a full Healthy Aging Assessment report this month. A Community Health Assessment report will be produced in October, along with a communication plan, which will include both emergency communication and day-to-day communication operations. The Community Health Improvement Plan will follow the Community Health Assessment, and this should be completed by the end of this calendar year. She noted that Julie McCarthy has been doing a deep look at existing data from the Adolescent Health Survey and the Parent Survey. Infectious disease reports are ongoing. The Senior Survey surpassed the number of responses from 2016. This was exceeded by over 100 participants. There is rich data which will be crafted into a report to present to the Board.

Cindi Melanson stated that, as part of the workforce development effort, Needham participated in the National Public Health Workforce Interest and Needs survey, which was administered this past January. The intent of the survey was to measure gaps in the public health workforce, determine where there are training needs, and also help with recruitment and retention.

Needham had 21 respondents. The results showed that, regarding satisfaction compared to other locals, 96% of respondents reported they are somewhat or very satisfied with their job organization and pay. The top three reasons that division staff reported for staying include supervisory satisfaction, job satisfaction and flexibility. Needham tends to have more positive perceptions about the workplace, as compared to other locals.

The survey also included a scale which asked respondents to rate their mental and emotional well-being. Compared to other local health departments, Needham had generally good to excellent responses to this item. Regarding workplace challenges compared to other locals, only 16% of respondents felt they had been harassed or bullied because of their job. The national level was somewhere around 30%-40% that felt harassment because of their job.

Regarding training needs, the top four areas identified as important by staff include equity, diversity, and inclusion; budgeting and financial management; systems and strategic thinking; and database decision-making. This will help inform the Public Health Division's Workforce Development Plan.

The Board thanked the Accreditation team and congratulated them on the results.

Staff Reports/COVID Updates

Public Health Nursing

Ms. Fountaine stated that this year's flu vaccine order arrived earlier than normal, on August 4, 2022. The Department is planning the first flu clinic for the last week of September, rather than



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the first week of October. Planning is also underway for booster clinics for the new bivalent COVID vaccine. She assisted with the planning of the International Opioid Overdose Awareness Day Vigil, which was held on August 31 in Memorial Park. Hanna Burnett finished summer camp licensing for the year, and completed appropriate summary reporting to DPH.

Ms. Fountaine also reviewed the infectious disease reports.

Ms. Gurge explained that there was a question regarding about if Needham should add monkeypox to its list of communicable diseases. Ms. Zike explained that MA DPH recommends, for patient privacy and confidentiality reasons, that a community of under 50,000 residents report cases as less than five until they reach five cases. Needham has had zero cases at this point, but would report as “under five,” if a case was discovered until it hits five cases.

Epidemiology – Julie McCarthy

Ms. McCarthy stated that she has been working with Ally Littlefield on a program called Healthy Needham. The program will utilize ArcGIS StoryMaps as a guide for residents to learn about some components of a healthy lifestyle (physical activity, nutrition, food safety, food access) and resources available in Needham. The site will feature videos and links to existing state and federal resources as well as maps identifying Needham specific resources. This will be promoted at Harvest Fair in October. In July and August, a project to restructure the Needham Public Health Website was completed, along with adding new content based on feedback from the Public Health Division employees.

Regarding COVID-19, cases have been very low. Hospitalizations have been remaining around 30% consistently, for patients hospitalized for COVID-19 primarily.

In response to a question from Dr. Gandhi regarding how the Department is working with the schools for COVID-19 cases, Ms. McCarthy explained that the schools are no longer required, per DESE, to report case data.

Substance Use Prevention – Karen Shannon

Ms. Shannon stated that the Department spent the summer examining data from the Needham Parent Survey and the MetroWest Survey. Prevention Team members attended the virtual orientation for the Cannabis Prevention Program, Project ECHO: Cannabis Prevention in the Era of Legalization. Monthly sessions with the prevention cohort begin in September. Needham and Natick Public Health staff teamed to represent their prevention coalitions for this program.

Substance Use Prevention MassCALL3 grant Dedham- Needham- Walpole- Westwood

Ms. Read stated that the Department’s allocation for FY23 has increased from \$125,000 to \$250,000. The intention is to use part of that money to hire an FTE to build a capacity for



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Walpole and Westwood. Other funding would be used to administer the MetroWest Adolescent Health survey in these communities

Emergency Management – Michael Lethin

Mr. Lethin stated that four days of combined Police and Fire Active Shooter - Hostile Event Response (ASHER) Training was conducted in August. They will drill again in-house in Needham during school vacation weeks. Mass Maritime has a program where they will design a tabletop exercise for communities. He is working with the Emergency Manager from Babson College to run this program.

Emergency Preparedness – Tiffany Zike & Taleb Abdelrahim

Mr. Abdelrahim stated that the group worked to create a sheltering in place template and shared it with the Medical Reserve Corps. The group also created a policy for using the Abbot ID NOW machine. The group is working to create a process for updating the equipment list regarding when and how often inventory is rotated.

Traveling Meals Program – Rebecca Hall

The Board reviewed the program's report.

Mr. McDonald explained that the Town went out to bid for new agreements for this program. The hospital did not bid and stated it is not planning to continue the program. The Town is continuing with the hospital month by month at this time. There is a project trying to keep the Traveling Meals Program going in Needham. Other communities do a Meals on Wheels Program, but Needham believes its program is a better option for recipients. This will need to be further discussed by the Board in the future.

Accreditation – Lynn Schoeff

This item was covered earlier in the meeting.

Shared Services Grants – Diana Acosta

Ms. Acosta stated that Jessica Kent officially began in the part-time Environmental Health Agent position on July 5, 2022. Ms. Acosta met with Bridget Sweet and Kristine Treiweiler of Medfield to discuss Shared Services in Medfield. Contact tracing is slowing down quite a bit.

Environmental Health – Tara Gurge

The Board reviewed this report.

Review of Draft Food Policy

The Board retook this item at this time.

The Board agreed to table this item to its next meeting.



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New Needham Senior Survey

The Board tabled discussion on this item to its next meeting.

Other Updates

- **Pest Control**

The Board agreed to discuss this further at its next meeting.

- **Claxton Field**

Mr. McDonald explained that the Town has been doing work at Claxton field. These fields were the former location of the Town's burning pit. The borings found 12" of topsoil for most of the site. Near the playground only 4" on topsoil was found, so the playground was disassembled. The Parks and Rec Commission granted permission for a nearby construction company doing water and sewer line replacement work on Central Ave to store some of their equipment. That company, unfortunately, went outside of its agreement, took some of the topsoil and put it in a pile on site. The Public Health Division is looking to get written documents from other Town departments in order to more thoroughly review this topic with the Board at a future meeting.

Establish Regular BOH Meeting Schedule

The Board tabled discussion on this item to its next meeting.

Next BOH Meeting

This is scheduled for October 13, 2022, at 9am.

Mr. Cosgrove stated that he was appalled by Mr. Intha's previous comments and apologized to staff for the comments made.

Adjournment

Upon motion duly made by Dr. Brown and seconded by Dr. Gandhi, it was voted to adjourn.

Dr. Brown – Y, Dr. Cosgrove - Y, and Dr. Gandhi – Y. Motion passed 3-0.

The meeting was adjourned at 10:11 a.m.

Attachment:

September 20, 2022 meeting packet