



Board of Health AGENDA

Friday May 10, 2024

9:00 a.m. to 11:00 a.m.

**Public Service Administration Building
Charles River Room**

To listen/view this meeting, download the “Zoom Cloud Meeting” app in any app store or at www.zoom.us. At the above date and time, click on “Join a Meeting”.

Meeting ID: 858 2506 2489

Passcode: 798244

Or click the link below to register:

<https://us02web.zoom.us/j/85825062489?pwd=WEdXU0N6TW5XRllsQXp5Um80NVROQT09>

	9:00	Welcome & Public Comment Period Citizens are encouraged to inform the Needham Public Health Department in advance via email (healthdepartment@needhamma.gov), telephone (781) 455-7940, or in person by the end of the business day prior to the meeting of their intent to participate in the public comment period. The Chair will first recognize those who have communicated in advance their desire to speak for up to three minutes. If time allows, others wishing to speak will be recognized in an order determined by the Chair for up to three minutes.
1.	9:00	Review of Minutes: April 12, 2024
2.	9:05	Community Health Improvement Plan (CHIP) • Julie McCarthy, Epidemiologist • Tiffany Benoit, Assistant Director of Public Health

3.	9:20	Beth Israel Deaconess – Traveling Meals Program Timothy McDonald, Director of Health & Human Services Department
4.	9:35	Homsy Lane – Off Street Drainage Bond Release Request Timothy McDonald, Director of Health & Human Services Department Needs vote
5.	9:40	Your CBD Store – SunMed Your CBD Store Tara Gurge, Assistant Director of Public Health
6.	10:00	Tobacco Hearing – Mobil Exxon Great Plain Avenue Tara Gurge, Assistant Public Health Director
7.	10:10	Staff Updates - Substance Use Prevention –Karen Shannon, Karen Mullen, Monica DeWinter, Angi MacDonnell, Vanessa Wronski - Emergency Management – Kristin Scoble & Taleb Abdelrahim - Epidemiology – Julie McCarthy - Environmental Health – Sai Palani & Tara Gurge - Traveling Meals – Rebecca Hall - Nursing – Ginnie Chacon-Lopez, Hanna Burnett & Tiffany Benoit - Shared Services (Public Health Excellence, Regional Field Training Hub, Contact Tracing/Investigating) – Kerry Dunnell, Samantha Menard, Kristin Scoble, Rebecca Queeney
8.	10:55	Other Items/Updates - Nicotine Free Generation (NFG) - Board of Health Policy Positions for Town Meeting - Article 22 Regulation for Prohibiting the Manufacturing, Sale, and Distribution of Synthetically Derived Cannabinoids & Kratom – Previously Board of Health Regulation on Synthetic Drug Regulation

(Please note that all times are approximate)

Next Meeting: Friday, June 14, 2024, 9:00-11:00am

Public Service Administration Building, Charles River Room



Board of Health Meeting Minutes DRAFT

Date: April 12, 2024

Location: Public Service Administration Building & via Zoom

Members: Tejal K. Gandhi, MD, MPH Chair; Stephen Epstein, MD, MPP, Member; Robert A. Partridge, MD, MPH, Member; Edward Cosgrove, PhD, Member; Aarti Sawant-Basak, PhD, Member

Staff Present: Timothy Muir McDonald, Director of Health, and Human Services; Tiffany (Zike) Benoit, Assistant Director of Public Health; Tara Gurge, Assistant Director of Public Health; Sainath Palani; Julie McCarthy; Keleigh Boudreau; Hanna Burnett; Kerry Dunnell; Lydia Cunningham; Rebecca Hall; Lynn Schoeff; Taleb Abdelrahim

Welcome & Public Comment Period

Dr. Partridge called the meeting to order at 9:00AM and initiated a roll call. Present were Dr. Gandhi – Y, Dr. Epstein – Y, Dr. Cosgrove – Y, Dr. Partridge – 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 by Acting Governor Karyn Polito, on July 16 2022, revised Section 20 of Chapter 20, the Acts of 2021. 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, 2025, unless additional legislative action occurs. As part of today's hybrid meeting, all votes will occur via a roll call.

Anna Schickel, owner of Your CBD Store in Needham Center, explained that her store has been in operation for four years. The products sold have less than 3% THC. She was told by staff which items were approved to be sold. Gummies, not originally approved, were being sold and were recently taken off the shelves. She was recently told by the Department that she is no longer allowed to sell the items she was originally allowed to, as listed in 2018. She was told to remove these items from the store by April 15th. If she cannot sell these items, the store will be going out of business. She has not heard any complaints from consumers. She requested an extension of at least 90 days to wind down the business operation if this decision is upheld by the Board. She believes that closing this store will do more harm than good for residents.

Mr. McDonald explained that Town Counsel suggested 10 days maximum in order to get rid of the store's supply, but staff gave approximately three weeks. Town Counsel did not believe delaying enforcement was a good strategy based on State and federal regulations.

Dr. Partridge allowed for additional public comments.

Artie Crocker stated that the store is selling hemp products not marijuana. The Board needs to follow regulations, but also needs to consider the public interest. This store's items are helping the public interest.

Lisa Cherbuliez explained that the store is professional as are the people hired to work in it. If this store closes, she can go elsewhere to get the product, but she is unclear what harm allowing it to continue to stay open is doing. This is not a prohibited substance, and she would like the Board to err on the side of what actually benefits Needham.

Peggy Gassman stated that her psychopharmacologist suggested this product for her, and it has made a difference. She believes this store has been a great service to Needham.

Richard Curtis stated that the substance sold in this store has far more benefit than any amount of harm.

The Board discussed continuing the discussion at the end of the meeting.

Review of Minutes: March 8, 2024

Upon motion duly made by Dr. Epstein, and seconded by Dr. Cosgrove, it was voted to approve the meeting minutes March 8, 2024, as presented. Motion passed: Dr. Gandhi – Y, Dr. Cosgrove – Y, Dr. Epstein – Y, Dr. Partridge – Y, Dr. Sawant-Basak - A.

Introduction of New Board of Health Member

The Board welcomed new member, Dr. Sawant-Basak.

HEARTSafe Community

Hanna Burnett, Public Health Nurse, presented to the Board regarding Needham becoming a HEARTSafe Community.

Norfolk County Mosquito Control District; Overview of Operations

Dave Lawson, Director of the Norfolk County Mosquito Control District, presented to the Board regarding the operations of the District. Residents pay approximately \$4 per person per year for the Town to be part of the District.

FY25 Fee Schedule Vote

Mr. McDonald explained that a fee structure study will be completed which may lead to changes in the proposed fee schedule for FY26.

Upon motion duly made by Dr. Cosgrove, and seconded by Dr. Epstein, it was voted to approve the proposed FY25 Fee Schedule structure to go into effect starting July 1, 2024. Motion passed: Dr. Gandhi – Y, Dr. Cosgrove – Y, Dr. Epstein – Y, Dr. Partridge – Y, Dr. Sawant-Basak - Y.

Train Noise & Quiet Zones; Board of Health Policy Position

Mr. McDonald explained that the Board has not historically taken positions on citizens petitions but can do so. It was noted that this article is to consider a study on this topic.

Dr. Gandhi stated that safety implications of this item and the associated costs seem to make sense to study. There was agreement on the Board regarding supporting a study. Mr. McDonald stated that staff would work on a draft supporting statement for the Board to review.

Upon motion duly made by Dr. Epstein, and seconded by Dr. Cosgrove, it was voted that the Board of Health support the Warrant Article regarding the study of Train Noise & Quiet Zones in Town. Motion passed: Dr. Gandhi – Y, Dr. Cosgrove – Y, Dr. Epstein – Y, Dr. Partridge – Y, Dr. Sawant-Basak - Y.

Single Use Plastics; Board of Health Policy Position

Mr. McDonald explained that removing plastic from the environment is a good choice, but there should be consideration regarding the health impacts and potential cost impacts to local businesses. Newton has had success with eliminating plastic utensils, unless requested.

Mr. Palani stated that more than half of the restaurants that replied to a survey regarding this item expressed concern at the cost of eliminating plastic water bottles.

Dr. Epstein suggested offering some amendments to the petition, such as regarding the plastic utensil item. As there are not currently a lot of offerings for water outside of plastic bottles, bans of this type may help to create more of a market. Mr. McDonald explained that some people may not change their behaviors, such as carrying a reusable water bottle, but may instead seek less healthy options.

Dr. Epstein suggested that the Board could decide not to take a position on the ban itself, while expressing support for certain amendments and the rest of the article overall.

Upon motion duly made by Dr. Epstein, and seconded by Dr. Cosgrove, it was voted that the Board support the citizen petition with exception of the Single Use Plastic item and inform the public why the Board takes no position on that item. Motion passed: Dr. Gandhi – Y, Dr. Cosgrove – Y, Dr. Epstein – Y, Dr. Partridge – Y, Dr. Sawant-Basak - Y.

Upon motion duly made by Dr. Epstein, and seconded by Dr. Cosgrove, it was voted that the Board suggest the following amendment for the Single Use Plastics citizen petition, prohibiting the automatic inclusion of plastic utensils with takeout orders, unless requested by the

customer. Motion passed: Dr. Gandhi – Y, Dr. Cosgrove – Y, Dr. Epstein – Y, Dr. Partridge – Y, Dr. Sawant-Basak - Y.

Needham Housing Authority; Linden Street Redevelopment Project

Reg Foster, Chair of the Needham Housing Authority, presented to the Board regarding the Linden Street redevelopment project. The current units are very undersized and are worn out. There is an acute need for more affordable units, with a waiting list in town of approximately 400 people. Mr. Foster asked that the Board support four upcoming Zoning and CPA funding articles to aid this project proposed at Spring Town Meeting.

Upon motion duly made by Dr. Cosgrove, and seconded by Dr. Epstein, it was voted that the Board support the Housing Authority's Warrant Articles at Spring Town Meeting. Motion passed: Dr. Gandhi – Y, Dr. Cosgrove – Y, Dr. Epstein – Y, Dr. Partridge – Y, Dr. Sawant-Basak - Y.

Update on Needham Housing Authority

Mr. Palani updated the Board on recent Housing Authority cases.

Board of Health Reorganization

Upon motion duly made by Dr. Gandhi, and seconded by Dr. Sawant-Basak, it was voted to nominate Dr. Epstein as Chair, Dr. Partridge as Vice Chair, and Dr. Cosgrove as Clerk. Motion passed: Dr. Gandhi – Y, Dr. Cosgrove – Y, Dr. Epstein – Y, Dr. Partridge – Y, Dr. Sawant-Basak - Y.

Staff Updates – *The Board agreed to table the Staff Updates to a future meeting.*

Other Items

- Designation of Board of Health Agents Letter

Mr. McDonald explained that once a year the Board reauthorizes himself as its agent, and Ms. Gurge and Ms. Benoit as deputy agents. Other agents can be authorized to enforce the Board's positions, authority, and regulations.

- Board of Health Charge to Educate and Inform Letter

The Board reviewed this draft letter.

Upon motion duly made by Dr. Cosgrove, and seconded by Dr. Epstein, it was voted to send the letters, with edits and corrections. Motion passed: Dr. Gandhi – Y, Dr. Cosgrove – Y, Dr. Epstein – Y, Dr. Partridge – Y, Dr. Sawant-Basak - Y.

Upcoming BOH Meetings

- **Friday, May 10th from 9:00 a.m. – 11:00 a.m.**

The Board agreed to retake the Your CBD Store item previously discussed during public comment period.

Dr. Epstein stated that he believed there were no hemp edibles originally approved, but tinctures and other non-edible items were okay. Ms. Gurge explained that a spot check was completed with this store owner regarding removal of edibles and beverages from the shelves. Staff were still discussing the ingestible tinctures and oils with the FDA at that time. Dr. Epstein stated that the FDA has concerns regarding the health impacts regarding certain items but does not yet have a framework to regulate these. Their hope is that Congress will allow them to consider these under a harm reduction allowance.

Mr. McDonald stated that staff has focused on Delta 8 and Delta 9 items. These are likely more concerning than CBD. While this situation is unfortunate, offering illegal products likely needs to be enforced. The Board could consider an implementation timeline, but staff does not feel there are additional discretions at this time.

Mr. McDonald explained that Town Counsel stated that these products should be off the shelves within two weeks. Staff extended this to three weeks, until April 15th. The Board can consider if this is a reasonable timeframe, knowing that this is not highly enforced in many other communities. Patrons will be able to obtain these products from other locations outside of Needham.

Dr. Cosgrove asked if the Board could extend the timeline to allow the owner to clear products from the shelves and get out of the building's lease. Mr. McDonald stated that Town Counsel recommended no more than two weeks. The Board could choose to act against Town Counsel's advice.

Dr. Epstein asked about the potential liability. Mr. McDonald explained that the Town could be sued for not removing products from the marketplace if there is a negative interaction. Staff has a written decision from the State on regulating these items.

Dr. Epstein suggested delaying enforcement in order to allow the owner additional time to wind down the business responsibly and NPHD more time to research. The Board agreed to discuss this item further at its May meeting, potentially with Town Counsel.

Adjournment

Upon motion duly made by Dr. Cosgrove, and seconded by Dr. Epstein, it was voted to adjourn the meeting Motion passed: Dr. Gandhi – Y, Dr. Cosgrove – Y, Dr. Epstein – Y, Dr. Partridge – Y, Dr. Sawant-Basak - Y.

The meeting was adjourned at 11:47AM.

Attachment:
April 12, 2024 meeting packet

DRAFT



Needham Public Health Division

Prevent. Promote. Protect.



Board of Health Town of Needham AGENDA FACT SHEET

MEETING DATE: May 10, 2024

Agenda Item	Community Health Improvement Plan (CHIP)
Presenter(s)	Julie McCarthy, Epidemiologist Tiffany Benoit, Assistant Director of Public Health

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	The CHIP is designed to provide a framework for implementing strategies to the health concerns and problems identified in the Community Health Assessment (CHA), but it is meant to be modified as these concerns or community priorities change, resources shift, or other external factors are identified. The priority areas for the CHIP were selected based on many variables, including the feasibility of the solutions and the potential impacts on the community, with health equity as a cross cutting factor. The CHIP priority areas are: Mental Health and Wellness, Substance User Prevention, Physical Health and Wellbeing.
2.	VOTE REQUIRED BY BOARD OF HEALTH
	No vote required.
3.	BACK UP INFORMATION:
	a. CHIP with Appendix A

Executive Summary

The Needham Public Health Division (NPHD) presents the Needham community with this Community Health Improvement Plan (CHIP) for 2024-2028. The CHIP was developed based on data collected in the Community Health Assessment (CHA), which included demographic information as well as valuable information collected via surveys and focus groups, in partnership with other town divisions, community organizations, and agencies within the town.

The full CHA document as well as an executive summary translated into Russian, Mandarin, and Spanish can be found at <https://needhamma.gov/health> under Public Health Education> Data and Reports.

The CHIP is designed to provide a framework for implementing strategies to the health concerns and problems identified in the CHA, but it is meant to be modified as these concerns or community priorities change, resources shift, or other external factors are identified. The priority areas for the CHIP were selected based on many variables, including the feasibility of the solutions and the potential impacts on the community, with health equity as a cross cutting factor. The CHIP provides focused, targeted solutions to the identified health concerns and thus, must only address a select few priority areas. Therefore, not all goals identified in the CHA were chosen as priority areas to be addressed in the CHIP. By targeting only a few priority areas, the Health Division can focus community efforts and resources to provide the greatest opportunity for improvement of health. The priority areas of the CHIP are:

- Mental Health and Wellness
- Substance Use Prevention
- Physical Health and Wellbeing

Background

The Needham Public Health Division (NPHD) began a comprehensive health assessment and planning process with the aim of understanding and improving the health of the residents. The two major components of this are the Community Health Assessment (CHA) and Community Health Improvement Plan (CHIP). The CHA is used to identify health issues, needs, and disparities in Needham, while the CHIP determines the Needham Public Health Division's overarching priority areas as well as specific strategies to be implemented to address the health issues identified in the CHA.

The CHIP was finalized in 2024, using findings from the 2024 CHA. The full CHA document as well as an executive summary translated into Russian, Mandarin, and Spanish can be found at <https://needhamma.gov/health> under Public Health Education> Data and Reports.

What is a Community Health Improvement Plan (CHIP)?

The CHIP is meant to be a framework for implementing action towards the goals identified from data in the CHA. The CHIP includes broad, overarching priority areas and goals, as well as specific objectives and activities aimed at addressing these priority areas to improve the health of the community. The document will be reviewed frequently and modified in accordance with changing resources within the Public Health Division, shifting community priorities, new and emerging health concerns, and other factors.

Strategic Alignment

The CHIP was created to align with, and complement, other guiding documents from NPHD. It is intended to highlight existing coalitions and initiatives and identify resources within NPHD and throughout Needham that will be utilized to improve the health of the community. The intention of the CHIP is not to supersede or duplicate recommendations from other plans, such as the Strategic Plan, but rather build upon them and identify specific strategies to accomplish NPHD's goals.

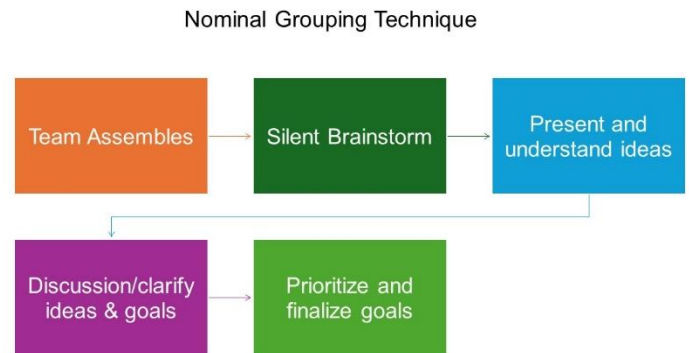
Methodology

The CHA was published in 2024, which provided the health division with demographic data, health outcome data, and information on community concerns. Using this data, priority areas were identified to address specific health concerns. The priority areas were based on the priority areas identified in Beth Israel Deaconess-Needham's 2022 Community Health Needs Assessment. While the BID-N priority areas covered data collected among all the towns in the hospital's catchment area, NPHD was able to narrow down more specific priority areas which encompassed issues identified in Needham:

Community Health Assessment Priority Areas				
Beth Israel Deaconess Hospital – Needham Priority Areas	Equitable Access to Care	Social Determinants of Health	Mental Health and Substance Use	Complex and Chronic Conditions
NPHD Priority Areas	Access to transportation resources for healthcare needs.	Cost of living burden.	Mental health and substance use.	Physical health, heart disease, and other risk factors.

The CHIP Committee, formed in Fall 2023, was composed of representatives from Needham Public Health Division, Needham Aging Services Division, Needham Community Council, Needham Community Farm, and the Needham Commission on Disabilities. Key findings from the CHA were presented to the CHIP Committee, including demographic information and information on social determinants of health including income, poverty, education, and housing. Critical disparities identified in the data were highlighted to demonstrate how the CHA priority areas were formed. Nominal group technique was utilized in the selection of goals for the CHIP, where the structure and purpose of the CHIP was introduced, the CHA findings and priority areas were reviewed and discussed, the Committee members shared their input and asked questions about the reviewed data and potential impact of the priority areas, and the following criteria were discussed and used to choose final priority areas:

- Is the goal measurable either with data or deliverables?
- Can it be accomplished within the 5-year timeframe?
- Does it connect to the Community Health Assessment?
- Is it feasible based on existing Public Health Division resources and influence in regulatory affairs in other departments or town agencies?
- What is the impact of the problem within the 5 years?
- What is the impact of the solution (both immediate and future)?



These same criteria were used in selecting the Strategic Planning Goals for the Public Health Division.

Health equity is a cross-cutting factor in all work done by the Needham Public Health Division. Each priority area will be addressed with a health equity lens.

The priorities for the Community Health Improvement Plan are:

❖ **Priority area 1: Mental Health and Wellness**

- **Goal:** Ensure Needham residents have access to knowledge, education, and resources to support their mental health and wellness.

❖ **Priority area 2: Substance Use and Prevention**

- **Goal:** Decrease substance use while providing harm reduction services and education to the community.

❖ **Priority area 3: Physical Health and Wellbeing**

- **Goal:** Ensure that all Needham residents have access to the preventative services which can address heart disease as well as the resources to support a healthy lifestyle.

Mental health and substance use was identified as a singular goal in the CHA, and the division acknowledges that this is a very broad goal which encompasses two very complex and multi-faceted public health issues. As the CHIP outlines very specific, focused strategies to better the health and wellbeing of the community, it was decided that these two issues must be separated. However, when selecting strategies, it was determined that both issues were of high community importance, have a vast impact on the community currently and into the future, have available solutions and resources, and have a great impact on health equity. Therefore, mental health and substance use were both included as separate priority areas in this CHIP.

While Needham Public Health Division felt it was crucial to acknowledge the very significant problems surrounding transportation as a barrier to health care access and the burden of housing costs and the downstream impacts on health

and wellbeing, it was determined that the solutions to these problems were not feasible for the health division to implement. However, the Public Health Division and Board of Health will continue to advocate for solutions to these complex problems, including promoting existing transportation resources in the town, and referring residents to healthcare resources supported by the Health and Human Services Department and other community partners and organizations.

Priority Area 1: Mental Health and Wellness

Goal: Ensure Needham residents have access to knowledge, education, and resources to support their mental health and wellness.

Why is mental health a priority area for the Needham Public Health Division?

- The percentage of Needham High School and Middle School students reporting having seriously considered attempting suicide in their lives increased dramatically from 2018 to 2021 (MWAHS, 2018-2021).
- 42% of Needham High School students reported feeling nervous, anxious, or on edge more than half the days/nearly every day in the past 2 weeks (MWAHS, 2021).
- Female Needham High School students reported stress, anxiety, and depression symptoms at significantly higher rates than their male peers (MWAHS, 2021).
- Just under a third of respondents of the Survey on Healthy Aging reported feeling isolated sometimes or often (Healthy Aging Assessment, 2023).
- Over a third of respondents of the Survey on Healthy Aging reported feeling a little more or much more isolated or lonely in comparison to before the COVID-19 pandemic (Healthy Aging Assessment, 2023).
- Needham Public Health Division is lacking local data related to mental health and wellness, especially for adults in the population aged 18-59.
- Throughout the state, 25% of emergency department beds in October 2021-September 2022 were occupied by persons awaiting behavioral health treatment, as there are not enough behavioral health providers to meet the growing need¹.

Priority Area 1: Mental Health and Wellness	
Objective 1: Develop a greater understanding of the mental health needs and services in Needham.	
Strategy 1: Survey residents on mental health and wellness.	
Strategy 2: Improve collection of mental health data from Police, Fire/Emergency Medical Services, and hospitals.	
Objective 2: Ensure community members are knowledgeable of and have access to mental health resources.	
Strategy 1: Promote mental health awareness and proactive community engagement	
Strategy 2: Provide resources to the community on mental health and wellness.	
Objective 3: Implement or continue partnerships with town departments or community organizations to prevent and/or react to mental health crises	
Strategy 1: Equip Needham community with skills to identify, understand, and respond to signs of mental illnesses.	
Strategy 2: Advocate for hiring of additional clinicians in Health and Human Services.	

¹ “An Acute Crisis: How Workforce Shortages are Affecting Access and Costs”, a report from the Massachusetts Health & Hospital Association, October 2022. Accessed via <https://mhalink.informz.net/mhalink/data/images/An%20Acute%20Crisis%20-%20MHA%20Workforce%20Report.pdf>.

Priority Area 2: Substance Use and Prevention

Goal: Decrease substance use while providing harm reduction services and education to the community.

Why is substance use a priority area for the Needham Public Health Division?

- Needham High School students reported current alcohol use (31%) and binge drinking (19%) at higher rates than MetroWest High School students (25% and 15%, respectively).
- The percentage of Needham High School students who reported having ever used alcohol in their lifetimes increased significantly from 8th grade (10%) to 9th grade (34%) and continues to increase gradually through 12th grade (69%).
- Perceived risk of using marijuana once or twice a week decreases by grade in High School (64% of 9th graders reported there is moderate/great risk while 38% of 12th graders reported there is moderate/great risk).
- Over a third of Needham Parent Survey respondents reported that youth drinking alcohol occasionally was not at all wrong or a little bit wrong.
- Needham adults aged 18+ report binge drinking at a higher rate (17.70%) than adults aged 18+ in Massachusetts (16.76%) and the United States (15.50%).
- Needham Public Health Division is lacking local data related to substance use, especially adults in the population aged 18-59.

Priority Area 2: Substance Use and Prevention	
Objective 1: Develop a greater understanding of needs related to substance use in adult residents.	
Strategy 1: Collect information on needs and priorities of the community related to substance use and harm reduction.	
Strategy 2: Improve collection of substance use data from Police, Fire/Emergency Medical Services, and hospitals.	
Objective 2: Ensure community members have access to resources and substance use services.	
Strategy 1: Increase awareness and availability of Narcan.	
Strategy 2: Collaborate with other town departments and community organizations to provide referrals to intervention, treatment, and recovery options.	
Strategy 3: Introduce and promote recovery coaching.	
Objective 3: Use education and health promotion efforts as a tool for prevention and harm reduction.	
Strategy 1: Educate youth, parents, other adult caregivers, and Needham community on the health harms related to alcohol, cannabis, and other drug use.	
Strategy 2: Continue and expand upon partnership with Police for tobacco product use and substance use prevention.	
Strategy 3: Shift community norms away from the inevitability of alcohol, cannabis and other drug use for adolescents and young adults.	

Priority Area 3: Physical Health and Wellbeing

Goal: Ensure that all Needham residents have access to the preventative services which can address heart disease as well as the resources to support a healthy lifestyle.

Why is physical health a priority area for the Needham Public Health Division?

- Heart disease is consistently in the top 2 leading causes of death in Needham residents.
- There is a high incidence of obesity in Needham residents.
- There is a high incidence of high cholesterol and high blood pressure in Needham residents.
- Half of the respondents of the Assessment of Housing Authority Residents reported having difficulty walking or climbing stairs (Assessment of Housing Authority Residents, 2020)
- Needham Public Health Division is lacking local data related to physical health and wellbeing, including access to and use of health care resources and chronic conditions.

Priority Area 3: Physical Health and Wellbeing
Objective 1: Identify incidence of heart disease and other risk factors which may impact the health of residents and promote heart safe activities
Strategy 1: Collect health information from Needham residents using a community health survey or similar tool.
Strategy 2: Increase access to healthy and affordable food options.
Strategy 3: Work towards becoming a HEARTSafe community.
Objective 2: Empower residents to make healthy lifestyle choices.
Strategy 1: Create a central hub for health-related resources, assets, and services in town.
Strategy 2: Promote healthy eating choices in the community.
Strategy 3: Provide health events and opportunities to the community, with a focus on access for the most vulnerable populations.
Objective 3: Increase access to disease prevention tools.
Strategy 1: Advocate for increased transportation options and promote existing transportation options in town to improve access to health care.
Strategy 2: Educate and inform the community about restaurant health and safety practices.
Strategy 3: Provide education to community members about the genetic and lifestyle factors which may improve their physical health, including heart health.

Implementation, Monitoring, and Evaluation

Each year, members of the Accreditation Team and/or Accreditation Steering Committee will meet with the groups within the Public Health Division responsible for accomplishing each priority area. Strategies and specific activities will be prioritized for the upcoming fiscal year and an action plan will be created outlining the timeline, responsible staff members, collaborators and resources required for each activity.

An example of the first fiscal year action plan has been included in **Appendix A**. This document is subject to change as, throughout the fiscal year, those responsible for each activity or strategy will meet to review progress. Quarterly, this progress will be formally reviewed, tracked, and documented in VMSG, a project management software. Changes to the specific activities will be made in VMSG.

Creating an action plan annually allows the Public Health Division the opportunity to evaluate the CHIP progress and assess resources within the Division, staff capacity, town priorities, emerging health issues, and other variables which may lead the Division to adjust the objectives, strategies, or activities.

Acknowledgements

Prepared by: Needham Public Health Division

Needham Public Health Division Accreditation Steering Committee

Timothy McDonald, Director of Health and Human Services

Tiffany Benoit, Assistant Director of Public Health

Tara Gurge, Assistant Director of Public Health

Lynn Schoeff, Accreditation Manager

Alison Bodenheimer, Sr. Public Health Associate

Julie McCarthy, Epidemiologist

Karen Shannon, Substance Use Prevention Coordinator

Kerry Dunnell, Shared Services Program Manager

CHIP Steering Committee

Tiffany Benoit, Needham Public Health Division

Julie McCarthy, Needham Public Health Division

Anna Aguilera, Needham Community Farm

Karen Morales, Needham Commission on Disabilities

Jessica Moss, Needham Aging Services Division

Sandra Robinson, Needham Community Council

LaTanya Steele, Needham Aging Services Division

Year 1 Action Plan

Objective 1: By June 2028, NPHD will analyze Needham-specific mental health data from new or improved data sources, such as a community health survey and EMS data system, to develop a greater understanding of the mental health needs and services in Needham.

Strategy 1.1.1 Survey residents on mental health and wellness.

Year 1 Activities <i>What activities are needed to accomplish the strategy in Year 1?</i>	Date Range <i>Set start/end dates for each activity. This should be within one fiscal year.</i>	Lead Contact <i>Who is responsible for the completion of this activity?</i>	Process Indicator(s) <i>How will we know we successfully completed the activity?</i>	Progress Status <i>What is the status of this activity?</i>	Progress Notes & Next Steps <i>Describe progress and next steps beyond Year 1, if applicable.</i>
Gather/analyze costs for providing Community Health Survey (survey deployment target goal would be before CHA 2028)	Feb – June 2024	Administration	When we have a price list or rough budget	Not Started	Price out different modes of delivery, survey length Develop budget requests and place in budget for FY26-FY27
Connect with other communities that have developed and deployed surveys	Feb – March 2024	Administration	Learnings from 3-5 communities	Not Started	Possible communities to connect with: Cambridge, Worcester Understand best model for survey development and delivery informed by other communities:

NEEDHAM COMMUNITY HEALTH IMPROVEMENT PLAN 2024

					Contract externally completely? Or combined external and internal?
Strategy 1.1.2 Improve collection of mental health data from Police, Fire/Emergency Medical Services, and hospitals.					
Gain access to EMS data system	9/2023-11/2023	Epidemiology	Login information Successful login	Complete	Identify and explore mental health data available in EMS system in FY25

Resources Required for this Objective
• Funding • Online survey platform & paper version • Consultant to support survey design and development • Staff time - research on what other communities have done • Community support

Potential Partners for this Objective
• Different communities • Youth and families • Mental Health – Riverside Community • HHS Partners • Community-led groups • Previous vendor who has worked on surveys for Needham

NEEDHAM COMMUNITY HEALTH IMPROVEMENT PLAN 2024

Objective 2: By June 2026, NPHD will develop, provide, and promote ## mental health resources on social media and other internal and external distribution channels to ensure community members are knowledgeable of and have access to mental health resources in multiple languages

Strategy 1.2.1 Promote mental health awareness and proactive community engagement.

Year 1 Activities <i>What activities are needed to accomplish the strategy in Year 1?</i>	Date Range <i>Set start/end dates for each activity. This should be within one fiscal year.</i>	Lead Contact <i>Who is responsible for the completion of this activity?</i>	Process Indicator(s) <i>How will we know we successfully completed the activity?</i>	Progress Status <i>What is the status of this activity?</i>	Progress Notes & Next Steps <i>Describe progress and next steps beyond Year 1, if applicable.</i>
SOP for migrant families: Write SOP	Feb -April 2024	Emergency Preparedness	Draft SOP	In progress	
SOP for migrant families: Provide SOP to Tim and Lynn for review	Feb -April 2024	Emergency Preparedness	SOP sent to Tim & Lynn	Not yet started	
SOP for migrant families: Incorporate feedback and make some changes after SOP is reviewed by relevant stakeholders	Feb -April 2024	Emergency Preparedness	SOP ready for approval	Not yet started	
SOP for migrant families: Approval by Tim	April 2024	HHS Director	SOP approved	Not yet started	
One-pager for migrant families: Develop a “welcome” one-pager prepared in different languages that can be distributed to new arrivals	July 2023-April 2024	Emergency Preparedness	Completed	Completed	
One-pager for migrant families: Translate into Spanish and Creole	February 2024	Translation service	Receiving translation pages	In Progress	
One-pager for migrant families: Make it available to internal users/staff for use/dissemination to public	April 2024	Emergency Preparedness	Distribute to internal users	In Progress	

Strategy 1.2.2 Provide resources to the community on mental health and wellness.

Identify relevant mental health and wellness materials to post on social media accounts	7/1/23-6/30/24	Public Health Nursing, Epidemiology	Posts on Instagram, Facebook, X	In progress	
Post on Instagram, Facebook, X	7/1/23-6/30/24	Public Health Nursing, Epidemiology	Posts on Instagram, Facebook, X	In progress	
Track analytics on platforms	7/1/23-6/30/24	Public Health Nursing, Epidemiology	Number of interactions (including clicks, likes, comments, etc.)	In progress	

Resources Required for this Objective

- Canva access
- Translation services

Potential Partners for this Objective

- Social Work from Center at the Heights and Youth and Family, Community Council, Interfaith Clergy
- Police/Fire and other town departments
- Other LBOHs

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Objective 3: From FY24 - FY28, NPHD will increase town capacity to respond to mental health crises by implementing or continuing partnerships with town departments or community organizations by providing ## trainings to prevent and/or react to mental health crises and by hiring additional clinicians in Health and Human Services by June 2024.

Strategy 1.3.1 Equip Needham community with skills to identify, understand, and respond to signs of mental illnesses.

Year 1 Activities <i>What activities are needed to accomplish the strategy in Year 1?</i>	Date Range <i>Set start/end dates for each activity. This should be within one fiscal year.</i>	Lead Contact <i>Who is responsible for the completion of this activity?</i>	Process Indicator(s) <i>How will we know we successfully completed the activity?</i>	Progress Status <i>What is the status of this activity?</i>	Progress Notes & Next Steps <i>Describe progress and next steps beyond Year 1, if applicable.</i>
MRC: Identify training needs that can help Needham Medical Reserve Corps (MRC) to respond effectively to community mental health needs during an emergency	March - May 2024	Emergency Preparedness	List of trainings identified	Not Started	
MRC: Discuss plan with Assistant Director of Public Health	March 2024	Assistant Director of Public Health, Substance Use Prevention	Training Delivery Plan & Start Date	Not Started	Determine how to conduct the training – outsource or train a staff member. If so, which staff member and how many. Determine target date to start offering training.
MRC: Research vendors and identify costs associated with each one	April – June 2024	Emergency Preparedness	List of potential vendors and costs associated	Not Started	Depending on conversation, this is either vendor for whole training or train the trainer
MRC: Do necessary prep to be able to conduct training – train a staff	April – June 2024	Emergency Preparedness	Staff member is trained or	Not Started	

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member or identify an outsourced trainer			outsourced trainer is identified		
MRC: Confirm funding source – current grant from NC-8 or other source	March-April 2024	Emergency Preparedness	Funding source is determined	Not Started	
Adult MHFA: Identify process for providing Adult MHFA training incl. number of participants to be trained, identifying trainer, and calendar for training.	February 2024-June 2024	Substance Use Prevention	Training Delivery Plan	Not Started	Expected to continue into Jan 2025 Identify process for providing Adult MHFA training incl. number of participants to be trained, identifying trainer, and calendar for training.
Adult MHFA: Discuss plan with Tiffany and Taleb for training NPHD staff and emergency response staff in Adult MHFA	March 2024	Substance Use Prevention	Training Delivery Plan & Start Date	Not Started	Determine how to conduct the training – outsource or train a staff member. If so, which staff member and how many. Determine target date to start offering training.
Adult MHFA: Do necessary prep to be able to conduct training – train a staff member or identify an outsourced trainer	April – June 2024	Substance Use Prevention	Staff member is trained or outsourced trainer is identified	Not Started	Completion of staff training is dependent on funding and scheduling of training opportunities
Adult MHFA: Identify a funding source to hold the training	April – June 2024	HHS Director, Assistant Director of Public Health	Funding source identified	Not Started	

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Youth Mental Health First Aid activities		Substance Use Prevention, Youth & Family Services	Minimum of 3 sessions offered per year by K. Shannon and Sara Shine	Ongoing	Need to increase # of staff certified to train course
Teen Mental Health First Aid activities		Substance Use Prevention, Youth & Family Services	Needham High 10 th grade class receives training –completed annually	Ongoing	Need to increase # of staff certified to train course
Strategy 1.3.2 Advocate for hiring of additional clinicians in Health and Human Services.					
Defending justification to hire new staff members (Warrant article)	September 2023	HHS Director	Complete defense meeting	Complete	
Town meeting authorized budget justification for hiring new staff members	October 2023	HHS Director	Authorized budget justification	Complete	
Submit budget justification to move grant-funded clinicians into town budget	October 2023	HHS Director	Budget justification submitted	Complete	
Present budget request to BOH	November 2023	HHS Director	Budget presented	Complete	
Defend budget request to town manager	November 2023	HHS Director	Budget meeting with town manager	Complete	
Defend request to Finance Committee	February 2024	HHS Director	Budget defended to Finance Committee	Complete	
Receive approval to get grant-funded clinicians into town budget	February 2024	Finance Committee/ HHS Director	Decision reached by Finance Committee	Complete	On-target to get clinicians into town budget; waiting for finance committee to

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					make a recommendation
Transition grant-funded clinicians into town budget for Youth and Family Services division and Aging Services division	Feb 2024 – Jan 2025	HHS Director	Transfer to operating budget to become permanent	In Progress	Grant-funded clinicians under ARPA funds until Dec 2024 (FY25)
Post job description for clinicians	Feb 24 - March 24	Director of Youth & Family Services	Job description posted	Not Yet Started	Two positions - Children's hospital grant-funded
Interview candidates	March - April 24	Director of Youth & Family Services	Candidates are interviewed	Not Yet Started	
Hire Clinicians	May 2024	Director of Youth & Family Services	Offer Letters Start Date for Clinicians	Not Yet Started	Dependent on town meeting approval in May

Resources Required for this Objective

- Funding for train the trainer or access to attend online training
- Funding for trainings, including MHFA
- Staff resources for event logistics
- Canva, Google Docs, etc. to create flyers
- Translation, interpretation services for trainings and materials (e.g. Russian, Chinese)
- Staff time to justify, present, document past success with hiring additional staff

Potential Partners for this Objective

- National Council for Mental Wellbeing (MHFA organization)
- NC-8 Coordinator
- Needham Public Schools
- Community organizations – interfaith clergy, etc.
- Town manager

- Finance committee
- Board of Health
- Other Municipal departments

Year 1 Action Plan

Objective 1: By June 2028, NPHD will analyze Needham-specific substance use data from new or improved data sources, such as qualitative data from people with lived experiences, key stakeholder data and EMS data system, to develop a greater understanding of needs related to substance use in adult residents.

Strategy 2.1.1 Collect information on needs and priorities of the community related to substance use and harm reduction.

Year 1 Activities <i>What activities are needed to accomplish the strategy in Year 1?</i>	Date Range <i>Set start/end dates for each activity. This should be within one fiscal year.</i>	Lead Contact <i>Who is responsible for the completion of this activity?</i>	Process Indicator(s) <i>How will we know we successfully completed the activity?</i>	Progress Status <i>What is the status of this activity?</i>	Progress Notes & Next Steps <i>Describe progress and next steps beyond Year 1, if applicable.</i>
Identify and hold Key stakeholder interviews to identify which community resources or interventions would make the most impact on residents to address the opioid crisis	Nov 23 –Jan 2024	Contractor	Key Stakeholder Interview Results	In Progress	
Connect with people with lived experience and families and complete small group interviews to identify which community resources or interventions would make the most impact on residents to address the opioid crisis	Jan- Feb 2024	Contractor	Small Group Interview Results	In Progress	
Hold a large community forum to get feedback on which community resources or	April 2024	Contractor	Forum Feedback data	In Progress	

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interventions would make the most impact on residents to address the opioid crisis					
Final report from contractor	End of Jun 2024	Contractor	Final Report	Not Started	
Strategy 2.1.2 Improve collection of substance use data from Police, Fire/Emergency Medical Services, and hospitals.					
Gain access to EMS data system	9/2023-11/2023	Epidemiology	Login information Successful login	Complete	Identify and explore mental health data available in EMS system in FY25

Resources Required for this Objective
• Contractor help • Funding to pay contractor • Interpreters as needed

Potential Partners for this Objective
• Town Managers office • Police and Fire Dept

Objective 2: By June 2026, NPHD in partnership with other town department and community organizations will develop, provide, and promote substance use & prevention resources on social media and other internal and external distribution channels to ensure community members have access to resources and substance use services, including increasing awareness and availability of Narcan, 15 installed SAMBOXes, and recovery coaching program.					
Strategy 2.2.1 Increase awareness and availability of Narcan.					
Year 1 Activities	Date Range	Lead Contact	Process Indicator(s)	Progress Status	Progress Notes & Next Steps

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<i>What activities are needed to accomplish the strategy in Year 1?</i>	<i>Set start/end dates for each activity. This should be within one fiscal year.</i>	<i>Who is responsible for the completion of this activity?</i>	<i>How will we know we successfully completed the activity?</i>	<i>What is the status of this activity?</i>	<i>Describe progress and next steps beyond Year 1, if applicable.</i>
Develop Narcan training	Prior to current fiscal year	Public Health Nursing	Training in place	Complete	(training was developed prior to this fiscal year)
Promote opportunities for Narcan training to the community	Ongoing	Public Health Nursing, Epidemiology	Posts going on social media, newsletters, article in local online newspaper, flyers	Complete / ongoing	
Develop SOP for Narcan training / distribution	October 2023	Public Health Nursing	SOP developed	Complete	
Apply to BSAS Community Naloxone Program	October 2023	Public Health Nursing	Application sent	Complete	
Join BSAS Community Naloxone Program	November 2023	Public Health Nursing	Part of the program, able to order Narcan through them	Complete	
Order / obtain Narcan	Ongoing	Public Health Nursing	Narcan is obtained	Completed / Ongoing	
Set up / organize SAMBOXES	January 2024	Public Health Nursing	SAMBOXES ready to be mounted	Completed	
Develop an SOP for refilling Narcan and taking care of the boxes	February 2024	Public Health Nursing	SOP developed and utilized	In progress	
Set up SAMBOXES in town next to AEDs	June 2024	Public Health Nursing	15 SAMBOXES are placed near AEDs	In Progress	
Collaborate with building maintenance to set up SAMBOXES	June 2024	Public Health Nursing	15 SAMBOXES mounted in place	Not started	

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Create social media advertising for SAMBOXES	June 2024 / ongoing	Public Health Nursing, Epidemiology	Posts shared on Facebook, X/Twitter, Instagram, local newsletter	In progress	Narcan advertisement is ongoing, SAMBOXES will be added once fully set up
Strategy 2.2.2 Collaborate with other town departments and community organizations to provide referrals to intervention, treatment, and recovery options.					
Promote: Present recovery coach services program to departments and community orgs	Jan 2024-June 2024	Recovery Coach	Presentations given	Ongoing	Group or one-on-one presentations
Building relationships with town departments and comm orgs	Jan 2024-June 2024	Recovery Coach	Presentations given	Ongoing	New town depts and comm orgs are referring people
Advocating to town departments and community members – reducing stigma around substance misuse by having employee with lived experience share their experience	Jan 2024-June 2024	Recovery Coach, Human Resources	When community members are comfortable accessing substance use resources and sharing lived experiences	Ongoing	Town departments and community organization are advocating for reduced stigma HR – keep position, which requires person with lived experience to fill the role Will continue on beyond FY24
Educate other town departments to allow people with lived experiences to advocate for what they need – developing a recovery-oriented system of care	Jan 2024 – June 2024	Recovery Coach	Conversations with town departments	Ongoing	people with lived experiences advocate for what they need – developing a recovery system of care Will continue on beyond FY24

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Receiving TA from CATH social workers	Jan 2024 – June 2024	Recovery Coach	TA meetings	Ongoing	Working with senior population and community in general Will continue on beyond FY24
Strategy 2.2.3 Introduce and promote recovery coaching.					
Funds approved for this program	July 2023 – Oct 2023	HHS Director, Assistant Director of Public Health	Finance committee approval Passed by town meeting vote	Complete	Efforts to have prog covered under opioid settlement funds started before FY24
Preparation for program implementation: Development of materials for program - Consent for peer services, referral form; access to database for storing client records; create presentation for town departments	November 2023 – Dec 2023	Recovery Coach	Documents are completed	Complete	Develop infrastructure for providing a recovery-oriented system of care. Including: policies, procedures, client records, data tracking, promotional material, and build relationships with town partners.
Developed procedure for recovery coaching & approved by Tim	December 2023	Recovery Coach, Substance Use Prevention, HHS Director and Assistant Director of Public Health	Approved by Tim	Complete	
TA provider to supervise recovery coaching work	Dec 2023 – June 2024	Angi & TA Provider	Identified TA Provider	Ongoing	

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Promote program: to PHD, CCIT, CATH, Needham housing	December 2023 – June 2024	Recovery Coach	Number of presentations to community members	Ongoing	
Provide Angi with a cell phone	Jan 2024	Assistant Director of Public Health	Cell phone acquired	Complete	As part of implementation
Approval to increase hours of recovery coach up to 18 hours/week	January 2024 – June 2024	Assistant Director of Public Health, Human Resources	Hours increased	Complete	
Implementation of recovery coaching program	Mid-January – June 2024	Recovery Coach	Number served (peers) Number of presentations to community members Receiving referrals/month	Ongoing	
Empower people with lived experiences to access services for themselves (equity goal)	Mid-January – June 2024	Recovery Coach	Social workers and recovery coach become resource navigators	Ongoing	
Explore possibility of group coaching	June 2024	Recovery Coach & Recovery Coach supervisor		Not yet started	Currently only doing one-on-one

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Resources Required for this Objective

- Social Media
- Funding & Approval
- Flyers, Business Cards
- Cell Phone

Potential Partners for this Objective

- BSAS
- Select Board, BOH
- Police Dept
- Housing Authority
- Recovery Education Collaborative
- People with lived experience

Objective 3: From FY24 - FY28, NPHD will use education (e.g. Alcohol EDU or Smart Talk curriculums, parent/caregiver education events) and health promotion efforts (e.g. TIPS trainings, retailer alcohol & tobacco vendor compliance, and community norms campaigns) as tools for prevention and harm reduction among youth and chronic substance users in Needham.

Strategy 2.3.1 Educate youth, parents, other adult caregivers, and Needham community on the health harms related to alcohol, cannabis, and other drug use.

Year 1 Activities <i>What activities are needed to accomplish the strategy in Year 1?</i>	Date Range <i>Set start/end dates for each activity. This should be within one fiscal year.</i>	Lead Contact <i>Who is responsible for the completion of this activity?</i>	Process Indicator(s) <i>How will we know we successfully completed the activity?</i>	Progress Status <i>What is the status of this activity?</i>	Progress Notes & Next Steps <i>Describe progress and next steps beyond Year 1, if applicable.</i>

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MassCALL3 - AlcoholEDU or Smart Talk curriculums - Meet with school leaders to assess status of current health education curricula for 8 th and 9 th graders in each cluster community	May 2024	Substance Use Prevention (MassCALL3 team)	Meetings completed with appropriate middle and high school personnel in each cluster community	Not yet started	
MassCALL3 - AlcoholEDU or Smart Talk curriculums - Research DESE requirements for health education for how many hours of health ed, for middle and high schoolers to understand parameters around integrating new health curricula.	May 2024	Substance Use Prevention (MassCALL3 team)	Review of DESE requirements completed in designated timeframe	Not yet started	
MassCALL3 - AlcoholEDU or Smart Talk curriculums Curate/develop education materials to inform school leaders about the AlcoholEDU and Stanford Marijuana Curricula	May-June 2024	Substance Use Prevention (MassCALL3 team)	Education materials compiled	Not yet started	
MassCALL3 - AlcoholEDU or Smart Talk curriculums Meet with school administrators to educate about state requirements around health education (if necessary) and describe the value of these two programs	May- June 2024	Substance Use Prevention (MassCALL3 team)	Meetings conducted in each cluster community	Not yet started	
MassCALL3 - AlcoholEDU or Smart Talk curriculums Convene key community members (e.g., health directors from each time, youth serving counselors, school nurse	June 2024	Substance Use Prevention (MassCALL3 team)	Meeting with key community members conducted	Not yet started	

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leaders, health educators, etc.) from each cluster town as advisory group to strategize about integrating the curricula into standing 8 th and 9 th grade health curriculum.					
MassCall and SPAN to align AlcoholEDU curriculum	June 2024	Substance Use Prevention		Not yet started	
SPAN parent education event: SPAN Education Action Team meets to identify objectives for parent community education: provide parents with information on the impact of youth substance use on the teen brain, and how to have conversations with their children to convey disapproval of use.	April 2024	Substance Use Prevention, SPAN		In progress	Event logistics and promotion
SPAN Education Action Team identifies speakers, event date, and venue.	Feb 2024	Substance Use Prevention, SPAN		In Progress	
SPAN prevention staff create event flyer and work with SPAN Ed. Action Team to promote event.	Feb – April 2024	Substance Use Prevention, SPAN		In Progress	
SPAN prevention staff meets with speaker panelists to coordinate event program and prepare list of topic areas to be covered.	June 2024	Substance Use Prevention, SPAN		Not yet started	
Strategy 2.3.2 Continue and expand upon partnership with Police for tobacco product use and substance use prevention.					
Collaborate with police to develop new alcohol compliance checklist	Sept 2023	Substance Use Prevention & Police Dept	Alcohol Compliance checklist	Complete	Through this process gained buy-in from police dept

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Lead responsibility for recruiting underage operatives for alcohol compliance checks	July 2023	Substance Use Prevention & Police Dept	Identified operatives for each alcohol compliance check	Ongoing	Includes: Develop flyer for recruitment, work with college campuses to send out flyers, communicate with operatives and maintain list of student volunteers, buy gift cards for operative incentives, maintain list of student volunteers, coordinate of ushering process for operatives, build relationships with campus staff. Need to repeat for every compliance check
Discuss development of alcohol compliance check procedure with Needham Chief of Police	February	Substance Use Prevention, Needham Chief of Police	Responsibility for who will write the alcohol compliance check procedure will be resolved	In progress	Needham Police Dept. Will draft a Standard Operating Procedure for their role in conducting alcohol compliance checks. NPHD will draft a procedure for their role in the alcohol compliance check.
Modify policy for Tobacco checks/compliance	Jan. 2024	Environmental Health	Updated retail tobacco vendor inspection report	Incomplete	

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			and tobacco compliance check form with the state's suggested edits. Still need to update policy.		
Update Compliance Form before First Compliance Checks	Jan. –February 2024	Environmental Health	Compliance form was updated. There should be more details gathered with new form and thus more evidence.	Completed	Identify any other things that need to be added or removed from the form as the final policy is drafted
Meet with police chief to schedule annual alcohol compliance checks	Feb 2024	Substance Use Prevention, Needham Chief of Police	2024 alcohol compliance check schedule	In Progress	Trying to schedule meeting with NPD Chief to identify 2024 alcohol compliance check schedule.
Update Retail Inspection Form before First Retail Inspections. Combining old form (2017) and new form (2021) and incorporating comments from state Subject matter expert into a master form	January-March 2024	Environmental Health	Form is redone and sent to SME for additional thoughts	In progress	Update form as new products and regulations come out.
Conduct retail tobacco vendor compliance checks with Needham Police	February 2024, Every 3 months	Environmental Health	No sales of tobacco and/or nicotine dispensing products to minors.	On-going (Completed 1 in October 2023, next in Feb/ March, and May/June)	Change up how checks are performed to check different situations. (one vs. Two buyers, etc., asking for different products)
Train staff on new updated retail inspection form so inspections can be performed independently	March –June 2024	Environmental Health	Inspections can be assigned to other	Not started	Train staff on being able to identify new emerging tobacco

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			staff without oversight		products and the regulations afterwards.
Perform Retail Tobacco Inspections	March 2024, every 6 months	Environmental Health	Inspections can consistently be done at least twice a year and violations noted in the previous reports have been corrected going forward	Not started	
Update/Create Tobacco Retail Inspection SOPs	March-June 2024	Environmental Health	SOPs updated	Not Started	
Create email listserv for providing additional training/education to Tobacco retailers about tobacco sales and local and state regulations, required signage	March 2024	Environmental Health	Email listserv is created	Not started	Incorporate within the online permit in next fiscal year
Connect with Additional Officers from Needham Police to assist with Compliance Checks, create procedure on who and how to reach out	April – June 2024	Environmental Health	Up to date list of Needham police officers that can assist with drive arounds and enforcement is available.	Not started	
Strategy 2.3.3 Shift community norms away from the inevitability of alcohol, cannabis and other drug use for adolescents and young adults.					
Engage intern to support PhotoVoice project implementation	October 2023	Substance Use Prevention (MassCALL3 team)	Intern has been identified and committed to support PhotoVoice project	Complete	

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Develop information sheet and recruitment materials about PhotoVoice project	January 2024	Substance Use Prevention (MassCALL3 team)	Informational/promotional materials developed	Complete	
Recruit youth participants in Photovoice project	January-February 2024	Substance Use Prevention (MassCALL3 team)	Group of at least 8 youth from each cluster community recruited and committed to participating in PhotoVoice project	In Progress	
Schedule weekly PhotoVoice project meetings with youth from each town based on participant availability	January-March 2024	Substance Use Prevention (MassCALL3 team)	Meeting schedule confirmed	In Progress	
Begin PhotoVoice project, including 5 weekly meetings in each town with youth participants	January-March 2024	Substance Use Prevention (MassCALL3 team)	First PhotoVoice meeting held	Incomplete	
Determine and secure locations for photo displays in each cluster community	April 2024	Substance Use Prevention (MassCALL3 team)	Photo display locations secured in each community	Incomplete	
Host photo displays in each community	May 2024	Substance Use Prevention (MassCALL3 team)	Photo displays hosted in each community	Incomplete	
Convene a four-town gallery walk to display photos and recruit community members to participate in the positive social norms (PCN) campaign development process	May 2024	Substance Use Prevention (MassCALL3 team)	Gallery walk held	Incomplete	
MassCALL3 - Positive community norms campaign	June 2024	Substance Use Prevention		Incomplete	

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		(MassCALL3 team)			
MassCALL3 - Post Scope of Work and Request for Proposals (RFP) to hire social marketing consultant (SMC) to advise on message content and design	February 2024	Substance Use Prevention (MassCALL3 team)	Social marketing consultant RFP process initiated.	Incomplete	
MassCALL3 - Articulate objectives and desired process and outcome measures of social marketing campaign	March 2024	Substance Use Prevention (MassCALL3 team)	Objectives and evaluation measures agreed upon by LT	Incomplete	
MassCALL3 - Determine focus group timing and logistics (e.g., number of focus groups to hold locations to hold them).	March 2024	Substance Use Prevention (MassCALL3 team)	Key decisions are made, documented, and shared with LT regarding focus group implementation	Incomplete	
MassCALL3 - Draft parent focus group questions and interview guide	March 2024	Substance Use Prevention (MassCALL3 team)	Focus group interview protocol drafted and approved by responsible parties	Incomplete	
MassCALL3 - Develop and disseminate promotional materials (e.g., flyer, email) to recruit focus group participants	March 2024	Substance Use Prevention (MassCALL3 team)	Promotional materials are developed and have been delivered to community partners virtually and in hard copy for distribution	Incomplete	
MassCALL3 - Conduct parent focus groups	May 2024	Substance Use Prevention (MassCALL3 team)	Previously determined number of focus groups have been conducted	Incomplete	

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MassCALL3 - Determine status of parent surveys in each cluster community and modify existing services to include campaign related questions	May 2024	Substance Use Prevention (MassCALL3 team)	Existing parent surveys modified to include campaign-related questions	Incomplete	
MassCALL3 - Work with cluster communities without parent surveys to develop a brief parent survey specifically for collecting baseline information from parents	May 2024	Substance Use Prevention (MassCALL3 team)	Process for collecting baseline parent information in communities without a parent survey determined	Incomplete	
MassCALL3 - Review focus group data and summarize key themes	May 2024	Substance Use Prevention (MassCALL3 team)	Review complete and summary document finalized	Incomplete	
MassCALL3 - Present data back to focus group participants and community members in each community.	June 2024	Substance Use Prevention (MassCALL3 team)	Community presentations delivered to participants/community members in each cluster community	Incomplete	
Needham SPAN - Positive community norms campaign: continue distribution and marketing of PCN poster series in community. There are 6 posters.	July 2023 – January 2024	Substance Use Prevention	PCN messages developed in 2022 under guidance of consultant.	In progress	
Create list of locations to distribute PCN posters including town offices and private businesses.	July 2023	Substance Use Prevention	List was created.	Completed	
Recruit SALSA student volunteers to distribute PCN posters to designated locations. Posters are distributed monthly.	September 2023- January 2024	Substance Use Prevention	Students were recruited and posters were distributed.	Completed	

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Order vinyl banners for each of the 6 PCN posters.	December 2023	Substance Use Prevention	Banners were ordered from vendor and received.	Completed	
Meet with Director of Needham Park and Recreation to identify local parks and outdoor public spaces for hanging vinyl banners. Post banners.	March – June 2024	Substance Use Prevention	Locations will be identified in partnership with Dir. of Park and Recreation and banners will be hung in public outdoor spaces in Needham.	In progress	

Resources Required for this Objective

- State Tobacco Prevention Program (guidance for updating policies)
-

Potential Partners for this Objective

- Needham Police Department
- Local schools and colleges (partnering for tobacco & alcohol compliance checks)

Year 1 Action Plan

Objective 1: By June 2028, NPHD will identify incidence of heart disease and other risk factors which may impact the health of residents from new or improved data sources, such as a community health survey, and promote heart safe activities.

Strategy 3.1.1 Collect health information from Needham residents using a community health survey or similar tool.

Year 1 Activities <i>What activities are needed to accomplish the strategy in Year 1?</i>	Date Range <i>Set start/end dates for each activity. This should be within one fiscal year.</i>	Lead Contact <i>Who is responsible for the completion of this activity?</i>	Process Indicator(s) <i>How will we know we successfully completed the activity?</i>	Progress Status <i>What is the status of this activity?</i>	Progress Notes & Next Steps <i>Describe progress and next steps beyond Year 1, if applicable.</i>
Gather/analyze costs for providing Community Health Survey (survey deployment target goal would be before CHA 2028)	Feb – June 2024	Administration	When we have a price list or rough budget	Not Started	Price out different modes of delivery, survey length Develop budget requests and place in budget for FY26-FY27
Connect with other communities have developed and deployed surveys	Feb – March 2024	Administration	Learnings from 3-5 communities	Not Started	Possible communities to connect with: Cambridge, Worcester Understand best model for survey development and delivery informed by other communities:

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					Contract externally completely? Or combined external and internal?
Strategy 3.1.2 Increase access to healthy and affordable food options.					
Advocate for increased pay for summer drivers to attract more applicants for Traveling Meals Program	March-June 2024	Traveling Meals Coordinator		Not Started	If it is found that rates are too low, then work on proposal to Finance Committee to increase Schedule C Rates for FY 2025. Currently spring/summer drivers are the only ones paid; look into interest in changing winter/fall volunteer model
Compile summary of summer employment positions in town and their corresponding pay rates to determine if we are competitive or not.	March-June 2024	Traveling Meals Coordinator	Compare rates found against 2024 Schedule C Rates. If our rates are more than 25% lower, then we should look to increase rates for FY2025.	Not Started	May continue through Dec 2024, must be in place by January 2025 when HR publishes rates
CATH kitchen funding: Completed year-long study of utilization of space with recs on how to improve facility to support in house meals for seniors and better meals for Travelling Meals	FY23 into FY24	HHS Director and Vendor	Utilization study complete	Complete	Learnings on improving space on usage and need

NEEDHAM COMMUNITY HEALTH IMPROVEMENT PLAN 2024

CATH kitchen funding: Presented to Permanent Public Building Committee	August 23 - September 23	HHS Director	Presentations to committee	Complete	Presented twice
CATH kitchen funding: Submitted for capital budget - design money in FY26 and construction money in FY27	October 23	HHS Director	Capital Budget Request	Complete	Not yet chosen for funding into capital budget
CATH kitchen funding: Advocate for funding to be approved into next year's capital budget	Jan 24 - June 24	HHS Director	Finance Committee approval Town Meeting vote Capital Request is in Capital Plan (Feb 25)	In progress	Activity will continue into FY25: get community champions to advocate to get funded in next year's capital budget
CATH kitchen funding: Develop interim solution for Traveling Meals Program, including how to meet additional traveling meals clients beyond BID 75-meals/day quota	Feb 2024 – June 2024	Traveling Meals Coordinator, HHS Director, Assistant Director of Public Health	Vendor contracted to provide meals (Dec 2024 latest)	Ongoing	Develop plan for how to meet additional traveling meals clients beyond 75-meals/day quota Possibly partner with Community Council; Hearth as a back-up option Likely to continue after FY24

Strategy 3.1.3 Work towards becoming a HEARTSafe community.

Identify AEDs in town and create a map of them on app PulsePoint.	Feb 2024- June 2024	Public Health Nursing	We might not be able to, we will not know if we don't find all. Hope is community will be aware of our efforts and will let us know as they get new AED's. Also, we (through FIRE) get reports from one Stryker about the machines they service.	In Progress	AED Scavenger hunt, Needham cable interview, Needham Observer article, outreach to larger businesses / facilities to inquire. Add from reports from Stryker. Educate Needham 911 Dispatch on PulsePoint
Share the AED map with community through Healthy Needham site.	By June 2024	Epidemiology	Resource hub with AED map available	In Progress	Healthy Needham site is already available
Increase public awareness of sudden cardiac arrest and importance of bystander intervention.	Feb 2024- June 2024	Public Health Nursing	# of CPR trainings # of education events Goal is to have 15% of population to know SCA, AED use and hands only CPR. We will use census data, track links viewed, collect data through our events.	In Progress	Multiple CPR classes available for community to sign up for, trainings for town staff, hands-only CPR walk-in clinics planned for several times a year throughout the community, Harvest Fair CPR training, AHA ultrashort video distribution (the views count towards our 15%). Outreach to schools for training

NEEDHAM COMMUNITY HEALTH IMPROVEMENT PLAN 2024

					their staff and students with hands-only CPR and AED use.
Raise awareness of preventative measures each person can take	April 2024- June 2024	Public Health Nursing	# of education events Cholesterol screening 2x/year. BP clinic at NHA (by us) and CATH (by VNA). Longterm: BMI, BP, A1C Within normal limits	In planning / progress.	“Coffee w/ PHN” educational events, planned at CATH and NHA throughout the year. Cholesterol screening 2x/year. BP clinic at NHA (by us) and CATH (by VNA). Targeted campaigns around “topic months” (Feb, June, Oct, Dec)?
Create a formal process for recognizing bystander assistance in SCA	April 2024- June 2024	Public Health Nursing, Fire Department	When the process has been approved for use.	In planning	Create a certificate to use, create process (picture in paper / Town social media, select board notification), potential for annual lunch with survivors, bystanders, first responders?)
Use of social media, town media channels, newspaper, Needham channel to advertise training events, all HEARTSafe activities	July 1, 2023 – June 2024	Public Health Nursing, Epidemiology	Social Media Analytics	Ongoing	3-year HEARTsafe designation by December 2024 (FY25) - need to demonstrate

Resources Required for this Objective

NEEDHAM COMMUNITY HEALTH IMPROVEMENT PLAN 2024

- Time to make connections with partners, plan and create content. Money for materials (from signs to mannequin supplies and CPR class materials). Money for “coffee with PHN”’s to entice residents to attend. Money for Bystander certificates, AED signs (this AED was used in saving a life), annual lunch/dinner with survivors?
- If we need to increase rates, will need additional funding
- Staff time to research, write materials, present, advocate, lobby

Potential Partners for this Objective

- Needham FIRE, NHA, CATH, NPS, daycares, medical provider offices, MRC, passionate community members. Everyone!
- Town Meeting, Finance Committee
- permanent public building committee (town body)
- Town manager
- Council on Aging
- Contractor to research food ops

Objective 2: By June 2026, NPHD will empower residents to make healthy lifestyle choices by developing and promoting a central resource hub of health-related resources, assets, and services in town and by connecting residents with tools and resources at health events (e.g. fairs), with a focus on access for the most vulnerable populations.

Strategy 3.2.1 Create a central hub for health-related resources, assets, and services in town.

Year 1 Activities <i>What activities are needed to accomplish the strategy in Year 1?</i>	Date Range <i>Set start/end dates for each activity. This should be within one fiscal year.</i>	Lead Contact <i>Who is responsible for the completion of this activity?</i>	Process Indicator(s) <i>How will we know we successfully completed the activity?</i>	Progress Status <i>What is the status of this activity?</i>	Progress Notes & Next Steps <i>Describe progress and next steps beyond Year 1, if applicable.</i>
SOP for migrant families: Write SOP	Feb -April 2024	Emergency Preparedness	Draft SOP	In progress	

NEEDHAM COMMUNITY HEALTH IMPROVEMENT PLAN 2024

SOP for migrant families: Provide SOP to Tim and Lynn for review	Feb -April 2024	Emergency Preparedness	SOP sent to Tim & Lynn	Not yet started	
SOP for migrant families: Incorporate feedback to make some changes after SOP being reviewed by relevant stakeholders	Feb -April 2024	Emergency Preparedness	SOP ready for approval	Not yet started	
SOP for migrant families: Approval by Tim	April 2024	HHS Director	SOP approved	Not yet started	
One-pager for migrant families: Develop a “welcome” one-pager prepared in different languages that can be distributed to new arrivals	July 2023-April 2024	Emergency Preparedness	Completed	Completed	
One-pager for migrant families: translation to Spanish and Creole	February 2024	Translation service	Receiving translation pages	In Progress	
One-pager for migrant families: Make it available to internal users/staff for use/dissemination to public	April 2024	Emergency Preparedness	Distribute to internal users	In Progress	
Contact Economic Development Manager for list of practitioners in town (physicians, specialists, dental, mental health, urgent care, etc)	February 2024	Epidemiology	List of businesses in town	Not started	

NEEDHAM COMMUNITY HEALTH IMPROVEMENT PLAN 2024

Identify trails, parks, playgrounds, fields in town and relevant information to be included in site (amenities, parking, etc)	January-February 2024	Epidemiology	List of parks, playgrounds, field in town	In Progress	
Geocode businesses and outdoor resources	January- March 2024	Epidemiology	Excel sheets of geocoded locations for all businesses and resources to be included in site.	In Progress	
Create map layers/map	March-May 2024	Epidemiology	Map layers & Map created	Not started	
Build site	January-May 2024	Epidemiology	ArcGIS StoryMaps site	In Progress	
Publish site (available to public)	May-June 2024	Epidemiology	Published ArcGIS StoryMaps site	Not started	Publicize launch of site; Use Google Analytics or similar site to track visits to site. Maintenance plan – possible yearly review; crosswalk with Economic Development Manager

NEEDHAM COMMUNITY HEALTH IMPROVEMENT PLAN 2024

Strategy 3.2.2 Provide health events and opportunities to the community, with a focus on access for the most vulnerable populations.

Host “health fairs” at various community locations with access to an interpreter to educate and connect residents to physical and mental health resources		Assistant Directors of Public Health		In Progress	how many health fairs?
Host booths at annual Needham Street Fair, first Saturday in June, and also at the Needham Harvest Fair, first Sunday in October. These annual fairs, presented by the Town of Needham and the Charles River Regional Chamber, showcase Needham-based businesses, and community organizations, which are well attended by the community.	Typically held on Saturday June 3 rd / Sunday Oct. 2 nd	Multiple Public Health Division staff members	Number of pamphlets distributed, etc.	In Progress	Two annually
Provide heart health educational fair.	May 2024	Public Health Nursing	Host fair	Not completed	
Provide cholesterol machine, BP check needs, educational materials	May 2024	Public Health Nursing	Material handed out	In progress	
Coordinate with EH team about healthy food options to discuss/present at fair	March 2024	Assistant Director of Public Health	Held meeting	Not Started	

NEEDHAM COMMUNITY HEALTH IMPROVEMENT PLAN 2024

Before each event, identify translation needs to give notice to vendor for on-site translator	July 23 - June 24	Assistant Directors of Public Health	On-site translator at event	Ongoing	Vendor Contract already in place – currently working mostly on written materials but offers in-person translation/interpretation; need to provide notice in place for on-site translator
Standardize procedure for identifying translation/interpretation services	June 2024	HHS Director	SOP Created	Not Started	Standardized procedure – advertise events in advance, ensure community reach, build in opportunities to request translation services

Resources Required for this Objective

- Translation and interpretation services - contract
- ArcGIS license
- Staff time
- Vendor contract for the health fair

Potential Partners for this Objective

- Town Economic Development Manager
- Park and Recreation Department
- Needham Housing Authority
- Chamber of Commerce
- Health fair vendor

NEEDHAM COMMUNITY HEALTH IMPROVEMENT PLAN 2024

- Other Health & Human Services groups (shared space in the past)

Objective 3: From FY24-FY28, NPHD will increase access to disease prevention tools, including transportation to access healthcare, information about restaurant health and safety practices, education about genetic and lifestyle factors that may improve physical health.

Strategy 3.3.1 Advocate for increased transportation options and promote existing transportation options in town to improve access to health care.

Year 1 Activities <i>What activities are needed to accomplish the strategy in Year 1?</i>	Date Range <i>Set start/end dates for each activity. This should be within one fiscal year.</i>	Lead Contact <i>Who is responsible for the completion of this activity?</i>	Process Indicator(s) <i>How will we know we successfully completed the activity?</i>	Progress Status <i>What is the status of this activity?</i>	Progress Notes & Next Steps <i>Describe progress and next steps beyond Year 1, if applicable.</i>
Connect with Community Council to see what we can promote to residents about their programs to help decrease barriers to healthcare access	March 31, 2024	Public Health Nursing	Held a meeting	Not Started	
Connect with CATH about transportation offerings to help decrease barriers to healthcare access	March 31, 2024	Public Health Nursing	Held a meeting	Not started	Traveling meals included flyers about a Shopping Trip Program at the Center at the Heights (CATH) Aging Services Division, in her Traveling meals bags to her clients. She said that this program

NEEDHAM COMMUNITY HEALTH IMPROVEMENT PLAN 2024

					offers round-trip rides on Wednesdays and Thursdays to local grocery and convenience stores.
Create handouts to provide to residents with concerns with transportation	April 30 th , 2024	Public Health Nursing	Handouts are complete and available to hand out	Not Started	
Create social media post about transportation offerings from the Community Council, CATH, etc.	April 30 th , 2024	Public Health Nursing, Epidemiology	Social media content is prepared and posted	Not started	Connect with Aging Services Division about transportation offerings
Strategy 3.3.2 Educate and inform the community about restaurant health and safety practices.					
Revised 2022 policy internally & received approval from BoH on scoring and fining	July 2023	Environmental Health	BoH- approved Revised policy	Complete	
Minor revisions to policy	Nov 2023	Environmental Health	Revised policy	Complete	
Develop pamphlets for the public on food safety	Fall 2023	Environmental Health	Pamphlets developed	Complete	Will do again in FY25

NEEDHAM COMMUNITY HEALTH IMPROVEMENT PLAN 2024

Distribute at local public venues (I.e., Farmers Markets, June Fair, etc.)	Fall 2023	Environmental Health	Venues shared	Complete	
Education for food establishments of Food Safety Excellence Program	Oct 2023	Environmental Health	Food establishment attendance at trainings	Complete	
Pilot Food Safety Excellence Program with restaurants	Nov 2023 – June 2024	Environmental Health	Participating restaurants	In Progress	
Develop standardized feedback survey for food establishments to provide thoughts on program	Feb 2024	Environmental Health	Results	Not Yet Started	
Working with town economic development manager to promote getting feedback	April - May 2024	Environmental Health	Town Economic Development Manager supporting feedback efforts	In Progress	
Gather feedback from food establishments after each inspection, through survey, through town economic development manager	Nov 2023-June 2024	Environmental Health	Feedback gathered	Not Yet Started	
Use feedback to inform score adjustment if needed and understand if this certificate program will work in Needham	June 2024	Environmental Health	BoH – group discussion on whether this will work in Needham	Not Yet Started	Also happening during pilot, figure out fair scoring

NEEDHAM COMMUNITY HEALTH IMPROVEMENT PLAN 2024

Post-pilot program feedback from food establishments	June 2024	Environmental Health	Feedback gathered	Not Yet Started	
Inform public - Post food safety and recall info. on social media and on Public Health Division website	June 2024	Environmental Health, Public Health Nursing, Epidemiology	Tracking venues, information channels, PSA video views, reposts	Not Yet started	Additional public information dissemination: July FY25: Do PSA with Needham Cable Channel on food safety related topics. Write articles on food safety and post on Observer or Needham Patch; News to You Needham Newsletter; News e-Needham(?); Would happen after finalization/enaction of certification program Continue to educate the public by developing pamphlets and distributing them at local venues in town. Continue to educate our food establishments on common food safety violations that are observed during our inspections at our

NEEDHAM COMMUNITY HEALTH IMPROVEMENT PLAN 2024

					annual restaurant forum trainings. Share recorded trainings with the public, etc.
					Activities beyond FY24: Implementation of certificates and fines - Less P, Pf and Core Food Code violations. Higher routine food establishment inspection scores/issuance of Certificate of Excellence for scores >90. Decrease in food establishment related complaints.
Strategy 3.3.3 Provide education to community members about the genetic and lifestyle factors which may improve their physical health, including heart health.					
Identify relevant physical health and wellbeing materials to post on social media accounts	7/1/23-6/30/24	Public Health Nursing, Epidemiology	Posts on Instagram, Facebook, X	In progress	
Post on Instagram, Facebook, X	7/1/23-6/30/24	Public Health Nursing, Epidemiology	Posts on Instagram, Facebook, X	In progress	

NEEDHAM COMMUNITY HEALTH IMPROVEMENT PLAN 2024

Track analytics on platforms	7/1/23-6/30/24	Public Health Nursing, Epidemiology	Number of interactions (including clicks, likes, comments, etc.)	In progress	
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Resources Required for this Objective

- Canva access
- Paper
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Potential Partners for this Objective

- Community Council
- Center at the Heights staff
- Media outlets
- Restaurant/food establishments



Needham Public Health Division

Prevent. Promote. Protect.



Board of Health Town of Needham AGENDA FACT SHEET

MEETING DATE: May 10, 2024

Agenda Item	Beth Israel Deaconess Needham – Traveling Meals Program
Presenter(s)	Timothy McDonald, Director of Health & Human Resources

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Mr. McDonald will update the Board regarding the letter received from John Fogarty, Beth Israel Deaconess President, regarding the Traveling Meals Program.	
2.	VOTE REQUIRED BY BOARD OF HEALTH
Discussion only.	
3.	BACK UP INFORMATION:
Letter attached	

February 7, 2024

Needham Town Hall
Attn: Ms. Kate Fitzpatrick, Town Manager
1471 Highland Avenue
Needham, MA 02492

Re: Termination of Town's Traveling Meals Program

Dear Kate,

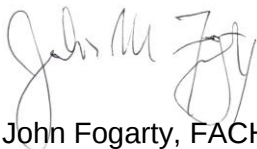
I am writing today in regards to the Traveling Meal Program that BIDN has managed for many years. Providing meals to the community aligns with our core values and it is something we have done with great pride. However, changes in our area healthcare region—workforce availability and overall growth and utilization of BID Needham as a community hospital in particular—have posed increasing space and staff challenges in meeting the town's needs with this program. As I'm sure you can appreciate our primary focus needs to be on meeting the needs of patients seeking care at the hospital.

Therefore, and regretfully, our dietary team feels they can no longer deliver the desired level of service for the traveling meals program and deliver the care to our rising patient population. This letter serves as 12-month notice that we will no longer be able to provide this valuable service effective February 7 under Section 2.2 of the Agreement for Payment in Lieu of Taxes dated November 20, 2023 between Beth Israel Deaconess Hospital-Needham, Inc. ("BIDN") and the Town of Needham ("Town"). All other terms and conditions of the PILOT Agreement shall remain in full force and effect.

Kate, the town and the hospital have always benefited from a strong, working partnership. If there are alternative arrangements we can mutually agree to in the meantime, we are happy to discuss

Please feel free to contact me if you have any questions or concerns at (781) 453 – 3002.

Sincerely,



John Fogarty, FACHE
President
Beth Israel Deaconess Hospital-Needham



Needham Public Health Division

Prevent. Promote. Protect.



Board of Health Town of Needham AGENDA FACT SHEET

MEETING DATE: May 10, 2024

Agenda Item	Subdivision Off-Street Drainage Bond Release Request
Presenter(s)	Tara Gurge, Assistant Public Health Director

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	Developer has requested the release of the off-street drainage bonds for the 2 subdivision lots, specifically, lots 13A and 13B (#5 and #11 Homsey Lane.)
2.	VOTE REQUIRED BY BOARD OF HEALTH
	Vote is required by the Board of Health. Vote suggestion should state – “The Board votes to release the off-street drainage bonds for the 2 subdivision lots, specifically lots 13A and 13B (#5 and # 11 Homsey Lane) in the amount of \$3,500 per lot or a total amount of \$7,000.00.”
3.	BACK UP INFORMATION:
	- See enclosed supplemental documents, including: - - Copy of Memo to Planning Board with off-street drainage lot requirements. - - Copy of letter from Town Treasurer with off-street drainage surety noted. - - Copy of follow-up Memo to developer with bond release requirements. - - Copy of developers notification letter to owners and abutters. - - Copy of Public Health Division’s Off-Street Drainage Policy.



Needham Public Health Department

1471 Highland Avenue, Needham, MA 02492
www.needhamma.gov/health

781-455-7500 ext. 511
781-455-0892 (fax)



Memo

To: Lee Newman, Planning Department

From: Tara Gurge, Health Department

Date: July 31, 2014

Re: Amendment to Definitive Subdivision Plan for Cedar Street and Homsy Lane

This memo is in reference to the amendment to the definitive subdivision of land for Cedar Street and Homsy Lane, and is shown on Assessors Plan No. 227 as Parcel 24. The plans are dated March 26, 2014, and stamped by Bradley Simonelli, Professional Land Surveyor.

This definitive subdivision would split an existing building lot into two separate lots, one with frontage on Homsy Lane and the other with frontage on both Cedar Street and Homsy Lane. All lots will be serviced by municipal water and sewer.

As part of our approval, the following requirements will need to be met:

- 1.) A 'Notification of Demolition' form must be submitted to the Health Department for review and approval for the home located at #250 Cedar Street to be raised.

The following off-street drainage requirements are indicated:

- 1) All lots should be graded to the limits of construction as to have no standing water or otherwise create a public health nuisance.
- 2) Grading shall not improperly shed or illegally increase drainage onto adjacent properties.
- 3) All subsequent developers or builders should be notified of the off-street drainage requirements.
- 4) If there are difficult or unusual conditions as determined in the field from the approved grading plan, or other circumstances or objections received from abutters, the Health Department may require an as-built grading plan for further evaluation.
- 5) Following the Board of Health off-street drainage guidelines for a subdivision, a drainage surety of \$3,500 per lot should be set for each buildable lot or \$7,000 for the two-lot subdivision, will be required.

Please feel free to contact the Health Department office if you have any additional questions or concerns.



TOWN OF NEEDHAM, MA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

500 Dedham Ave
Needham, MA 02492
781-455-7500

PLANNING

July 22, 2015

Theodora K. Eaton, Town Clerk
Town of Needham
Town Hall
Needham, MA 02492

Evelyn Poness, Town Treasurer
Town of Needham
Town Hall
Needham, MA 02492

Re: Surety - Cedar Street and Homsy Lane
Assessors Plan No. 227 as Parcel 24
Transmittal of Off-Street Drainage Surety

Dear Ms. Eaton and Ms. Poness:

At its meeting of July 21, 2015 the Planning Board voted to set the surety being held for this subdivision at \$7,000.00. This amount of \$7,000.00 is to be held for off-street drainage in accordance with the recommendations of the Board of Health. The off-street drainage surety is being held for Lots 13A and 13B, inclusive.

Accordingly, please find enclosed the following surety items: (1) Middlesex Savings Bank Treasurer's Check No. 371479 in the amount of \$7,000.00 made payable to the Town of Needham; and (2) Agreement, dated June 29, 2015, entered into between the Town of Needham Planning Board and 250 Cedar Street Realty LLC;

Please hold the above-named items to secure the completion of the Cedar/Homsy Definitive Subdivision Amendment. Should you have any questions regarding this matter, please feel free to contact me directly.

Very truly yours,

Lee Newman
Director of Planning & Community Development

cc: Robert Smart, Attorney
Rick Merson, Director, Department of Public Works
Tony Del Gaizo, Town Engineer

Attachment

Received on July 22, 2015 Middlesex Savings Bank Treasurer's Check No. 371479 in the amount of \$7,000.00 made payable to the Town of Needham.

Evelyn Poness, Town Treasurer

250 CEDAR STREET AGREEMENT

AGREEMENT made this 24th day of June, 2015 by and between the TOWN OF NEEDHAM, a municipal corporation located in Norfolk County, Massachusetts, acting through its Planning Board (hereinafter referred to as the "TOWN") and 250 CEDAR STREET REALTY, LLC, DENNIS PAUL, MANAGER, a Massachusetts corporation with a principal place of business at 250 Cedar Street, Needham, Massachusetts, (hereinafter referred to as the "OWNER").

WHEREAS, the Owner is the owner of record of Lots 13A and 13B as shown on a certain plan of land in said Needham, the plan being entitled: Subdivision Plan consisting of 5 sheets, prepared by Field Resources, Inc., 281 Chestnut St., Needham, MA, Sheet 1, Cover Sheet, entitled, "Subdivision Name, Definitive Subdivision Plan," dated March 28, 2014, revised June 5, 2015; Sheet 2, Sheet 1 of 2, "Plan of Land," dated March 26, 2014, revised June 5, 2015; Sheet 3, Sheet 2 of 2, "Topographic Plan of Land," dated March 26, 2014, revised June 5, 2015; Sheet 4, Sheet 1 of 2, "Plan of Land," dated March 26, 2014; and Sheet 5, Sheet 2 of 2, "Topographic Plan of Land," dated March 26, 2014; which Plan Sheet 2 has been recorded with the Norfolk County Registry of Deeds in Plan Book 639, Page 65 and which Plan Sheet 4 has been recorded with the Norfolk County Registry of Deeds in Plan Book 639, Page 67

and

WHEREAS, the Owner has furnished to the Town, as part of the consideration of this Agreement, and in accordance with the provisions of subsection (1) of Section 81-U of Chapter 41 of the Massachusetts General Laws, to secure faithful performance of the work required within the time limit specified by virtue of the Definitive Subdivision Decision by the Needham Planning Board dated November 18, 2014 of the 250 Cedar Street Subdivision recorded with the Norfolk County Registry of Deeds in Book 33261, Page 230 (hereinafter referred to as the "Decision"), and in accordance with the provisions of Condition #11 of the Decision to secure off-street drainage surety during the construction of the subdivision, a surety bond in the total combined amount of \$ 7,000.00 is provided.

NOW THEREFORE, said Owner and their successors and assigns covenant and agree as follows:

1. The Town will release Lots 13A and 13B from the conditions as to building and sale which were included in the Subdivision Covenant for the above-referenced Subdivision.
2. The provisions of the Decision, in which the Planning Board approved the subdivision as shown on the Subdivision Plans, and any subsequent amendments remain in full force and effect until such time as the Owner provides satisfactory evidence to the Town that all stipulated requirements have been completed.
3. The Owner will, within a period of two years from the date of the endorsement by the Planning Board of the approved Definitive Plan, said period being the time specified by the Planning Board for the completion of said work in accordance with the provisions of Section 81-U, General Laws, Chapter 41, perform and complete all work required in accordance with the Subdivision Regulations and Procedural Rules of the Planning Board and to the satisfaction of the Director of Public Works of the Town of Needham with respect to these lots, excepting the work satisfactorily completed as of the date of this Agreement, but including the maintenance and repairs necessary to maintain the municipal services and streets in satisfactory condition until the release by the Town of the surety furnished by the Owner to guarantee the completion of the requirements of this Agreement.
4. That the aforementioned surety shall be held by the Town of Needham as security for the performance by the Owner of all required work and as authorized by Section 81-U of the General Laws, Chapter 41, and that upon

satisfactory completion by the Owner of all said requirements within the time specified, or within such further time as the Planning Board of said Town of Needham may permit, said surety shall be returned to the Owner by the Town; however, upon breach of any terms or conditions of this Agreement, or upon failure of said Owner to perform within the time specified or within such further time as the Planning Board shall permit, the Town of Needham shall have the right to apply said surety for the benefit of the Town to the extent necessary to compensate the Town for the reasonable cost to the Town of completing such unfinished work and legal fees incurred by the Town in the enforcement of this Agreement.

5. Furthermore, the Town of Needham shall have the right to reestablish the amount of said surety as a condition of extending the completion date beyond the date specified herein or within such further time and date as the Owner may request, and the Planning Board of said Town of Needham may permit, as security for the performance by the Owner of said requirements as herein authorized and selected by the Owner, including the maintenance and repairs necessary to maintain the municipal services and streets within that portion of Cedar Street and Homsy Lane as shown on said plans and described herein in satisfactory condition and any increased costs resulting from the Owner's failure to complete said requirements within the time specified herein or within such further time as the Planning Board of said Town of Needham may permit, said reestablished surety to be determined by the Director of Public Works and estimated on the reasonable cost to complete such unfinished work and after such determination shall be construed as if said increased amount were originally set forth herein.

EXECUTED AS A SEALED INSTRUMENT on the day and year first above written.

OWNER

By:

Name: Dennis Paul, Manager
250 Cedar Street Realty, LLC

PLANNING BOARD
TOWN OF NEEDHAM

[Signature]
[Signature]
[Signature]
[Signature]

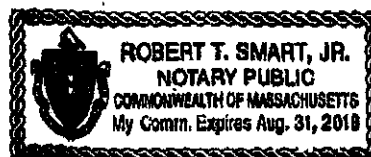
COMMONWEALTH OF MASSACHUSETTS

Norfolk ss

June 29, 2015

On this 29th day of June, 2015, before me, the undersigned notary public, personally appeared Dennis Paul, proved to me through satisfactory evidence of identification, which was my personal knowledge of his identity, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Manager of 250 Cedar Street Realty, LLC.

RT
Robert T. Smart, Jr.
My Commission Expires:



COMMONWEALTH OF MASSACHUSETTS

Norfolk ss

July 21, 2015

On this 21 day of ^{July} ~~June~~, 2015, before me, the undersigned notary public, personally appeared Jeane McKnight, one of the members of the Planning Board of the Town of Needham, Massachusetts, proved to me through satisfactory evidence of identification, which was personally known, to be the person whose name is signed on the proceeding or attached document, and acknowledged the foregoing to be the free act and deed of said Board before me.

Alexander Lee
Notary Public
My Commission Expires: March 18, 2022

Approved as to form:

David Tobin
David Tobin
Town Counsel

33336/228

NEEDHAM PLANNING BOARD
250 Cedar Street Definitive Subdivision
Release of Lots

Date: July 21, 2015

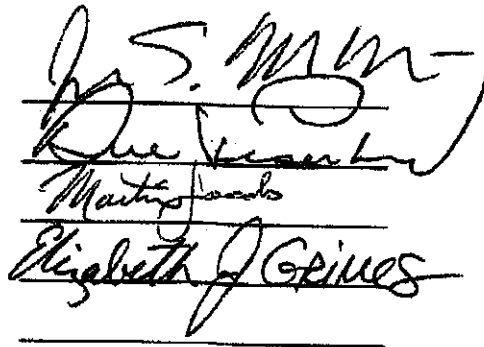
The Planning Board of the Town of Needham, Massachusetts, hereby releases from the Amended Subdivision Covenant, dated May 11, 2015, and recorded with the Norfolk County Registry of Deeds, Book 33261, Page 265, the following enumerated lots shown on a plan consisting of 5 sheets, prepared by Field Resources, Inc., 281 Chestnut St., Needham, MA, Sheet 1, Cover Sheet, entitled, "Subdivision Name, Definitive Subdivision Plan," dated March 28, 2014, revised June 5, 2015; Sheet 2, Sheet 1 of 2, "Plan of Land, 250 Cedar Street, Needham & Wellesley, MA," dated March 26, 2014, revised June 5, 2015; Sheet 3, Sheet 2 of 2, "Topographic Plan of Land, 250 Cedar Street, Needham & Wellesley, MA," dated March 26, 2014, revised June 5, 2015; Sheet 4, Sheet 1 of 2, "Plan of Land, 250 Cedar Street, Needham & Wellesley, MA," dated March 26, 2014; and Sheet 5, Sheet 2 of 2, "Topographic Plan of Land, 250 Cedar Street, Needham & Wellesley, MA," dated March 26, 2014. Said plan was recorded at the Norfolk Registry of Deeds in Plan Book 639, Pages 64-68.

Lots designated for release are as follows: Lots 13 A and 13B.

Said lots are hereby released from restrictions as to sale and building specified in said Covenant. This release does not represent that any ways shown on said plan have been completed to the satisfaction of the Planning Board.

NEEDHAM PLANNING BOARD

CC:
Director, DPW
Town Engineer
Assessors
Board of Selectmen
Building Inspector
Board of Health
Conservation Commission
Town Clerk


The block contains four handwritten signatures, each written over a horizontal line. The signatures are: 1. J. S. [unclear] 2. [unclear] 3. Martin [unclear] 4. Elizabeth J. Grimes

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

July 21, 2015

On this 21 day of July, 2015, before me, the undersigned notary public, personally appeared Seanne McNight, one of the members of the Planning Board of the Town of Needham, Massachusetts, proved to me through satisfactory evidence of identification, which was personally known to me, to be the person whose name is signed on the proceeding or attached document, and acknowledged the foregoing to be the free act and deed of said Board before me.

Alexandra Alce
Notary Public

My Commission Expires: March 18, 2022

Approved as to form:

M. Strolini
Town Counsel

ASSIGNMENT OF PERMITS, PLANS AND APPROVALS

THIS IS AN ASSIGNMENT dated as of APRIL 28, 2016, by 250 Cedar Street Realty, LLC, a Massachusetts limited liability company with offices at 250 Cedar Street, Needham, MA (the "Assignor") to Whittenton Management, LLC, a Massachusetts limited liability company, with offices at 823 Newton Street, Chestnut Hill, MA, its successors and assigns ("Assignee").

BACKGROUND

A. Assignor and Assignee, entered into a Purchase and Sale Agreement dated April 8, 2016 (the "Agreement") whereby Assignor agreed to sell to Assignee certain property, with the improvements thereon, known as Lots 13A and 13B Homsy Lane, Needham, MA, as described in Book 33375, Page 517 and Book 33327, Page 41, recorded with the Norfolk Registry of Deeds, together with all of Assignor's right, title and interest in and to the permits and approvals, and other agreements, for the construction of residential houses on said lots, and the improvements to the roadway and infrastructure of Homsy Lane (collectively, the "Property").

B. Assignor is the recipient of definitive subdivision approval from the Needham Planning Board, pursuant to an Amended Certificate of Action No. 6, recorded with said Registry at Book 33261, Page 230, as reflected on Plans recorded in Plan Book 639, Page 64-68, together with all other permits and approvals from local, regional, state and federal governmental authorities, quasi-governmental authorities, utility companies and such other entities for the development of the Property into single family homes with supporting subdivision infrastructure (collectively, the "Permits and Approvals").

C. Assignor has certain rights and obligations pursuant to various easements, covenants and agreements for the development of the residential lots, together with improvements to Homsy Lane, including but not limited to agreements with the Cedar Street Sewer Association (collectively, the "Agreements").

NOW, THEREFORE, in consideration of the terms and conditions contained in the Agreement, and intending to be legally bound, the parties hereby agree as follows:

TERMS

1. In connection with the closing on the Property, Assignee will compensate Assignor in the amount of \$7,000, reflecting the amount of the cash surety, posted with the Town of Needham, as reflected in the letter from the Town of Needham, dated July 22, 2015.

2. Assignor hereby assigns, transfers and conveys unto Assignee any and all of Assignor's right, title and interest in and to the Permits and Approvals and Agreements, including Assignor's rights in the redemption of a cash surety posted with the Town of Needham, in the amount of \$7,000, for off-street drainage.

3. Assignor represents and warrants to Assignee that full and accurate copies of all the permits and approvals have been provided to Assignee, and Assignor agrees to cooperate with Assignor on providing any and all evidence to the permitting and approval authorities that this Assignment is in full force and effect.

3. Assignor represents and warrants to Assignee that (a) the Plans being assigned hereby are free and clear of any and all liens or claims by Engineer, (b) Assignee has received copies of all of the Plans, and (c) Assignee shall have the right to use the Plans.

4. Assignor shall execute and deliver such further and additional instruments, agreements and other documents as may be necessary to evidence or carry out the provisions of this Assignment at the request of Assignee and at no expense to Assignor.

IN WITNESS WHEREOF, and intending to be legally bound, the undersigned has executed this Assignment as of the date first above written.

ASSIGNOR:

250 CEDAR STREET REALTY LLC

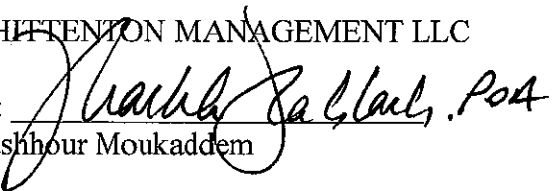
By:

 POA
Dennis Paul, Manager

ASSIGNEE:

WHITTEN MANAGEMENT LLC

By:

 POA
Mashhour Moukaddem

POWER OF ATTORNEY

The undersigned hereby appoints Lisa Pezzoni (individually and/or collectively, the "Attorney"), as attorney for the undersigned and in the undersigned's name to represent the undersigned in the sale of the real property located at and known as Lot 13A Homsey Lane, Needham, Massachusetts and Lot 13B Homsey Lane, Needham, Massachusetts (the "Property"), to Whittenton Management, LLC and in that capacity (i) to attend the closing for the sale of the Property, (ii) to make, prepare, execute, deliver, accept and acknowledge any forms, instruments, disclosures or other documents relating to the Property or the sale of the Property, including, but not limited to, documents required under the Real Estate Settlement Procedures Act or any other applicable federal or state law, (iii) to represent the undersigned at the closing and make such adjustments and disbursements at the closing as may be necessary, (iv) to receive all funds due the undersigned as a result of the sale and to hold the same in escrow and (v) to take any action in connection with the sale of the Property which the undersigned might take if the undersigned were present. The undersigned grants to the Attorney full power of substitution.

This Power of Attorney is in effect as of the date recited below and shall remain in effect until proper notice of its termination has been executed and recorded with the Middlesex South District Registry of Deeds, or upon the sale of the Property, whichever event shall occur first. This Power of Attorney shall continue notwithstanding the lapse of time since its execution.

The undersigned hereby ratifies and confirms all of the acts performed by the Attorney, or substitute attorney appointed by the Attorney, pursuant to the powers contained herein.

This Power of Attorney shall be deemed to conform in all respects to the provisions of the Uniform Durable Power of Attorney Act set forth in G.L. c. 201B.

The Attorney shall be liable only for willful or grossly negligent acts or omissions. The undersigned directs that the Attorney be reimbursed in full from the undersigned's property or estate for any loss or expense incurred as a result of acting as the undersigned's attorney, except for a loss or expense resulting from the Attorney's willful or grossly negligent act or omission.

This Power of Attorney shall not be affected by the undersigned's subsequent disability or incapacity.

Executed as an instrument under seal this 28 day of April, 2016.

250 Cedar Street Realty LLC

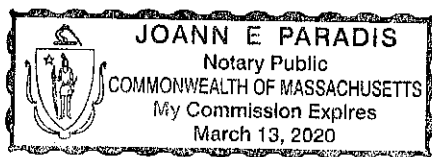
By: 
Dennis Paul, Manager

COMMONWEALTH OF MASSACHUSETTS

Worcester, SS

On April 28, 2016, before me, the undersigned notary public, personally appeared Dennis Paul, Manager of 250 Cedar Street Realty LLC (the "Principal") and acknowledged to me that the Principal signed the preceding or attached document voluntarily for its stated purpose. The Principal proved to me through satisfactory evidence of identification that the Principal is the person whose name is signed on the preceding or attached document. The satisfactory evidence of identification provided to me was:

- ☒ A current document issued by a federal or state government agency bearing the photographic image of the Principal's face and signature; or
- ☐ On the oath or affirmation of a credible witness unaffected by the document or transaction who is personally known to the notary public and who personally knows the Principal; or
- ☐ Identification of the Principal based on the notary public's personal knowledge of the identity of the Principal; or
- ☐ The following evidence of identification: _____



Joann E. Paradis
Notary Public
Printed Name: Joann E. Paradis
My Commission Expires: 3.13.21

[Seal]



Needham Public Health Division

178 Rosemary St., Needham, MA 02494
www.needhamma.gov/health

781-455-7940 ext. 504
781-455-7922 (fax)



Memo

To: Mr. Mashhour Moukaddem, Whittenton Management, LLC
From: Tara Gurge, Assistant Director, Needham Public Health Division *TG*
CC: Lee Newman, Planning Board Director
Alex Clee, Assistant Town Planner
Date: January 29, 2024
Re: Surety – Cedar Street and Homsy Lane Definitive Subdivision
Request to release of off-street drainage bonds for Lots 13A and 13B, inclusive

The Public Health Division has received a notification from the Planning Board that you are currently seeking a release in the performance off-street drainage bonds for the lots noted above for the Cedar Street and Homsy Lane Subdivision, for lots 13A and 13B (5 and 11 Homsy Lane.) We understand that the Town is currently holding a surety bond of \$7,000.00 for off-street drainage at this time. The surety amount for each lot was set at \$3,500.00.

The Public Health Division requires that the following information be submitted prior to accepting the request for the release of the off-street drainage bond for each lot:

- 1.) Please provide the Public Health Division with the owners' contact information, i.e., phone/email, for these lots, along with the abutting lot owners contact information (e.g., Phone #'s and email addresses), if applicable. **PLEASE NOTE:** We received the owners name and phone number for lot 13B, #11 Homsy Lane; however, the phone/email address was not provided to us for the owner located at lot 13A, #5 Homsy Lane.
- 2.) Please notify, via certified mail/return receipt requested, all owners and abutters of your release of surety request to determine if any water drainage and/or erosion concerns exist (see enclosed sample draft letter that can be used.) Please also copy the Public Health Division on your letters. The Health Division must receive copies of each signed/dated certified mail green card for our file.

Please note that the Public Health Division will need to contact each lot owner, and be granted permission to access their properties, in order to allow staff to conduct the required site visits at each lot to verify that no off-street water pooling or erosion issues exist prior to the release of this surety.

Please contact me, at the Public Health Division, if you have any additional questions on these requirements at (781) 455-7940; Ext. 211 or via email at: Tgurge@needhamma.gov.

Attachment:

- Draft Bond Release Letter

Date:

By Certified Mail #
Return Receipt Requested

Re: Request for the release of off-street drainage bonds at _____

Dear owners and abutters;

I am submitting a request to the Needham Board of Health for the release of \$ _____
of the off-Street Drainage Bonds that were issued for the following lots/addresses in
_____ Subdivision:

• Lot #	Address	Amount of bond
---------	---------	----------------

The Board of Health sets an off-street drainage bond to assure that the grading on new subdivision substantially conforms to the approved subdivision plan and that there is no ponding or severe erosion within the limits of construction.

Please notify the Needham Public Health Division in writing (at 178 Rosemary St., Needham, MA 02494) or call (781) 455-7940; Ext. 211, or email Tara Gurge at Tgurge@needhamma.gov, within 14 days of receipt of this notice if you have objections to the release of these funds. Also, please contact the Public Health Division if you have any questions concerning the process for releasing this bond.

Sincerely,

cc: Needham Public Health Division

2/6/24

Tara Gurge
Needham Public Health Division
178 Rosemary Street
Needham, MA 02592

Sent Via: Certified Mail
Return Receipt Requested

Re: Request for release of off-street drainage bonds

Dear owners and abutters:

I am submitting a request to the Needham Board of Health for release of the \$7,000 off-street drainage bonds that were issued for the following lots / addresses in the Cedar Street and Homsy Lane Subdivision:

<u>Lot #</u>	<u>Address</u>	<u>Amount of bond</u>
13 A	5 Homsy Lane	\$3,500
13 B	11 Homsy Lane	\$3,500

The Board of Health sets an off-street drainage bond to assure that the grading in the new subdivision substantially conforms to the approved subdivision plan and there is no severe erosion within the limits of construction.

Please notify the Needham Public Health Division in writing at 178 Rosemary St., Needham, MA 02494, or call (781) 455-7940; Ext. 211, or email Tara Gurge at Tgurge@needhamma.gov, within 14 days of receipt of this notice if you have objections to the release of these funds, or if you have any questions concerning the process for releasing this bond.

Please provide your contact information to Tara Gurge at the Needham Public Health Division so that you may be contacted to set up a site inspection of your property.

Sincerely,

Mashhour Moukaddem P.P. CW at William C. Keaton

Mashhour Moukaddem
Whittenton Management, LLC

Cc: Needham Public Health Division



NEEDHAM PUBLIC HEALTH



POLICY or PROCEDURE TITLE: **Off-Street Drainage Bonds**
Number: **HHS-PH-EH-110**
Policy Type: Environmental Health
Original Date: January 29, 2018
Effective Date: November 1, 2021
Date Reviewed or Revised: October 26, 2021
Essential Public Health Service: **Enforce laws and regulations**

PURPOSE: To establish procedures for approving the release of off-street drainage bond requests.

POLICY: The Needham Public Health Division approves off-street drainage bond requests submitted by developers according to a standard procedure.

PROCEDURE:

1. The developer submits the request for release of off-street drainage bond to the Planning Department. The request from the developer is accompanied by all owner and abutter contact information, including name, address, and phone number. Abutters include owners of properties that directly touch the lots to be released.
2. The Planning Board forwards the request from the developer to the Public Health Division, along with owner and abutter contact information provided by the developer.
3. The Environmental Health Officer sends a follow-up memo with off-street drainage requirements to the developer. This includes a sample draft letter for requesting off-street drainage release.
4. The developer sends the release request letter by certified mail, return receipt requested, to all lot owners and abutters, and sends a copy to the Public Health Division.
5. The developer sends copies of letters and signed receipt cards to the Public Health Division along with all lot contact names and phone numbers.
6. The Environmental Health Officer contacts all owner-abutters to determine if there have been any standing water or water erosion concerns due to the new construction. The lot owners and abutting lot owners are asked if they have been living in their homes for at least a year to ensure that they have gone through all four seasons without seeing any water drainage or erosion problems due to improper grading.
7. The Environmental Health Officer conducts site visits to investigate any complaints that meet criteria set by the Board of Health, such as erosion or ponding within limits of construction. The Health Officer also contacts each owner-abutter for permission to conduct site visits of each lot.

8. The Environmental Health Officer may investigate additional homes that do not return a signed receipt within the requested two weeks.
9. Depending on the number of complaints received and results of the follow-up investigation, the Board of Health votes on the recommendations of the Public Health Division to approve a full or partial release of off-street drainage bond.
10. The Board of Health notifies the Planning Board of its decision. The Planning Board can then vote on the initial request.

The off-street drainage bond amount is currently set at \$3,500 per lot, according to the current off-street drainage guidelines. The Public Health Division will increase this amount if there are certain unique circumstances such as additional grading requirements due to on-site septic systems, etc., as previously done.

After completion of new homes built on these lots, and after residents have been in the home for at least a year, the builder may be allowed to start the process to request his off-street drainage bond money to be released. (NOTE: Lots to be released must not have any abutting lots that are not completed.) Abutting homeowners must also be in their residences for at least a year before the process to release the off-street drainage bonds can start.

LEGAL AUTHORITY: [MGL 111 §31](#)

Prepared by Lynn Schoeff and Tara Gurge

Approved by:			
(Tara Gurge for Timothy M. McDonald)			10/26/21
_____ Director of Health and Human Services	_____ Date	_____ Assistant Director of Public Health	_____ Date



Needham Public Health Division

Prevent. Promote. Protect.



Board of Health Town of Needham AGENDA FACT SHEET

MEETING DATE: May 10, 2024

Agenda Item	Further Discussion on SunMed Your CBD Store
Presenter(s)	Tara Gurge, Assistant Public Health Director

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	Further discussion on the store and inventory.
2.	VOTE REQUIRED BY BOARD OF HEALTH
	Discussion only.
3.	BACK UP INFORMATION:
	See back-up documentation provided: - Copy of emailed correspondence previously provided following last Board of Health meeting. - Copy of Substance Abuse & Mental Health Services Administration (SAMHSA) CBD Guidance document

Tara Gurge

From: Tara Gurge
Sent: Friday, April 12, 2024 4:22 PM
Cc: Timothy McDonald; Tiffany Zike; Sainath Palani
Subject: FW: Follow-up info from today's Board of Health meeting re: Needham CBD Store- Latest guidance received from MDAR, FDA and MDPH
Attachments: RE: [EXTERNAL] FW: Dietary supplement urgent inquiry- Please reply ; CBDStoreLett.4.8.24.pdf; Picture and Series of Events of Enforcement- February through April 2024.pdf; Email about performing Spot Checks of Remaining Liquor Stores- March 2024.pdf; Email send about Hemp Derived THC CBD Products Sent February 15th.pdf; CBDFactSheet_0 (003).pdf; MDAR Policy Statement Sale of Hemp (003).pdf; Final Delta-8 Guidance Document with Discussion 11.17.22.pdf

ATTN. Board of Health –

Hello - Just as a follow-up to today's meeting, I wanted to provide you with a complete electronic packet of info. on the CBD store products that we have been busy researching, which includes the statement provided from the Massachusetts Dept. of Public Health Food Protection Program, along with the latest email correspondence I received from the FDA (see email attached.)

Here is the follow-up email correspondence that we provided to the CBD Store, below, which also contains guidance received from the MA Dept. of Agricultural Resources (MDAR). After doing our research on these additional oil tincture and water-soluble drop products, as you can see, it was confirmed that these products are not allowed to be sold in MA since the MDPH has stated that, **'Based on the FDA response it sounds as though these hemp-derived oil tinctures and water-soluble drops are not foods from "approved sources" therefore cannot be sold in MA.'**

I have provided the additional information we received from the FDA and the MDPH about those oil tincture and water-soluble drop products (See yellow highlighted email from MDPH below, and the FDA emails attached.) As you may recall, the store owner worked with us in immediately removing her edible gummy products, her seltzer beverage products, and her pet edible products when we had our first meeting with her back on February 20th. The Public Health Division was still in the process of receiving this additional info. about the oil tincture and the water-soluble drop products, which we recently just received, which is what prompted the March 25th meeting and the summary letter that was sent drafted by Town Counsel.

I've also included the summary letter that our Town Counsel drafted for us that was recently mailed to the store owner (See attached.) (This is what prompted her call to you.) We had this same discussion with this store owner over 4 years ago when she first opened her store, specifically that she was not allowed to sell any edible or beverage CBD products, but she admitted to us that due to COVID, she was losing money, so she put them back on the shelves since 'everyone else was selling them in surrounding towns.' She worked with us then and removed those products, and when we conducted a recent spot check of her store, we were shocked to see those products back on the shelves. (FYI - This agreement not to sell edible or beverage products, including providing samples to customers of water-soluble drop products, was also stated in a separate email with the store owner, dated March 3, 2020, which the owner agreed not to do, which we can also share with you if requested.)

According to the State and Federal Food Codes, products from 'unapproved sources' are to be removed from sale within 24 hours, and we have worked with her and have given her, per guidance received from Town Counsel, 3 weeks to remove her products. We had our follow-up meeting with her on March 25th, and we have given her until April 16th to remove those products from sale. She agreed during the meeting to work with us on that deadline. We

have since been by the store, and she has everything marked 60% off and she is selling off her products. She also has the ability to sell her products to other SUNMED-Your CBD Stores in the surrounding area, and she told us during our meeting that she would be looking into doing that as well.

Sai also wanted me to provide you all with some additional info. that he gathered, which I've also attached to this email for your reference.

We hope you find this info. helpful. We can provide all this info. in our next month's BOH meeting packet for you as well.

Please feel free to reach out if you have any follow-up questions. We think the follow-up information and guidance we have received to date from MDAR, MDPH and FDA are clear on these products.

Hope you have a great weekend.

Thanks,



TARA E. GURGE, R.S., C.E.H.T., M.S. (she/her/hers)
ASSISTANT PUBLIC HEALTH DIRECTOR
Needham Public Health Division
Health and Human Services Department
178 Rosemary Street
Needham, MA 02494
Ph- (781) 455-7940; Ext. 211/Fax- (781) 455-7922
Mobile- (781) 883-0127
Email - tgurge@needhamma.gov
Web- www.needhamma.gov/health



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From: Tara Gurge

Sent: Tuesday, March 19, 2024 10:56 AM

To: Ed Roman <eroman@getsunmed.com>

Cc: Gatha Milhorn <gmilhorn@getsunmed.com>; Patrick Shatzer <pshatzer@getsunmed.com>; Timothy McDonald <tmcdonald@needhamma.gov>; cheep@harringtonheep.com; Sainath Palani <spalani@needhamma.gov>; yourcbdstoreneedham@gmail.com; Your CBD Store Needham <yourcbdstoreneedham@gmail.com>; Christopher Heep <cheep@miyares-harrington.com>

Tara Gurge

From: CFSAN Office of Dietary Supplement Programs <ODSP@fda.hhs.gov>
Sent: Monday, March 4, 2024 1:33 PM
To: Tara Gurge
Cc: Welch, Cara
Subject: RE: [EXTERNAL] FW: Dietary supplement urgent inquiry- Please reply

Thank you for your inquiry. For more information regarding the FDA's regulation of cannabis-derived products, please see FDA Regulation of Cannabis and Cannabis-Derived Products, Including Cannabidiol (CBD) | FDA. The Questions and Answers section, specifically questions 8 & 9, includes information regarding whether CBD products can be sold as dietary supplements.

Regarding the specific products you linked, it appears these products are CBD products in which case they cannot be lawfully marketed as dietary supplements. As explained on our website, FDA has concluded that CBD products are excluded from the dietary supplement definition under section 201(ff)(3)(B) of the FD&C Act [21 U.S.C. § 321(ff)(3)(B)].

Office of Dietary Supplement Programs (ODSP)
Center for Food Safety and Applied Nutrition (CFSAN)
U.S. Food and Drug Administration

From: Tara Gurge <TGurge@needhamma.gov>
Sent: Tuesday, February 27, 2024 12:12 PM
To: FDA Commissioner <Commissioner_Writein@fda.gov>; CFSAN Office of Dietary Supplement Programs <ODSP@fda.hhs.gov>
Subject: [EXTERNAL] FW: Dietary supplement urgent inquiry- Please reply
Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

ATTN. Dr. Robert M. Califf and/or FDA Office of Dietary Supplement Programs –

I am trying to touch base with someone at FDA re: an urgent inquiry we have. We are trying to clarify whether the hemp-derived oil tincture and water-soluble products noted below, which are currently being sold at a local CBD store in town, are considered a dietary supplement per FDA. Here are a couple of sample products in question, along with links to the product info. and labels, noted below.

We had our CBD Store send the local Needham Public Health Division a list of their products. They have already agreed to remove their edible hemp-derived gummy products and their seltzer beverage products, along with their pet products off their shelves. However, we seem to be getting some slight pushback re: their oil tinctures and their water-soluble drop products.

After reviewing those product labels, we see that their oil tinctures - (See example, Organic Full Spectrum CBD Tincture- <https://getsunmed.com/collections/cbd-mind-oil-tincture/products/organic-full-spectrum-tinctures?variant=39855946235981>), contain Organic Hemp Extract 20 mg (minimum naturally occurring total cannabinoids, 17 mg.) Does the FDA consider this product exempt since it's considered a 'Dietary Supplement'? Are they allowed to sell this product? Please advise.

And after reviewing their water-soluble hemp-derived drops, we see that on their product labels- (See example, Full Spectrum Wellness CBD Water Soluble - https://getsunmed.com/products/full-spectrum-water-solubles?_pos=2&_sid=21b4e9cca&_ss=r), it states that Hemp Extract 24 mg (minimum naturally occurring total cannabinoids, 20mg.) Does the FDA consider these types of products exempt, since it's considered a 'Dietary Supplement'? Are they allowed to sell this product? Please advise.

Any guidance you are able to provide to me on those products would be greatly appreciated. We are working with our CBD store now on the removal of their edible gummies and seltzer beverage products, per Massachusetts Dept. of Agricultural Resources (MDAR) guidance. Our MA Dept. of Public Health Food Protection Program sent me to your office to confirm those remaining products, and whether those additional products should also be removed from sale to the public.

Please let me know.

Thanks,



TARA E. GURGE, R.S., C.E.H.T., M.S. (she/her/hers)
ASSISTANT PUBLIC HEALTH DIRECTOR
Needham Public Health Division
Health and Human Services Department
178 Rosemary Street
Needham, MA 02494
Ph- (781) 455-7940; Ext. 211/Fax- (781) 455-7922
Mobile- (781) 883-0127
Email - tgurge@needhamma.gov
Web- www.needhamma.gov/health



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From: Tara Gurge
Sent: Monday, February 26, 2024 10:48 AM
To: DSRSsupport@fda.hhs.gov
Subject: Dietary supplement inquiry- Please reply
Importance: High

Attn. FDA DSRS Support –

Hello! I am contacting you regarding an inquiry on whether a particular hemp-derived product is legal to be sold at one of our local CBD stores. The reported 'supplement' product in question is a water-soluble hemp-derived drop that gets mixed with water before being consumed. The owner of the shop has these drops for sale, and she was also offering free water samples of this product in her store. Here is the direct link to the product in question, for your reference- https://getsunmed.com/products/full-spectrum-water-solubles?_pos=2&_sid=21b4e9cca&_ss=r

Is this a legal dietary supplement product per FDA standards? Does this product meet the FDA's approval to be sold to the public? We also contacted our Massachusetts Dept. of Agricultural Resources (MDAR) and our MA Dept. of Public Health. Here is the guidance we obtained – **'Both food and beverage products containing hemp-derived cannabinoids including THC and CBD are prohibited in Massachusetts. FDA prohibits food and beverage products that contain hemp-derived cannabinoids from entering interstate commerce and DPH does not allow the sale or manufacture of such products. It does not matter whether the product is made with hemp as the source of the CBD or THC as there is no exception under state law for hemp-derived products. These ingredients are considered an adulterant regardless of the fact that the production of hemp is legal. The 2018 Farm Bill did not legalize all products made from hemp; in fact it specifically provides that FDA's jurisdiction over hemp-derived products remains unchanged. As such, just because the product comes from hemp it does not automatically make it lawful or exempt from further oversight or regulation.'**

Our MA Dept. of Public Health contact wanted me to confirm with you whether this product was allowed to be sold. According to the FDA, is this product not considered a food or beverage hemp-derived product that would be restricted for sale to the public?

Please advise.

Thanks,



TARA E. GURGE, R.S., C.E.H.T., M.S. (she/her/hers)
ASSISTANT PUBLIC HEALTH DIRECTOR
Needham Public Health Division
Health and Human Services Department
178 Rosemary Street
Needham, MA 02494
Ph- (781) 455-7940; Ext. 211/Fax- (781) 455-7922
Mobile- (781) 883-0127
Email - tgurge@needhamma.gov
Web- www.needhamma.gov/health



Prevent. Promote. Protect.



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Needham Public Health Division

Prevent. Promote. Protect.



April 8, 2024

Anna Schickel, Owner
Your CBD Store
1096 Great Plain Ave.
Needham, MA 02492

Re: Cease and Desist – All Sale of CBD in Edible, Beverage, Tincture, and Water-Soluble Form

Dear Ms. Schickel:

On February 20, 2024 and March 25, 2024, representatives of the Needham Public Health Division met with you and representatives of SUNMED/Your CBD Store to discuss the Division's concerns of unauthorized sale of edible, beverage, tincture, and water-soluble CBD products.

By way of follow up to the latest meeting, this letter is to confirm that you are directed to cease and desist all sale of edible CBD products, beverage CBD products, CBD tinctures, and water-soluble CBD drops at or from your retail location at 1096 Great Plain Avenue. The Public Health Division has confirmed with the U.S. Food and Drug Administration and with the Massachusetts Department of Public Health that CBD may not lawfully be added to food products, and may not lawfully be marketed or sold as a dietary supplement.

Therefore, as stated during the last meeting, the Public Health Division will send an inspector to the store the week of April 15, and the Division's expectation is that all products noted above will be removed from the store at that time, and that sales of these products will not recommence absent a change in applicable law.

Please do not hesitate to contact this office with any questions.

Sincerely,

Tara Gurge, R.S., C.E.H.T., M.S
Assistant Public Health Director

Sainath Palani, MPH
Environmental Health Agent

cc: Mr. Edward Roman – General Counsel – Sunmed
Mr. Patrick Shatzer – Manager, Regulatory Affairs – Sunmed
Mr. Christopher Heep – Legal Counsel – Needham
Mr. Timothy McDonald – Director Health and Human Services - Needham



Taken at Store at February 14, 2024, Initial Visit by Sai at CBD Store at 1060 GPA

Notes about Series of Events:

Sai visited store on February 15^h, 224, after our office started to hear about hemp derived THC being distributed in liquor stores in town.

CBD store was found to be selling THC Delta 10 gummies and seltzer as well as CBD edibles. Sai informed Anna that these products were not legal and the health department would likely take action on this soon.

Tara and Sai visited jointly on February 15th, 2024 to continue conversation to let Anna know that these products cannot be legally sold in Massachusetts. Anna claimed this was being sold in other establishments in Needham. The same day we visited the stores Anna mentioned and had any found products immediately taken off from display. Health agents later on performed spot checks on all retail liquor stores and sent a email to all permitted tobacco retailers, retail stores and establishments with liquor licenses.

Tara, Sai and Tim as well as Town Counsel had two meetings (February 20th and March 25th) with Anna and corporate legal team to discuss removal of products in two phases. First meeting was about the THC products and CBD gummies and drinks and pet products. These appeared to have been removed from display within a week or two. The second meeting was held after FDA confirmed that tinctures and water soluble droplets were not considered dietary supplements. Thus they are considered food as well and are not an allowed product. Regulation states that non-approved products must be removed within 24 hours, staff suggested a week to give additional time understanding it would encompass the majority of the business and after a conversation 3 weeks was granted to help give time to sell off product.

Sainath Palani

From: Sainath Palani
Sent: Friday, March 1, 2024 11:09 AM
To: Monica Pancare
Cc: Tara Gurge
Subject: RE: Assignments for Needham EH Staff: March 2024

I have emailed all the folks with liquor licenses in town so they all should be away as well. This is something we can try to double check when we are out doing our food inspections as well.

From: Monica Pancare <mpancare@needhamma.gov>
Sent: Friday, March 1, 2024 10:58 AM
To: Sainath Palani <spalani@needhamma.gov>
Cc: Tara Gurge <TGurge@needhamma.gov>
Subject: Re: Assignments for Needham EH Staff: March 2024

I want to add that a lot of bars and restaurants may use these as an ingredient in preparation of Mixed liquor drinks or nonalcoholic beverages.
You might want to address this at some point too.

Sent from my iPad

On Feb 29, 2024, at 8:04 PM, Sainath Palani <spalani@needhamma.gov> wrote:

Establishment	Premise Address	Manager of Record
Bin Ends	65 Crawford Street	John C. Hafferty
Gordon's Fine Wine	150 Gould Street	David Gordon
Needham Wine & Spirits	1257 Highland Avenue	Michael F. O'Connell
Reveler Beverage	250 Chestnut Street	Scott Linzmeyer
Vinodivino	922 Highland Avenue	Michael Mendes
Volante Farms, Inc.	292 Forest Street	David Volante

Can you please double check these locations that sell wine, beer and liquor in town? I have emailed all of them and Reveler and Needham Wine & Spirits responded saying they do not have these products and/or they have taken them off the shelf. But I think we should double check. I have not heard back from the other four locations.

I have only stopped by Needham Center Fine Wines and had them pull all the product in front me. There are 5 different brands (Wynk, Cycling Frog, Rebel Rabbit, Ayrloom lemonade and Cana) I have discovered and three distributors (Atlantic Importing from Southborough, Craft Collective out of Stoughton, Atlantic distributors out of Holliston). If you do find a suspected product please document it, if you feel comfortable please inform the manager that these products cannot be sold in Needham ask them to pull it from the shelves and that they should contact their distributor to

pick up the supply they have. Please note if there is a different sort of product from the 5 I found and see if there is a different distributor being used. We are trying to collect this information so we can pass this on to some of the surrounding towns and information share.

We can regulate this through the state food code as this is an unapproved additive to food & drink and/or through our local Article 22 BoH regulation.

I think my plan is to at least monitor for this at least once a year intentionally across all the retail stores in town.

Thank you so much. I was planning on doing this myself in March, and this would help take it off my plate.

Sai

From: Monica Pancare <mpancare@needhamma.gov>
Sent: Thursday, February 29, 2024 7:32 PM
To: Sainath Palani <spalani@needhamma.gov>
Cc: Tara Gurge <TGurge@needhamma.gov>
Subject: Re: Assignments for Needham EH Staff: March 2024

Hi Sainath
Yes I can help you with the liquor stores for Hemp products.
Just let me know what you have found so far, and you want me to proceed.

Sent from my iPad

On Feb 29, 2024, at 5:11 PM, Sainath Palani <spalani@needhamma.gov> wrote:

Establishment Name	Email Address
Comella's	walter@comellasrestaurants.com
Gari Japanese Fusion Bistro	garifusion@gmail.com
Cookies By Design- MeiraMore, Inc.	masscookiesbydesign@gmail.com
Nicholas' Pizzeria	belibasakisn@gmail.com
Fresco	jcg4051@hotmail.com
Forklift Catering	dennis@forkliftcatering.com

Hi Monica,

Please see your assignments for the month of march.

I could maybe use your assistance with spot checking the liquor stores for the hemp derived seltzers. I did send an email to all the tobacco retailers and liquor stores and general retail stores about those products. I am not sure if that is going conflict with your full time job, if you are able to assist with those checks to confirm that

Sainath Palani

From: Sainath Palani
Sent: Thursday, February 15, 2024 6:06 PM
Cc: Tara Gurge
Subject: Needham Public Health Division Reminder about Hemp Derived Ingestible Products
Attachments: MDAR Policy Statement Sale of Hemp.pdf; Article 22 - Synthetic Drug Regulation (2).pdf; CBDFactSheet_0.pdf

Hi,

You are receiving this email as you have a 2024 Liquor License in Needham or maybe getting one shortly or are otherwise a retail store in town. This was something that our office had done the rounds for back in 2019 when Hemp was first legalized in the country.

We are reaching out again as we are getting word that various suppliers/distributors have been pushing **Hemp or Hemp Derived CBD and/or THC** infused pre-packaged drinks to liquor stores, retail stores and bars across the state. There is a trend to sell these as a healthy alternative to alcohol and they are making unfounded medicinal/therapeutic claims about the product. In addition, these hemp products are also being sold in edible forms. These products are not regulated and not legal to be sold in Massachusetts and also in Needham. We have a local regulation prohibiting these products, and in addition FDA, MADPH and MDAR have advised that these products are not legal.

We are sending this email as another friendly reminder to not take in any of these products and to not sell any of these products. This is especially relevant to newer retailers that is not aware of the 2019 Hemp changes and policies.

An example of these products is WYNK (there are definitely many others). My understanding is that WYNK may also sell regulated marijuana infused beverages that are only permitted to be sold in state permitted dispensaries, but they are now also expanding into hemp based drinks and pushing the product onto general liquor and retail stores. Again, the hemp versions of the product are illegal and unregulated and should not be sold in an ingestible form.

If you see any of these products being sold and/or distributed in Needham or if you get approached by a supplier or distributor, please inform our office. We would like to follow up and report it the appropriate state and federal agencies as needed. We understand that some stores were either approached or are already selling these products and we are working with those locations that have been identified to remove their flagged products.

If you have any questions, please feel free to reach out to our office and we can explain and/or provide more information.

Thanks,
Sai Palani, MPH
Environmental Health Agent
Needham Public Health Division
O: (781) 455-7940 Ext. 220
C: (781) 292-0224

CBD (Cannabidiol) in Food Manufactured or Sold in Massachusetts

If I have a Massachusetts license or permit under 105 CMR 500 (Regulations for Good Manufacturing Practices for Food) to manufacture food, is it legal to add cannabidiol (CBD) to that food?

No. The Massachusetts Department of Public Health (DPH) regulates food manufacturing in the Commonwealth (see [105 CMR 500](#)). These regulations require that all food must be from approved sources that comply with federal, state, and local law and must not contain any prohibited ingredients. The [FDA has concluded](#) that federal law prohibits the addition of CBD to food products because CBD is an active ingredient in FDA-approved drugs. Since CBD is not an approved ingredient under federal law, it may not be added to manufactured foods.

If I have a Massachusetts permit under 105 CMR 590 (Minimum Sanitation Standards for Food Establishments) as a food establishment, is it legal to add CBD to food I distribute at retail?

No. The DPH sets minimum sanitary standards for food establishments in the Commonwealth. These regulations are enforced by local boards of health in partnership with the state (see [105 CMR 590](#)). The regulations incorporate the FDA's Food Code, which requires that food be obtained from sources that comply with federal, state, and local laws and must not contain any prohibited ingredients. As noted above, the [FDA has concluded](#) that federal law prohibits the addition of CBD to food products because CBD is an active ingredient in FDA-approved drugs. Since CBD is not an approved ingredient under federal law, it may not be added to foods distributed at retail.

If I am licensed or permitted as a food manufacturer or retailer in Massachusetts, is

it legal to add hulled hemp seeds, hemp seed protein, and/or hemp seed oil to food I manufacture and/or sell at retail?

Yes. The [FDA has completed](#) its evaluation of generally recognized as safe (GRAS) notices for hulled hemp seeds, hemp seed protein and hemp seed oil. These products can be legally added to human food, provided they comply with all other requirements.

I have a license issued by the Massachusetts Department of Agricultural Resources (MDAR) under its Interim Commercial Hemp Program Policy. Is it legal for me to add CBD to manufactured or retail food?

No. The [MDAR Hemp Program](#) does not provide an exception to the federal prohibition against adding CBD into food products.

May I market my hemp products (e.g., hulled hemp seeds, hemp seed protein and hemp seed oil) by making therapeutic claims without FDA approval?

No. The [FDA has reiterated](#) that cannabis products (hemp-derived or otherwise) that are marketed with claims of therapeutic benefit or any other disease claim must be approved by the FDA.

May I sell cosmetic products containing hemp or CBD at retail in Massachusetts?

DPH does not regulate cosmetics. The [FDA has issued Frequently Asked Questions](#) that address cannabis and cannabis-derived ingredients in cosmetics.

What can I do if I had an adverse reaction to a cosmetic product labeled as containing CBD?

You can report a cosmetic related complaint [directly to the FDA](#).

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

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617-626-1700 fax: 617-626-1850 www.mass.gov/agr



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Lt. Governor

KATHLEEN A. THEOHARIDES
Secretary

JOHN LEBEAUX
Commissioner

POLICY STATEMENT REGARDING THE SALE OF HEMP-DERIVED PRODUCTS IN THE COMMONWEALTH

This document sets forth the Massachusetts Department of Agricultural Resources ("Department") Policy Statement on the Sale of Hemp-Derived Products in the Commonwealth ("Policy"). This Policy provides notice of categories of hemp-derived products that are approved for sale in the Commonwealth and identifies products that are prohibited for sale. This Policy also provides information on how a person or entity may become licensed to sell as required by M.G.L. c. 128, Section 118. All proposed activities related to the sale of hemp-derived products must comply with this Policy in order to be considered in compliance with M.G.L. c. 128, Section 118.

Please note that this Policy applies only to hemp and hemp-derived products. All activities related to marijuana or the sale of any product containing marijuana are under the jurisdiction of the Cannabis Control Commission or law enforcement.

CONTROLLING LAW

The cultivation, processing, and sale of hemp in the Commonwealth of Massachusetts are regulated by both federal and state law.

With the passing of the Agricultural Improvement Act of 2018, referred to as the "2018 Farm Bill," signed on December 20, 2018, federal law now treats hemp as an agricultural commodity. Previously, hemp was not distinguished from marijuana under federal law, except under limited circumstances. Effective with this change in law, hemp is now legally recognized as a separate crop, the cultivation of which falls under the jurisdiction of the United States Department of Agriculture ("USDA") and state departments of agriculture, if approved by USDA. Additionally, the United States Food and Drug Administration ("FDA") retained its jurisdiction to address public health requirements for hemp-derived products under the Federal Food, Drug, and Cosmetic Act ("FFDCA") and other related laws.

The FDA has recently issued a statement that limits the types of cannabis-derived (including hemp-derived) products that may be manufactured and sold to consumers. In particular, the FDA has prohibited any food or other consumable products containing the cannabinoid known as "CBD" from interstate commerce without its approval.¹

Under state law, Sections 116 through 123 of Massachusetts General Laws Chapter 128 assign the Department responsibility to regulate all activities related to hemp and industrial hemp within the Commonwealth of Massachusetts. The law directs the Department to administer a licensing and registration program for the cultivation, processing, and sale of hemp and industrial hemp in the Commonwealth. More particularly, the law assigns the Department general oversight responsibility for approving the sale of hemp-derived products for

¹ See <https://www.fda.gov/news-events/press-announcements/statement-fda-commissioner-scott-gottlieb-md-new-steps-advance-agencys-continued-evaluation>.

commercial purposes within the Commonwealth. The Department's regulation of hemp-derived products is separate and in addition to controlling federal law, including FDA directives.

The Massachusetts Department of Public Health ("DPH") is responsible for regulating food safety in the Commonwealth. DPH has recently issued policy guidance that is consistent with the FDA policy in prohibiting the manufacture or sale of any food or other consumable products containing CBD.² Under the state health and sanitary code, local boards of health have authority to enforce public health laws and regulations within a municipality.

SALE OF HEMP-DERIVED PRODUCTS

Under M.G.L. c. 128, Section 118, a license is required to "sell" industrial hemp (i.e. the products made from hemp). MDAR construes the term "sell" or "sale" of hemp to include the following sale transactions:

- Massachusetts Licensed Grower to Massachusetts Licensed Grower
- Massachusetts Licensed Grower to Massachusetts Licensed Processor
- Massachusetts Licensed Processor to Massachusetts retail facility (store)

Effective immediately, a person or entity that proposes to engage in the activities listed above shall be deemed licensed under M.G.L. c. 128, Section 118, provided that the person or entity is selling the hemp-derived products that are allowed under this Policy and is otherwise licensed as a Grower or Processor and in good standing with the Department. Such products are also deemed approved commercial uses under M.G.L. c. 128, Section 117(c). No further action or approval by the Department will be needed.

All persons or entities proposing to sell hemp-derived products in the Commonwealth are also responsible for complying with all applicable federal and state laws and regulations, including any regulations or guidance issued by the FDA, DPH, or local boards of health. Applicable laws and regulations are as follows:

- Products for sale must be in compliance with the FDCA, as amended, and Section 351 of the Public Health Service Act.
- Products must be in compliance with applicable DPH guidance.
- Products must be allowed for sale under this Policy and, as such, be deemed to be approved commercial uses pursuant to M.G.L. c. 128, Section 117(c).

APPROVED HEMP-DERIVED PRODUCTS

The following hemp-derived products are approved for sale in the Commonwealth pursuant to M.G.L. c. 128, Section 117(c) and under FDA and DPH guidance:

- Hemp seed
- Hemp seed oil
- Hulled hemp
- Hemp seed powder
- Hemp protein
- Clothing
- Building material
- Items made from hemp fiber
- Flower/plant from a Massachusetts licensed Grower to a Massachusetts licensed Grower or Processor

² See: <https://www.mass.gov/info-details/cbd-in-food-manufactured-or-sold-in-massachusetts>

HEMP PRODUCTS NOT APPROVED FOR SALE

The following products are **NOT** approved for sale in the Commonwealth pursuant to M.G.L. c. 128, Section 117(c) and are likewise prohibited for sale under FDA and DPH guidance:

- Any food product containing CBD;
- Any product containing CBD derived from hemp that makes therapeutic/medicinal claims;
- Any product that contains hemp as dietary supplement;
- Animal feed that contains any hemp products;³
- Unprocessed or raw plant material, including the flower that is meant for end use by a consumer.

The Department will provide compliance assistance to individuals licensed pursuant to M. G. L. c. 128 who are interested in engaging in the sale of any hemp-derived products. However, it is the responsibility of any person involved with the sale of hemp-derived products to review and understand M.G.L. c. 128, Sections 116 through 123 and this Policy.

Failure to comply may result in enforcement action from the Department, DPH, the local board of health, or law enforcement. This may include the inability to sell any hemp-derived products in the future, the destruction or seizure of illegal products, loss of license, or further legal action to determine whether the product sold is in compliance.

³ See https://www.aafco.org/Portals/0/SiteContent/Announcements/Guidelines_on_Hemp_in_Animal_Food_May_1_2019.pdf.



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Executive Director and Senior Staff Attorney

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This information is provided for legal educational purposes only. It is not to be construed as legal advice. For legal advice, please contact your own attorney.

Hemp-Derived Synthetic Cannabis Products containing Delta-8 THC or Delta-10 THC cannot be sold or manufactured in Massachusetts.

1. The Massachusetts Department of Agricultural Resources (MDAR) is the agency that regulates hemp; and MDAR has deemed that selling or processing hemp-derived Delta-8 (THC)¹ products is illegal.

Because delta-8 is not naturally occurring in hemp (except for possible trace amounts), to produce delta-8 in commercial quantities it must be derived from hemp synthetically. While the Farm Bill did remove hemp from the Controlled Substances Act, it did not impact the control status of synthetically derived cannabinoids, thus delta-8 THC remains a controlled substance, regardless of the source. As a result, we do not allow hemp-derived Delta-8 products to be processed or sold in Massachusetts.² (Emphasis added).

2. The Massachusetts Department of Public Health (DPH) is the agency that regulates food pursuant to 105 CMR 500. The food code requires that all edible products must be from approved food sources that comply with federal, state, and local regulations and must not contain any prohibited ingredients. Federal law prohibits the addition of CBD (hemp-derived cannabidiol products) in food because it is not an approved food source. Therefore, **any edible product that contains hemp-derived Delta-8 and/or Delta-10 cannot be manufactured or sold in Massachusetts.³**

3. Massachusetts law bans the sale of all flavored tobacco products except in state-licensed smoking bars for onsite consumption only.⁴ The definition of tobacco products includes “electronic cigarettes, electronic cigars, electronic pipes, electronic nicotine delivery systems or any other similar products that rely on vaporization or aerosolization regardless of nicotine in the product.”⁵ Therefore, **all flavored vaping products, including hemp-derived THC vaping products with Delta-8 and Delta-10 are prohibited.**

Discussion

¹ Because Delta-10 is also a synthetically manufactured THC hemp-derived product, MDAR’s legal position on Delta 8 would similarly apply to Delta-10.

² <https://www.mass.gov/guides/hemp-in-massachusetts-faqs#-is-it-legal-to-manufacture-delta-8-thc-from-hemp?>

³ 105 CMR 500.

⁴ *Id.*

⁵ *Id.*

While adult-use marijuana, also known as cannabis, is legal in Massachusetts, products containing Delta-8 THC and/or Delta-10 THC are not. Cannabis is a mixture of the dried flowers from the *Cannabis sativa* plant. The psychoactive (mind-altering) chemical in marijuana, responsible for most of the intoxicating effects is the naturally occurring **Delta-9 tetrahydrocannabinol (Delta-9 THC)**. Delta-9 THC is found in the resin from the leaves and buds mainly from the female plant.⁶ Delta-9 (THC) is the active ingredient which passes from the lungs into the bloodstream, and eventually throughout the body into the brain's receptors which influence pleasure, memory, sensory and time perception.⁷

The Marijuana plant also contains more than 500 other chemicals, 100 of which are other cannabinoids (CBD), including Delta-8 and Delta-10. Cannabinoids are “isomers” of Delta-9, meaning they are made of the same atoms, but arranged differently. The Marijuana plant contains miniscule amounts of naturally occurring Delta-8 and Delta-10 cannabinoids.

Notwithstanding Massachusetts state law legalizing it, marijuana is still illegal pursuant to federal law. The Controlled Substance Act lists marijuana as a Schedule I controlled substance. Other substances on the list include heroin and ecstasy⁸.

The 2018 Farm Act removed hemp from the definition of marijuana. However, since Delta-8 and Delta-9 are only present in the marijuana plant in miniscule amounts, products containing these types of THC must be synthetically manufactured by converting hemp-derived cannabidiol (CBD) into highly concentrated THC. Since these Delta products are synthetically manufactured, they are considered Schedule I controlled substances and remain on the Federal Drug Enforcement Agency list of controlled substances.⁹

This information is provided for legal educational purposes only. It is not to be construed as legal advice. For legal advice, please contact your own attorney.

⁶ <https://nida.nih.gov/publications/research-reports/marijuana/what-marijuana>

⁷ *Id.*

⁸ 21 USC §812.

⁹ See, Drug Enforcement Admin., *Implementation of Agricultural Improvement Act of 2018*, 85 Fed. Reg. 51,639, 51,641 (2020).

FEBRUARY 2023

CANNABIDIOL (CBD) – POTENTIAL HARMS, SIDE EFFECTS, AND UNKNOWNNS

The use of non-Food and Drug Administration (FDA)-approved **cannabidiol**, or **CBD**, has gained attention in recent years, as CBD is becoming increasingly popular and is being marketed for various health conditions.¹ A poll of American adults aged 18 years and older found that 14 percent reported using CBD products in 2019, and a similar poll conducted in 2020 found that as many as 1 in 3 adults reported using CBD products.²⁻³ However, non-FDA-approved, commercial CBD products marketed to the public and available over the counter differ significantly in composition from those used in clinical studies,⁴ and there is limited evidence to support their safety.⁵ The public should be aware of the misconceptions surrounding CBD products, as well as the potential harms and risks associated with their use.

Key Messages

- Cannabidiol (CBD) and delta-9-tetrahydrocannabinol (delta-9 THC) are two of many chemical compounds called cannabinoids that are found in the cannabis plant. CBD, which in its pure form does not produce any psychoactive effects,⁶⁻⁷ is typically derived from the hemp plant. Nevertheless, CBD products, except for the prescription medication Epidiolex,^{1, 8} are not FDA-approved, so despite being marketed extensively, there are no federal standards for their content, purity, or potency⁹
- The concentration of CBD may be more or less than advertised and, because of a lack of quality control, the manufacturing process may introduce harmful biological and chemical contaminants, including the psychoactive THC.⁵⁻⁶ The lack of safety standards, accuracy in labeling, and quality control may lead to additional concerns for unintended intoxication, particularly among children.
- Since federal restrictions on growing cannabis plants that contain low amounts of delta-9 THC were removed in 2018, CBD has become widely available in a range of products and formulations, including topicals, fabric, food, and beverages.¹⁰
- In 2020, as many as one-third of American adults reported using CBD products.²
- CBD has been marketed as a treatment for a range of health conditions in recent years; however, there is a lack of evidence to support many of these claims.⁵
- Potential risks and harms associated with CBD use include adverse drug interactions, liver toxicity, and reproductive and developmental effects.
- Delta-9 THC or delta-9 THC-contaminated products may be sold as CBD. Labeling of these products may be unclear or misleading, posing a potential threat to a user's current or prospective employment, produce inaccurate medical test results, or cause unintended drug interactions.
- More clinical research is needed to determine if CBD products are safe and effective treatments for the conditions for which they are marketed.¹

Definitions

Agriculture Improvement Act of 2018:

Defined cannabis plants as hemp or marijuana, depending on their concentration of delta-9 THC.

Cannabis sativa L.: A plant species used for producing hemp, marijuana, and other products; commonly referred to as cannabis.

Cannabinoids: Naturally occurring chemical compounds found in cannabis plants.

Cannabidiol (CBD): One of two main cannabinoids found in the cannabis plant; in its pure form, it has no known psychoactive effect.

Delta-8-tetrahydrocannabinol (Delta-8 THC): A cannabinoid that is typically manufactured from CBD and produces psychoactive effects. It is structurally different from delta-9 THC.

Delta-9-tetrahydrocannabinol (Delta-9 THC): One of two main cannabinoids found in the cannabis plant; it produces psychoactive effects. It is potentially more potent than delta-8 THC and may have more considerable side effects.

FDA-approved product: FDA has determined that the benefits of the product outweigh the known risks for the intended use.

Hemp: Cannabis plants and products with a delta-9 THC concentration of no more than 0.3 percent on a dry weight basis.

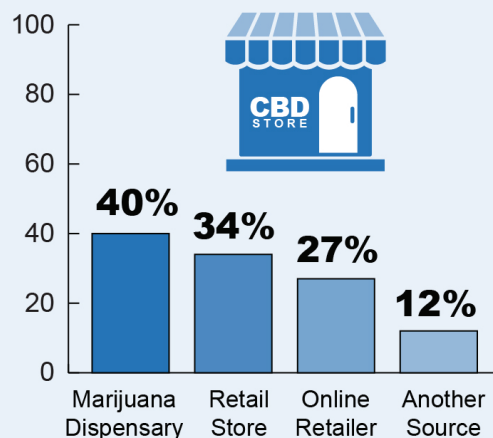
Marijuana: Cannabis plants and products with a delta-9 THC concentration greater than 0.3 percent on a dry weight basis.

Psychoactive effects: The effects of a drug or other substance on the mind (i.e., mind-altering), such as changes in mood, awareness, thoughts, feelings, or behavior. Any psychoactive effect is considered intoxicating (i.e., causes a “high”) for the purposes of this advisory.

In 2019...^{2-3,11}

Over **270,000** U.S. retailers sold non-FDA-approved CBD products.

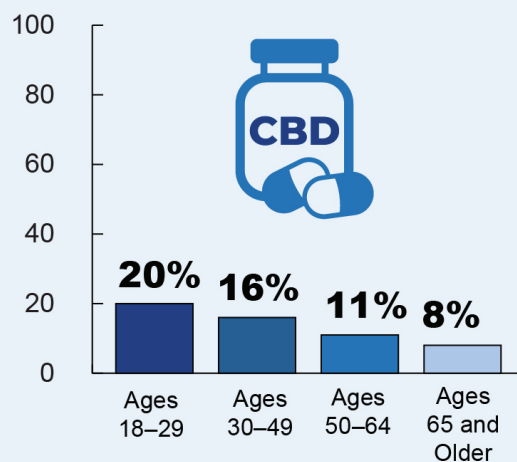
Percentages of CBD users who purchased it from...



64 percent of adults

reported they are familiar with CBD products.

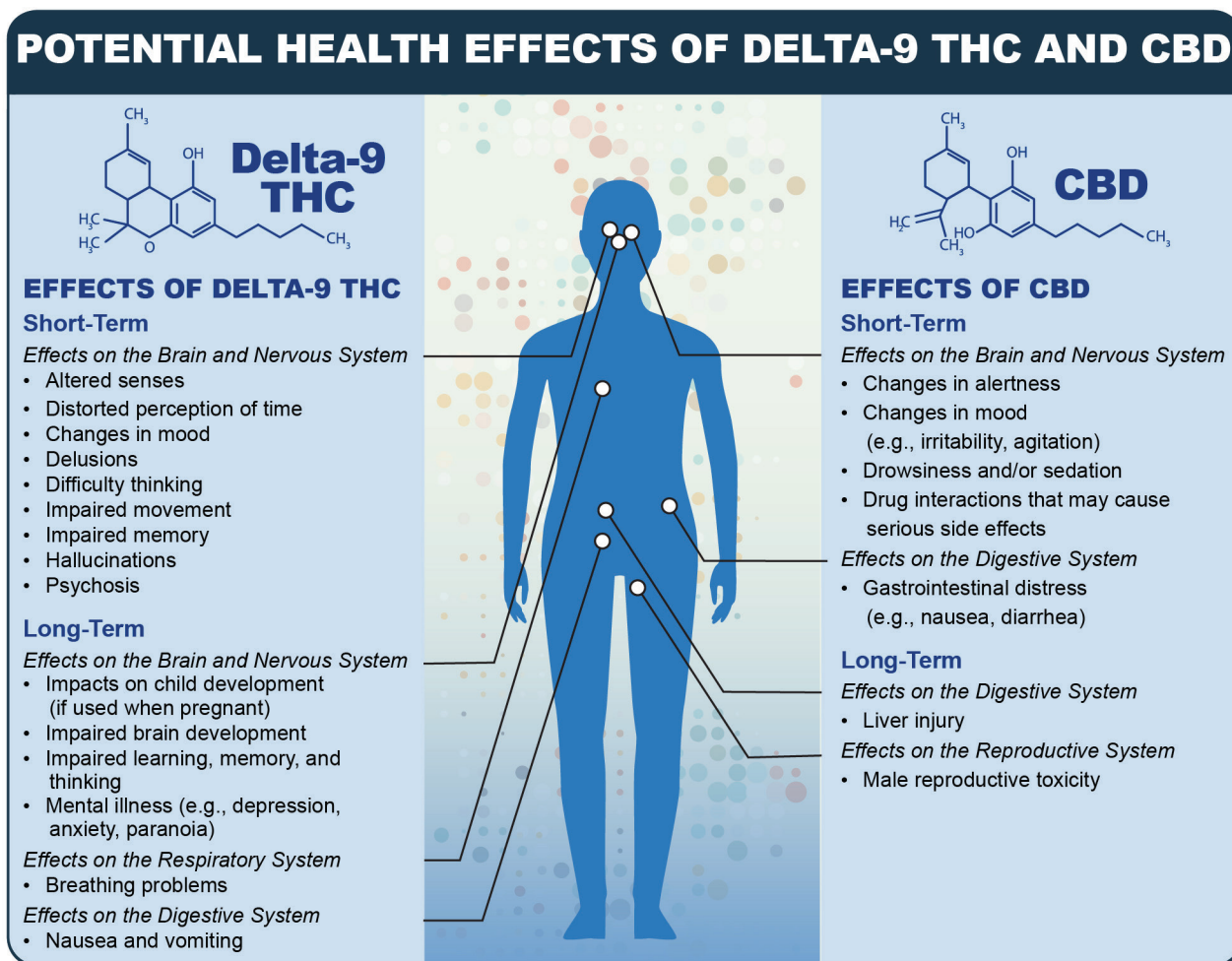
CBD use is more common in early adulthood:



Overview of Cannabis, CBD, and THC

The **cannabis** plant produces over 500 chemical compounds;¹ over 100 are **cannabinoids**—chemical compounds that produce a range of physical and mental effects.^{1, 5, 10} CBD and **delta-9-tetrahydrocannabinol (delta-9 THC)** are the two most common cannabinoids,^{1, 5, 10} with the latter having a high potential for misuse because of its **psychoactive effects**.¹² CBD and delta-9 THC both bind to receptors in the brain and body but produce different effects. Delta-9 THC disrupts many mental and physical functions and produces psychoactive effects; CBD does not produce psychoactive effects.⁶⁻⁷ Figure 1 illustrates the current understanding that CBD use is potentially associated with mostly short-term effects, whereas delta-9 THC use is associated with short- and long-term effects.^{5, 13}

Figure 1. Potential Health Effects of Delta-9 THC and CBD^{5,13}



Delta-8-tetrahydrocannabinol (delta-8 THC) is another increasingly available cannabinoid that has psychoactive effects.¹⁴⁻¹⁵ Because it is found in cannabis plants in only trace amounts, it is typically synthesized from CBD by using chemicals. The manufacturing process may introduce harmful chemical and biological contaminants.¹⁵ The health effects of delta-8 THC are not well understood,¹⁴ but adverse events have been reported to the FDA and nation's poison control centers.¹⁴⁻¹⁵

CBD versus marijuana: Legal definitions

Cannabis plants and products derived from them are divided under federal law into two broad categories, based on their delta-9 THC content: “**hemp**” and “**marijuana**”. Hemp is defined under the [Agricultural Marketing Act of 1946](#), as amended by the [Agriculture Improvement Act of 2018](#) (also known

as the Farm Bill), as a cannabis plant or any part of

plant with a delta-9 THC concentration of no more

than 0.3 percent on a dry weight basis.¹⁷⁻¹⁹ The Farm Bill considers cannabis plants that cannot be classified as hemp, because they contain more than 0.3 percent delta-9 THC on a dry weight basis, to be marijuana.¹⁸⁻¹⁹ This law effectively permitted the legal sale of hemp and hemp-derived cannabinoid products; however, it does not affect or modify the federal authority to regulate hemp and hemp-derived products.¹⁰ Nor does it preempt or limit state or tribal laws on hemp production that are more stringent.¹⁸

Since the Farm Bill was passed in 2018, every state, except for Idaho, Mississippi, and the District of Columbia, allows for some form of hemp cultivation, which increases access to and availability of hemp products, including CBD.¹⁶

About CBD Products

Hemp and marijuana plants contain both CBD and THC. CBD is typically derived from hemp because of its low THC concentration, and THC is typically derived from marijuana plants. There is currently only one FDA-approved CBD product, Epidiolex, which is a pharmaceutical-grade CBD oral liquid used for treating rare, severe forms of seizure disorders,⁸⁻⁹ although its exact mechanism of action is not fully understood.¹⁰ This product is available only in pharmacies, with a valid prescription from a healthcare provider.

Although not FDA-approved, CBD is found in a variety of other products, including: lotions, oils, creams, and other topical products; food and beverage items like chocolate, gummies, other candy, and tea; cosmetics; fabrics; and products for pets.²⁰⁻²¹ This variety in product types has contributed to the popularity of CBD, because it can be used in many different ways.²²

Availability of CBD Products

The availability of CBD products, other than Epidiolex, varies by state, depending on its regulations. Over-the-counter CBD products are available throughout the United States, online or from “brick and mortar” retailers, including drugstores, grocery stores, convenience stores, and gas stations; however, most CBD sales—greater than 60 percent—are made online.¹¹ CBD products purchased over the counter, even from reputable retailers, are not FDA-approved.²³ Many questions about the safety, reliability, and effectiveness of CBD products remain unanswered.^{4, 24-25}

CBD products sold at cannabis dispensaries are not FDA-approved and may contain more than 0.3 percent THC, depending on the state’s definition of allowable CBD products.²⁶ In addition, although regulations and enforcement vary from state to state,²⁶ CBD products purchased from dispensaries may be subject to some form of oversight and standardization.

Marketing and Labeling of CBD Products

The FDA has not approved CBD products to be marketed as food additives or dietary supplements and has concluded that a new regulatory pathway for CBD is needed; it is prepared to work with Congress to develop a cross-agency strategy for the regulation of these products.^{5, 28} Therefore, over-the-counter CBD products are often advertised as therapies for many health conditions, even though many of these claims are unproven and the health effects of these

products are unknown.^{5, 8} The FDA has been unable to evaluate and approve these products for their marketed use, largely due to limited data to support their effectiveness.⁵ As a result, the FDA sends warning letters to companies marketing unapproved products containing CBD with unsubstantiated claims that they treat certain medical conditions.^{21, 24, 29} The FDA also regularly collects data and evaluates regulatory policies related to cannabis and cannabis-derived ingredients like CBD.

Nevertheless, the popularity of CBD products continues to grow. In 2020, CBD products generated over five billion dollars in sales,¹¹ a figure expected to increase as the market expands.³⁰

Although Epidiolex is the only FDA-approved CBD product, CBD is also marketed for other health conditions. Presently, there is insufficient evidence to support the use of CBD for many of the other health conditions for which it is marketed as treatment.^{1, 27} However, additional research evaluating the therapeutic efficacy of CBD for various medical conditions is underway. The [National Center for Complementary and Integrative Medicine](#) has summarized available findings to date.¹

Risks and Harms of CBD Use

Many concerns have been raised about CBD use, particularly with regard to over-the-counter CBD products, as there are limited data on their safety and effectiveness.⁴ These concerns include adverse events and side effects, questions about their reliability, and unproven health and wellness claims.

Adverse events and side effects. Potential side effects of CBD include decreases in alertness (e.g., drowsiness and sedation), changes in mood (e.g., irritability and agitation), decreased appetite, and gastrointestinal symptoms/distress (e.g., diarrhea).⁴⁻⁵ CBD may also produce psychotic effects or cognitive impairment in individuals who also regularly use delta-9 THC products like marijuana.⁴ In addition, CBD use has been associated with adverse events such as liver injury, interactions with other drugs, injuries following periods of sedation or drowsiness, and male reproductive harm.⁵ Factors influencing the likelihood of CBD-associated adverse events and/or side effects include the strength and purity of the product, amount used, mode of administration, concurrent substance use and misuse (such as legal and illegal drugs and alcohol), and interactions with prescribed drugs or other medications.^{9, 27}

Unreliable dosage and purity. CBD products that are not FDA-approved do not have to meet any standards for content or potency. Thus, these products may contain more or less CBD than stated on the label and, more concerning, biological and chemical contaminants due to unsafe manufacturing practices without adequate process controls.^{6, 9} Research suggests that the labeled concentrations of CBD products are unreliable.^{20, 31-34} The amount of CBD in over-the-counter products may range from very low to levels exceeding FDA-approved dosing for seizure disorders.²⁷ For example, one study found that among 84 commercial CBD extracts purchased online from 31 companies, the CBD concentration was labeled accurately in only 26 (31 percent); almost 43 percent of products were under-labeled and 26 percent over-labeled.³³ The uncertainty in composition poses significant health risks when using these products for medical conditions, particularly in children.^{33, 35}

A 2020 evidence-based review found little data to support health benefits associated with over-the-counter CBD products.⁴ Most of these products do not contain pure CBD and may contain other cannabinoids, including delta-9 THC,⁴ and contaminants, such as pesticides.⁴ The FDA has ruled that CBD products cannot be sold legally as dietary supplements and CBD is not considered a safe additive for food and beverage products.²⁷

The purity of commercial CBD is also highly questionable, with contaminants including the intoxicant THC.^{6, 32, 34} For example, in the previously mentioned study on 84 commercial CBD extracts, 21.4 percent of the samples contained unlabeled delta-9 THC;³³ another study found that 3 out of 25 (12 percent) hemp oil products available commercially exceeded the 0.3 percent concentration limit.³² Thus users of CBD products that claim to not contain delta-9 THC may still screen positive for marijuana,^{25, 32, 35-36} even at a delta-9 THC concentration as low as 0.02 percent by weight;³⁶ it is unlikely that pure CBD will produce a positive urine drug test.³⁷⁻³⁸ Individuals should be aware that delta-8 or delta-9 THC-contaminated products may be sold as pure CBD. Unclear or misleading labeling may pose work-related, legal, and health risks, given that use of unsuspected delta-9 THC may threaten an individual's current or prospective employment, including athletics, produce inaccurate medical test results, potentially involve law enforcement, and cause unintended drug interactions.^{20, 25, 32, 34-36, 39}

Unproven health and wellness claims. Over-the-counter CBD products are marketed for various health conditions, despite limited evidence of effectiveness or safety.¹⁰ Nevertheless, the marketing claims may lead individuals to purchase these products without consulting a healthcare provider or being aware that they may contain impurities and different CBD doses than used in clinical studies with pharmaceutical-grade CBD.^{4-6, 32, 34} Moreover, these individuals may assume that they are effectively treating their medical condition and therefore not seek medical care, which can delay receipt of accurate diagnosis and treatment. The FDA recommends that individuals discuss any medical concerns with a healthcare provider before taking CBD.⁵

Unknown health effects. Available evidence suggests that pure (i.e., uncontaminated) CBD, when used by itself, does not produce any psychoactive effects; however, it does affect the body, whether ingested or used topically (i.e., placed on skin) and may produce observable side effects.²⁷ Uncertainties around CBD use include unknown long-term health effects, proper dosing, effects on the developing brain, and developmental impacts on fetuses and infants when used by pregnant and breastfeeding people.⁵ The FDA therefore strongly advises against the use of CBD in any form during pregnancy or while breastfeeding.⁴⁰

Other concerns. Like CBD, products containing delta-8 THC are now available for purchase online and in stores and are being marketed for a range of health conditions;¹⁴ however, these products have not been evaluated by the FDA and are not considered safe to use.¹⁵ One of the greatest concerns around delta-8 THC products is that individuals who use them may be misled to believe that they do not have any psychoactive properties because they are labeled as a hemp product.¹⁵ There are also concerns around product formulations, purity and dosage, unintentional product exposure to children and pets, and potential adverse events, such as vomiting, hallucinations, and loss of consciousness.¹⁵

Tips and Action Steps

Tips and Action Steps for Community Coalitions and Substance Use Prevention and Treatment Leaders

- Work with local health departments, regulatory agencies, and medical providers to disseminate the latest evidence on the risks and therapeutic potential of CBD, including that which is unknown.
- Educate community partners and community members, including adolescents and young adults, about the short- and possible long-term effects associated with CBD use.
- Implement evidence-based programs to prevent any non-FDA-approved CBD use, particularly among adolescents and young adults.

Tips and Action Steps for Healthcare Providers

- Encourage additional clinical research on the effects of CBD.
- Learn about potential interactions of CBD with alcohol and prescription and over-the-counter medications.
- Educate patients on the potential risks and harms associated with CBD use, including interactions with prescription drugs, dietary supplements, alcohol, and illicit drugs.

Tips and Action Steps for Parents, Caregivers, and the General Public

- Talk with children about the risks and harms of using products that contain CBD.
- Do not allow children to use over-the-counter CBD products.
- Consult a healthcare provider before using any CBD product.
- Be aware that the risk of CBD products containing delta-9 and/or delta-8 THC is unknown, and their use may affect employment drug screenings and interactions with law enforcement.
- Do not use CBD concurrently with medications, alcohol, or illicit drugs.
- If you experience adverse events as a result of using CBD products, report them to the FDA through their [MedWatch Safety Information and Adverse Event Reporting Program](#).⁴¹

Resources

About Cannabis Policy in the United States	Information about cannabis policy, including the history of cannabis policy in the United States, issues treated by cannabis-related law, and federal laws.
FDA Regulation of Cannabis and Cannabis-Derived Products	FDA resources on CBD policy, including consumer information and several regulatory resources.
Conversation Goals: Talking with Teens About Alcohol and Other Drugs	Conversation goals for parents talking to children about alcohol and other drugs that can be used to also discuss CBD.
SAMHSA's National Helpline 1-800-662-HELP (4357)	A free, confidential, 24/7, 365-day-a-year treatment referral and information service (in English and Spanish) for individuals and families facing mental and/or substance use disorders.
Prevent Coalition	Prevent Coalition is a community coalition with prevention resources available for youth and teens, parents, schools, providers, and rural prevention specialists.

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Board of Health Town of Needham AGENDA FACT SHEET

MEETING DATE: May 10, 2024

Agenda Item	Hearing for Sale of a Tobacco/Nicotine product to an underage youth
Presenter(s)	Tara Gurge, Assistant Public Health Director

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Routine tobacco compliance checks were performed at the end of April of all six retail tobacco stores in town. One sale of Zyn, a nicotine pouch product, was made to a minor by the Exxon Mobil Mini Mart at 1111 Great Plain Ave. This retail establishment last sold to an underage youth back on 10/30/15. The Board of Health will decide if the store owner receives a seven (7) consecutive business day suspension of their tobacco permit, along with the local \$300 fine. MA fines could also be issued.	
2.	VOTE REQUIRED BY BOARD OF HEALTH
Vote is required by the Board of Health. Vote suggestion should state – “The Board votes to uphold the seven (7) consecutive business day suspension of Mobil’s tobacco permit, along with the local \$300 fine.’ And the Board may also require that additional state fines be added.	
3.	BACK UP INFORMATION:
- See enclosed supplemental documents, including: - Follow-up letter to Mobil Gas Station owner.	



April 30, 2024

Tobacco Compliance Checks

The Needham Public Health Division, in conjunction with the Needham Police Department conducts quarterly tobacco compliance checks in the Town to enforce the Needham Board of Health Tobacco Regulation (Article 1). Under Article 1, no tobacco permit holder in the Town may sell to persons less than 21 years of age. Article 1 § D.3 reads, "Each person selling or distributing tobacco products shall verify the age of the purchaser by means of government-issued photographic identification containing the bearer's date of birth that the purchaser is twenty-one (21) years or older. Verification is required for any person under the age of 27." There are currently six (6) permitted tobacco vendors in the Town. During the compliance checks, the Environmental Health Agent and a Needham Police Officer work with a local student under 21 years of age. The student attempts to buy tobacco products from each tobacco permit holder without an ID. If sales are made to the student, the tobacco permit holder is subject to the following penalties under Article 1 § S.:

- a) In the case of a first violation, a fine of three hundred dollars (\$300.00) and the Tobacco Product Sales Permit shall be suspended for seven (7) consecutive business days.
- b) In the case of a second violation within 36 months of the date of the first violation, a fine of three hundred dollars (\$300.00) and the Tobacco Product Sales Permit shall be suspended for fourteen (14) consecutive business days.
- c) In the case of a third violation within 36 months of the date of the first violation, a fine of three hundred dollars (\$300.00) and the Tobacco Product Sales Permit shall be suspended for thirty (30) consecutive business days.
- d) In the case of a fourth violation within 36 months of the date of the first violation, a fine of three hundred dollars (\$300.00) and the Tobacco Product Sales Permit shall be suspended for ninety (90) consecutive business days.
- e) In the case of a fifth violation or repeated, egregious violations of this regulation within a 36 month period, the Board of Health shall hold a hearing in accordance with subsection 4 of this section and shall permanently revoke a Tobacco Product Sales Permit.

For the April 30, 2024 compliance checks, one underage female volunteer assisted. **One sale made to the underage buyer.** Attached is a complete summary detailing each compliance check.



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Participant – age 20



Establishment:	Speedway #2472
Type of Establishment:	Chain
Style of Establishment:	Gas Mini-Mart
Time:	4:27 pm
Purchaser asked for ID?:	Yes
Purchaser asked for age?:	No
Sex of Clerk:	Male
Age of Clerk:	Adult
Type of tobacco asked for:	A tin of Chill Zyn
Outcome:	No Sale
Notes:	



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Establishment: 7-Eleven #32485B
Type of Establishment: Chain
Style of Establishment: Convenience Store
Time: 4:35 pm
Purchaser asked for ID?: Yes
Purchaser asked for age?: Yes
Sex of Clerk: Male
Age of Clerk: Adult
Type of tobacco asked for: Tin of Chill Zyn
Outcome: No Sale Made
Notes:

Establishment: Needham Heights Auto. Shell
Type of Establishment: Chain
Style of Establishment: Gas Mini-Mart
Time: 4:40 pm
Purchaser asked for ID?: Yes
Purchaser asked for age?: Yes
Sex of Clerk: Male
Age of Clerk: Adult
Type of tobacco asked for: Parliaments
Outcome: No Sale Made
Notes:

Establishment: Needham Center Fine Wine
Type of Establishment: Independent
Style of Establishment: Liquor Store
Time: 4:48 pm
Purchaser asked for ID?: Yes
Purchaser asked for age?: No
Sex of Clerk: Male
Age of Clerk: Adult
Type of tobacco asked for: Parliaments
Outcome: No Sale Made
Notes:



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Establishment:	Great Plain Ave Gas (Exxon Mobil)
Type of Establishment:	Independent
Style of Establishment:	Gas Mini-Mart
Time:	4:52 pm
Purchaser asked for ID?:	No
Purchaser asked for age?:	No
Sex of Clerk:	Male
Age of Clerk:	Older Adult
Type of tobacco asked for:	Tin of Chill Zyn
Outcome:	Sale Made
Notes:	Operative asked for a tin of chill Zyn using cash. Clerk did not ask for id or ask her age and just made sale. Operative also received a receipt as proof of purchase.
Establishment:	Needham Service Center
Type of Establishment:	Independent
Style of Establishment:	Gas Mini-Mart
Time:	4:42 pm
Purchaser asked for ID?:	Yes
Purchaser asked for age?:	Yes
Sex of Clerk:	Male
Age of Clerk:	Adult
Type of tobacco asked for:	Parliaments
Outcome:	No Sale Made
Notes:	



Needham Public Health Division

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Board of Health Town of Needham AGENDA FACT SHEET

MEETING DATE: April 12, 2024

Agenda Item	Staff Updates
Presenter(s)	Public Health Division Staff

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Each area within the Public Health Division will give a brief update on current topics, projects, events and more that they are working on.	
2.	VOTE REQUIRED BY BOARD OF HEALTH
Discussion only.	
3.	BACK UP INFORMATION:
a. Nursing - Ginnie Chacon-Lopez, Hanna Burnett & Tiffany Benoit - o COVID Vaccine Update b. Emergency Management – Kristin Scoble c. Emergency Preparedness – Taleb Abdelrahim d. Accreditation – Lynn Schoeff e. Traveling Meals – Rebecca Hall f. Epidemiology – Julie McCarthy g. Substance Use Prevention – Tiffany Benoit, Karen Shannon, Karen Mullen, Monica DeWinter, Angi MacDonnell, Vanessa Wronski h. Environmental Health – Sai Palani & Tara Gurge i. Shared Services (Public Health Excellence, Regional Training Hub, Contact Tracing/ Investigating) – Kerry Dunnell & Samantha Medard j. MassCALL3 April Report -- Carol Read and Lydia Cunningham	



Needham Public Health Division

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Unit: Substance Use Prevention

Date: April 2024

Staff: Karen Shannon, Karen Mullen, Monica De Winter, Angi MacDonnell, Vanessa Wronski

Activities and Accomplishments

Activity	Notes
SPAN Projects/Events	SPAN in the community: Karen S. presented to the MA Association of Public Health Nurses on 4/12 and the Rotary Club on 4/16 on topics that included SPAN and Narcan administration. <u>Prescription Take Back Day:</u> SPAN and SALSA partnered with the Needham Police Department to host the semi-annual Take Back Day on 4/27. <u>Collection data:</u> 107 lbs collected on 4/27 440 lbs collected between November 2023 – April 2024 75.8 lbs/month average from November 2022 – April 2024 SPAN meetings: Action Teams met as follows: • Education Action Team: 4/30 • Mental Health Action Team: 4/24 • Policy Action Team: 4/24 • Steering Committee: 4/23 • <u>Highlights:</u> Rethinking Success articles for parents & caring adults written by Mental Health Action Team: https://www.spanneedham.org/rethinking-success. The Steering Committee is discussing what diversity, equity and inclusion looks like for SPAN to create a meaningful plan for making DEI integral to coalition work. SPAN social media – new posts on Facebook: https://www.facebook.com/SPANNeedham/
Needham Public Health Peer Recovery Coach	During March, Angi MacDonnell, Peer Recovery Coach: Received 1 new referral by a Needham community partner organization. Provided recovery coach services to 5 people over 14 appointments. Facilitated 4 All Pathways meetings Peer Recovery Service work also included: • <u>Presentations to:</u> Rotary Club, Needham Select Board, MA Assoc. of Public Health Nurses. • Weekly supervision meetings and participation in CATH Supervisory Meeting with clinical staff.
STOP Act grant	SAMHSA grant: STOPing Underage Access and Use of Alcohol: Codifying Youth, Parent and Retailer Education and Compliance in Needham, MA: Alcohol compliance –

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	• The April alcohol compliance check was rescheduled because both underage operatives who signed up to volunteer canceled with minimal notice. A new compliance check date has been identified with the Needham Police Department. • Needham and Dedham are working together to offer TIPS to licensees in both communities. The next in-person TIPS training is scheduled for Monday, June 10 in Dedham and will be facilitated by Carol Read of the Needham Public Health Division and Sgt. Jason Sullivan of the Dedham Police Department.
SALSA	During the month of April, 31 SALSA members contributed 206 hours of service in Needham and at the state level. Total student service hours to date = 1,418 hours (9/1/23– 4/30/24) for an average of 117.25 hrs/month. Highlights included: • 12 SALSA members and 3 Public Health Staff members participated in National Kicks Butts Day of Action at the Massachusetts State House. Students met with Rep Garlick and Senator Becca Rauch's office to discuss issues of importance related to youth physical and mental health. • SALSA hosted the Norfolk County District Attorney's office on 4/23 at NHS to offer "Until Help Arrives" to all NHS students. Participants learned important skills needed to save a life during the important minutes before emergency help arrives. • 80 Pollard 8th graders learned important refusal skills from 17 SALSA leaders during the 4/23 and 4/29 Health Class presentations. They can use the new skills when faced with any risky situation where they feel uncomfortable.
Community outreach: Mental Health First Aid Narcan distribution	Mental Health First Aid: On April 9 and 10, Karen Shannon and Sara Shine facilitated Youth Mental Health First Aid to 14 Needham Housing Authority staff. Narcan distribution: 14 boxes at Rotary meeting, 1 to NHA staff person and 7 boxes at the Prescription Drug Take Back Day.

Summary for Month of April 2024: Focus this month included presentations to the community for SPAN and Recovery Coach Services, promotion and distribution of the SPAN Parent Survey, the SPAN parent education event scheduled for May 14, and underage operative recruitment for the alcohol compliance check.



Edibles, Vapes & Spiked Seltzers: Tips for talking with your teens about drugs & alcohol in today's world.

Tuesday, May 14th, 7:00-8:30 pm

Pollard Middle School Auditorium

200 Harris Avenue, Needham



Dr Safdar Medina, MD

Pediatric Director, Tri River Health Center,
Asst. Professor of Pediatrics, UMass Chan
Medical School



Tamatha Bibbo, EdD.

Principal, Pollard Middle School



Sara Shine, LICSW

Director, Needham Youth & Family Services

Dr. Safdar Medina presents local youth substance use trends and resources for supporting your child from tween to teen. Dr. Medina treats youth with mental health and addiction.

Followed by a panel discussion with Needham school and behavioral health leaders and a Needham High School student. Leave with tools, strategies and resources for supporting your child.

For parents of students in 5th - 10th grade - all are welcome.

Registration requested.

Childcare Available - Childcare registration deadline May 1, 2024.



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Register here:

<https://tinyurl.com/3vybhwp4>





Unit: Emergency Preparedness

Date: April 2024

Staff: Taleb Abdelrahim

Activities and Accomplishments

Activity	Notes
Special Location Update	Reviewing and updating the Special Locations; Critical Infrastructure; Vulnerable Population spreadsheet for the Town of Needham. This project for the Central Norfolk County Regional Emergency Planning Committee (REPC).
Accreditation	Continue to work on the D2-S2.2 documentation to make sure they meet PHAB requirements.
Health Action Planning Workshop	Participated in workshop hosted by the Region 4AB Public Health Coalition. To address the health effects associated with extreme temperature events with a focus on higher risk and disproportionately impacted populations.

Other Public Health Division activities this month:



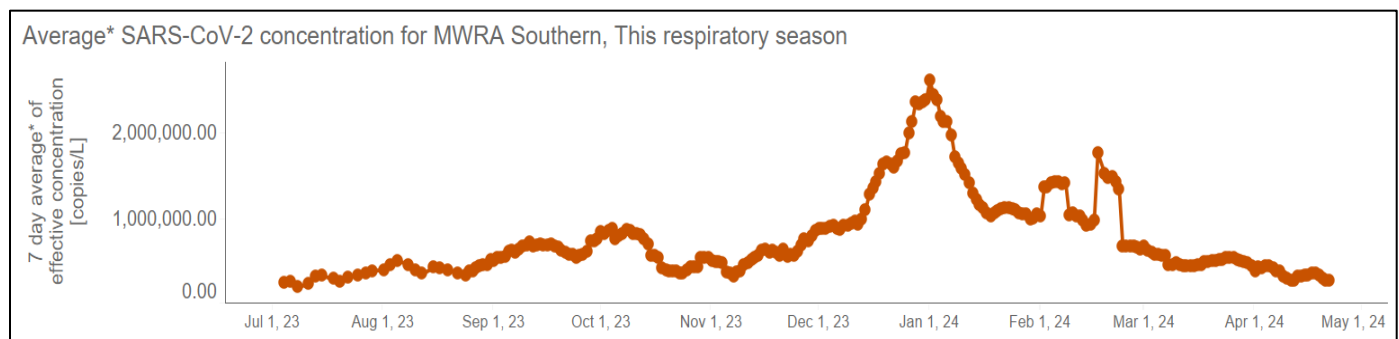
Unit: Epidemiology

Date: April 2024

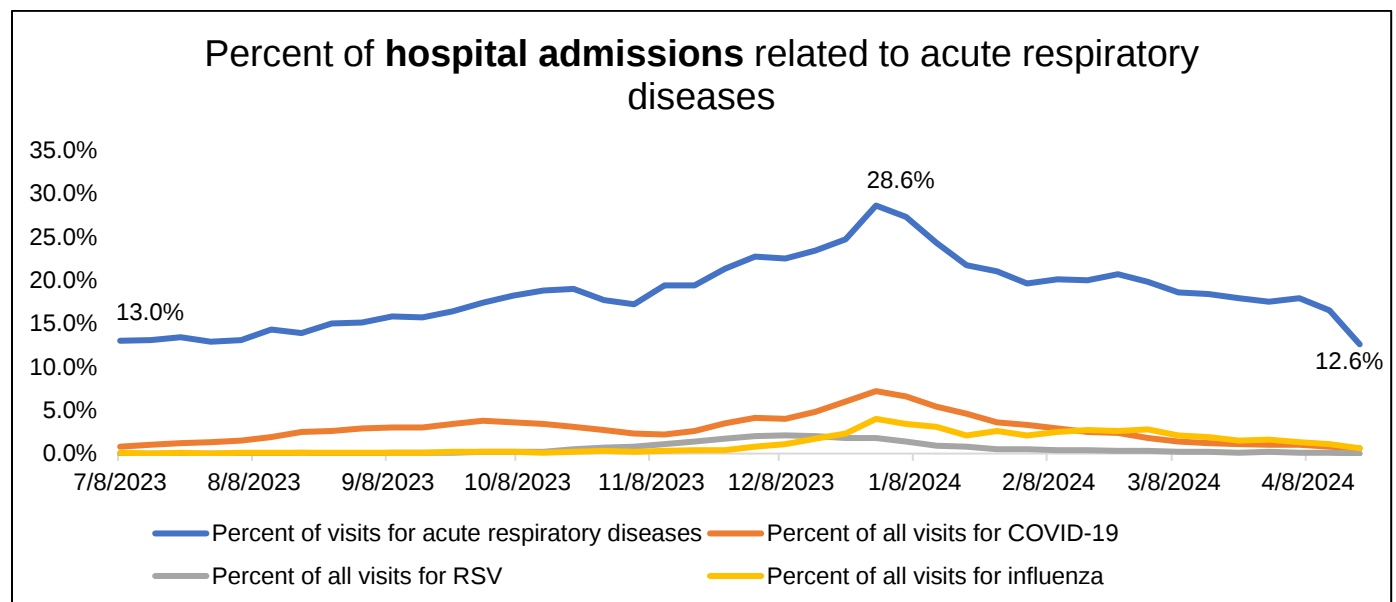
Staff: Julie McCarthy

Activities and Accomplishments

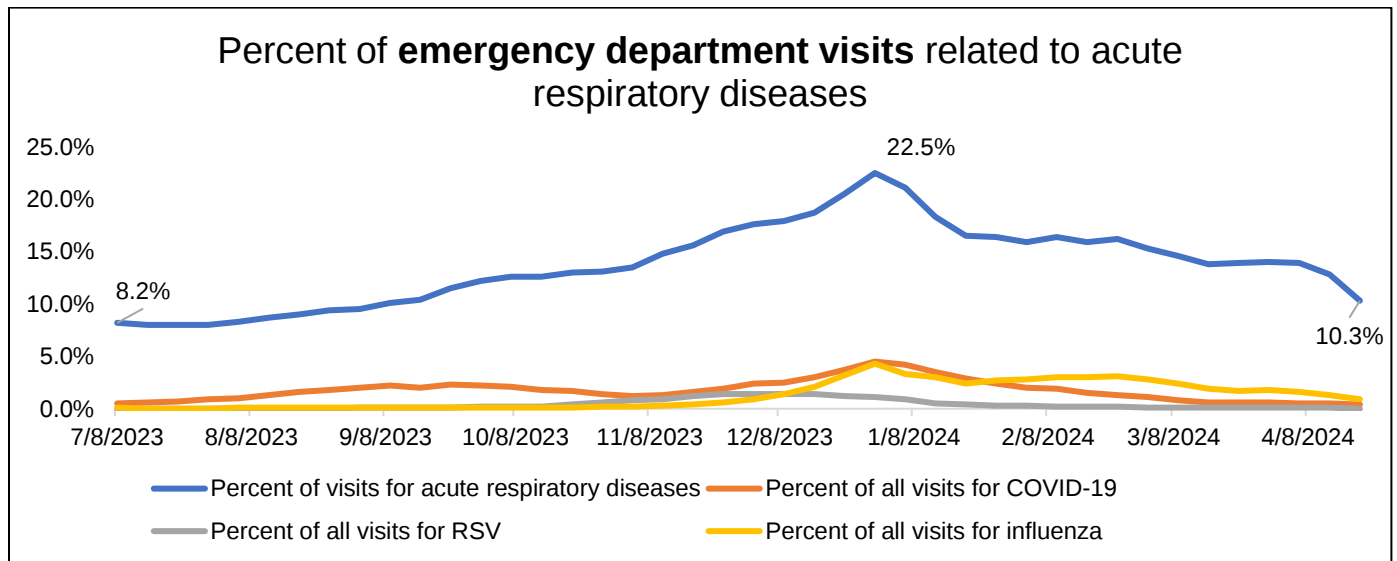
Note: Data on Respiratory Disease Immunizations removed, as there was almost no change in numbers for Needham residents from last month.



During COVID-19 emergency, a national hospitalization reporting system was created where hospitals were required to report capacity, Covid-19 hospitalizations, and more. **This hospital reporting requirement sunset on April 30.** Hospitals are encouraged to voluntarily report data.



Source: [Respiratory Illness Reporting](#), MDPH



Source: [Respiratory Illness Reporting](#), MDPH

Activity	Notes
Community Health Improvement Plan	CHIP finalized, including a draft of Year 1 Action Plan developed with staff in NPHD with the assistance of BME (contractors).
Biosafety Committee	2 Inspections have been completed (Invicro, Evolved by Nature); inspections of 3 remaining companies in town with Biosafety Permits to be completed in the first week of May. Will aim to have a Biosafety Committee meeting after completion of inspections and before renewal due date at end of May.
Sun safety	Ordered new sunscreen and handouts for residents (SPF chapstick, mole ID cards, pamphlets, etc). Working with Ginnie to plan time to put sunscreen back in dispensers and use social media to announce. Ordered Sport sunscreen for pool dispenser and dispenser at DeFazio. Will put ingredient list on dispenser and plan for a survey to collect information.



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April 2024

Assist. Health Director - Tara Gurge
Full-time Health Agent – Sainath Palani
Part-time Health Agents – Monica Pancare and Pamela Ross-Kung

Unit: Environmental Health

Date: May 10, 2024

Staff members: Tara Gurge, Sainath Palani, Monica Pancare and Pamela Ross-Kung

Activities and Accomplishments

Activity	Notes
Staff Trainings	Sai and Tara registered to take the MA PHIT Food training. We will see if we get selected to take this round of trainings, since this course is in high demand. Tara also registered to take the MA PHIT Housing training but was told she was exempt due to her previous Housing PHIT classroom and in-person housing inspections that she completed with the housing trainer during the initial training course that was offered to inspectors. Sai has also registered to take MA PHIT Housing training. Sai has been studying to become a licensed a registered sanitarian. He will be applying to take the exam and plans to take the exam in the late summer or early Fall if application is approved. Tara is also taking her Certified Health Officer pre-exam review online trainings and has actively been preparing for that exam.
Board of Health Hearing for the Sale of Tobacco/Nicotine	Routine tobacco compliance checks were performed at the end of April of all six retail tobacco stores in town. One sale to a minor was made by the Exxon Mobil Mini Mart at 1111 Great Plain Ave. A Board of Health Hearing to be conducted to assess potential repercussions. This retail establishment last sold to an underage youth back on 10/30/15. The Board of Health will decide if the store owner receives a seven (7)

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product to an underage youth	consecutive business day suspension of their tobacco permit, along with the local \$300 fine. MA fines could also be issued. (To be discussed.)
Administrative call with Rays New Garden Restaurant	Sai and Tara had an administrative conference call with the owner of Rays New Garden to discuss multiple food safety violations that were observed during a routine inspection. Lack of trained kitchen staff and many cleaning and sanitation issues were observed during the inspection as well, along with many high-risk factor violations. The variance was also removed for the allowance of the preparation of acidified sushi rice, until proper Hazard Analysis Critical Control Point (HACCP) plan protocols are being followed on site. Sai and Tara conducted a joint follow-up inspection and met with the owner and the kitchen manager shortly after to observe improvements, and the owner and manager had worked with their staff on addressing the majority of the issues right at the conclusion of the initial inspection. The full-time ServSafe certified kitchen manager had recently returned from leave, and she was able to address the deficiencies in a timely manner to avoid a potential volunteer shut down of the establishment. During our follow-up visit, we spoke to the owner, and he agreed to hire a bi-lingual food safety consultant to re-train kitchen staff and to conduct unannounced food safety inspection audits for at minimum the next six (6) months. A new sushi rice HACCP plan also needed to be reviewed and updated, and the sushi chef retrained on proper rice prep protocols, which needs to match the protocols in the revised HACCP plan. We also required that back-up staff also be trained on the revised HACCP plan. The consultant was hired, and they immediately provided training to staff and revised the HACCP plan. The consultant also agreed to retrain staff on proper revised HACCP plan procedures. Unannounced audit reports are routinely being provided to us for our review, and we are in close contact with the consultant on the ongoing progress that is being made on site. Follow-up correspondence was sent to the



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	owner and the hired consultant, which reviewed the food safety specific items that were discussed and agreed to for additional staff training. (Will continue to monitor.)
Kostas Pizza and Seafood - Update	Pamela and Tara conducted a joint follow-up inspection to verify that all previously documented Food Code violations were corrected. Met with owner and observed that the violations were sufficiently corrected.
Continue discussion with CBD Store owner about removing unapproved products	This is on the meeting agenda to continue this discussion - To Review - Tara, Tim, Sai and Needham Town Counsel, met with the local CBD Store team, specifically, Your CBD Store – SUNMED- Needham, about the recent follow-up guidance received from the FDA and the MA Department of Public Health (MDPH) Food Protection Program about the hemp-derived oil tinctures and the water-soluble drop products. As we briefly reviewed, during our initial call held with them last month, the store owner agreed to remove their hemp-infused gummy edibles and seltzer beverage products, along with their pet infused edible products. In reference to the remaining products in question, specifically, the oil tincture and the water soluble drop products, the FDA has recently confirmed that these products are not considered dietary supplements, and thus not exempt, and the MDPH confirmed that, 'Based on the FDA response it sounds as though these hemp-derived oil tinctures and water-soluble drops are not foods from "approved sources" therefore cannot be sold in MA.' The local CBD Store owner agreed to remove those additional hemp-derived products off the shelves. A follow-up letter was sent by town counsel with the agreed to deadline included. Store is still selling product at this time.
NEW Board of Health Article 22 Regulation	As we stated last month, Cheryl Sbarra, Esq., Executive Director of the Mass. Association of Health Boards (MAHB) worked on drafting our updated BOH Article 22 Synthetic Drug regulation which will be an overhaul of the existing regulation. We have provided a copy of this new draft regulation entitled, 'Regulation for Prohibiting the Manufacturing, Sale, and Distribution of Synthetically Derived Cannabinoids and Kratom.'



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	The Board can review this draft regulation and provide any comments and/or edits and we can look at adopting it at our June Board of Health meeting.
Stop work orders on Demo Permits	Department of Labor Standards received a citizen complaint about a demolition being planned in town. Agency spoke with our office as they wanted to oversee the project to verify things were being done correctly. After their inspection, they believed that improper work might have been completed, that the paperwork submitted to our office was in question and some of the contractors involved are presently under investigation. Stop work orders have been issued for two planned demolitions. These projects and potentially others that involve these contractors may need to be held up until approval from the state is granted. Staff is looking into beefing up the review of asbestos paperwork after this incident, possibly delaying approval of demolition permits. Staff may also look into receiving additional training on suspect asbestos materials and where these materials are typically found.
Group Meeting about Addressing Rats in Residential Area	Our office received a complaint about many rats in a residential area of town and an order to correct letter was sent out. Several site visits were made at the subject properties. A meeting was held with all impacted neighbors, pest control companies, and the health agent to have the neighbors discuss things and come up with an agreeable decision about next steps. A licensed pest control service has been contracted and they will begin services in early May. Staff will follow up with subject properties and pest control companies to see if population size and activity subsides. We will work with the homeowners and pest control companies to adjust the pest control plans as needed.



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Other Public Health Division activities this month: (See report below.)

Activities

Activity	Notes
Demo Reviews/ Approvals	2- Demolition signoffs: - #118 Grosvenor Rd. - #108 Birds Hill Ave.
Disposal of Sharps Permits	0 – Disposal of Sharps Permits issued.
Septage/Grease Waste Hauler Permits Issued	0 – Septage/Grease Waste Hauler Permits Issued.
Trash/Recycling Waste Hauler Permit issued	6 - Trash and Recycling Waste Hauler Permit issued: - Winn Waste - Republic Services - Gastaldo Waste - Casella - BP Trucking - JRM Hauling
Medical Waste Hauler Permits Issued	0 – Medical Waste Hauler Permits issued.

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Food - Plan reviews/Follow-ups/Pre-operation inspections	1 – Food Permit Plan Reviews/Pre-operation inspections conducted. -Subway (Remodel)
Food – Temporary Food Event Permits issued	4 – Temporary Food event online permit application reviews and permits issued to: - SWES SpringFest (June) - SWES 5th Grade Field Day (June) - Needham Baseball & Softball Opening Day (April) - Wildfire Catering-Historical Center Event (May)
Food Complaints/ Follow-ups	2 – Food Complaints received: - <u>Sudbury Farms</u>: Expired food product complaint. - <u>Olin College</u>: Potential food borne illness case.
Housing - Complaints/Follow-ups, etc.	(6/9) - New Housing Complaints/Follow-ups conducted at: - <u>Marsh St. (0/0)</u> - Building permits pulled and renovations were underway. Owners will contact our office for an inspection prior to renting out the unit(s). - <u>Greendale Ave. (0/0)</u> - No updates this month. Health agent plans to follow up to get update in month of May and will see if occupants would be ready for a dumpster. - <u>Charles River St. (0/0)</u> - House was sold. Occupant appears to still be living there with their belongings. New owner has promises from occupant that they will be moving out by the end of April. - <u>St. Mary's St. (0/1)</u> - Update: Another formal inspection was conducted and orders to correct have been sent to address external accumulation of items. Reinspection is due in mid-May. - <u>Redington Rd. (0/0)</u> – Update: No update. Health agent will reach out once again to perform another inspection in May.



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	– <u>Chambers St. (Needham Housing Authority/NHA) (0/0) - Update:</u> No Update. Unit is still condemned. Health agent will continue to look to get updates about situation in this unit. – <u>Gage St. (0/1) - Update:</u> Residence has been monitored and it appears conditions are growing worse. Landscaping services are helping keep items together in a pile so that items are not blown onto neighbor properties or into the street. Will reconvene team to determine the next steps. – <u>Charles River Landing (0/1)</u> - Reinspection of unit is scheduled in month of May. Occupant has moved out and passing inspection is needed to re-rent unit. – <u>Seabeds Way (NHA) (0/1)</u> - Reinspection performed and violations outside of the unit are still present. NHA needs additional time, and an extension was given. – <u>Charles River Landing (1/1)</u> - Evidence of mice in unit. Orders to correct were sent out and reinspection is due in early May. – <u>Homewood Suites (1/1)</u> - Long term resident staying in hotel room was creating unsanitary conditions in their unit. Resident wanted health inspector to look at room and give professional opinion. Conditions observed sent to relevant parties, however no orders to correct were issued. – <u>Walker Lane (1/1)</u> - Neighbor in area had complaint about vacant and abandoned home and had concerns about their own property. A site visit was performed, and no alarming conditions were observed. – <u>Mason Rd. (1/1)</u> - Neighbor in area had complaint about vacant and abandoned home and had concerns about their own property. A site visit was performed, and no alarming conditions were observed. – <u>Mary Chilton Rd. (1/1)</u> - Complaint about rat activity with active feeding happening. Orders to correct were sent and pest control company has been contracted with. Neighbors' concerns are being addressed as they come up. Will continue to monitor. – <u>Linden St. (1/0)</u> - Voicemail left with complaint about mice in unit. Staff will be following up.
Housing Pre-occupancy inspections	0 – Housing pre-occupancy inspections conducted.



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Nuisance complaints/Follow-ups

(5/11) – New Nuisance Complaints/Follow-ups:

- **Chapel St./Antons (0/1) - Update:** Staff has discovered likely persons involved with dumping birdseed. Person has been told to stop doing this and it appears to have stopped.

- **#50 Dedham Ave. (Shared Dumpster- Sweet Basil/former Latina Kitchen/Little Spoon (0/1)-**

Staff have worked with several town departments and the managers of the property to address this chronically overflowing dumpster. Trash enclosure is broken and contracted trash hauling company has been inconsistent with pick-ups, particularly on weekends leading to the accumulations of many trash bags. Staff are working with building management to ensure pick-ups occur seven days a week and that another dumpster gets added to this area. **Update:** No additional overflow complaints received once the owner switched to a different waste hauler company and increased the service pick-up schedule. We will still be working with the owner and the Town Planning Board to help expedite the plan review process to add an additional full-size trash dumpster (as was already in the process), along with adding a replacement trash/recycling area enclosure, which is a Planning Board requirement.

- **Great Plain Ave./Dedham Ave. (0/1)** - There was a sewage odor in the basement of Little Spoon, and it is intruding into some of the basements of other neighboring restaurants. It appears to be coming from the grease trap. **Update:** Establishment claims to not smell anything even with a strong and persistent sewage smell being present. The existing plumbing used is not equipped to make any permanent changes and establishment may need to replace grease trap if smell persists. (Will continue to monitor.)

- **Longfellow Rd. (0/1) - Update:** No additional pest complaints have been received. Staff also investigated a few other sources around nearby dumpsters and parking areas, however no obvious harborage areas were discovered. A large, abandoned building on the corner of West St. and Highland Ave. has started to be monitored by a pest control company.

- **High Rock. (0/1)** - Nuisance was followed up on and garbage was cleaned up. Compliance letter was issued.

- **Pilgrim Rd. (1/1)** - Complaint about trash is blowing around outside. Homeowner states that waste hauler has been skipping pick ups on this road that are paid for leading to the residential trash not getting picked up. Health offered to provide list of other



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	permitted waste haulers and homeowner will do a better of making sure trash does not spill over. - <u>Maple St. (1/1)</u> - Complaint about landscapers with leaf blowers creating dust storms in the morning in large areas on Linden and Maple St. Staff were not able to verify this. - <u>Hillside Ave. (1/1)</u> - Complaint about dumping on potential town property by the former Hillside school along walking path. There was a landscaping company that was piling large quantities of soil and plant debris. It was determined that these piles were on private Property and at this time not causing a nuisance condition. - <u>Great Plain Ave. (1/1)</u> - Complaint about dead rat in a daycare parking lot. Verified to be present, however no harborage conditions were present nearby. - <u>Morton St. (1/1)</u> - Complaint about rat activity in backyard. Staff met with homeowner and did not witness any harborage conditions. Recommendations were given to homeowner. - <u>Green St. (0/1)</u> - <u>Update:</u> Hood exhaust fan located at Needham Golf Club has been serviced or replaced and is no longer producing a sound.
Indoor/Outdoor pool spot check inspections	0 – Indoor/Outdoor pool spot check inspections conducted.
Planning Board Special Permit review/Subdivision off-street drainage review	1 – Planning Board review/off-street drainage bond review conducted for: - <u>Cedar St./Homsy Lane</u> – Off-Street drainage bond release request received from the developer to release lots 13A and 13B (#5 and #11 Homsy Lane.) Site visits to lots were performed and no standing water or evidence of water erosion issues observed. BOH to vote.
Septic Certificate of Compliance (COC)	0 – Septic Certificate of Compliance final signoffs issued.



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Septic – Construction permits issued	0 – Septic Construction Permits issued.
Septic Failure Letters	0 – Septic system failure letters sent.
Septic Installation inspections	0 – Septic installation inspections conducted.
Septic Deed Restrictions	0 – Septic Deed Restrictions received.
Septic Installer Exam/Permit Issued	0 - Septic System Installer exam and permit issued.
Septic Addition/Reno. to a Home on a Septic reviews	0 – Addition/Reno. to a Home on a Septic reviews conducted.
Septic Plan Reviews/Approval issued	1 – Septic Plan review conducted/approvals issued for: - <u>300 Charles River St.</u>
Septic – Soil/Perc Tests	1 – Septic Soil/Perc Tests conducted: - <u>365 Charles River St.</u>
Septic Trench permit issued	1 – Septic Trench permit issued for: - <u>365 Charles River St.</u>



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Septic – Abandonment Forms	0 – Septic abandonment/connection to sewer forms received.
Tobacco Compliance Checks	6 – Tobacco retail routine compliance checks conducted at all permitted vendors.
Well Permit online plan reviews	1 – Well permit online application plan review conducted for: - <u>#41 Wildwood Drive</u>
Zoning Board of Appeals plan reviews	2 – Zoning Board of Appeals plan reviews conducted for: - <u>#315 Chestnut St.</u> - <u>#37 Moseley Ave.</u>

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FY 24 Priority FBI Risk Violations of Interest

Establishment	Date	Violation(s)	Corrective Action/Follow-up
Needham High School	4/5	Cooked plant foods were held without temperature controls. Grab and go milk fridges were running warm.	School is looking into ordering additional hot holding units this summer. In the meantime, they will make adjustments and keep cooked vegetables cold or find space to keep them on the hot holding line. Milk fridges will be kept close in between lunch services to help maintain temperature. Temperature of milk was still held at safe temperatures.
A New Leaf	4/6	Incorrect storage of raw eggs above ready to eat products. Almond milk was being stored outside of refrigeration. Out of date product was observed.	Milk was moved into refrigeration and out of date prepared products were thrown away.
Pollard Middle School	4/11	Exposed Foods were held without sneeze guards or other protection. Students were also using barehand at times to grab foods.	School will have these foods monitored during service and promised to throw away foods if they are coughed, sneezed on, if students take food with bare hands or they are contaminated in another way.



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Forklift Catering	4/16	Establishment was using unapproved clothes to line pans with raw salmon.	Establishment found an approved cloth lining that is food grade that can be in contact with food and it was verified by health agents.
Rays New Garden	4/17	Handwashing was not observed in kitchen at necessary times. Raw chicken was stored incorrectly above other types of raw meats. Visible cross contamination was observed. Knives used to prepare various foods were not cleaned appropriately before storage and re-use. Dishwasher in bar was not dispensing sanitizer. Garlic and oil mixture was not properly cold held. Many bulk items in the walk in fridge were not properly date labeled. HACPP plan (Variance) for acidified sushi rice was not being followed, many issues were identified.	Items in the walk-in were reorganized. Foods where there was signs of cross contamination observed were thrown away. Sanitizer was replenished in dishwasher. Garlic and oil mixture will be kept in fridge and then during busy times a small amount will be kept on ice. Unlabeled products that were identified as being days old were thrown away. Variance to allow for sushi rice to be held at room temperature was revoked and establishment must keep rice cold held until updated HACCP plan is approved.
Needham Golf Club	4/22	Several foods in a flip top baine marie were at >41F. Cooked bacon was left out without temperature controls. Chemical was stored next to food.	Corrected on-site. Foods were moved into a fridge that was holding at a better temperature. Establishment had this unit looked at and says that unit is holding better temperatures. Unit will be checked during reinspection.



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Capella	4/25	Staff were not knowledgeable about employee exclusion and restriction requirements or illness reporting requirements. Incorrect cooling was observed for at least two bulk made cooks based on story provided by PIC.	Establishment manager was provided with updated information about exclusion and restrictions and their requirements to train PIC and staff. Detailed cooling protocols will be sent to our office and logs will be kept moving forward.
Le Petit Four	4/25	Staff were not knowledgeable about employee exclusion and restriction requirements or illness reporting requirements.	Establishment manager was provided with updated information about exclusion and restrictions and their requirements to train PIC and staff.
Sunita Williams	4/25	Staff were not knowledgeable about employee exclusion and restriction requirements or illness reporting requirements Sanitizer concentration in 3-bay sink was too low.	School will contact company that services chemicals on sink for proper test strips and to fix dispenser.
Residences at Wingate	4/29	Agent observed staff handling dirty dishes before putting them into dishwasher and then handling clean dishware without washing hands in between. Raw meats were observed to be stored above ready to eat foods in the walk in. Main dishwasher was not reaching properly temperature to properly sanitize dishware and utensils. Concentration of pre-mixed sanitizer in 3-bay sink was too strong. Some prepared foods in the fridge were not date labeled and some products were being kept past their use-by date.	Agent had conversation with PIC about educating warewashing staff to at minimum wear gloves when handling clean dishes and to have clean hands. It would be best to have one staff member handle dirty dishes and another one with clean hands to handle the clean dishware. Other violations were observed to be corrected on site. Dishwasher technician made adjustments and proved to health agent that both were compliant. Out of date foods were voluntarily discarded and raw meats were stored correctly.



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One Wingate Way	4/30	Self service breakfast did not have any protection from sources of contamination such as sneeze guard. TCS foods on self service breakfast were not being kept cold held. There was out of date product that was visibly spoiled in one of the fridges.	Breakfast was closed early, and management will determine plan to do offer self service in a safer manner. Spoiled product was discarded.
Founders Cafe @ Shark Ninja	4/30	There was incorrect storage of raw meats above vegetables on cookline. Some foods were out of temperature on under the counter cold holding unit.	Items were corrected on site. Foods were discarded or stored appropriately.

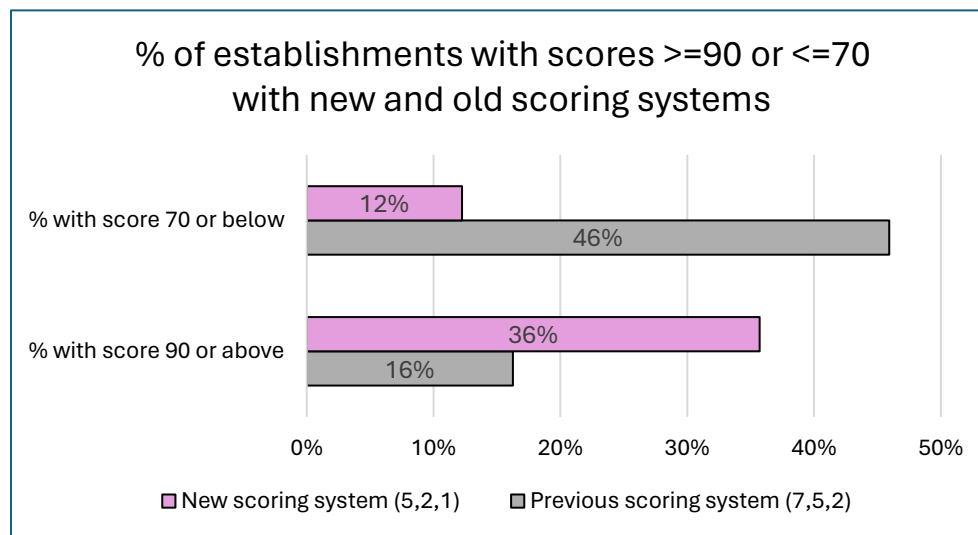
Needham Public Health Division: Pilot Program Data

Data Collected from Pilot Program November 2023 through April 2024 Total #: 98	Score (7,5,2)	Score (5,2,1)	Scaled^ (5,2,1)	Score (4,2,0)
Mean	68	83	85	90
Median	76	87	89	92
Standard Deviation	21	11	12	9
Low	<0	4	5	50
# with Certificates*	16	35	43	60
Percentage with Certificates*	16%	36%	46%	64%
# with Very Poor Scores**	45	12	10	4
Percentage with Poor Scores**	46%	12%	9%	3%

*Score of 90 or above

**Score of 70 or below

^ Weighting Risk Level 3 scores by 5% and Risk Level 4 by 10%



Needham Public Health Division: Pilot Program Data

Zero Priority

(7,5,2)	0	1	2	3	4	5	6	7	8	9	10
0	100	98	96	94	92	90	88	86	84	82	80
1	95	93	91	89	87	85	83	81	79	77	75
2	90	88	86	84	82	80	78	76	74	72	70
3	85	83	81	79	77	75	73	71	69	67	65
4	80	78	76	74	72	70	68	66	64	62	60
5	75	73	71	69	67	65	63	61	59	57	55
6	70	68	66	64	62	60	58	56	54	52	50
7	65	63	61	59	57	55	53	51	49	47	45
8	60	58	56	54	52	50	48	46	44	42	40
9	55	53	51	49	47	45	43	41	39	37	35
10	50	48	46	44	42	40	38	36	34	32	30

(5,2,1)	0	1	2	3	4	5	6	7	8	9	10
0	100	99	98	97	96	95	94	93	92	91	90
1	98	97	96	95	94	93	92	91	90	89	88
2	96	95	94	93	92	91	90	89	88	87	86
3	94	93	92	91	90	89	88	87	86	85	84
4	92	91	90	89	88	87	86	85	84	83	82
5	90	89	88	87	86	85	84	83	82	81	80
6	88	87	86	85	84	83	82	81	80	79	78
7	86	85	84	83	82	81	80	79	78	77	76
8	84	83	82	81	80	79	78	77	76	75	74
9	82	81	80	79	78	77	76	75	74	73	72
10	80	79	78	77	76	75	74	73	72	71	70

One Priority

(7,5,2)	0	1	2	3	4	5	6	7	8	9	10
0	93	91	89	87	85	83	81	79	77	75	73
1	88	86	84	82	80	78	76	74	72	70	68
2	83	81	79	77	75	73	71	69	67	65	63
3	78	76	74	72	70	68	66	64	62	60	58
4	73	71	69	67	65	63	61	59	57	55	53
5	68	66	64	62	60	58	56	54	52	50	48
6	63	61	59	57	55	53	51	49	47	45	43
7	58	56	54	52	50	48	46	44	42	40	38
8	53	51	49	47	45	43	41	39	37	35	33
9	48	46	44	42	40	38	36	34	32	30	28
10	43	41	39	37	35	33	31	29	27	25	23

(5,2,1)	0	1	2	3	4	5	6	7	8	9	10
0	95	94	93	92	91	90	89	88	87	86	85
1	93	92	91	90	89	88	87	86	85	84	83
2	91	90	89	88	87	86	85	84	83	82	81
3	89	88	87	86	85	84	83	82	81	80	79
4	87	86	85	84	83	82	81	80	79	78	77
5	85	84	83	82	81	80	79	78	77	76	75
6	83	82	81	80	79	78	77	76	75	74	73
7	81	80	79	78	77	76	75	74	73	72	71
8	79	78	77	76	75	74	73	72	71	70	69
9	77	76	75	74	73	72	71	70	69	68	67
10	75	74	73	72	71	70	69	68	67	66	65

Key

Core

Priority Foundation

Category	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	FY'24	FY'23	FY'22	FY'21	FY '20	FY' 19	FY' 18
Biotech registrations/Plan rev./Insp.	0	0	0	1	0	3	0	1	0	2			7	3	3	0	1	1	1
Bodywork Estab. Insp.	0	0	0	0	0	5	2	0	0	1			8	5	5	6	7	14	11
Bodywork Estab. Permits	0	0	0	0	0	4	0	0	0	0			4	6	5	13	9	9	6
Bodywork Pract. Permits	0	0	0	0	0	4	3	1	2	0			10	5	8	12	23	21	22
Demo reviews	18	9	13	10	2	7	8	3	6	2			78	53	89	76	73	104	105
Domestic Animal permits	3	0	0	0	1	0	0	0	0	0			4	17	15	29	1	21	19
Domestic Animal Inspections	0	0	0	0	1	0	0	0	0	1			2	1	10	8	3	22	3
Food Service Routine insp.	20	24	7	25	17	17	23	18	18	18			187	214	194	134	149	200	225
Food Service Pre-oper. Insp.	1	3	5	2	0	2	1	2	2	1			19	22	22	16	48	12	32
Retail Food Routine insp. Or 6 month check in	2	0	1	0	0	0	0	0	0	0			3	13	11	12	33	46	60
Residential Kitchen Routine insp.	1	1	0	1	1	0	0	0	0	0			4	8	5	5	3	6	8
Mobile Routine insp.	0	0	0	0	0	0	0	0	0	3			3	10	10	10	4	17	13
Food Service Re-insp.	11	9	4	4	13	8	9	11	9	7			85	37	27	7	21	28	53
Food Establishment Annual/Seasonal Permits	1	0	2	0	35	82	4	0	2	0			126	130	138	134	155	140	171
Temp. food permits	9	2	6	0	3	1	0	2	1	4			28	33	37	9	67	134	163
Temp. food inspections	9	1	3	0	0	2	0	0	0	0			15	16	9	3	10	37	29
Farmers Market permits	2	2	1	0	0	0	0	0	0	0			5	11	16	15	14	14	14
Farmers Market insp.	19	11	14	9	0	0	0	0	0	0			53	73	149	124	158	229	127
Food Complaints	0	2	4	4	0	1	5	4	1	2			23	11	13	7	49	18	20
Follow-up food complaints	0	1	2	4	0	1	5	2	0	1			16	12	15	8	48	21	21
Food Service Plan Reviews	3	3	2	2	5	1	1	4	0	0			21	75	13	12	14	20	42
Food Service Admin. Hearings	0	0	0	0	0	0	0	0	0	0			0	0	2	1	3	0	0
Grease/ Septage Hauler Permits	0	0	0	0	4	20	0	0	1	0			25	29	22	13	20	21	24
Housing (Chap II Housing) Annual routine inspection	1	0	0	6	3	1	0	0	1	0			12	9	10	7	7	0	14
Housing Follow-up insp.	1	0	0	2	3	3	0	6	2	1			18	13	3	2	0	0	5
Housing New Complaint	2	1	3	3	0	5	6	4	3	6			33	26	41	40	41	22	22
Housing Follow-ups	5	3	2	6	4	8	10	8	9	9			64	69	65	63	56	28	24

Hotel Annual inspection	0	0	0	0	0	3	0	0	0	0			3	3	3	3	3	3
Hotel Follow-ups	1	0	0	0	0	0	0	0	0	1			2	2	0	1	15	0
Nuisance Complaints	5	2	3	4	1	2	2	6	11	5			41	36	35	45	34	55
Nuisance Follow-ups	11	6	6	8	3	4	4	7	7	12			68	58	41	60	55	69
Pool inspections	0	9	4	0	0	0	0	0	7	0			20	14	15	15	13	20
Pool Follow up inspections	0	3	1	0	0	0	0	0	2	0			6	5	4	5	3	12
Pool permits	0	0	0	0	0	5	2	0	0	0			7	14	15	17	11	19
Pool plan reviews	0	0	0	0	0	0	0	0	0	0			0	5	0	5	0	3
Pool variances	0	0	0	0	0	3	1	0	0	0			4	7	6	5	6	5
Septic Abandonment	1	0	1	1	0	0	0	0	0	0			3	4	9	17	21	9
Addition to a home on a septic plan rev/approval	0	0	0	0	1	0	0	0	0	0			1	2	15	5	5	2
Septic Install. Insp.	4	0	8	8	1	2	0	0	0	0			23	22	19	11	13	21
Septic COC for repairs	0	0	0	0	0	0	0	0	0	0			0	2	3	2	5	3
Septic COC for complete septic system	0	1	0	1	1	1	0	0	1	0			5	3	4	1	3	4
Septic Info. requests	7	5	4	8	6	3	4	6	3	1			47	62	64	86	61	62
Septic Soil/Perc Test.	0	0	0	1	0	1	0	0	2	1			5	6	5	8	1	1
Septic Const. permits	1	0	1	0	1	0	0	0	0	0			3	5	6	6	6	6
Septic Installer permits	0	2	0	0	0	4	0	0	0	0			6	16	11	8	6	8
Septic Installer Tests	0	3	0	0	0	0	0	1	0	0			4	9	4	3	2	5
Septic Deed Restrict.	0	1	0	2	0	0	0	0	0	0			3	0	0	4	1	1
Septic Plan reviews	2	2	0	3	4	2	0	0	0	0			13	29	21	14	8	9
Septic Trench permits	1	1	1	1	0	1	0	1	2	1			9	11	12			
Disposal of Sharps permits	0	0	0	0	0	9	0	0	0	0			9	10	7	8	7	7
Disposal of Sharps Inspections	0	0	0	0	1	5	0	0	0	2			8	12	8	8	7	7
Rat Nuisance Complaints	1	0	1	0	1	0	2	1	7	4			17	5	6	2	2	1
RMD	1	0	0	0	0	0	0	0	0	0			1	2				
Planning Board Subdivision Sp Permit Plan reviews/Insp. of lots	0	1	0	0	0	0	2	1	0	2			6	19	21	20	4	1
Subdivision Bond Releases	0	0	0	0	0	0	0	0	0	0			0	1	0	1	0	0
Special Permit/Zoning	3	0	0	2	1	2	0	0	3	2			13	19	21	18	17	34
Tobacco permits	0	0	0	0	2	2	2	0	0	0			6	7	6	7	10	10
Tobacco Routine insp	0	0	0	0	6	0	0	0	0	0			6	7	12	7	8	14
Tobacco Follow-up insp.	0	0	0	0	0	0	0	3	0	0			3	0	0	1	8	3

Tobacco Compliance checks	0	0	0	6	0	0	0	0	0	6			12	6	6	6	30	30	41
Tobacco complaints	0	0	0	0	0	0	0	0	0	0			0	6	0	0	2	3	4
Tobacco Compl. follow-ups	0	0	0	0	0	0	0	0	0	0			0	6	0	0	1	3	4
Trash Hauler permits	0	0	0	0	0	2	1	3	8	1			15	20	23	16	15	17	14
Medical Waste Hauler permits	0	0	0	0	0	3	1	0	1	0			5	6	2	2	2	2	1
Well - Plan Reviews, Permission to drill letters, Insp.	2	1	0	0	0	1	1	0	2	1			8	14	10	11	2	6	2
Well Permits	0	0	0	0	0	0	0	0	0	0			0	1	4	1	1	1	0



Unit: Accreditation

Date: April 2024

Staff: Lynn Schoeff and Alison Bodenheimer

Activities and Accomplishments

Activity	Notes
Strategic Plan and Community Health Improvement Plan	Planning a series of FY25 Strategic Plan and CHIP Planning meetings between May 28-June 14
Performance Management	- Conducted a staff training on April 9 to train relevant staff on how to use the Quick Update feature in VMSG, the performance management software. - Conducting a series of progress check in meetings between April 16-May 10
Quality Improvement	- Started drafting Quality Improvement Plan - Compiling existing resources about selected quality improvement projects
Policies	- Revised policy protocol to begin incorporating Shared Services-Training Hub into policy and procedure system - Revising Food Code Enforcement policy
Document review	Working with staff to review and format documents to be submitted to PHAB.

Other Public Health Division activities this month:

- Provided feedback to the Office of Local and Regional Health regarding their Local Public Health Partner Survey 2.0



Needham Public Health Division

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Unit: Traveling Meals Program

Date: April 2024

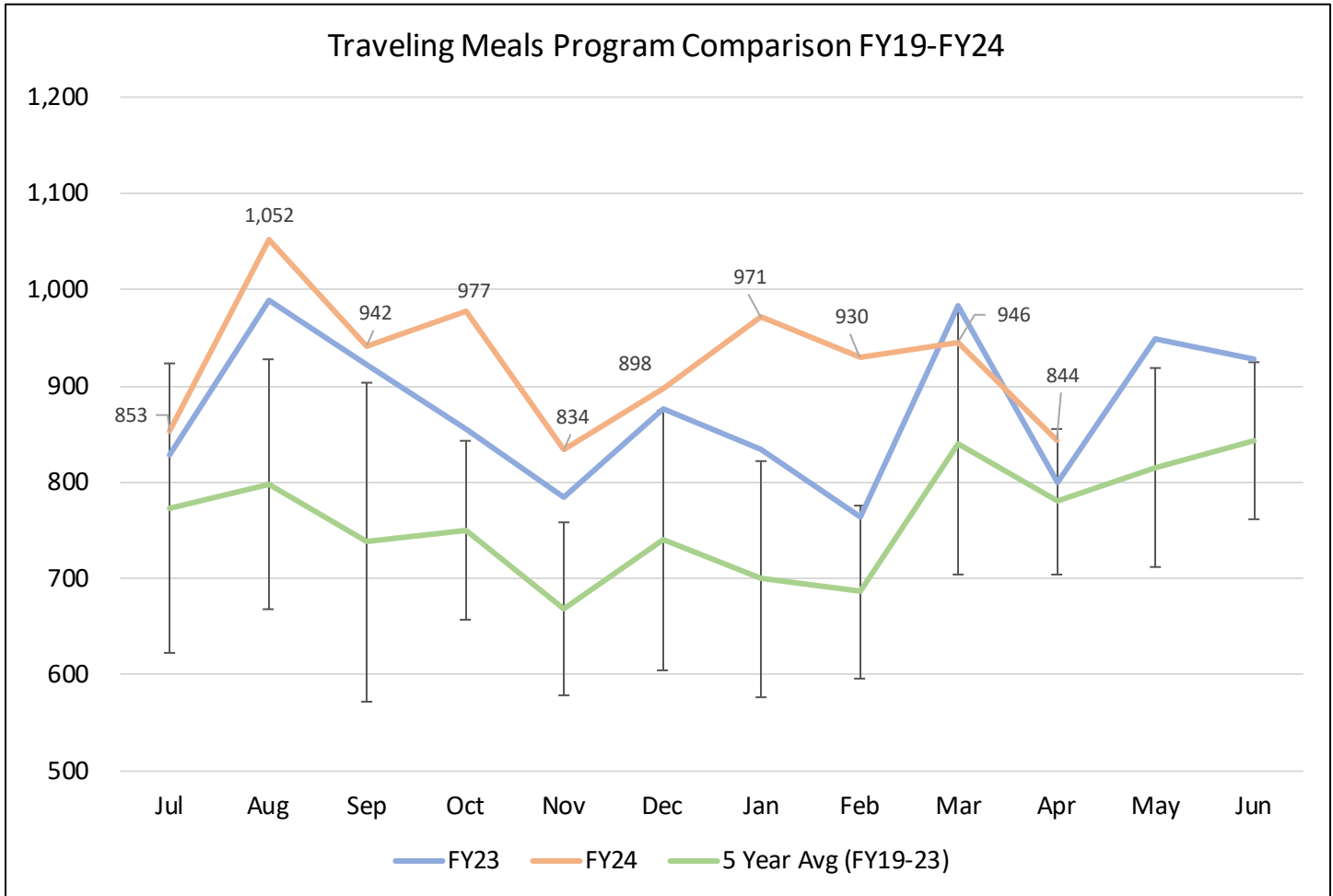
Staff: Rebecca Hall

Activities and Accomplishments

Activity	Notes
<i>Volunteers delivered meals to homebound Needham residents in need of food.</i>	<i>Meal delivery for month by 28 Volunteer Drivers and Community Partners</i>
<i>844 Meals delivered in April 2024</i> <i>51 Clients at end of April</i> <i>44 Springwell Consumers</i> <i>7 Private Pay Consumers</i> <i>3 New Clients (2 Springwell, 1 Private)</i> <i>5 Cancelled Program (2 Springwell, 3 Private)</i>	<i>No 911 calls initiated</i>
<i>Continuing hiring process for summer Seasonal Drivers</i>	<i>Job posting went live 3/15; hiring 4 Seasonal Drivers and 2 Substitute Drivers</i>

Other Public Health Division activities this month:

Summary overview for the month: **Graph of Meal Deliveries for the month April 2024**





Needham Public Health Division

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Unit: Public Health Nursing

Date: April 2024

Staff: Hanna Burnett, Ginnie Chacon-Lopez

Activities and Accomplishments

Activity	Notes
Community Outreach	Multiple CPR classes held throughout the month. Opioid Community Forum at Powers Hall to discuss Opioid Settlement Funding and educate community. Social media posts on Facebook, X (Twitter), and Instagram continue with positive engagement.
Education	Hanna: Few webinars. Ginnie: Various webinars; the 29 th Annual Massachusetts Adult Immunization Conference in Newton.
DVAC	Recorded first episode of cable series. Held <i>Conversations</i> at the CATH for staff and volunteers.
HEARTSafe	Presented to BOH regarding the project. Met with community ambassadors. Reached out to Great Bear Run regarding hosting an event at finish line, they were delighted! Continue mapping all AEDs in Town with help from ambassadors.
Additional Notes	Camp applications, binders, and checks have started to roll in and are being reviewed. Exact number of camps TBD.

Potential Foodborne Illnesses	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	2024	2023	2022
Amebiasis													0	0	0
Calicivirus/Norovirus							<5	<5	<5	<5			<5	5	<5
Campylobacteriosis	<5	<5		<5		<5	<5			<5			9	9	6
Cryptosporidiosis										<5			<5	0	<5
Cyclosporiasis	<5												<5	<5	0
Enterovirus													0	0	0
Giardiasis													0	<5	0
Listeriosis													0	0	<5
Salmonellosis		<5		<5		<5		<5					<5	5	<5
Shigellosis													0	0	<5
Vibrio spp		<5	<5										<5	<5	<5
Arbovirus	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	2024	2023	2022
Arbovirus (other)													0	0	0
Babesiosis	<5												<5	<5	<5
Borrelia miyamotoi													0	0	<5
HGA/Anaplasmosis													0	<5	<5
Lyme Disease Suspect	14	<5	<5	5	<5	<5	<5	<5	<5	<5			38	58	N/A
Lyme Disease Probable	6	5	6	<5	<5	<5	<5	<5	<5				28	19	51
West Nile Infection													0	0	0
Other Communicable Illnesses	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	2024	2023	2022
Group A streptococcus													0	0	0
Group B streptococcus													0	<5	<5
Haemophilus influenzae			<5			<5							<5	0	<5
Hepatitis A													0	0	0
Hepatitis B Confirmed/Probable			<5	<5				<5		<5			5	<5	9
Hepatitis B Suspected									<5	<5			<5	-	-
Hepatitis B Contact													0	<5	0
Hepatitis C Confirmed				<5									<5	0	0
Hepatitis C Probable		<5		<5									<5	<5	<5
Influenza Confirmed	<5	<5			7	29	46	32	27	8			152	193	51
Influenza Suspected									<5				<5	-	-
Malaria						<5							<5	-	-
Legionellosis	<5												<5	<5	<5
Mumps													0	0	0
Novel Coronavirus Confirmed	20	25	35	41	18	49	49	26	8	11			282	980	4153
Novel Coronavirus Probable	<5	<5	10	<5	<5	8	6	6	<5	7			51	188	484
Novel Coronavirus Suspected			<5						<5	<5			5	-	-
Pertussis (Bordetella spp.)													0	<5	0
Streptococcus pneumoniae													0	0	<5
Latent TB Infection Confirmed	<5	<5	6	5		7	<5	<5		<5			32	31	24
Latent TB Infection Suspected	<5			<5				<5	6				9	14	10
Active TB Infection Confirmed					<5								<5	-	-
Active TB Infection Contact					<5								<5	-	-
Active TB Infection Suspect					<5								<5	-	-
Varicella	<5	<5		<5			<5						5	<5	<5
Other (specify in narrative)													0	<5	-
Totals	54	44	0	62	39	101	115	73	50	38	0	0	644	1528	4819
Reported Cases later Revoked	3			1			1	1		4					

Immunizations/Injections	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	2024	2023	2022
B12			1			1	1	1	1	1			6	3	14
Influenza			201	535	34	1							771	719	812
Tdap													0	1	3
Covid-19				5	177	25	1						208	461	3792
VFC													0	0	4
Other						3							3	0	0
Total	0	0	202	540	211	30	2	1	1	1	0	0	988	1184	4625

Animal-to-Human Bites	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	2024	2023	2022
Dog										2			2	3	4
Cat													0	0	0
Bat													0	0	1
Skunk													0	0	0
Raccoon													0	0	0
Other													0	0	0
Total Bites	0	0	0	0	0	0	0	0	0	2	0	0	2	3	5

Assistance Programs	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	2024	2023	2022
Food Pantry													0	4	0
Friends													0	0	0
Gift of Warmth	2	2	3	0	5	3	1	1	0	5			22	51	23
GoW Amount	350	2070	1486	0	2882	1035	700	458	0	3133			12114	25921	13141
Parks & Rec													0	0	0
Self Help													0	6	1

Education	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	2024	2023	2022
CPR Education	9	9	11	19	2	13	1	18	43	58			183	197	53
Matter of Balance Graduates									10				10	34	10
Narcan		41	7	67	1	9	3	0	9	21			158	25	

Donations:	
Gift Cards Distributed:	0



Unit: Shared Services Grants – Public Health Excellence and Contact Tracing

Date: 4/30/24

Staff members: Kerry Dunnell, Samantha Menard, Rebecca Queeney,

Activities and Accomplishments

Activity	Notes
Shared Services- Charles River Health District (Towns of Dover, Medfield, Needham, and Sherborn)	<u>Staffing Changes</u> Kristin Scoble accepted a position with Needham Fire; her last day with the department was April 12. Keleigh Boudreau worked her last day as Regional Public Health Nurse on April 4. Job openings have been posted for the Regional Public Health Nurse and Regional Environmental Health Inspector positions on the Town of Needham website and in other public health related job boards. Applications will be reviewed, and interviews scheduled in May. <u>Community Support & Engagement</u> Sam Menard, Assistant Manager supported Needham by conducting various routine food establishment inspections. Sam Menard continues to convene bi-weekly meetings with Needham Environmental Staff to discuss inspectional best practices and standard practices. MA DPH-designated subject matter experts have reviewed and provided recommendations on food and housing inspection documents for all four communities. Staff will review the feedback with all communities in May. Prior to her final day, Keleigh Boudreau conducted interviews with Dover, Medfield and Sherborn representatives regarding opportunities to establish and expand the public health nursing presence. This information will be helpful for the new regional public health nurse to be hired. Staff participated in the Needham Board of Health April meeting.

	Advisory Board - In April the Charles River Health District Advisory Board members heard presentations from Needham Environmental Health staff Tara Gurge and Sai Palanthi regarding tobacco permitting, inspection and compliance procedures, and from representatives of BME Strategies who will be conducting a fee cost analysis project for the four communities. <u>Intermunicipal Agreement (IMA)</u> The IMA was distributed for review by Town Counsel for Dover, Medfield and Sherborn on April 5. No issues of significance have been raised to date. The current goal is to have the IMA signed by all communities by May 31. Completion and adoption of an intermunicipal agreement among the four communities (Dover, Medfield, Needham, and Sherborn) is a key deliverable for this year. <u>Continuing Education and Training</u> Kerry and Sam attended the April 20 and April 27 sessions of the annual MA Association of Health Boards (MAHB) certificate program. Sam is attending the Soil Evaluator Course in the months of April and May and continues to shadow staff from the communities on Title V related inspections to gain knowledge about on-site wastewater regulation.
Shared Services- North Central & MetroWest Local Public Health Training Hub (serving the 40 communities in the Charles River Health District, Greater Boroughs, MetroWest Public Health	<u>Continuing Education and Training</u> The Training Hub has organized an in-person pool inspection training for inspectors in the 40 communities served by the Hub. MA Department of Public Health Community Sanitation Program staff will conduct this training on May 6th at the Westwood Town Pool, offering inspectors an opportunity to practice or refresh their skills prior to the start of camps and pools season. Sam and Rebecca attended Train the Trainer Bootcamp, a two-day workshop that teaches techniques for learner assessment and engagement and instruction in content structure and organization. Sam assisted in facilitating breakout groups for the MA Local Public Health Intensive Training (LPHIT) courses. <u>Training Support</u> Staff compiled a comprehensive list of necessary environmental health inspection supplies for distribution to all Hub communities. This list was used to order supplies to create starter kits for environmental health staff in the Hub communities. Hub staff will assemble and distribute the starter kits in May and June as preparation for applied

Coalition, Nashoba Associated Boards of Health, Norfolk County-7 Public Health shared services arrangements)	training sessions. Inspectors will be expected to bring the starter kit with them for applied training sessions. Staff continue to research information for community profiles to identify community capacity and demand for types of training.
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Needham Public Health Division

Prevent. Promote. Protect.



Unit: Substance Use Prevention MassCALL3 grant: Dedham, Needham, Walpole, Westwood

Date: April 2024

Staff members: Carol Read, M.Ed., CAGS, CPS & Lydia Cunningham, MPH, CHES®

Activity	Notes
Walpole Prevention Coalition- 4/1, 4/4, 4/8 Melissa Ranieri, Health Director, Town of Walpole & Amanda Decker, Bright Solutions LLC	Review of Walpole Drug-Free Communities grant application: narrative, budget, action plan, signatures. 2023 MetroWest Adolescent Health Survey data. Grant application finalization and submission.
MassCALL3 Connections Monthly Meeting- 4/2 Cluster community health directors, public health nurses, and prevention staff. Next meeting: May 7, 2024	Agenda: Upcoming Strategic Plan Kickoff meeting, 2023 MetroWest Adolescent Health Survey data-regional reports and district highlights released, updated MA Tobacco Regulation and Letter to Retailers (MAHB), requests for community-level data, youth engagement project update, Opioid Settlement Funds Guide revisions in progress, Families for Depression Awareness and National Alliance on Mental Illness MA resources overview.
Amy Davenport, Principal, Westwood High School- 4/2	Review and discussion: MassCALL3 grant history and overview, high school health curriculum and time in learning by grade level, in-school substance use prevention and support. Plans for participation at MassCALL3 Strategic Plan Kickoff meeting and support with strategies.
The Montana Institute Trainings, Sessions 1 & 2- 4/8, 4/22 Sara Thompson, Director of Training and Communications & Valerie Roche, Director of Innovation and Development, The Montana Institute	Presentation: Introductions, the Science of the Positive framework, increasing hope and decreasing concern. Identifying solutions in the community, increasing positive community norms, promoting health, and moving away from fear appeals. Seven core principles of PCN. Using PCN theory to develop surveys, using survey data to share positive norms.
Needham Public Health Division Staff Meeting- 4/9 Timothy McDonald, Director of Health and Human Services, Tiffany Benoit & Tara Gurge, Assistant Public Health Directors	Agenda: Introductions, VMSG demonstration, Staff & Cultural Appreciation Committee, staff updates. Reminders: upcoming office cleaning, BOH packet changes, IT requests, p-card documentation.
Jessica Goldberg, Prevention Solutions @EDC- 4/9, 4/18	Review and discussion: Strategic Plan Kickoff meeting preparation, presentation creation and review, resource compilation, creation of short form strategic plan for distribution.
Needham Board of Health- 4/12 Timothy McDonald, Director of Health	Agenda: New Board member Dr. Aarti Sawant. Public comment- Anna Schnickel, owner of CBD

and Human Services, Tiffany Benoit and Tara Gurge, Assistant Public Health Directors	Needham. HEARTSafe Community, Norfolk County mosquito control district overview, FY25 fee schedule vote. Two Board policy positions: train noise and quiet zones and single use plastic. Update on Needham Housing Authority, BOH re-organization, staff updates.
Lisa McDonough, Town Accountant, Town of Needham- 4/12	Review and discussion: March expense report, EIM submission, budget line balance confirmation, final FY24 line item amendment discussion and planning,
BSAS & CSPA Check-in- 4/16 Amal Marks, BSAS Contract Manager & Ben Spooner, CSPA Co-Director and Technical Assistance Liaison	Review and discussion: CADCA Mid-Year approval and next steps, upcoming Strategic Plan kickoff meeting, FY24 line item amendment. Plans for Talk They Hear You cinema campaign.
Advocacy and Lobbying: Walking the Line- 4/18 Sandra Del Sesto, New England PTTC	Training: overview of advocacy and lobbying, prevention professional's ethical obligations, distinguishing among actions that are advocacy or lobbying, advocacy guidelines for actions that promote wellness and prevent substance use.
MetroWest Substance Awareness and Prevention Alliance (SAPA) – 4/23 Amy Turncliff, Rockfern Scientific	Meeting: structure and plans for FY25, Policy updates and advocacy steps: Cannabis policy- H113 Cannabis Billboard Ban, H111 & H3558. Connection with Rep Marcus Vaughn. Alcohol policy- MAPC meeting, youth briefing on alcohol policy for the Joint Committee on Consumer Protection and Professional Licensure. Regional projects and community updates.
Massachusetts Alcohol Policy Coalition- 4/24 David Jernigan, PhD, Boston University School of Public Health,	Discussion: NIAAA recruitment for project on alcohol delivery, upcoming youth briefing on alcohol policy for the Joint Committee on Consumer Protection and Professional Licensure. Dr. Jernigan presentation to Worcester BOH on MA Alcohol Status Report. Quincy MassCALL3 alcohol policy alliance leadership acceptance and quarterly compliance check goal.
MassCALL3 Strategic Plan Kickoff Meeting- 4/25 Grant staff, Jessica Goldberg, Evaluation Consultant, Prevention Solutions @EDC, Ben Spooner, Technical Assistance Liaison, Center for Strategic Prevention Support	Presentation: Reveal of approved MassCALL3 strategic plan. Grant background, grant staff responsibilities and accomplishments, overview of planning process. Participant review of approved strategies and suggestions for contacts and next steps. Group sharing and next steps.
Mobilizing Marginalized Communities to Prevent Substance Misuse- 4/26 Earl N. Benjamin-Robinson, DrHSC, CPH, & Michael Benjamin-Robinson, DSW, LCSW-BACS	Presentation: challenges in access to substance misuse prevention resources/services, strategies to engage and empower marginalized communities in substance misuse prevention efforts.

MassCALL3 Youth Engagement Project- 4/29, 4/30 Town of Walpole	Recruitment and participation of high school students in youth engagement project featuring NIDA's #MyWhy campaign materials. Students complete handout asking why they choose to be healthy and substance-free.
Norfolk County Sheriff's Office Youth Substance Use and Mental Health Task Force- 4/29 Kathryn Hubley, Community Affairs Coordinator	Presentation: Mimi Boubli, founding partner of PAVE- Parents Against Vaping e-Cigarettes, national parent group working on educating, advocating, and lobbying for policies to reduce access and availability to vape products. Discussion: expert forums, Truth Initiative and Tobacco-Free Kids used to support work of PAVE.

*All processes related to supervising part-time Youth Engagement Intern

*NPHD March Report- Monthly activities (NPHD- MassCALL3)

*NPHD Accreditation requests

*BSAS Q3 Report

Page 3 of 3



Needham Public Health Division

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Board of Health Town of Needham AGENDA FACT SHEET

MEETING DATE: April 12, 2024

Agenda Item	Other Items
Presenter(s)	Timothy McDonald, Director of Health & Human Services

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Mr. McDonald will provide a brief overview of the other items on this meeting agenda.	
2.	VOTE REQUIRED BY BOARD OF HEALTH
Discussion only.	
3.	BACK UP INFORMATION:
• Nicotine Free Generation (NFG) • Board of Health Policy Positions for Town Meeting • Article 22 Regulation for Prohibiting the Manufacturing, Sale, and Distribution of Synthetically Derived Cannabinoids & Kratom – Previously Board of Health Regulation on Synthetic Drug Regulation	

April 24, 2024

Select Board
Town Hall
1471 Highland Ave.
Needham, MA 02492

Board of Health
Town Hall
1471 Highland Ave.
Needham, MA 02492

Dear Members of the Needham Select Board and Needham Board of Health,

Some municipalities in Massachusetts are contemplating the adoption of “Nicotine Free Generation” (NFG) regulations to ban the sale of all nicotine products locally. We ask that you reject any attempts to adopt this regulation. Such a policy undemocratically infringes on 21-plus adults in your community and fails to effectively impact youth access to age-restricted products.

Eliminating youth access to age restricted products is a goal retailers share with health officials and NFG proposals, by design, drive nicotine products into the illicit, unregulated market. Removing these legal adult products from regulated environments makes them more, not less, attractive to youth who will seek to obtain such products illegally.

The proposed NFG changes to local tobacco regulations typically state:

“Prohibition of Sales – No person, firm, corporation, establishment, or agency shall sell tobacco or e-cigarette products to anyone born on or after 1/1/2004. Any person, firm, corporation, establishment, or agency who or which shall violate any provisions of this regulation and upon written notification shall be fined and suspended in accordance to the schedule set forth under the Regulation of the Board of Health Restricting the Sale of Tobacco Products.”

Proponents of NFG claim the policy is intended to protect youth by banning sales, but not access to nicotine products for adults 21 years of age or older. NFG has nothing to do with minors under the age of 21. The adoption of the above or similar language would not reduce youth access to nicotine products in your community but rather would prevent 21-plus adults from purchasing nicotine products just as they currently do alcohol, cannabis, lottery or engage in sports wagering according to the rights granted by the state to those age 21 or older.

It is important to understand why NFG regulation is unnecessary and inappropriate for 21-plus adults, local retailers, and your community:

- Youth access and use of nicotine should be a primary concern when considering novel nicotine regulations. NFG does nothing to prevent access to nicotine for minors under the age of 21.
- Significant concerns about the creation of a “massive,” unregulated illicit market with potentially dangerous products, along with concerns about the loss of tax revenue, led New Zealand to repeal a briefly adopted ban of nicotine products.
- Youth and legal aged adults will continue to find ways to acquire nicotine products just as they did with alcohol during prohibition, and when cannabis was illegal.
- Both retailers and local and state economies will suffer financially as this NFG policy is effectively a de facto prohibition of the product.

Licensed retailers responsibly age verify all regulated nicotine sales by law.

NFG policy is overreaching and not only fails in its attempt to regulate nicotine use, but it is also destructive to the valuations of local businesses that have been built over many years and provide a critical resource for your community. The impact of the regulations will result in harm to local stores, their families, and the local and state economy. Claims that the sunset nature of the policy is “virtuous” demonstrates a complete lack of knowledge and empathy. It is not virtuous, but punishing, since the moment this policy is passed, the value of businesses with a license to sell nicotine products will be destroyed.

We ask both now and in the future that you weigh any similar proposals with sensibility, facts, and fairness in mind.

Adulthood is the ability to make legal choices, despite others’ personal morals.

Many adults choose to responsibly use nicotine products. Your community should maintain a legal way for these adults to obtain them in a regulated environment subject to unannounced inspections.

Some adults choose to use nicotine in its many forms, for many personal reasons, just as they use alcohol and marijuana or wager on sports. The rights and freedoms of adults to make decisions about their individual lives is a key tenet of our democracy.

Your community has historically displayed the wisdom of keeping adult products in regulated and permitted stores and off the streets. Yet, NFG policies represent a tipping point in your community where NFG proponents target all nicotine products as morally wrong, while other adult products that have similarly been deemed harmful remain acceptable. This is bad governance and policy making that tramples on civil liberties and harms small businesses.

It is an inconvenient truth that cities and **towns like yours financially benefit from the sale of marijuana, alcohol, and tobacco alike.** Ignoring this truth is selective self-deception which erodes faith in government and helps erode faith and confidence in the government’s ability to operate fairly for all. Anti-tobacco advocates have gone too far in using the lure of “youth prevention” to push this policy, when in reality, the NFG policy only prohibits adults’ rights to use legal adult products.

Brookline Committees Rejected NFG.

After significant deliberation and consideration, every Brookline board and committee that held a hearing voted “NO ACTION” on Nicotine Free Generation (NFG) policy.

Despite their elected and appointed leaders’ rejections of the proposal, a small majority of Brookline Town Meeting members voted to adopt the policy, but they did so without the same time and attention given by boards and committees. Furthermore, they voted on the NFG warrant article (14) two hours into the 3rd of 3 straight “arduous” nights of voting. It would not be a stretch to say energy and attention to this issue were suboptimal by the time the vote was made.

Please consider the implications of instituting a policy such as NFG. It threatens the rights of adults, undermines small business owners, and hinders the local and state economy. Many products, such as alcohol, marijuana, and gambling/lottery are age restricted, with reason, but the trend has been to regulate and monitor the sale and usage of these products to ensure that youth access is restricted while allowing adults to make adult choices. The same should hold true with tobacco and nicotine products.

Citizens lose faith in government when policies regarding regulated products are inconsistent, like the NFG policy, because they contradict common sense.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'P. Brennan', written over a horizontal line.

Peter A. Brennan

CC: Timothy McDonald, Director of Health and Human Services
Catherine Reid Dowd, Town Clerk
Kate Fitzpatrick, Town Manager
Katie King, Deputy Town Manager

Dawn Stiller

From: Sachin patel <Sachin.patel.699867906@grassrootsmessage.com>
Sent: Friday, April 26, 2024 1:43 PM
To: Health Division
Subject: Say NO to Nicotine Free Generation (NFG) Regulations

Dear Director of Health Timothy McDonald,

Some cities and towns in Massachusetts are considering a new policy called Nicotine Free Generation (NFG).

I ask that you reject this policy for the following reasons:

- When a person is 21 years of age, that person is an adult and should be able to use legal adult products.
- It applies different laws to two groups of adults treating them differently from one another for the purchase and use of the same products despite both being 21 years of age or older.
- It does nothing to address youth use of nicotine products since the policy targets adults upon reaching the age of 21.
- It is blatantly hypocritical allow an adult to purchase and use cannabis or alcoholic beverages or gamble on sports, but prohibit that same adult from purchasing and using a nicotine product.

This policy goes way too far.

Say NO to NFG regulations in Massachusetts.

Regards,
Sachin patel
Sandwich St
Plymouth, MA 02360



Needham Public Health Division

Prevent. Promote. Protect.



MEMO

To: Needham Town Meeting Members

From: The Needham Board of Health

CC: Timothy Muir McDonald, Director of Health & Human Services

Date: May 5, 2024

Subject: Needham Board of Health's Policy Positions for May 2024 Town Meeting

Bottom Line Up Front

The Board of Health supports adoption of the following articles¹ at the May 2024 Annual Town Meeting:

- *Article 30—Appropriate for Quiet Zone Project*
- *Article 45—Citizens' Petition—Single Use Plastics Ban By-law*
- All Needham Housing Authority redevelopment related articles:
 - *Article 18—Amend Zoning By-law – Affordable Housing District;*
 - *Article 19—Amend Zoning By-law – Map Change for Affordable Housing District;*
 - *Article 22—Appropriate for Linden Street Redevelopment; and*
 - *Article 41—Authorize Select Board to Remove Restrictions.*

Additionally, the Board of Health supports the following articles which either provide support for Public Health Division operations or else provide funding assistance and support for the elderly, homebound, and disabled in the community:

- *Article 6—Appropriate for Needham Property Tax Assistance Program;*
- *Article 8—Appropriate for Small Repair Grant Program;*
- *Article 10—Appropriate for Scientific Experts & Consultants;*
- *Article 13—Appropriate the FY2025 Operating Budget; and*
- *Article 16—Set Annual Department Revolving Fund Spending Limits.*

The Needham Board of Health (the Board) is charged by the General Court of Massachusetts² to protect the public's health and to safeguard the health and wellness of its community. In order to effectively discharge those responsibilities, the Board is empowered by the Massachusetts Generals Laws and imbued with the authority to make

¹ The Board of Health chose to take an affirmative position on a handful of articles, ones that most directly affect the overall health and wellness of the community, or those articles which impact Public Health Division operations.

² The General Court of Massachusetts is the more formal name for the State Legislature.

reasonable health regulations³ and to “examine all nuisances, sources of filth and causes of sickness”⁴ and to act for the destruction, removal, or prevention of the same.

Historically, the Board of Health has sparingly offered its position on the various articles under consideration at the Annual and the Fall & Spring Special Town Meetings or those topics included on local or statewide ballots. Previous positions have included strong support for Accessory Dwelling Units,⁵ concerns about legalizing marijuana for widespread commercial use, and efforts to stop expanded sales hours for alcohol in an effort to prevent circumstances which might encourage youth use.

In 2024, however, individual members of the community as well as community serving organizations have asked the Board of Health to officially register its position supporting or opposing various articles. At a series of meetings this spring, the Board of Health discussed these high-profile topics, and now presents its position on a selection of articles under consideration during May 2024 Annual Town Meeting.

General Community Benefit & Support for Public Health Division Operations

The Board supports the adoption of the vast majority of finance articles, and especially those articles (*Article 6—Appropriate for Needham Property Tax Assistance Program* and *Article 8—Appropriate for Small Repair Grant Program*) which provide support and assistance to Needham’s seniors and those homebound and disabled individuals in the community. The Board of Health has closely studied the challenges⁶ which face Needham’s seniors, and strongly supports efforts to ease the cost of living and to keep seniors living safely in their homes as they age.

The Board of Health supports *Article 13—Appropriate the FY2025 Operating Budget*, and this year’s recommended operating budget, if approved by Town Meeting, will represent a substantial investment in the Health & Human Services Department. Three full-time and one part-time ARPA-funded positions will be made a permanent part of the operating budget, and another part-time position will support registration, check-in, and volunteer coordination at the Center at the Heights (CATH). In the Public Health Division specifically, this operating budget will make permanent an epidemiologist position and a public health nurse position, two critical roles that have been supported with ARPA funding over the past three years.

The Public Health Division, as well as the other divisions within Needham’s Health & Human Services Department, rely upon revolving, donation, trust, gift, and grant funds

³ M.G.L. ch. 111, s. 31, available at:

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter111/Section31>

⁴ M.G.L. ch. 111, s. 122, available at:

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter111/Section122>

⁵ The Board of Health published its Policy Position and spoke in favor of articles in both 2018 and 2023.

⁶ Please see 2016 report *Assessment of Housing and Transit Options for Needham Seniors* available at: <https://www.needhamma.gov/DocumentCenter/View/44505/2016-Assessment-of-Housing-and-Transit-Options-for-Needham-SeniorsPDF>. And please see the Needham Health Aging Assessment from May 2023, available at: <https://www.needhamma.gov/DocumentCenter/View/44472/Senior-Assessment-Report-2022-2023PDF>.

to support their programs and activities, and so the Board of Health supports the adoption of *Article 16—Set the Annual Department Revolving Fund Spending Limits*.

The Board of Health strongly supports the adoption of *Article 10—Appropriate for Scientific Experts and Consultants*, which will provide needed funding and allow the Board to retain outside scientific experts and consultants to evaluate novel and emerging health issues about which the Board and the Public Health Division lack the necessary expertise. For example, this fund would allow for the retention of an outside expert to evaluate a proposed utility project that has unknown or uncertain environmental and health impacts, such as the Eversource Underground Utility Line Redundancy project.

When there is a permit application process, the BOH has the ability (via regulation) to require applicants to pay an ‘outside consultant fee’ so that the BOH may retain an independent expert to review the application and to advise the BOH. This funding request addresses the need to access expertise to evaluate community impact in instances when there is no public health division permit application, such as large-scale utility projects.

A previous Financial Warrant Article for \$50,000 was approved in FY 2022 and was expended just before the end of FY 2023 to support the costs of unexpected environmental testing for Claxton Field following a negotiation with MA DEP that required sampling and analysis of the soil at that site.

Needham Housing Authority (NHA) Redevelopment Related Articles

Affordable, high-quality housing is linked to improved health for individuals across the age spectrum, but especially for older adults. For example, when living in an affordable home, individuals can put more money towards nutritious food and health care, rather than housing. Stable, affordable housing reduces stress and improves mental health.⁷ As such, the Board of Health believes that supporting affordable housing is aligned with the Board’s mandate from the Massachusetts General Court to protect the public health and wellness of the Town of Needham and all its residents.

Additionally, as the Public Health Division enforces the housing code⁸, the Board of Health is informed of ample instances of housing code violations at NHA properties; many of those housing code violations are caused by water intrusion, mold, and poor insulation, which are directly related to the fact that NHA’s buildings have exceeded their useful life and are in need of immediate replacement.

The Board of Health urges Town Meeting to support the adoption of all of the NHA-related articles on Town Meeting warrant, specifically Articles 18, 19, 22, and 41.

⁷ Maqbool N, Viveiros J, Ault M. The Impacts of Affordable Housing on Health: A Research Summary. Center for Housing Policy. 2015. Available: <https://www.rupco.org/wp-content/uploads/pdfs/The-Impacts-of-Affordable-Housing-on-Health-CenterforHousingPolicy-Maqbool.etal.pdf>

⁸ That is, 105 CMR 410.00: Minimum Standards of Fitness for Human Habitation, available at: <https://www.mass.gov/doc/105-cmr-410-minimum-standards-of-fitness-for-human-habitation-state-sanitary-code-chapter-ii/download>.

Single-Use Plastics Ban

The Board of Health recommends adoption of *Article 45—Citizens’ Petition—Single Use Plastics Ban By-law*. As amended, this article would eliminate the use of Styrofoam, along with plastic straws and stirrers and splash guards by the end of calendar year 2024. There is a positive impact on human health, wildlife and the environment by restricting certain single-use plastic products used by food establishments. It is known that plastics leach hundreds of chemicals into the environment and accumulate and persist in common environmental sinks such as in the ocean and in biota. The chemicals such as but are not limited to Bisphenol A (BPA) and Per- and Poly- fluoroalkyl substances (PFAS) have been found to be endocrine disruptors in animals’ studies. These chemicals likely have a negative effect to humans as well and have been linked to certain cancers as well as immune and developmental issues.

Having Needham’s food service establishments limit or remove certain plastics from takeout orders will reduce environmental contamination and result in less exposure to plastics, both of which will benefit the public’s health and wellbeing. The Board of Health strongly recommends adoption of Article 45.

Quiet Zone Project

The Board of Health supports the adoption of *Article 30—Appropriate for Quiet Zone Project*, which includes appropriating funds for the design phase of Quiet Zone project.

As most residents know, Needham is an MBTA Community which is serviced by the Needham Line of the MBTA Commuter Rail system. There are four stops in Needham: Hersey, Needham Junction, Needham Center, and the terminus of the line at Needham Heights. There are six crossings in town—West Street, Rosemary Street, May Street, Great Plain Avenue, Oak Street, and the Needham Golf Club. Per federal regulation, locomotive engineers must begin to sound train horns at least 15 seconds, and no more than 20 seconds, in advance of all public grade crossings. Train horns must be sounded in a standardized pattern of two long, one short, and one long blast and this pattern must be repeated until the lead locomotive or lead cab car occupies the grade crossing (where a railway line and road meet each other on the same level).

Based on the current MBTA Commuter Rail schedule, there are 16 inbound and 17 outbound trips through Needham on a weekday, starting at 5:05 a.m. and ending at 12:39 a.m. If the horn honks according to Federal Railroad Administration (FRA) regulation at each crossing during each trip, the horn would be honking at least 792 times a day, equating to approximately 50 minutes each weekday.

Research studies on the impact of train noise on human health have shown exposure to simulated nighttime train noise and/or train vibrations is associated with decreased self-reported sleep quality, changes in heart rate, and more nighttime awakenings. The World Health Organization (WHO) Regional Office for Europe listed cardiovascular disease, cognitive impairment, sleep disturbance, tinnitus, and annoyance as outcomes considered to be effects of environmental noise, which includes train noise.

The safety of pedestrians, bikers, and drivers must also be considered in the establishment of a quiet zone. Every public grade crossing in a quiet zone must be equipped at minimum with warning devices such as flashing lights and gates but may

also be required to implement additional safety measures so the accident risk in a quiet zone is at or below risk thresholds set by the FRA. Importantly, data from the FRA does not show a significant difference in the number of incidents occurring in towns with quiet zones compared to those without.

An important step towards the reduction of some of the myriad health concerns that come with the four rail stops in town would be for the MBTA/Keolis to shift to battery-electric trains on the Needham line. This change would reduce the noise and vibrations that may cause heart rate increases and sleep disturbances at night but would also reduce the running emissions and emissions from idling diesel engines overnight, especially during cold weather. This would substantially alleviate the health concerns around air quality in the vicinity of the train stations and yards. This hybrid approach is being proposed on the MBTA's Fairmont line (the system's shortest), and as the second shortest line in the system, the Needham line should be considered for a second phase of the battery-electric train project.

Understanding the health impacts of train noise and the FRA data on the safety of quiet zones, the Board of Health supports Article 30,

These Policy Positions were discussed at public meetings on Friday, February 9, 2024, Friday, March 8, 2024, and Friday, April 12, 2024; they were formally adopted following a unanimous vote during a public meeting on April 12, 2024.



Edward Cosgrove, PhD



Stephen Epstein, MD, MPP



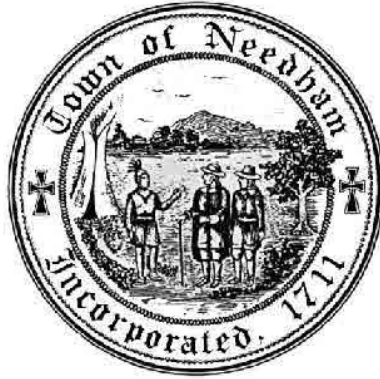
Tejal Gandhi, MD, MPH



Robert Partridge, MD, MPH



Aarti Sawant-Basak, PhD



Board of Health

Edward Cosgrove, PhD
Chair

Stephen Epstein, MD, MPP
Member

Jane Fogg, MD, MPH
Vice Chair

ARTICLE 22

REGULATION FOR RESTRICTION OF SYNTHETIC DRUGS

SECTION 22.1

AUTHORITY

This regulation is promulgated under the authority granted to the Needham Board of Health under Massachusetts General Laws Chapter 111, Section 31 which states that “boards of health may make reasonable health regulations”.

SECTION 22.2

PURPOSE

The Needham Board of Health has found that synthetic marijuana, consisting of plant or other material treated with various chemicals or other synthetic substances not approved for human consumption, may be marketed and sold as herbal incense in the greater Boston area, although they are being used in the same manner and for the same purposes as scheduled drugs. In addition, the use of these products has become particularly popular among teens and young adults.

Based on information and reports from hospitals, emergency room doctors, and police agencies, individuals who use these products experience dangerous side effects including convulsions, hallucinations, and dangerously elevated heart rates. This is evidence that synthetic marijuana products are harmful if inhaled or consumed, and present a significant public health danger. These synthetic compounds and others have a high potential for abuse and lack of any accepted medical use, these dangerous products, while not approved for human consumption, are marketed and sold in a form that allows for such consumption, putting at risk the individuals who come into contact with them.

Therefore, the Needham Board of Health adopts this regulation for the purpose and with the intent to protect the public health and safety of the Town of Needham and its residents from the threat posed by the availability and use of synthetic marijuana, synthetic stimulants,

synthetic hallucinogens, and other dangerous products by prohibiting persons from trafficking in, possessing, and using them within the town.

SECTION 22.3

DEFINITIONS

Unless otherwise indicated, terms used throughout this regulation shall be defined as they are the federal Controlled Substances Act ([21 U.S.C. Chapter 13 § 801et seq.](#)) or in its Massachusetts analog ([M.G.L. Chapter 94C](#)).

Act means the federal Controlled Substances Act ([21 U.S.C. Chapter 13 § 801et seq.](#)).

Board of Health means the Town of Needham Board of Health and its designated agents.

Board of Health Agent means the Director of Public Health and any town employee or contractor designated by the Director, which may include Public Health Department staff, law enforcement officers, fire officials, and code enforcement officials.

Chemical agent means any chemical or organic compound, substance, or agent that is not made, intended and approved for consumption by humans.

Consumable product or material means a product or material, that regardless of packaging disclaimers or disclosures that it is not for human consumption or use, is in a form that readily allows for human consumption by inhalation, ingestion, injection, or application, through means including but not limited to smoking, or ingestion by mouth with or without mixing with food or drink.

Controlled substance means a substance included as a controlled substance in schedules 1 through 5 of the Act or a substance temporarily scheduled or rescheduled as a controlled substance as provided in the Act.

Controlled substance analogue has the same meaning as defined in the Act, which is a substance, the chemical structure of which is substantially similar to that of a controlled substance in schedules 1 and 2 of the Act.

Dangerous product means a consumable product or material containing a dangerous substance, including, but not limited to, cannabinoids, stimulants, psychedelic hallucinogens, and synthetic chemical agents as outlined in the subsequent Prohibitions.

Director means the Director of Public Health

Traffic and trafficking means to manufacture, distribute, dispense, sell, transfer, or possess with intent to manufacture, distribute, dispense, sell, or transfer.

Transfer means to dispose of a dangerous product to another person without consideration and not in furtherance of commercial distribution.

SECTION 22.4

PROHIBITIONS

It shall be unlawful to possess, sell, deliver, transfer, or attempt to possess, sell, or deliver these synthetic drugs within the Town of Needham.

1. A synthetic cannabinoid or any laboratory-created compound that functions similarly to the active ingredient in marijuana, tetrahydrocannabinol (THC), including, but not limited to, any quantity of a synthetic substance, compound, mixture, preparation, or analog (including isomers, esters, ethers, salts, and salts of isomers) containing a cannabinoid receptor agonist. The trade names of such synthetic cannabinoid compounds include, but are not limited to:
 - a) 2NE1;
 - b) 5-bromopentyl-UR-144, 5-bromo-UR-144;
5-chloropentyl-UR-144, 5-chloro-UR-144;
5-fluoropentyl-UR-144, 5-fluoro-UR-144;
 - c) A-796,260; A-834,735; A-836,339; AB-001; AB-034; AKB-48; AM-087; AM-356 (methanandamide); AM-411; AM-630; AM-661; AM-679; AM-694; AM-855; AM-905; AM-906; AM-1220; AM-1221; AM-1235; AM-1241; AM-1248; AM-2201; AM-2232; AM-2233; AM-2389;
 - d) BAY 38-7271;
 - e) Cannabipiperidiethanone; CB-13, SAB-378; CP 47,497 and its homologues; CP 50,556-1 (levonantradol); CP 55,490; CP 55,940; CP 56,667;
 - f) HU-210; HU-211 (dexanabinol); HU-210; HU-211; HU-243; HU-308; HU-331;
 - g) JTE-907;
 - h) JWH cannabinoid compounds from JWH-001 through JWH-424;
 - i) MAM-2201;
 - j) RCS-4, SR-19; RCS-8;
 - k) STS-135;
 - l) UR-144; fluoro-UR-144; 5-fluoro-UR-144; URB-597; URB-602; URB-754; URB-937
 - m) WIN 48,098 (pravadoline); WIN 55,212-2;
 - n) XLR-11.
2. A synthetic stimulant or any compound that mimics the effects of any federally controlled Schedule I substance such as cathinone, methcathinone, MDMA and MDEA, including, but not limited to, any quantity of a natural or synthetic substance, compound, mixture, preparation, or analog (including salts, isomers, and salts of isomers) containing central nervous system stimulants. The trade names of such synthetic stimulants include, but are not limited to:
 - a) 2-diphenylmethylpyrrolidine; 2-DPMP; 2-FMC;
 - b) 3,4-DMMC; 3-FMC;
 - c) 4-EMC; 4-FMC (flepheдрone); 4-MBC (benzedrone); 4-MEC; 4-MeMABP;
 - d) Alpha-PBP; alpha-PPP; alpha-PVP; amfepramone, diethylcathinone, or diethylpropion;
 - e) BZ-6378; buphedrone; bk-MBDB (butylone); BZP;

- f) D2PM; dimethocaine; DMBDB, bk-DMBDB, or dibutylone; DMEC; DMMC;
 - g) Ephedrone; ethcathinone; ethylethcathinone; ethylmethcathinone; ethylone; eutylone;
 - h) Fluorococaine; fluoroethcathinone; fluoroisocathinone;
 - i) HMMC;
 - j) Isopentedrone;
 - k) MaPPP, 4-MePPP, or MPPP; MBP; MBZP; MDAI; MDAT; MDDMA; MDMC; MDPBP; MDPPP; MDPV; MDPK; MEC; mephedrone or 4-MMC; metamfepramone or N,N-DMMC; methedrone, bk-PMMA, or PMMC; methylone, bk-MDMA, or MDMC; MOMC; MOPPP; MPBP;
 - l) N-ethyl-N-methylcathinone; NEB; NRG-1 (naphyrone); NRG-2;
 - m) Pentedrone; pentylone.
3. A synthetic psychedelic/hallucinogen or compound that mimics the effects of any federally controlled Schedule I substance, including but not limited to, any quantity of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including salts, isomers, esters, ethers and salts of isomers) containing substances which have a psychedelic/hallucinogenic effect on the central nervous system and/or brain. Trade names of such synthetic hallucinogens include, but are not limited to: 2C-C, 2C-D, 2C-E, 2C-H, 2C-I, 2C-N, 2C-P, 2C-T-2, and 2C-T-4.
 4. Any other substance which mimics the effects of any controlled substance (such as opiates, hallucinogenic substances, methamphetamine, MDMA, cocaine, PCP, cannabinoids, and tetrahydrocannabinols), including, but not limited to, "bath salts," "plant food," "incense," or "insect repellant," but excluding legitimate bath salts containing as the main ingredient the chemicals sodium chloride (sea salt) and/or magnesium sulfate (Epsom salts), or legitimate plant foods or insect repellant, or legitimate incense used as an odor elimination product.
 5. Salvia divinorum or salvinorum A; all parts of the plant presently classified botanically as salvia divinorum, whether growing or not; any extract from any part of such plant, and every compound, manufacture, salts derivative, mixture, or preparation of such plant, its seeds, or extracts.
 6. Any similar substances to the above which when inhaled, or otherwise ingested, may produce intoxication, stupefaction, giddiness, paralysis, irrational behavior, or in any manner, changes, distorts, or disturbs the auditory, visual, or mental process, and which has no other apparent legitimate purpose for consumers.
 7. A product containing a substance that is defined herein, but not limited to the examples of brand names or identifiers listed within Exhibit "A" attached hereto and incorporated herein. Each year, or from time to time as may be required, the list of such substances may be redefined, so as to be representative of any products which may have been altered by the changing nature of chemicals in manufacture, and such lists will be available to the public. This list will be provided by the Director of Public Health in consultation with the Chief of the Needham Police Department (please see Appendix A).

8. Public display for the sale of such dangerous products in unlawful. It shall be unlawful for any store owner, store manager, store purchasing agent or any other person to publicly display for sale any natural or synthetic materials defined in this article. Any dangerous product housed within a facility, shall be assumed for sale, and shall constitute a separate violation of this Board of Health regulation.

SECTION 22.5

DANGEROUS PRODUCT EXEMPTION

The following shall be exempt from section 22.4 herein.

1. A physician, dentist, optometrist, veterinarian, pharmacist, scientific investigator or other person who is licensed, registered, or otherwise lawfully permitted to distribute, dispense, conduct research with respect to, or to administer a dangerous product as defined herein in the course of professional practice or research.
2. A pharmacy, hospital or other institution licensed, registered, or otherwise lawfully permitted to distribute, dispense, conduct research with respect to, or to administer a dangerous product as defined herein in the course of professional practice or research.

SECTION 22.6

RIGHT OF ENTRY

The Chief of Police of the Town of Needham, the Director of Public Health and his designated agents may enter upon any privately owned property, which serves the public, for the purpose of performing their duties under this Board of Health regulation.

SECTION 22.7

ENFORCEMENT

This regulation may be enforced by the Director and his/her designated agents, especially the Chief of Police for the Town of Needham and his law enforcement staff as well as other code enforcement personnel so designated by the Director.

In addition to the restrictions defined herein, the Director and his/her designated agents may consider these items as violations of this section.

- a) Refusal to permit an agent of the Police or Public Health Departments to inspect the facility or any part thereof;
- b) Interference with an agent of the Police or Public Health Departments in the performance of their duty;
- c) A criminal conviction of the facility owner or employee in control of the facility, relating to the operation of the facility;
- d) Failure to pay assessed fines or penalties;
- e) The facility owner, operator, or employee's failure to comply with this ordinance;
- f) Keeping or submitting any misleading or false records, documents, or verbally stating false information related to the possession or sale of dangerous products or paraphernalia.

Any resident who desires to register a complaint pursuant to this Regulation may do so by contacting the Board of Health, the Public Health Department, or the Needham Police Department.

SECTION 22.6 **FINES FOR VIOLATIONS OF ORDERS AND SUSPENSIONS**

Any person or entity violating any term or condition of this Board of Health regulation, shall be subject to a fine of fifty dollars (\$50) for the first violation and a fine of one hundred dollars (\$100) for the second violation, and increasing for each subsequent violation up to the amount of three hundred dollars (\$300). Each day that a violation continues shall constitute a separate and distinct offense.

This regulation shall be enforced pursuant to M.G.L. Chapter 40, section 21D, as a noncriminal offense, or may be punished under M.G.L. Chapter 111, section 31 as a criminal offense in which the criminal fine imposed shall not exceed \$1,000.

SECTION 22.7 **SEVERABILITY**

If any word, clause, phrase, sentence, paragraph, or section of this Board of Health regulation shall be declared invalid for any reason whatsoever, that portion shall be severed and all other provisions of this regulation shall remain in full effect.

SECTION 22.8 **COMMUNITY PARTNERSHIP**

Any police officer, code enforcement officer, physician, nurse, or other concerned individual that has knowledge of the sale or possession of a dangerous product within the Town of Needham may inform the Needham Police Department Business Line (781-455-7570) or the Public Health Department Main Line (781-455-7500 x511) of the location of the dangerous product. Nothing within this subsection shall be enforced herein, but considered goodwill toward the betterment of the community.

SECTION 22.9 **EFFECTIVE DATE**

This regulation was approved by a unanimous vote of the Board of Health on September 9, 2016 and the regulation became effective on October 15, 2016. Adoption of this regulation occurred following open meetings held on May 13, 2016 and on June 17, 2016, and public hearings on July 29, 2016 and September 9, 2016.

Exhibit A

2010		8-Ball
Aztec Gold	Aztec Midnight Wind	Tezcatlipoca
Back Draft	Bad 2 the Bone	Banana Cream Nuke
Bayou Blaster	Black Diamond	Black Magic Salvia
Black Mamba	Blueberry Hayze	Bombay Blue
Buzz	C3	C4 Herbal Incense
Caneff	Cherry Bomb	Chill X
Chronic Spice	Cill Out	Citrus
Colorado Chronic	DaBlock	Dark Night II
Demon	Diamond Spirit	Dragon Spice
D-Rail	Dream	Earthquake
Eruption Spice	Euphoria	exSES
EX-SES Platinum	EX-SES Platinum Blueberry	EX-SES Platinum Cherry
EX-SES Platinum Strawberry	EX-SES Platinum Vanilla	Fire Bird Ultimate Strength Cinnamon
Forest Humus	Freedom	Fully Loaded
Funky Monkey	Funky Monkey XXXX	G Four
G Greenies Caramel Crunch	Genie	Gold Spirit Spice
Green Monkey Chronic Salvia	Greenies Strawberry	Heaven Improved
Heavenscent Suave	Humboldt Gold	Jamaican Gold
K Royal	K1 Gravity	K1 Orbit
K2	K2 (unknown variety)	K2 Amazonian Shelter
K2 Blonde	K2 Blue	K2 Blueberry
K2 Citron	K2 Cloud 9	K2 Kryptonite
K2 Latte	K2 Mellon	K2 Mint
K2 Orisha Black Magic Max	K2 Orisha Max	K2 Orisha Regular
K2 orisha Super	K2 Orisha White Magic Super	K2 Peach
K2 Pina Colada	K2 Pineapple	K2 Pineapple Express
K2 Pink	K2 Pink Panties	K2 Sex
K2 Silver	K2 Solid Sex on the Mountain	K2 Standard
K2 Strawberry	K2 Summit	K2 Summit Coffee Wonk
K2 Thai Dream	K2 Ultra	K2 Watermelon
K3	K3 Blueberry	K3 Cosmic Blend
K3 Dusk	K3 Grape	K3 Heaven Improved
K3 Heaven Legal	K3 Kryptonite	K3 Legal
K3 Legal- Original (Black)	K3 Legal- Earth (silver)	K3 Legal- Sea (silver)
K3 Legal- Sun (Black)	K3 Mango	K3 Original
K3 Original Improved	K3 Strawberry	K3 Sun
K3 Sun Improved	K3 Sun Legal	K3 XXX
K4 Bubble Bubble	K4 Gold	K4 purple Haze
K4 Silver	K4 Summit	K4 Summit Remix
Kind Spice	Legal Eagle	Legal Eagle Apple Pie

Love Potion 69	Love Strawberry	Magic Dragon Platinum
Magic Gold	Magic Silver	Magic Spice
Mega Bomb	Mid-Atlantic Exemplar	Mid-Atlantic Exemplar (K2 Summit)
Midnight Chill	MNGB Almond/Vanilla	MNGB Peppermint
MNGB Pinata Colada	MNGB Spear Mint	MNGB Tropical Thunder
Moe Joe Fire	Mojo	Mr. Smiley's
MTN-787	Mystery	Naughty Nights
New Improved K3	New Improved K3 Cosmic Blend	New Improved K3 Dynamite
New Improved K3 Kryptonite	New K3 Earth	New K3 heaven
New K3 Improved	New K3 Sea Improved	New-Kron Bomb
Nitro	Ocean Blue	P O W
p.e.p. pourri Love Strawberry	p.e.p. pourri Original Spearmint	p.e.p. pourri Twisted Vanilla
p.e.p. pourri X Blueberry	Paradise	Pink Tiger
Potpourri	Potpourri Gold	Pulse
Rasta Citrus Spice	Rebel Spice	Red Bird
S1. S Werve	Samurai Spirit	Sativah
Scope Vanilla	Scope Wildberry	Sence
Shanti Spice	Shanti Spice Blueberry	Silent Black
Skunk	Smoke	Smoke Plus
Space	Spice Artic Synergy	Spice Diamond
Spice Gold	Spice Silver	Spice Tropical Synergy
Spicey Regular XXX Blueberry	Spicey Regular XXX Strawberry	Spicey Ultra Strong XXX Strawberry
Spicylicious	Spike 99	Spike 99 Ultra
Spike 99 Ultra Blueberry	Spike 99 Ultra Cherry	Spike 99 Ultra Strawberry
Spike Diamond	Spike Gold	Spike Maxx
Spike Silver	Stinger	Summer Skyy
Super Kush	Super Summit	Swagger Grape
SYN Chill	SYN Incense LemonLime	SYN Incense Smooth
SYN Incense Spearmint	SYN Lemon Lime	SYN Lemon Lime #2
SYN Smooth	SYN Spearmint	SYN Spearmint #2
SYN Swagg	SYN Vanilla	SYN Vanilla #2
Texas Gold	Time Warp	Tribal Warrior
Ultra Cloud 10	Utopia	Utopia- Blue Berry
Voo Doo Remix (black package)	Voo Doo Remix (orange package)	Voodoo Child
Voodoo Magic	Voodoo Remix	Who Dat
Who Dat Herbal Incense	Wicked X	Winter Boost
Wood Stock	XTREME Spice	Yucatan Fire
Zombie World		

Town Seal
Board of Health members

**ARTICLE 22 REGULATION FOR PROHIBITING THE MANUFACTURING, SALE, AND
DISTRIBUTION OF SYNTHETICALLY DERIVED CANNABINOIDS AND KRATOM**

SECTION 22.1 AUTHORITY

Therefore, in furtherance of its mission to protect, promote, and preserve the health and well-being of its residents, and pursuant to the authority granted to the Needham Board of Health pursuant to G. L. c. 111, § 31, the Board of Health enacts this Regulation Prohibiting the Manufacturing, Sale, and of Synthetically Derived Cannabinoids and Kratom.

SECTION 22.2 PURPOSE

Whereas, hemp is defined as “the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a Delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.”¹

Whereas, tetrahydrocannabinol (THC) is the chemical responsible for most of marijuana’s psychological effects.²

Whereas, synthetically derived tetrahydrocannabinols remain schedule I controlled substances.³

Whereas, Delta-8, Delta-10, and other forms of THC are isomers of Delta-9 and, except for in trace amounts, are not found naturally in the plant cannabis, but are instead synthetically produced in laboratories.⁴

Whereas, in Massachusetts, adult-use marijuana is legal, but products containing Delta-8, Delta-10, and other synthetically derived cannabinoids are not.⁵

¹ Implementation of the Agriculture Improvement Act of 2018, 85 Fed. Reg. 51,640 (Aug. 21, 2020).

² Alina Bradford, *What is THC?*, LIVESCIENCE (May 18, 2017), available at <https://www.livescience.com/24553-what-is-thc.html>.

³ Implementation of the Agriculture Improvement Act of 2018, *supra* note 1 at 51,641.

⁴ See Kristina Etter, *I Stand Corrected: The Truth About Delta-8 THC*, MEDIUM (March 17, 2021), available at <https://medium.com/seed-stem/i-stand-corrected-the-truth-about-delta-8-thc-e8085725ed9e> (discussing Delta-8 as synthetically produced isomer); Sarah Glinski, *Delta-10 vs. Delta-8: What’s The Difference?*, FORBES (Jan. 2, 2024), available at <https://www.forbes.com/health/cbd/delta-10-vs-delta-8/> (discussing Delta-10 as synthetically produced isomer).

⁵ See MASS. DEPT. OF AGRIC. RES., HEMP IN MASSACHUSETTS: FAQs, available at [https://www.mass.gov/guides/hemp-in-massachusetts-faqs#-is-it-legal-to-manufacture-delta-8-thc-from-hemp?-\(last+visited+April+4,+2024\)](https://www.mass.gov/guides/hemp-in-massachusetts-faqs#-is-it-legal-to-manufacture-delta-8-thc-from-hemp?-(last+visited+April+4,+2024)) (discussing illegality of synthetically derived Delta-8).

Whereas, Delta-8 and similar synthetically derived products are psychoactive.⁶

Whereas, the production of synthetic, hemp-derived products like Delta-8 is not regulated by the federal government or in Massachusetts because the manufacture, sale, or distribution of such products is not permitted under state or federal law.⁷

Whereas, Kratom, a tree-like plant indigenous to Southeast Asia, produces stimulant and sedative effects when orally ingested in tablet, capsule, or extract form. Kratom leaves can be chewed or dried and ingested as tea. Use of Kratom can lead to psychotic symptoms, and psychological and physiological dependence because it contains mitragynine and 7-hydroxymitragynine, two major ingredients.⁸

Whereas, the Massachusetts Supreme Judicial Court has held that “[t]he right to engage in business must yield to the paramount right of government to protect public health by any rational means.”⁹

SECTION 22.3 DEFINITIONS

For the purposes of this regulation, the following words shall have the following meanings:

Board of Health or Board: The Needham Board of Health and its designated board of health agents.

Board of Health Agent: The Director of Public Health and any town employee designated by the board of health, which may include board of health and health department staff, law enforcement officers, and code enforcement officers.

Business Agent: An individual who has been designated by the owner or operator of any adult-use marijuana establishment to be the manager or otherwise in charge of said establishment.

Kratom: A tree-like plant indigenous to Southeast Asia that can be ingested in tablet, capsule, or extract form.

⁶ See U.S. FOOD & DRUG ADMIN., 5 THINGS TO KNOW ABOUT DELTA-8 TETRAHYDROCANNABINOL – DELTA-8 THC, [available at](https://www.fda.gov/consumers/consumer-updates/5-things-know-about-delta-8-tetrahydrocannabinol-delta-8-thc) <https://www.fda.gov/consumers/consumer-updates/5-things-know-about-delta-8-tetrahydrocannabinol-delta-8-thc> (last visited April 4, 2024).

⁷ U.S. FOOD & DRUG ADMINISTRATION, FDA ISSUES WARNING LETTERS TO COMPANIES ILLEGALLY SELLING CBD AND DELTA-8 THC PRODUCTS (May 4, 2022), [available at](https://fda.gov/news-events/press-announcements/fda-issues-warning-letters-companies-illegally-selling-cbd-and-delta-8-thc-products) <https://fda.gov/news-events/press-announcements/fda-issues-warning-letters-companies-illegally-selling-cbd-and-delta-8-thc-products>; see Letter from Terrance L. Boos, Ph.D., Chief, Drug Enforcement Administration to Donna C. Yeatman, R.Ph., Executive Secretary, Alabama Board of Pharmacy (September 15, 2021), [available at](https://albop.com/oodoardu/2021/10/ALBOP-synthetic-delta8-THC-21-7520-signed.pdf) <https://albop.com/oodoardu/2021/10/ALBOP-synthetic-delta8-THC-21-7520-signed.pdf> (confirming synthetically derived Delta-8 is a controlled substance under schedule I).

⁸ DRUG ENFORCEMENT ADMIN., GET SMART ABOUT DRUGS, [available at](http://www.getsmartaboutdrugs.gov) <http://www.getsmartaboutdrugs.gov> (last visited February 13, 2023).

⁹ *Druzik v. Bd. of Health of Haverhill*, 324 Mass. 129, 139 (1949) (citing *Lawrence v. Bd. of Registration in Med.*, 239 Mass. 424, 428 (1921)).

Permit Holder: Any person or business who applies for and receives a permit issued by the Board of Health or their agent.

Person: Any individual, firm, partnership, association, corporation, company, or organization of any kind, including, but not limited to an owner, operator, manager, proprietor, or person in charge of any establishment, business, cultivation property, or retail store.

Synthetically Derived Cannabinoid: Any cannabinoid that is altered by a chemical reaction that changes the molecular structure of any natural cannabinoid derived from the plant Cannabis to another cannabinoid found naturally in the plant Cannabis. Synthetically Derived Cannabinoids include but are not limited to Delta-8 and Delta-10.

SECTION 22.4 PROHIBITIONS

No person shall manufacture, distribute, or sell Synthetically Derived Cannabinoids including, but not limited to Delta-8 and Delta-10 products or Kratom products in the Town of Needham.

SECTION 22.5 RIGHT OF ENTRY

The Chief of Police of the Town of Needham, the Director of Public Health and their designated agents may enter upon any privately owned property which serves the public, for the purpose of performing their duties under this Board of Health regulation.

SECTION 22.6 ENFORCEMENT AND PENALTIES

1. Any person or entity charged with violating this regulation shall receive a notice of violation from the Needham Board of Health or its designated agent.
2. It shall be the responsibility of the establishment owner and/or their manager or business agent to ensure compliance with this regulation. In the case of a violation, the violator shall receive:
 - i. In the case of a first violation, a fine of one thousand dollars (\$1,000.00).
 - ii. In the case of a second violation within 36 months of a previous violation, a fine of two thousand dollars (\$2,000.00), and a suspension of any permit issued by the Board, including but not limited to a permit to sell tobacco products, for seven (7) consecutive business days; and
 - iii. In the case of three or more violations within a 36-month period, a fine of five thousand dollars (\$5,000.00), and a suspension of any permit issued by the Board, including but not limited to a permit to sell tobacco products, for thirty (30) consecutive business days.

3. Every day that a violation exists shall be deemed to be a separate offense. Separate but simultaneous violations shall be treated as separate violations. Multiple permit suspensions may not be served concurrently.
4. Any person who receives notice of a violation of this regulation may request a hearing before the Board. The request must be made in writing and filed within seven (7) days of the date the violation was received.
5. The authority to inspect establishments for compliance and to enforce this regulation shall be held by the Needham Board of Health and its designees and the Needham Police Department.
6. Any person may register a complaint pursuant to this regulation to initiate an investigation and enforcement with the Needham Board of Health and its designees.
7. Upon accrual of four (4) violations of this regulation within a thirty-six (36) month period, or upon the commission of two (2) or more egregious violations of this regulation within thirty-six (36) months as determined by the Board of Health, the Board may issue a notice of intent to revoke and shall hold a hearing in accordance with this regulation and, after such hearing, may permanently revoke any permits held by the violator, including any permits to sell tobacco products in Needham.
8. Before suspending or revoking any permit issued by the Board, including a permit to sell tobacco products, the Board of Health shall provide notice of the intent to suspend or revoke such permit, which notice shall contain the reasons therefor and shall establish a time and date for a hearing, to be held no earlier than seven (7) days from the date of the notice. The permit holder or their designee shall have the opportunity to be heard and shall be notified of the Board's decision and the reasons therefor in writing. If after hearing, the Board of Health finds that a violation of this regulation occurred, the Board shall impose fines and suspend or revoke the subject permit. For purposes of such suspensions or revocations, the Board shall make the determination notwithstanding any separate criminal or non-criminal proceedings concerning the same offense. Upon suspension or revocation of a permit, all permitted products must be removed from the retail establishment. Failure to remove such products shall constitute a separate violation of this regulation.
9. Failure to comply with the terms of a permit suspension imposed pursuant to this regulation may subject the permit holder to an additional suspension of all permits issued by the Board of Health for thirty (30) consecutive business days.

SECTION 22.7

SEVERABILITY

If any provision of this regulation is declared invalid or unenforceable, all other provisions shall not be affected thereby but shall be in full force and effect.

SECTION 22.8

COMMUNITY PARTNERSHIP

Any police officer, code enforcement officer, physician, nurse, other concerned individual that has knowledge of the sale or possession of a dangerous product within the Town of Needham may inform the Needham Police Department Business Line (781-455-7570) or the Public Health Department Main line (781-455-7500 x511) of the location of the dangerous product. Nothing within this subsection shall be enforced herein but considered good will toward the betterment of the community.

SECTION 22.9

EFFECTIVE DATE

This regulation was approved by a vote of the Board of Health on _____ and the regulation become effective on _____. Adoption of this regulation occurred following open meetings on _____ and on _____ and public hearings on _____ and _____.