



**Needham Public
Health Division**
Prevent. Promote. Protect.



Board of Health

REVISED (2nd Revision)

AGENDA

October 17, 2025
9:00 – 11:00 a.m.

Select Board Chambers, Needham Town Hall
1471 Highland Avenue
Needham, MA 02492

Webinar ID: 830 4212 2235

Passcode: 766711

<https://needham-k12-ma-us.zoom.us/j/83042122235?pwd=xcQsejnbAHpsBbUdYeIUQGUSL5f5MXa.1>

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and time, click on “Join a Meeting” and enter the meeting or click the link below to join the webinar:

This is a public meeting of the Needham Board of Health. The meeting is open to the public both in person and via Zoom. Residents are invited to provide comment during the public comment period (if set forth below) and for any item explicitly listed as a public hearing. Public comment is not available during other agenda items.

	9:00	Welcome & Public Comment Period Attendees are encouraged to inform the Needham Public Health Division of their intent to participate in the public comment period 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. 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.	9:05	Review & Approval of Minutes – September 19, 2025 – <i>Vote Expected</i>
2.	9:10	<i>Public Hearing</i> - Adoption of FDA Food Code 2022 and 2024 Food Code Supplement – <i>Vote Expected</i> • Tara Gurge, Assistant Director of Environmental and Community Health • Sai Palani, Environmental Health Agent •
3.	9:30	Synthetic Turf Re-testing – Results and Discussion • Tara Gurge, Assistant Director of Environmental and Community Health • Julie McCarthy, Epidemiologist • Timothy McDonald, Director of Health & Human Services • Wendy Heiger-Bernays, PhD, Chief, Research Division, MA. Department of Environmental Protection

4.	9:50	BOH Regulations – Modernization plus Racial & Health Equity Assessments • Timothy McDonald, Director of Health & Human Services
5.	10:10	September Staff Reports • Environmental Health – Sai Palani & Tara Gurge • Accreditation – Lynn Schoeff & Alison Bodenheimer • Traveling Meals – Rebecca Hall • Regional Substance Use –Lydia Cunningham • Substance Use Prevention: Needham – Karen Shannon, Karen Mullen, Monica DeWinter, Angi MacDonnell, Vanessa Wronski • Public Health Preparedness –Taleb Abdelrahim • Epidemiology – Julie McCarthy • Nursing – Ginnie Chacon-Lopez, Laura Duff, Hanna Burnett • Public Health Excellence – Staff
6.	10:45	Proposed Amendments to Select Board Alcohol Regulations • Karen Shannon, Substance Use Prevention Program Coordinator • Lydia Cunningham, Substance Use Prevention Program Coordinator • Angie MacDonnell, Behavioral Health Peer Support Specialist
7.	10:55	Other Items

(Please note that all times are approximate)

Next Meeting – November 21, 2025 – Select Board Chambers – Needham Town Hall



Board of Health Meeting Minutes DRAFT

Date: September 19, 2025

Location: Select Board Chambers and via Zoom

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

Staff Present: Timothy Muir McDonald, Director of Health and Human Services; Tara Gurge, Assistant Director of Public Health; Sai Palani; Lynn Schoeff; Ginnie Chacon-Lopez; Julie McCarthy; Karen Shannon; Lydia Cunningham; Taleb Abdelrahim

Welcome & Public Comment Period

Dr. Cosgrove called the meeting to order at 9:00AM.

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.

There was no public comment at this time.

Review of minutes – August 8, 2025

Upon motion duly made by Dr. Epstein, and seconded by Dr. Gandhi, it was voted to approve the meeting minutes August 8, 2025, as presented. Motion passed by roll call: Epstein – aye; Cosgrove – aye; Gandhi – aye; and Partridge – abstain; 3-0-1.

Synthetic Turf Re-testing – Results and Discussion

Evan Koncewicz and Neal Kelly, from Fuss & O'Neill, and Chad Stoike, from ALS Global, attended the meeting to answer questions about the results of the recent synthetic turf testing. Dr. Epstein asked for clarification regarding the relative risk to the community based on the reported arsenic levels. It needs to be clear at what level there is a risk for cancer.

Mr. Kelly stated that this appears to be a question for a risk assessor. Dr. Epstein requested someone from Mass DEP and/or DPH to speak on this topic.

Emergency Condemnation on Tillotson Rd: Notification Board of Health Confirmation

Mr. Palani explained that this condemnation was handled administratively on an emergency basis by staff. On Thursday, September 4th, he and Ms. Gurge attended the aftermath of a fire at one of the apartment units on Tillotson Rd. The first responders asked staff to confirm which units in the building were able to be re-occupied by the residents. It was determined that the unit where the fire originated could not be reoccupied, but residents could return to the other five units once the doors were replaced. The property owner put up all the occupants at a local hotel . The units have been boarded up and secured. This order will allow staff some kind of recourse if the unit is reoccupied. Once the unit is repaired, staff will complete a reinspection and can then revoke the condemnation.

Upon motion duly made by Dr. Epstein, and seconded by Dr. Partridge, it was voted to uphold the condemnation of the property at Tillotson Rd. Roll call vote: Epstein – aye; Partridge – aye; Cosgrove – aye; Gandhi – aye; and Sawant-Basak – aye; Motion passed 5-0.

Adoption of FDA Food Code 2022

Ms. Gurge stated that the latest version of the FDA Food Code (2022) was released in January 2023 (the Food Code is updated every four years). The last Food Code Needham adopted was the 2013 version. Ms. Gurge described plans to adopt the newest 2022 version. One major change is that food allergens must be listed on each menu item or kept in a separate binder which must be available to customers. Another major change is that a certified food protection manager must be on premises for all hours of operations. Environmental Health will host a training in January to certify food protection managers.

Mr. Palani explained that other significant changes are that all food establishments will have to create guidance and train staff on “food defense” (taking measures to prevent the intentional adulteration of food). Also, within four years all establishments will have to create a “food safety management system”, with written procedures, training plans, and records for all operational steps related to risk factors and critical control points in the restaurant. This could impact the smaller food establishments in Needham. More training and a slow roll out of this requirement will be needed.

Dr. Epstein expressed concern that this could drive some restaurants in town out of business, even with the proposed training from staff. Mr. Palani noted that some restaurants deemed minimal risks could be allowed to not to comply with the food safety management system requirement.

Dr. Epstein asked how many of the violations seen lead to a substantial risk to human health. Dr. Gandhi agreed that there should be a baseline standard that all establishments should have to meet, with exceptions granted beyond that to some. Ms. Gurge noted that the Massachusetts Food Code requirements, which are stricter than the federal code, will have to be enforced. Three in-person trainings will start on October 8th.

Dr. Epstein stated that the Town regulations need to be able to override parts of the code as needed.

100-110 West St. Housing Project

Mr. McDonald explained that this is a major development being considered by the Planning Board. A neighbor expressed concern regarding potential impact of construction on pests, dust, nuisance, and traffic impacts. Ms. Gurge stated that comments were given to the Planning Board and that the Health Division demolition requirements be followed. A report will be submitted for staff to review regarding the topics of concern. Mr. McDonald stated that a response will be written to the neighbors regarding the process to address their concerns.

July & August Staff Reports

Environmental Health – Sainath Palani & Tara Gurge

- Ms. Gurge reported that the part-time Environmental Health Inspector position has been filled. Camerson Bishop began in the position this week. Four per-diem inspectors positions are open.
- Mr. Palani stated that the medical marijuana treatment center in Needham closed in August.

Accreditation – Lynn Schoeff

- Ms. Schoeff stated that she is working with a consultant (BME) to arrange a mock site visit on October 27.
- The Public Health Accreditation Board will conduct the site visit on November 25th (virtual) and December 2nd (in-person). The site visit will include meetings with staff, Board members, and community partners.

Traveling Meals – Ms. Gurge for Rebecca Hall

- Ms. Gurge stated that the program continues to go well.

Regional Substance Use Prevention – Lydia Cunningham

- Ms. Cunningham stated that one grant strategy selected by the communities is an adult social marketing campaign to promote protective behaviors. A consultant team was brought on to support the campaign. A focus group will be held this month to create draft messaging to be piloted with the same group.
- Another grant strategy is a non-punitive restorative response to school-based substance use violations. “I Decide” from Mass General Hospital was chosen for information on an implementation guide.
- The website has been transferred to a more user-friendly system.

Dr. Epstein recommended that the non-punitive restorative response to school-based substance use violations be monitored carefully.

Substance Use Prevention: Needham - Karen Shannon

- Ms. Shannon stated that there were several community events including the Needham Overdose Awareness Vigil, and a presentation to the Needham High School Athletic Coaches.

- The Opioid Strategic Action Plan is moving along with a focus on strategies such as developing a community recovery support fund and an advisory committee.
- The STOP Act grant was completed. The House and Senate are moving toward maintaining funding for the grant.
- A hearing was conducted in July by the Select Board for a restaurant with a third sales-to-minor violation. The Select Board voted for a seven day suspension of the restaurant's alcohol license. The seven days will be served in two chunks midweek.

Public Health Preparedness – Taleb Abdelrahim

- Mr. Abdelrahim stated that an MRC training day took place last Saturday and over 40 volunteers attended.

Epidemiology – Julie McCarthy

- Ms. McCarthy stated that the respiratory virus wastewater data tends to be on the upswing and cases have been coming in.
- She was able to get the rat sightings map back up on the website.
- A coffee talk on vaccines was held at CATH in August, and another follow-up meeting is likely needed.
- There have been many West Nile virus reports and Needham is bracketed by towns considered high-risk.
- A future community health survey is being planned.

Nursing - Ginnie Chacon-Lopez

- Ms. Chacon-Lopez stated that 100 doses of Pfizer from 12+, and 10 doses of 6months-11 years have been ordered. More can be ordered depending on how the community receives this.
- There was a flu vaccine clinic held on September 6th; there will be additional clinics tomorrow, October 4th, and a fourth COVID/flu clinic may be scheduled.
- Five new per-diem nurses have been hired.
- Staff will participate in Needham Community Council's Memory Café.

Public Health Excellence – Mr. McDonald for Kerry Dunnell

- Mr. McDonald stated that there are two open positions and there were 17 applicants. None of the applicants included active full-time inspectors.

BOH Regulations – Modernization plus Racial & Health Equity Assessments

Mr. McDonald explained that staff worked with consultants to review older regulations that have not been recently updated. There are recommendations for modernization for six regulations at this time. Over the next six months, the process will be reviewed with the Board. Drafts of the regulations will be considered, and public hearings may be held as the Board sees fit.

Dr. Epstein asked for a written opinion from Town Counsel regarding if the Board needs to allow people other than Needham residents to speak during the public comment period.

Other Items

None at this time.

Adjournment

Upon motion duly made by Dr. Epstein, and seconded by Dr. Partridge, it was voted to adjourn the meeting. Roll Call Vote: Epstein – aye; Partridge – aye; Cosgrove – aye; Gandhi – aye; and Sawant-Basak – aye; Motion passed 5-0.

The meeting was adjourned at 10:34AM.

Attachment:

September 19, 2025, meeting packet

DRAFT



Board of Health Town of Needham Agenda Fact Sheet

Meeting Date: October 17, 2025

Agenda Item	Public Hearing & Board Vote for the Adoption of the 2022 FDA Food Code & Food Code Supplement
Presenter(s)	Tara Gurge, Assistant Director of Environmental and Community Health Sai Palani, Environmental Health Agent

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
As we discussed at our last meeting, the Food and Drug Administration (FDA) released its latest version of the FDA Food Code (2022) on January 11, 2023, based on recommendations from the Conference on Food Protection and the current science. We are looking to adopt the 2022 FDA Food Code along with the 2024 Food Code Supplement, excluding any changes that would supersede or be less conservative than the presently adopted merged state food code and our local Board of Health approved Food Code Enforcement Policy. We have provided you with a proposed enforcement timeline for this code adoption. (See Memo included.) We are open to continuing the discussion and hearing the boards thoughts on that timeframe. See links to new code below.	
2.	VOTE REQUIRED BY BOARD OF HEALTH (with Suggested Motion)
Suggested Motion – ‘That the Board of Health [close/ hold open] the hearing on the proposed adoption of the 2022 Food Code and 2024 Food Code Supplement to be enacted on April 1, 2026, to allow food establishments enough time to come into compliance with the new code changes.’	
3.	BACK UP INFORMATION:
1. Memo dated 10/17/25 for Board of Health to sign/date. 2. Link to 2022 FDA Food Code- https://www.fda.gov/media/184685/download?attachment 3. Link to Food Code Supplement https://www.fda.gov/media/183271/download?attachment 4. Summary of Changes in the 2022 FDA Food Code - https://www.fda.gov/media/164231/download?attachment 5. Copy of PowerPoint slides presented at recent 10/8 in-person trainings.	



MEMO

To: Needham Board of Health
From: Tara Gurge, Assistant Director and Sainath Palani, Environmental Health Agent
CC: Timothy McDonald, Director, Health and Human Services Department
Date: October 17, 2025
Subject: Adoption of 2022 FDA Food Code and 2024 Food Code Supplement

At its public meeting on August 8, 2025, and following extended discussions at our public meeting in September and a public hearing on October 17, 2025, the Needham Board of Health voted to adopt the document, "Food and Drug Administration's (FDA) 2022 Food Code - and 2024 Food Code Supplement," issued by the U.S. Department of Health and Human Services, Public Health Service, and Food and Drug Administration, as the basis for regulatory compliance in the Town of Needham.

The 2022 Food Code and 2024 Supplement, in conjunction with state regulation 105 CMR 590.000 State Sanitary Code Chapter X-Minimum Sanitation Standards for Food Establishments (excluding any changes that would supersede or be less conservative than the presently adopted merged state food code), along with the Board of Health approved Food Code Enforcement Policy, will serve as the basis for retail food establishment inspection and enforcement in Needham, MA, effective on April 1, 2026.

Prior to the implementation date, a series of Fall Food Establishment bilingual trainings will be offered on October 8th and 9th, at no cost to Needham's food service industry to improve their understanding of the new standards and changes to facilitate their compliance with those standards. We are also planning to offer two ServSafe Food Establishment Manager subsidized training courses early in the year, on January 6th and 7th, to help decrease the hardship on our food establishments with needing additional trained staff, per FDA 2022 Food Code requirements.

COMMUNITY	DATE OF VOTE	IMPLEMENTATION DATE
Needham	October 17, 2025	April 1, 2026

Edward Cosgrove, PhD
Chair

Stephen Epstein, MD, MPP
Member

Tejal K. Gandhi, MD, MPH
Member

Robert Partridge, MD, MPH
Member

Aarti Sawant-Basak, PhD
Vice Chair



Needham Public
Health Division
Prevent. Promote. Protect.

Needham Public Health Division

presents

Regulatory Updates **2022 FDA Food Code & Supplement**

October 8, 2025

Pamela Ross-Kung, M.S., R.S.
Food Safety Specialist

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1

What brought us here today?

The Needham Public Health Division is looking to adopt the 2022 FDA Food Code along with some or all, of the 2024 supplemental provisions to enhance its food safety program, which is currently guided by the 2013 FDA Food Code, and other state and local regulations.

The FDA Food Code provides a standardized framework for food safety that encourages widespread adoption by state and local health departments to protect public health, so Needham's initiative aligns with the FDA's goals for uniform food safety standards.

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FDA Food Code Update Frequency

The last update to the Food Code was in 2017 and typically the Food Code is updated on a four-year cycle.

However, the FDA weighs retail food stakeholder input through the Conference for Food Protection and, in this cycle, the conference was pushed back to 2021 due to the COVID-19 pandemic. Accordingly, FDA adjusted the Food Code release by a year.

On December 28, 2022, FDA issued the 2022 edition of the Food Code. The Supplement was issued in 2024.

The next edition of the Food Code will be published in 2026.

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Conference for Food Protection (CFP)

- The Conference for Food Protection is a national meeting that happens every two years.
- Regulators, industry, academia, and consumers all come together to talk about food safety problems and propose solutions.
- Prior to the conference, they submit issues.
- At the conference, they debate the issues and vote on them.
- The FDA then reviews those recommendations and decides if they should be added to the Food Code.
- When you see changes in the Food Code, like those we'll be discussing today, they usually started with discussions at CFP.

4

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The CFP Process

The CFP provides a forum for individuals who have an interest in retail food safety.

- Issue Submission (anyone can submit an issue)
- Council Deliberation and Decision
- Assembly of State Delegates Vote on Recommendations from the Councils.
- CFP Recommendations forwarded to FDA/USDA/CDC or other relevant party.
- Issues accepted by State Delegates are formally presented to Federal Agencies with request, in FDA's case, to include in the next edition of the Food Code.

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FDA Food Code - Purpose

- Safeguards public health and provide consumers food that is safe, unadulterated, and honestly presented.
- Encourages uniform national standards for retail food safety to reduce complexity and ensure better compliance.
- Facilitates and allows for standardization of inspections and inspectors.
- Creates a common/standardized language between regulators and industry.

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An example of how the FDA Food Code creates standardized language is the definition and use of “potentially hazardous food (PHF)”, now more commonly referred to as “time/temperature control for safety food (TCS food)”.

- **Before the Food Code:** Different jurisdictions might have used varying terms like “perishable food,” “high-risk food,” or “hazardous food,” leading to confusion between inspectors and operators.
- **With the Food Code:** The term “TCS food” is clearly defined with specific criteria — foods that require time and temperature control to limit pathogen growth or toxin formation.
- **Impact:** This shared terminology ensures that when an inspector cites a violation for improper cold holding of a TCS food, the operator understands exactly what category of food is being referenced and why it matters.

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FDA Food Code – Purpose (cont’d)

- Provides practical, science-based guidance and manageable, enforceable provisions for mitigating known risks of foodborne illness.
- Working with the Conference for Food Protection (CFP) and other stakeholders, FDA has incorporated and addressed key topics in the Food Code over the years.

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FDA Food Code and MA Regulations

Although Needham plans to adopt the latest version of the Food Code, it will continue to enforce MA specific regulations found in 105 CMR 590.000 Department of Public Health State Sanitary Code Chapter X – Minimum Sanitation Standards for Food Establishments and the 2013 Food Code if those regulations are stricter.

Example:

590.005; FC 5-202.12

Handwashing Sink Installation

A handwashing sink shall be equipped to provide water at a temperature of least **100°F** through a mixing valve. ^{Pf}

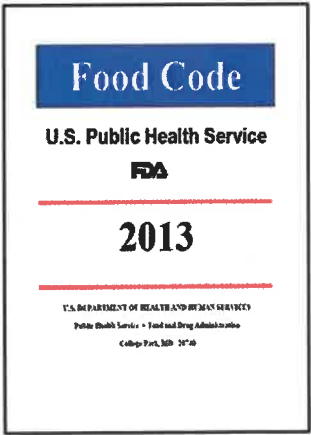
Changed in the 2022 Food Code to **85°F**, but we must keep **100°F** because MA is stricter.



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Regulatory Updates



**Supplement to the
2022 Food Code**

U.S. Public Health Service
FDA
U.S. DEPARTMENT OF HEALTH AND HUMAN
SERVICES
College Park, MD 20740

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Definition

Added new definition to make clear of the distinction from sanitizers (CFP 2023-III-015).

“Disinfection” means the application of a substance, or mixture of substances, that destroys or irreversibly inactivates bacteria, fungi, and viruses, but not necessarily bacterial spores.

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Disinfection of Equipment and Utensils

Disinfectants have been added to these sections to take care of situations like a potential norovirus contamination event.

FC 4-302.14 Sanitizing and Disinfecting Solutions, Testing Devices.

Added paragraph (B):

A test kit of other device that accurately measures the concentration of **DISINFECTING** solutions shall be provided. ^{Pf}

FC 4-501.116 Warewashing Equipment, Determining Chemical Sanitizer or Disinfectant Concentration.

Added paragraph (B):

A test kit, used to determine the concentration of a SANITIZING or **DISINFECTING** solution shall be used in accordance with the manufacturer’s label instructions.

FC 7-102.11 Common Name

Added the word DISINFECTANTS

Working containers used for storing POISONOUS OR TOXIC MATERIALS such as cleaners, SANITIZERS and **DISINFECTANTS** taken from bulk supplies shall be clearly and individually identified with the common name of the material. ^{Pf}

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Chapter 4 was Amended by adding a new Part 4-10

4-1001 Objective FC 4-1001.11 Food-Contact, Non-Food-Contact Surfaces & Utensils

Equipment, food contact surfaces, non-food contact surfaces, and utensils shall be **DISINFECTED** when pathogens of concern are not controlled by available sanitizers. shall be **DISINFECTED** when pathogens of concern are not controlled by available sanitizers. ^P

4-1002 Frequency FC 4-1002.11 Disinfectant Use

When pathogens of concern are not controlled by available sanitizer, equipment, food-contact surfaces, nonfood-contact surfaces, and utensils shall be **DISINFECTED**:

- (A) When contaminated with vomitus, fecal matter, blood, or any other bodily fluid that can lead to disease transmission;^P or
- (B) During a foodborne disease outbreak or imminent health hazard.^P

4-1003 Methods FC 4-1003.11 Chemical

- (A) Food-contact surfaces and nonfood-contact surfaces shall be **DISINFECTED** in accordance with the EPA-registered label use directions.^P
- (B) **DISINFECTANTS** applied to a food-contact surfaces shall be rinsed with potable water, unless otherwise specified on the EPA-registered label use directions.^P

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FC 7-102.11 Common Name

*This section was also amended to add the term **DISINFECTANTS**.*

Working containers used for storing POISONOUS OR TOXIC MATERIALS such as cleaners, SANITIZERS and **DISINFECTANTS** taken from bulk supplies shall be clearly and individually identified with the common name of the material. ^{Pf}

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"Poisonous or toxic materials" means substances that are not intended for ingestion and are included in 5 categories: (added #5 and the word **DISINFECTANT** to 1 and 2)

- (1) Cleaners, **SANITIZERS** and **DISINFECTANTS**, which include cleaning, **SANITIZING** and **DISINFECTING** agents and agents such as caustics, acids, drying agents, polishes, and other chemicals;
- (2) Pesticides, except **SANITIZERS** and **DISINFECTANTS**, which include substances such as insecticides and rodenticides;
- (3) Substances necessary for the operation and maintenance of the establishment such as nonfood grade lubricants and **PERSONAL CARE ITEMS** that may be deleterious to health; and
- (4) Substances that are not necessary for the operation and maintenance of the establishment and are on the **PREMISES** for retail sale, such as petroleum products and paints.
- (5) **RESTRICTED USE PESTICIDE means** a pesticide product that contains the active ingredients specified in 40 CFR 152.175 Pesticides classified for restricted use, and that is limited to use by or under the direct supervision of a certified applicator. (New definition added)

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New Section - FC 4-303.11

Cleaning Agents & Sanitizers - Availability

- (A) Cleaning agents that are used to clean **EQUIPMENT** and **UTENSILS** as specified under Part 4-6, shall be provided and available for use during all hours of operation. ^{Pf}
- (B) Except for those that are generated on-site at the time of use, chemical **SANITIZERS** that are used to sanitize **EQUIPMENT** and **UTENSILS** as specified under Part 4-7, shall be provided and available for use during all hours of operation. ^{Pf}

Cleaning agents and sanitizers must be provided and easily accessible for use.

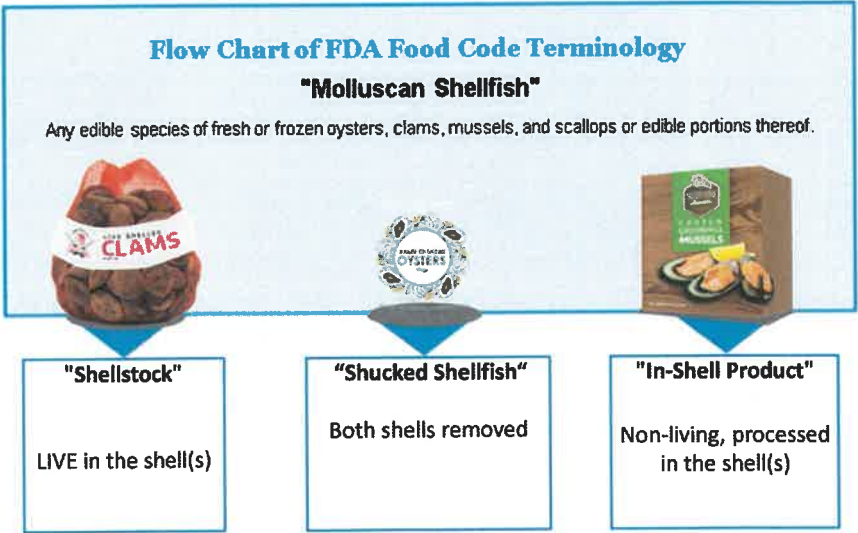
16

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- **"In-Shell Product"** means non-living, processed shellfish with one or both shells present.
Added new term meaning non- living, processed shellfish with one or both shells present.
- **"Molluscan shellfish"** means any edible species of fresh or frozen oysters, clams, mussels, and scallops, or edible portions thereof, except when the scallop product consists only of the shucked adductor muscle. MOLLUSCAN SHELLFISH includes SHELLSTOCK, SHUCKED SHELLFISH and IN SHELL PRODUCTS.
Revised the definition to clarify that the term is inclusive of shellstock, in-shell product, and shucked shellfish.
- **"Shellstock"** means live MOLLUSCAN SHELLFISH in the shell.
Amended Revised the definition to clarify that it is live molluscan shellfish in the shell.
- **"Shucked shellfish"** means MOLLUSCAN SHELLFISH that have both shells removed.
Revised the definition to clarify that both shells of this product are removed.

Handout 17

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FC 3-203.12(B) and (C)

Molluscan Shellfish, Maintaining ID

These sections were updated to include an invoice as appropriate documentation for tracing "Molluscan shellfish" to its original source in addition to tags and labels.

Handout
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Why include invoices now?

- Records may be difficult to keep for "in-shell products" and "shucked shellfish".
- "In-shell product" may not have tags but may have a label or required information on a master container.
- Keeping the entire master container may not be feasible and soiled labels may be difficult to read.

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Mandatory Traceback Information

When invoices are used, they must contain required information for tracing "Molluscan Shellfish" to its original source.

1. the dealer's name and address
2. the dealer certification number (ex. from dealer that depurates, packs, ships, or reships)
3. the most precise identification of the harvest location
4. the harvest or shucking date
5. the type and quantity
6. the 'sell-by' or 'best if used by' date on "shucked shellfish" (if less than 1.89 L or one-half gallon) and "in-shell product"
7. the date when the last "Molluscan shellfish" from the container is sold or served shall be recorded on the tag, label, or invoice

An invoice that does not include all the required information is not acceptable.

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Handout

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Food Code Update: Maintaining "Molluscan Shellfish" Identification (continued)

What is required to be on the tag, label or invoice for proper traceback?

The identification requirements in the Food Code follow the National Shellfish Sanitation Program (NSSP) Guide for Control of Molluscan Shellfish.

The tag, label or invoice may vary slightly; however, "Molluscan shellfish" must contain the following for traceback:

1. the dealer's name and address,
2. the dealer certification number (ex. from dealer that depurates, packs, ships, or reships),
3. the most precise identification of the harvest location,
4. the harvest or shucking date,
5. the type and quantity,
6. the 'sell-by' or 'best if used by' date on "shucked shellfish" (if less than 1.89 L or one-half gallon) and "in-shell product".
7. the date when the last "Molluscan shellfish" from the container is sold or served shall be recorded on the tag, label, or invoice.

Note: "Molluscan Shellfish" must be received from businesses listed on the Interstate Certified Shellfish Shipper's List (ICSSL) and accompanied by tags or labels. When an invoice is maintained in the food establishment for traceback, it must have the required information listed in Items 1-6 above. It is key that the "Food establishment" records the date in Item 7 because that date starts the 90 day clock for maintaining the "molluscan shellfish" invoice.

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Handout

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1 Dealers Name and Address

5 Type and Quantity of Shellstock

3 Harvest Area

4 Harvest Date

2 Dealer's Certification Number

7 Date when the last shellstock was removed from the container must be written somewhere on the invoice

Shellstock Invoice
 30 Anywhere Rd
 Jersey, ME 25047
 1-877-333-3333
 support@seaproducts.com
 www.seaproducts.com

SHIP TO:
 Chef Steve
 Maine Fish Company 38
 Anywhere, ME 03203

SHIP TO:
 Chef Steve
 Maine Fish Company
 38 Anywhere, ME
 03203

SHIP TO	DESCRIPTION	QTY	PRICE	AMOUNT
Anywhere, 18 lbs, Harvest Area: ME 123, Harvest Date: 12/19/2023		10	30.00	300.00
Thank you for your business! We prefer checks, bank transfer, debit over credit card if possible. Thanks				
Placers of Shipping and Compliance of Temp. Regulations				
Shipping Dealer: Seaproducts, ME 12321 65				
All product has been stored at -40 degrees and adequately fast for shipment.				
If shipping shellfish, time of departure: _____				
If shipping shellfish, time of arrival: _____				
Release: DATE WHEN LAST SHELLSTOCK FROM THE CONTAINER SOLD OR SERVED (INSERT DATE)				
EXAMPLE FOR EDUCATIONAL PURPOSES ONLY				

This illustration does not include item 6 (from above) because it does not apply to "shellstock" which is used in this example.

www.ida.gov/RetailFoodProtection 2 September 2024

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"Intact Meat" means a cut of whole muscle(s) MEAT that has **not** undergone COMMINUTION, MECHANICAL TENDERIZATION, vacuum tumbling with solutions, reconstruction, cubing or pounding.

Revised the definition to clarify that beef products that are vacuum tumbled with solutions are not considered intact meats. Also added cubing or pounding.

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"Mechanically Tenderized" means manipulating meat by piercing with a set of needles, pins, blades or any mechanical device, which breaks up muscle fiber and tough connective tissue, to increase tenderness. This includes **INJECTION**, scoring, and processes which may be referred to as "blade tenderizing," "jaccarding," "pinning," or "needling".

Added INJECTION

Amended the definition of the term "Mechanically Tenderized" to clarify that products injected with a marinade or solution are considered mechanically tenderized.

Before:

(1) "Mechanically tenderized" means manipulating meat with deep penetration by processes which may be referred to as "blade tenderizing," "jaccarding," "pinning," "needling," or using blades, pins, needles or any mechanical device.

(2) "Mechanically tenderized" does not include processes by which solutions are **INJECTED** into meat.

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"Whole-muscle, intact beef" means whole muscle beef that is **not** injected, mechanically tenderized, reconstructed, or scored and marinated, from which beef steaks may be cut.

Cooking – 3-401.11 (C) (1-3) Raw Animal Foods

(C) A raw or undercooked WHOLE-MUSCLE, INTACT BEEF steak may be served or offered for sale in a READY-TO-EAT form if:

- (1) The FOOD ESTABLISHMENT serves a population that is not a HIGHLY SUSCEPTIBLE POPULATION,*
- (2) The steak is labeled to indicate that it meets the definition of "WHOLE-MUSCLE, INTACT BEEF" as specified under ¶ 3-201.11(E), and*
- (3) The steak is cooked on both the top and bottom to a surface temperature of 63oC (145oF) or above and a cooked color change is achieved on all external surfaces.*

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Sources - 3-201.11 – Compliance with Food Law

(E) WHOLE-MUSCLE, INTACT BEEF steaks that are intended for consumption in an undercooked form without a CONSUMER advisory as specified in ¶ 3-401.11(C) shall be:

- (1) Obtained from a FOOD PROCESSING PLANT that, upon request by the purchaser, packages the steaks and labels them, to indicate that the steaks meet the definition of WHOLE-MUSCLE, INTACT BEEF, ^{PF} or
- (2) Deemed acceptable by the REGULATORY AUTHORITY based on other evidence, such as written buyer specifications or invoices, that indicates that the steaks meet the definition of WHOLE-MUSCLE, INTACT BEEF, ^{PF} and
- (3) If individually cut in a FOOD ESTABLISHMENT:
 - (a) Cut from WHOLE-MUSCLE INTACT BEEF that is labeled by a FOOD PROCESSING PLANT as specified in Subparagraph (E)(1) of this section or identified as specified in Subparagraph (E)(2) of this section, ^{PF}
 - (b) Prepared so they remain intact, ^{PF} and
 - (c) If PACKAGED for undercooking in a FOOD ESTABLISHMENT, labeled as specified in Subparagraph (E)(1) of this section or identified as specified in (E)(2) of this section. ^{PF}

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The term "Tobacco" replaced with the term **"Tobacco Product"** has the meaning stated in the Federal Food, Drug and Cosmetic Act §201(rr) (21 U.S.C. 321(rr)).

Includes any product made from tobacco:

- encompasses cigarettes, cigars, and smokeless tobacco.
- covers components and parts - Items like e-cigarettes and vaping devices are included if they contain tobacco-derived substances.
- applies to nicotine delivery systems - Products designed to deliver nicotine, regardless of their form, fall under this definition.
- Tobacco products may not be consumed in the kitchens and hands must be washed after use.

<https://www.federalregister.gov/documents/2023/03/20/2023-03950/definition-of-the-term-tobacco-product>

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"Major food allergen" means:

- (a) Milk, EGG, FISH (such as bass, flounder, cod, and including crustacean shellfish such as crab, lobster, or shrimp), tree nuts (such as almonds, pecans, or walnuts), wheat, peanuts, soybeans and **sesame**; or
- (b) A FOOD ingredient that contains protein derived from a FOOD, as specified in Subparagraph (1)(a) of this definition.

"Major food allergen" does not include:

- (a) *Any highly refined oil derived from a food specified in Subparagraph (1)(a) of this definition and any ingredient derived from such highly refined oil; or*
- (b) *Any ingredient that is exempt under the petition or notification process specified in the Food Allergen Labeling and Consumer Protection Act of 2004 (Public Law 108-282).*

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FC 3-602.12**Other Forms of Information***

To provide food establishment operators with current industry best practices for notifying consumers of major food allergens present in menu items and food that is unpackaged (i.e., not covered by the Food Allergen Labeling and Consumer Protection Act or other labeling requirements).

Added new paragraph (C):

(C) The PERMIT HOLDER shall notify CONSUMERS by written notification of the presence of MAJOR FOOD ALLERGENS as an ingredient in unPACKAGED FOOD items that are served or sold to the CONSUMER.*

***MAJOR CHANGE**

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Handout(s)

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Notice of Major Food Allergens

- This can be done in a variety of ways:
 - Brochures
 - Table tents
 - Placards
 - Deli case or menu notifications
 - Ingredient binders (accessible to consumers)
 - Electronic or “other effective written means”

Ensure that notifications of major food allergens are specific to the food items that contain the major food allergens. They could include either the common name or an image of the relevant major food allergen.

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Dippin' Dumplings
THE YUMMIEST CHINESE TAKEOUT IN TOWN

DIM SUM		NOODLES	
Veggie Wontons 10-12	All-vegetable dumplings in delicate spinach wonton parcels \$5	Chili Garlic Noodles 10-12	Dry noodles smothered with sesame oil, and loaded with garlic and spice
Steamed Buns 10-12	Our take on the steamed buns. Each little pouch packs a punch! \$5	Spicy Noodles 10-12	Hand-cut noodles served with a spicy, savory dipping sauce
Shrimp & Chives 10-12	Crystal prawns encased in translucent wrappers, served with chili soy sauce \$7	Wonton Noodles 10-12	A hearty soup with tons of toppings, already a meal in itself
Steamed Buns 10-12	The classic pork and shrimp steamed bun, upgraded with a drizzle of truffle oil \$7		
Shrimp & Chives 10-12	Get the same texture minus the guilt with agar-agar strips and our special recipe		
Shrimp & Chives 10-12	A pair of cloud-soft buns with an assortment of hearty fillings		

DRINKS

Poke Soup	Soy milk made from scratch, served hot or cold \$2.99
Tea for Two	A pot of oolong, jasmine, or green tea to wash down the dim sum \$2.99

Allergen Notice: Food items marked with the below numbers may contain the corresponding ingredients. Please speak with your server if you have any allergies.

1 Milk | 2 Eggs | 3 Fish | 4 Crustaceans/Shellfish | 5 Tree Nuts | 6 Wheat | 7 Peanuts | 8 Soybeans | 9 Sesame

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Revised the letter (N)

Employees are properly trained in food safety, including food allergy awareness, as it relates to their assigned duties.

Except when APPROVAL is obtained from the REGULATORY AUTHORITY as specified in ¶ 3-301.11(E), EMPLOYEES are preventing cross-contamination of READY-TO-EAT food with bare hands by properly using suitable UTENSILS such as deli tissue, spatulas, tongs, single-use gloves, or dispensing EQUIPMENT; Pf

CHAPTER 2

Management & Personnel

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Responsibility

FC 2-101.11 (A) – Assignment*

(A) Except as specified in ¶¶ (B) and (C) of this section, the PERMIT HOLDER shall be the PERSON IN CHARGE or shall designate a PERSON IN CHARGE and shall ensure that a PERSON IN CHARGE is present at the FOOD ESTABLISHMENT during all hours of operation.* Pf

***MAJOR CHANGE**

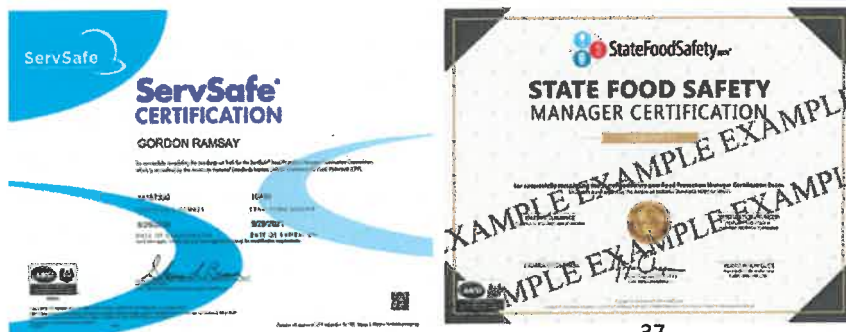
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FC 2-102.12 (A)

Certified Food Protection Manager

The person in charge (PIC) shall be a certified food protection (CFPM) manager who has shown proficiency of required information through passing a test that is part of an **accredited program**.



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FC 1-201.10 (B)

“Accredited Program”

- (1) "Accredited program" means a food protection manager certification program that has been evaluated and listed by an accrediting agency as conforming to national standards for organizations that certify individuals.
- (2) "Accredited program" refers to the certification process and is a designation based upon an independent evaluation of factors such as the sponsor's mission; organizational structure; staff resources; revenue sources; policies; public information regarding program scope, eligibility requirements, re-certification, discipline, and grievance procedures; and test development and administration.
- (3) "Accredited program" does not refer to training functions or educational programs.

Handout

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FC 2-401.13

Use of Bandages, Finger Cots, Finger Stalls

- If used, an impermeable cover such as a bandage, finger cot or finger stall located on the wrist, hand or finger of a FOOD EMPLOYEE working with exposed FOOD shall be covered with a single-use glove.

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Responding to Contamination Events

FC 2-501.11

Clean-up of Vomiting & Diarrheal Events

- A FOOD ESTABLISHMENT shall have **written** procedures for EMPLOYEES to follow when responding to vomiting or diarrheal events that involve the discharge of vomitus or fecal matter onto surfaces in the FOOD ESTABLISHMENT. The procedures shall address the specific actions EMPLOYEES must take to minimize the spread of contamination and the exposure of EMPLOYEES, consumers, FOOD, and surfaces to vomitus or fecal matter. ^{Pf}



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CHAPTER 3

Food

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Sources, Specifications, and Original Containers and Records

FC 3-204.10 – *Food Donation*

New Section:

- FOOD stored, prepared, PACKAGED, displayed, and labeled in accordance to LAW and this Code may be offered for donation.

[Food Donation - RecyclingWorks Massachusetts](#)

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Recyclingworks: Steps for Establishing a Food Donation Process

In order to have a successful food donation program, Recyclingworks recommends considering these steps:

1. Identify Food To Donate with Local Partners

Any business that handles food can donate it—as long as they follow **food safety standards to maintain quality**.

This includes a wide variety of establishments including restaurants, grocery and convenience stores, colleges and universities, K-12 schools, hospitals, corporate cafeterias, caterers, event venues, farms, farmers markets, sports arenas, food manufacturers, and trucking distribution centers.

To get started, reach out to local food rescue organizations, food banks, or donation apps in your area. Ask what types and quantities of food they accept—whether non-perishable, perishable, or prepared—and explore how your business can collaborate with them.

[Comprehensive Guidance for Food Recovery Programs](#)

[CET-Food-Donation-Guidance-1.pdf](#)

CET Food Donation Giving Guide

When donating food, it is important to only select items that are safe and suitable for human consumption. Here are some examples of acceptable foods. Always work with your food donation partner to determine what can and cannot be donated.

Donatable Foods

Donatable Non-Perishables

Examples:

- Canned vegetables, fruits, beans, soups, fish, and poultry
- Dry pasta, rice, beans and grains

*Note: Canned packaging should be unopened and undamaged. Consult your local food rescue partner to see if they will take items past their Best By, Use By, and/or Sell By dates.

Donatable Perishables

Examples:

- Fresh fruits and vegetables (check with your food donation partner if produce with minor bruising is OK)
- Dairy products
- Deli meats and cheeses
- Bakery items (uncontaminated and mold-free)
- Frozen fruits and vegetables
- Frozen meats
- Packaged salads, soups, sandwiches, and wraps

*Notes:

- Any items with packaging/labels should be intact and undamaged
- Check the Best By, Use By, and/or Sell By dates on the packaging, if applicable. Some items may only take food after its sell by date.
- Items can be stored, transported, and donated at the same temperature as they were sold, but also chilled or frozen within cooling parameters.

Non Donatable Foods

Preserving and excluding unsuitable food items can greatly benefit the recipients of food donations.

Non Donatable Non-Perishable Items

Examples:

- Products with significantly damaged cans and/or missing labels
- Items with damaged or opened packaging
- Home-canned goods

Non Donatable Perishable Items

Examples:

- Hot or cold foods not kept at temperature for greater than 2 hours
- Milk
- Eggs
- Overly bruised produce
- Items with damaged or opened packaging

Food banks and similar outlets may welcome slightly bruised produce. However, produce with significant bruising, exceeding the size of a quarter, should be directed towards composting, animal feed, or anaerobic digestion.

Food Handling Guidelines for Donating Food

1. Wash hands before handling food

2. Use clean, sanitized containers

3. Store food in a cool, dry place

4. Do not donate food that is past its expiration date

5. Do not donate food that is damaged or contaminated

6. Do not donate food that is recalled

7. Do not donate food that is expired

8. Do not donate food that is expired

9. Do not donate food that is expired

10. Do not donate food that is expired

Food Donation Partnership Agreement Outline

1. Purpose of the Agreement

2. Parties to the Agreement

3. Definitions

4. Donations

5. Logistics

6. Liability

7. Termination

8. Miscellaneous

9. Signatures

10. Date

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Comprehensive Resource for Food Recovery Programs

Originally developed by the Food Recovery Committee
2000 Conference for Food Protection / Council I

October 2000
Updated January 2004
Updated April 2006
Updated March 2007
This revision April 2016

CONFERENCE FOR FOOD PROTECTION

CFP – See Resources – 51 pages

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FC 3-302.11

Packaged & Unpackaged Food – Separation, Packaging, & Segregation

(A) FOOD shall be protected from cross contamination by:

1. Except as specified in **(1)(d)** below or when combined as ingredients, separating raw animal FOODS during storage, preparation, holding, and display from:
 - (a) Raw READY-TO-EAT FOOD including other raw animal FOOD such as FISH for sushi or MOLLUSCAN SHELLFISH, or other raw READY-TO-EAT FOOD such as fruits and vegetables,
 - (b) Cooked READY-TO-EAT FOOD, and
 - (c) Fruits and vegetables before they are washed;
 - (d) Frozen, commercially processed and packaged raw animal FOOD may be stored or displayed with or above frozen, commercially processed and PACKAGED, ready-to-eat food.**

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Cooking

FC 3-401.11 - Raw Animal Foods

(A)(1) Amended this section to include **intact meat**, which must be cooked to 145°F (63°C) for 15 seconds.

(A)(2) Amended this section to reflect new cooking **time** for the following raw foods from **15 seconds to 17 seconds**:

- ratites
- mechanically tenderized and injected meats
- comminuted fish, meat, game animals commercially raised for food or under voluntary inspection
- raw eggs prepared to a consumer's order

Final internal cooking temperature remains the same: 155°F

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Cooking (cont'd)

(A)(3) Amended this section to reflect new cooking **time** for the following raw foods from **15 seconds to <1 second (instantaneous)**:

- Poultry
- Baluts
- Wild game animals
- Stuffed fish, meat, pasta, poultry, ratites
Stuffing containing fish, meat, poultry, or ratites

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FC 3-401.15 (New Section)

Manufacturer Cooking Instructions

(A) Commercially PACKAGED FOOD that bears a manufacturer's cooking instructions shall be cooked according to those instructions before use in READY-TO-EAT FOODS or offered in unPACKAGED form for human consumption, unless the manufacturer's instructions specify that the FOOD may be consumed without cooking. P

(B) FOOD for which the manufacturer has provided information that it has not been processed to control pathogens, when used in READY-TO-EAT FOODS or offered for human consumption, shall be cooked according to a time and temperature appropriate for the FOOD. P

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Duties

FC 2-103.11 - PIC

Added new paragraph (J)

- FOOD EMPLOYEES are properly maintaining the temperature of TIME/TEMPERATURE CONTROL FOR SAFETY FOODS **during thawing** through daily oversight of the FOOD EMPLOYEE'S routine monitoring of FOOD temperatures; ^{Pf}

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FC 3-502.12

ROP – No Variance - Fish



(C) *Except for FISH that is frozen before, during, and after PACKAGING **and bears a label indicating that it is to be kept frozen until time of use**, a FOOD ESTABLISHMENT may not PACKAGE FISH using a REDUCED OXYGEN PACKAGING method.* ^P

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FC 3-501.19(B)(2)**Time as a Public Health Control (TPHC)**

(B) If time without temperature control is used as the public health control up to a maximum of 4 hours:

(1) Except as specified in (B)(2), the food shall have an initial temperature of 5°C (41°F) or less when removed from cold holding temperature control, or 57°C (135°F) or greater when removed from hot holding temperature control; ^P

(2) The food may have an initial temperature of 21°C (70°F) or less if;

- (a) It is a ready-to-eat fruit or vegetable that upon cutting is rendered a TIME/TEMPERATURE CONTROL FOR SAFETY FOOD as defined in ¶1-201.10(B), or
- (b) It is a READY-TO-EAT HERMETICALLY SEALED FOOD that upon opening is rendered a TIME/TEMPERATURE CONTROL FOR SAFETY FOOD as defined in ¶1-201.10(B),
- (c) The FOOD temperature does not exceed 21°C (70°F) within a maximum time of 4 hours from the time it was rendered a TIME/TEMPERATURE CONTROL FOR SAFETY FOOD; and
- (d) The FOOD is marked or otherwise identified to indicate the time that is 4 hours past the point in time when the FOOD is rendered a TIME/TEMPERATURE CONTROL FOR SAFETY FOOD as specified in sub¶¶ (B)(2)(a) and (b) of this section.

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Changed Risk Designation**FC 3-305.12 FC 4-401.11 FC 4-903.12**

- Food, clean & sanitized equipment, utensils, laundered linens, and single service/use articles, and cabinets used to store any of the items mentioned may not be stored:

- A. In locker rooms;
- B. In toilet rooms; ^{Pf} (from core)
- C. In dressing rooms;
- D. In garbage rooms;
- E. In mechanical rooms;
- F. Under sewer lines that are not shielded to intercept potential drips;
- G. Under leaking water lines, including leaking automatic fire sprinkler heads, or under lines on which water has condensed;
- H. Under open stairwells; or
- I. Under other sources of contamination.

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590.003; FC 3-304.17 Refilling Returnables

A take-home food container returned to a food establishment may be refilled at a food establishment with food if the food container is:

- Designed and constructed for reuse^P;
- One that was initially provided by the food establishment to the consumer, either empty or filled with food by the food establishment, for the purpose of being returned for reuse;
- Returned to the food establishment by the consumer after use; and
- Subject to the following steps before being refilled with food:
 - (a) Cleaned properly,
 - (b) Sanitized properly; ^P
 - (c) Visually inspected by a FOOD EMPLOYEE to verify that the container, as returned, meets the requirements specified under Part 4-1 and 4-2; ^P and

Explained in detail in Annex 3 (3-304.17)

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Handout

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590.003; FC 3-304.17 Refilling Returnables (cont.)

A take-home food container returned to a food establishment may be refilled at a food establishment with a beverage if:

- The beverage is not a time/temperature control for safety food;
- The design of the container and of the rinsing equipment and the nature of the beverage, when considered together, allow effective cleaning at home or in the food establishment;
- Facilities for rinsing before refilling returned containers with fresh, hot water that is under pressure and not recirculated are provided as part of the dispensing system;
- The consumer-owned container returned to the food establishment for refilling is refilled for sale or service only to the same consumer; and

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590.003; FC 3-304.17 Refilling Returnables (cont.)

- The container is refilled by:
 - An employee of the food establishment , or
 - The owner of the container if the BEVERAGE system includes a contamination-free transfer process that cannot be bypassed by the container owner.



- Consumer-owned, personal take-out beverage containers, such as thermally insulated bottles, nonspill coffee cups, and promotional BEVERAGE glasses, may be refilled by employees or the consumer if refilling is a contamination-free process.
- Consumer-owned containers that are not food-specific may be filled at a water vending machine or system.

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CHAPTER 7

Poisonous or Toxic Materials

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FC 7-203.11 Poisonous or Toxic Material Containers

A container previously used to store POISONOUS OR TOXIC MATERIALS may not be used to store, transport, or dispense FOOD, EQUIPMENT, UTENSILS, LINENS, SINGLE- SERVICE or SINGLE-USE ARTICLES. P

Amended to include the prohibition of storage of equipment, utensils, linens, single-service/use articles in containers previously used for storing toxic chemicals.

Earlier provision only mentioned the prohibition of storing food in these containers.

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CHAPTER 8

Compliance & Enforcement

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Imminent Health Hazard

FC 8-404.11 Ceasing Operations and Reporting

Amended by adding subparagraphs (C)(1)-(3)

(C) Considering the nature of the potential HAZARD involved and the complexity of the corrective action needed, the REGULATORY AUTHORITY may agree to continuing operations in the event of an extended interruption of electrical or water service if:

- (1) A written emergency operating plan has been APPROVED;*
- (2) Immediate corrective action is taken to eliminate, prevent, or control any FOOD safety RISK and IMMINENT HEALTH HAZARD associated with the electrical or water service interruption; and*
- (3) The REGULATORY AUTHORITY is informed upon implementation of the written emergency operating plan.*

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Emergency Action Plan for Retail Food Establishments

Second Edition

Practical guidance for retail grocery and food service establishments to plan and respond to emergency situations that could impact food safety and facility operations.

Original Produced By:
Emergency Preparedness Committee of Council II
2004-2006 Conference for Food Protection

First Revision By:
Emergency Preparedness and Response Committee of Council II
2006-2008 Conference for Food Protection

Current Edition By:
Emergency Action Plan Committee of Council III
2012-2014 Conference for Food Protection

[Emergency Action Plan for Retail food Est.docx - Google Docs](#) – 60 pgs.

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New Definition

“Active Managerial Control” (AMC) means the purposeful incorporation of specific actions or procedures by industry management into the operation of their business to attain control over foodborne illness RISK factors. It embodies a preventive rather than reactive approach to FOOD safety through a continuous system of monitoring and verification.

Added to clarify and provide consistency in application and understanding the term (CFP 2023-II-043).

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Food Defense*

*** MAJOR CHANGE**

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New Definition

“Food Defense” is the effort to protect FOOD from acts of intentional ADULTERATION or tampering.

Added to ensure that food defense is adequately addressed in the food code (CFP 2023-II-039).

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Knowledge

FC 2-102.11 - Demonstration

Amend ¶ 2-102.11(C) to add new sub¶ (C)(18) to read as follows:

Based on the RISKS inherent to the FOOD operation, during inspections and upon request the PERSON IN CHARGE shall demonstrate to the REGULATORY AUTHORITY knowledge of foodborne disease prevention, application of the HAZARD Analysis and CRITICAL CONTROL POINT principles, and the requirements of this Code. The PERSON IN CHARGE shall demonstrate this knowledge by:

(C) Responding correctly to the inspector's questions as they relate to the specific FOOD operation. The areas of knowledge include:

(18) Explaining steps that are taken to prevent intentional ADULTERATION by CONSUMERS, EMPLOYEES, or other PERSONS including monitoring operations, ingredients, supplies, and finished products for unusual or suspicious activities, or other FOOD DEFENSE activities. ^{Pf}

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Duties

FC 2-103.11 - PIC

Amend §2-103.11 to revise the lead in sentence and to add new ¶ (R) to read as follows:

The PERSON IN CHARGE shall maintain ACTIVE MANAGERIAL CONTROL of foodborne illness RISK factors by ensuring that:

(R) EMPLOYEES are aware of FOOD DEFENSE, such as signs of intentional acts of ADULTERATION as it relates to their assigned duties, and report suspicious activity to the PERSON IN CHARGE. ^{Pf}

Handout

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Approved at the CFP 2023 Biennial Meeting

Food Defense

Employee Orientation

Establishment Name: _____

Employee ID#: _____

Food Employee Name: _____

Instructions: Read this document to become a guardian of your state's food supply. It is your responsibility to ensure that all food products are safe for consumption. This document is for your information only. It is not a substitute for training. It is your responsibility to ensure that all food products are safe for consumption. This document is for your information only. It is not a substitute for training.	Employee Initials
Be a responsible employee. Communicate any potential food defense issues to your manager.	
Be aware of your surroundings and pay close attention to customers and employees who are acting suspiciously or are not where they belong.	
Limit the number of personal items you bring into your work environment and keep items secure in a designated area.	
Be aware of who is working at a given time and where (in what area) they are supposed to be working.	
Remember to monitor the food display and your service area (that includes food displays and other self-service foods).	
Make sure chemicals are labeled in their designated storage or sales area. Notify manager if large amounts of chemicals are missing.	
Know your company guidelines and follow them. If you have questions or believe company guidelines are not being followed, request assistance from your manager.	
Take all threats seriously, report any verbal or social media threats made by other employees or customers to your manager.	
If the door is supposed to be locked and secure, make sure it is!	
If something doesn't look normal, stop using the product and notify your manager immediately. For example, if a food product or chemical you use looks different than it usually does.	
If an employee or non-employee enters an "employee only" area, let them know they have entered an "employee only" area, ask if they need help, escort them out of the employee area. Notify the person in charge or a manager.	
Cooperate in all investigations and notify management or corporate office. This could mean answering questions from the police or other government officials.	
Do not talk to the media, refer all questions to your manager, person in charge, or corporate office.	
If you are aware of a hoax, prank, or social media challenge, notify your manager immediately.	
Be aware of any prohibited bags or backpacks customer's bring into your operation, notify your manager immediately.	
If a customer walks into an "employee only" area of your operation, ask the customer politely if he or she needs help, then notify a member of management.	
1. NO FOOD HANDLING	
Check the identification of any vendor or service person that enters restricted areas of your operation and do not leave him or her unattended. While you are managing a vendor or any other person, monitor all products received and look for any signs of tampering.	
When a vendor is making a delivery, never accept more items than what is listed on your invoice. If the vendor attempts to give you more items than listed, notify your manager.	
When receiving deliveries: Step 1. Always ask for identification. Step 2. Stay with the delivery person. Step 3. Do not allow the person to roam freely throughout your operation. Step 4. Delivery vehicle must always be attended or locked when the driver is away delivering products.	
Report all equipment, maintenance, and security issues to your manager.	
Document any equipment, maintenance, and security issues.	
Be aware of the inside and outside of your facility, including the dumpster area, and report anything out of the ordinary.	
Report any suspicious activity to your manager immediately.	
EMPLOYEE SIGNATURE	DATE
OWNER/MANAGER	

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Food Defense Employee Training

- This sample document provides a framework for food industry managers and trainers to use during employee orientation or routine training to help raise food employee awareness and document discussions pertaining to Food Defense.
- Approved via Issue 2023-I-041 from the 2021-2023 Food Defense Committee.
- The new CFP Food Defense Guidance-Food Defense Employee Orientation form provides a sample checklist of important food defense topics for food employees. The form is intended for use by food industry managers or trainers to provide a guideline for increasing employee food defense awareness. The form may be used during employee orientation and routine or refresher training to guide and document food defense discussions. Resourced by: SURE, Food Defense Manager Manual For food service and retail establishments.

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GUIDANCE DOCUMENT

Guidance for Industry: Food Security Preventive Measures Guidance for Retail Food Stores and Food Service Establishments

OCTOBER 2007

Final

Docket Number: [FDA-2020-D-1927](#)
Issued by: Human Foods Program

This guidance represents the Food and Drug Administration's (FDA's) current thinking on this topic. It does not create or confer any rights for or on any person and does not operate to bind FDA or the public. You can use an alternative approach if the approach satisfies the requirements of the applicable statutes and regulations.

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- II. [BACKGROUND](#)
- III. [DISCUSSION](#)

[Guidance for Industry: Food Security Preventive Measures Guidance for Retail Food Stores and Food Service Establishments | FDA](#)

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Food Safety Management Systems*

* **MAJOR CHANGE**

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New Definitions

(1) **"FOOD SAFETY MANAGEMENT SYSTEM"** means a specific set of actions taken by the EMPLOYEE to prevent the occurrence of foodborne illness RISK factors based on the type of operation, type of FOOD preparation, and FOODS prepared within the FOOD ESTABLISHMENT.

(2) **"FOOD SAFETY MANAGEMENT SYSTEM"** includes written procedures, training plans, and monitoring records to control specific operational steps in a FOOD ESTABLISHMENT that contribute to foodborne illness.

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Food Safety Management System

8-201 Facility and Operating Plans

Building on the concept of Food Safety Management Systems and Active Managerial Control by defining the terms, new provisions have been added that speak to when a Food Safety Management System is required

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FC 8-201.12

Contents of Plans and Specifications

*Amend §8-201.12(E) to replace the term **standard procedures** with the term **food safety management system** to read as follows:*

The plans and specifications for a FOOD ESTABLISHMENT, including a FOOD ESTABLISHMENT specified under § 8-201.13, shall include, as required by the REGULATORY AUTHORITY based on the type of operation, type of FOOD preparation, and FOODS prepared, the following information to demonstrate conformance with Code provisions:

- (E) Evidence that a **FOOD SAFETY MANAGEMENT SYSTEM** that ensures compliance with the requirements of this Code are developed or are being developed; and

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FC 8-201.15

When a Food Safety Management System is Required

(A) Within 4 years of the REGULATORY AUTHORITY'S adoption of this Code, a written FOOD SAFETY MANAGEMENT SYSTEM shall be:

1. Developed and maintained to ensure compliance with requirements of this Code as specified in 2-103.11.
2. Implemented in the FOOD ESTABLISHMENT during all hours of operation, and
3. Made available to the REGULATORY AUTHORITY upon request.

(B) This section does not apply to certain types of FOOD ESTABLISHMENTS deemed by the REGULATORY AUTHORITY to pose minimal RISK of causing, or contributing to, foodborne illness based on the nature of the operation and extent of the FOOD preparation.

Additional information on Food Safety Management Systems in Annex 2 - Amend 3 and Annex 3 - 1-201.10.

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FC 8-201.16

Contents of a food safety management system

Amend Subpart 8-201 to add new § 8-201.16 as a reserved provision to read as follows:

RESERVED.

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FSMS

In the past, the Food Code asked you to have written procedures—like how to wash hands or cook chicken safely.

The 2022 update now expects you to go a step further and use a **Food Safety Management System**.

That means not just having rules but having a *system* that makes sure those rules are always followed, checked, and corrected if something goes wrong.

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FSMS (cont.)

- The FDA added this requirement because the old approach—just having standard procedures (like how to wash hands or clean surfaces)—wasn't enough to consistently prevent foodborne illness.
- Too many outbreaks still happened even when procedures existed on paper.

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Standard Procedures vs FSMS

Standard Procedures = step-by-step instructions ("Here's how you calibrate a thermometer").

Food Safety Management System (FSMS) = a bigger, integrated framework that makes sure those procedures are being carried out, monitored, and improved.

SPs = tell staff what *should* be done.

FSMS = makes sure it *is* done, *monitored*, and *corrected* when it isn't.

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Example: Standard Procedure

"After cooking, rice is placed in shallow pans for cooling. The rice is cooled to 41°F within 6 hours. Pans are stored uncovered in the walk-in cooler."

What do you think of this procedure?

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Good: Simple and direct

Needs improvement:

- 2-stage cooling process
- monitoring,
- pre-determined corrective actions,
- verification
- records

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Example: Upgraded to FSMS

Process: Cooling cooked rice

Hazard: *Bacillus cereus* growth and toxin formation

Critical Limit: Cool from 135°F to 70°F within 2 hours,
then to 41°F within 6 hours

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**Example: FSMS
Cooling Cooked Rice**

Written Procedure	Rice is spread in shallow metal pans (≤ 2 " deep), labeled with time/temp stickers, and placed uncovered in walk-in cooler.
Monitoring	Staff check temps at 2-hour and 6-hour marks using calibrated thermometer. Cooling logs completed for each batch.
Corrective Actions	If rice doesn't reach 70°F in 2 hours, reheat to 165°F and spread rice onto sheet pans for rapid cooling. If rice doesn't reach 41°F in the next 4 hours, discard. If thermometer is uncalibrated, replace and recheck.
Verification	Manager reviews logs weekly. Meets with staff if monitoring shows corrective actions needed.
Training	Staff retrained as necessary if problems noted. New hires trained during onboarding.
Documentation	Cooling logs, thermometer calibration records, and training sign-in sheets kept for 90 days.

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Upgraded to FSMS

- **Monitoring:** Supervisors observe handwashing during busy shifts and note compliance on a checklist.
- **Verification:** Manager reviews observation sheets weekly and addresses repeated misses with retraining.
- **Corrective Action:** If an employee skips handwashing after handling raw chicken, food is discarded, surfaces sanitized, and employee is coached immediately.
- **System:** Instead of assuming staff always wash, the FSMS builds in observation, documentation, correction, and accountability.

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Questions?

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References

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Public Health Service • Food and Drug Administration 2022 Food Code
<https://www.fda.gov/downloads/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/UCM374510.pdf>

Supplement to the 2022 Food Code U.S. Public Health Service FDA U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES College Park, MD:
<https://www.fda.gov/downloads/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/UCM451981.pdf>

Summary of Changes In the FDA Food Code
<https://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/ucm374759.htm>

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References (cont.)

105 CMR 590.000: STATE SANITARY CODE CHAPTER X - MINIMUM SANITATION STANDARDS FOR FOOD ESTABLISHMENTS

<https://www.mass.gov/files/documents/2018/10/09/105cmr590.pdf>

Merged Food Code (2013 FDA Food Code, with 2015 Supplemental Regulations, and 105 CMR 590.000).

<https://www.mass.gov/lists/retail-food#dph-regulation-and-fda-code->

Note: Since MA regulations are still being followed, the merged food code will still be a useful document.

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References (cont.)

Food Donation

- **Food Recovery Programs**[comprehensive-resource-for-food-recovery-2016-version.pdf](#) - Google Drive (approx. 50 pages)
- **Food Donation - RecyclingWorks Massachusetts**
- [CET-Food-Donation-Guidance-1.pdf](#)
- [Interfaith Food Pantry Network - Serving Morris County](#)

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Training Handouts

- Maintaining Molluscan Shellfish Identification
- MA DPH- Food Allergen Awareness FAQs
- Food Allergen Notifications: A Guidance for Industry
- Dippin Dumplings Sample Menus
- Refilling Returnables
- RecyclingWorks – Steps for Establishing a Food Donation Process
- CET - Food Donation Giving Guide
- FDA Guidance for Industry – Food Security Preventive Measure for Retail Food and Foodservice Establishments
- Food Defense Employee Orientation

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Board of Health Town of Needham Agenda Fact Sheet

MEETING DATE: October 17, 2025

Agenda Item	2025 Fuss & O'Neill Synthetic Turf Re-Testing Discussion for Arsenic
Presenter(s)	Tara Gurge, Assistant Public Health Director Juile McCarthy, Epidemiologist Timothy McDonald, Director of Health & Human Services

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Board requested that we contact some representatives from the Massachusetts Dept. of Public Health and the Massachusetts Dept. of Environmental Protection to discuss the relative risk levels of arsenic in crumb rubber. We were able to connect with both MDPH and MassDEP. MDPH was able to provide some guidance, and they referred us to speak with following representatives from MassDEP, noted below, who will be joining our meeting remotely to provide their guidance and answer the BOH's questions. - C. Mark Smith Ph.D., M.S. Director, Office of Research and Standards and Science Program, Division of Environmental Laboratory Sciences - Wendy Heiger-Bernays, PhD Chief, Research Division Office of Research and Standards	
2.	VOTE REQUIRED BY BOARD OF HEALTH
No vote requested.	
3.	BACK UP INFORMATION:
a) Copy of June 2025 Crumb Rubber Turf Retest report. b) Email from Meg Blanchet, MDPH, dated 10/2/25. c) MDPH Artificial Turf Factsheet.	

Crumb Rubber Monitoring Results Memorial Park & DeFazio Park Needham, Massachusetts

Needham Health Department
Needham, Massachusetts

June 2025

June 3, 2025

Ms. Tara Gurge, R.S., C.E.H.T., M.S.
Assistant Public Health Director
Needham Public Health Division
Health and Human Services Department
178 Rosemary Street
Needham, MA 02494

RE: **Crumb Rubber Monitoring Results – June 2025**
Memorial and DeFazio Parks
Needham, Massachusetts
Fuss & O'Neill Project No. 20081266.B51

Dear Ms. Gurge:

Enclosed is the summary report for crumb rubber testing performed at the artificial turf athletic fields located at Memorial Park and DeFazio Park in Needham, Massachusetts in April 2025.

If you should have any questions regarding the contents of this report, please do not hesitate to contact the undersigned below. Thank you for this opportunity to have served your environmental needs.

Sincerely,



Evan Koncewicz
Environmental Geologist
(617) 379-5895



Neal Kelly, LSP
Associate
(781) 987-4323

Enclosure

Table of Contents

Crumb Rubber Monitoring Results
Memorial Park & DeFazio Park
Needham Health Department

1	Introduction and Background	1
2	Methodology and Scope of Testing.....	1
3	Results.....	1
4	Data Evaluation.....	2
5	Conclusions	3

Tables	End of Report
1 Summary of Crumb Rubber Monitoring Results	
2 Real-Time Measurements	

Figures	End of Report
1 Site Plan – DeFazio Park	
2 Site Plan – Memorial Park	

Appendices	End of Report
Appendix A – Laboratory Analytical Reports & Chain-of-Custody Forms	
Appendix B – Sampling Equipment	
Appendix C – Field Logs	



1 Introduction and Background

Fuss & O'Neill, Inc. (Fuss & O'Neill) was retained by the Needham Health Department (the "Client") to perform periodic monitoring of the crumb rubber used at the artificial turf athletic fields in Needham, Massachusetts. The study involved the collection of field measurements and crumb rubber samples from Memorial Park (Needham High School Field, 92 Rosemary Street) and DeFazio Park (Brock Field and Founders Field, 380 Dedham Avenue) for laboratory analysis. The laboratory data were compared to toxicity reference data from the Massachusetts Department of Environmental Protection (MassDEP).

Historically the crumb rubber samples were submitted for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs) and total metals. Following detections of zinc above applicable criteria and elevated arsenic detection limits during the October 2024 sampling event, the Client retained Fuss & O'Neill to resample for arsenic and zinc during the April 2025 event.

On April 7, 2025, Mr. Christopher Juliano of Fuss & O'Neill performed the crumb rubber sampling in accordance with our proposal dated March 13, 2025.

2 Methodology and Scope of Testing

On April 7, 2025, Mr. Juliano of Fuss & O'Neill met Ms. Tara Gurge of the Needham Health Department to access the three athletic fields to perform the sampling and monitoring activities. A six-point composite sample of crumb rubber was collected from each artificial turf athletic field using laboratory provided dedicated glass jars. The composite samples contained crumb rubber collected from six locations of each artificial turf athletic field. Approximate discrete locations from which the material was collected to make up the composite samples are indicated on *Figure 1* (Memorial Park) and *Figure 2* (DeFazio Park). Samples were collected from the Needham High School Field in Memorial Park (sample 1643250407-01), from Founders Field (sample 1643250407-02) and Brock Field in DeFazio Park (sample 1643250407-03) as indicated in *Table 1*.

The composite samples were submitted to EMSL Analytical Laboratory of Cinnaminson, New Jersey (EMSL). The crumb rubber was analyzed for trace metals by Environmental Protection Agency (EPA) Methods 6020B (Inductively Coupled Plasma–Mass Spectrometry (ICP-MS). EMSL subcontracted the analysis of trace metals to ALS Laboratories of Holland, Michigan. Copies of the laboratory analytical data packages are included in *Appendix A*.

Real-time ambient conditions were monitored during crumb rubber sampling. Total organic vapors (TOVs) were measured using an Ion Science Tiger Photoionization Detector (PID). Volatile organic compounds (VOCs) are a subset of TOVs. A TSI Q-Trak Air Quality Monitor was used to record ambient temperature and relative humidity (RH). Refer to *Appendix B* for a list of sampling equipment, and *Table 2* for real-time measurements.

3 Results

Analytical data are summarized in *Table 1*. Zinc was detected below applicable criteria in all three samples. Arsenic was not detected in any sample at a reportable concentration, however, the

laboratory reporting limits (MRLs) for arsenic were slightly greater than the risk-based level of 2.5 mg/kg used. The April 23, 2025, laboratory report attributed the elevated MRLs to sample dilution from high concentrations of non-target analytes. Fuss & O'Neill therefore asked the laboratory to provide the laboratory method detection limits (MDLs). The revised May 6, 2025, laboratory package shows the same MRLs however provides the requested MDLs. The revised laboratory report indicated arsenic concentrations reported below MDLs and below the risk-based level, allowing for confident detection at concentrations beneath the applicable criteria. The MDL refers to the minimum concentration of an analyte that can be detected by the laboratory with a degree of confidence.

Real-time measurements provided in *Table 2* indicate TOVs were recorded at concentrations at an average or below 0.1 parts per million by volume (ppmv) in ambient air at each of the fields during sampling activities. Readings recorded as less than or equal to 1.0 ppmv likely were a result of moisture in ambient air effecting the PID detector lamp. The ambient relative humidity at the time of sampling was between 43 and 70 percent, within a 53 to 40.3 degree Fahrenheit environment (recorded within a few inches of the surface).

4 Data Evaluation

The Massachusetts Contingency Plan (MCP; 310 CMR 40.0000) establishes soil standards for a variety of uses based on publicly-available toxicity data for a range of compounds, including VOCs, SVOCs, and metals. The numerical standards and their derivations are publicly-available¹.

MassDEP generally establishes these standards based on four criteria:

- Publicly-available toxicity data, including EPA and MassDEP Office of Research and Standards (ORS) data, and peer-reviewed industry sources.
- Typical background levels in New England soil.
- Ceiling concentrations (i.e. maximum concentrations set for compounds of limited toxicity).
- Practical quantification limits (PQLs), i.e. levels which analytical laboratories can reliably quantify.

In its toxicity calculations for Method 1 S-1 Soil Standards (applicable to sensitive land uses, including residences, schools and day-care facilities), MassDEP considers inhalation and skin-absorption risks over exposures from infancy to adulthood. Fuss & O'Neill evaluated the crumb rubber analytical results relative to MassDEP's published toxicity levels (i.e. the levels which would be used in the absence of ceiling, background or PQL considerations). For metals, concentrations were compared to MassDEP Residential Receptor Direct Contact Risk-Based Soil Concentration Levels. These values are included in *Table 1*.

As noted on *Table 1*, zinc was detected in all samples at concentrations below the MassDEP Risk based level (15,000 mg/kg) and less than the historically reported range. Arsenic was not detected in any of the samples above method detection limits. The MassDEP exposure levels assume continuous high-contact exposure (five days per week, 30 weeks per year) over a multiple-year duration and are therefore conservative with regard to the actual exposures for users of the field.

¹ MassDEP, December 2017, "MCP Numerical Standards." <https://www.mass.gov/doc/mcp-numerical-standards-derivation/download>, accessed May 2025.

Compared to analytical data from October 2024, the concentration of zinc was much less during the April 2025 sampling event. Detected concentrations of zinc in October 2024 ranged from 12,600 to 15,200 mg/kg and had a sample in exceedance of the 15,000 mg/kg risk-based level. The April 2025 sampling event detected concentrations of zinc ranging from 3,160 to 4,240 mg/kg which were beneath the risk-based level. Method detection limits of arsenic were additionally in exceedance of the risk-based level during the October 2024 sampling event and ranged from 12.9 to 13.2 mg/kg. Method detection limits for arsenic were beneath the risk-based level during the May 2025 sampling event, ranging from 0.375 to 0.402 mg/kg.

5 Conclusions

Fuss & O'Neill collected field and analytical data to characterize the crumb rubber at three athletic fields in Needham, Massachusetts in April 2025 following detections of zinc above applicable criteria and elevated arsenic detection limits during the October 2024 sampling event. The analytical results of zinc and arsenic were compared to MassDEP risk-based guidance levels for soil, to evaluate potential health risks associated with the use of the crumb rubber media on these athletic fields. The following conclusions were formed:

- The concentrations of zinc in all three composite samples were less than the MassDEP risk-based threshold value, which is derived from an assumption of high-intensity exposure for a multi-year duration on a consistent basis.
- The laboratory method detection limit concentrations of arsenic in all three samples were less than the MassDEP risk-based threshold value.

Tables

Table 1
Summary of Crumb Rubber Monitoring Results – Collected April 7, 2025

Analyte	Analytical Results			Risk-Based Levels
	Memorial Park	DeFazio Park		
	Needham High School 1643250407-01	Founders Field 1643250407-02	Brock Field 1643250407-03	
Total Metals – dry weight (mg/kg) by method 6020B				
Arsenic	ND < 3.12 (0.375)	ND < 3.31 (0.397)	ND < 3.35 (0.402)	2.5
Zinc	3,990	4,240	3,160	15,000

ND: None Detected

ND<X (X): <X value is the laboratory method reporting limit (MRL) and the X value in the parenthesis is the laboratory reported method detection limit (MDL) where analyte MDLs were not detected above the Risk Based Levels.

Italicized value indicates that the reporting value exceeds the Risk Based Level.

Table 2
Real-Time Measurements, Needham Crumb Rubber Sampling –April 7, 2025

Location	TOVs (ppmv)	Temperature (°F)	RH (%)
Needham High School (HS)	0.1	53	43
Founders Field (D1)	0.0	47.5	49.4
Brock Field (D2)	0.0	40.3	70

TOVs, temperature and relative humidity were collected from a discrete location at each field.

ppmv: Parts per million by volume

°F: Degrees Fahrenheit

RH: Relative Humidity

Figures



REFERENCES:

1. AERIAL IMAGE WAS TAKEN FROM THE WEBSITE
[HTTP://WWW.NEARMAP.COM](http://www.nearmap.com), DATED 2024.
2. FIELD BOUNDIES APPROXIMATE BASED ON SITE
OBSERVATIONS.

LEGEND

-  PARK BOUNDARY
-  SAMPLE LOCATIONS TO
FORM COMPOSITE

SCALE:
HORZ.: 1" = 150'
VERT.: -
DATUM:
HORZ.: -
VERT.: -
0 125' 150'
GRAPHIC SCALE

**FUSS &
O'NEILL**

108 MYRTLE STREET, SUITE 502
QUINCY, MA 02171
617.282.4675
www.fando.com

NEEDHAM HEALTH DEPARTMENT

SITE PLAN

MEMORIAL PARK - 92 ROSEMARY ROAD

NEEDHAM

MASSACHUSETTS

PROJ. No.: 20081266.B51
DATE: MAY 2025

FIGURE 1

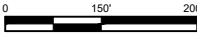


REFERENCES:

1. AERIAL IMAGE WAS TAKEN FROM THE WEBSITE
[HTTP://WWW.NEARMAP.COM](http://www.nearmap.com), DATED 2024.
2. FIELD BOUNDRIES APPROXIMATE BASED ON SITE
OBSERVATIONS.

LEGEND

-  FOUNDERS FIELD BOUNDARY
-  BROCK FIELD BOUNDARY
-  SAMPLE LOCATIONS TO
FORM COMPOSITE

SCALE:	
HORZ.:	1" = 200'
VERT.:	-
DATUM:	
HORZ.:	-
VERT.:	-
GRAPHIC SCALE	
	

**FUSS &
O'NEILL**

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www.fando.com

NEEDHAM HEALTH DEPARTMENT

SITE PLAN

DEFAZIO PARK - 380 DEDHAM ROAD

NEEDHAM

MASSACHUSETTS

PROJ. No.: 20081566.B51
DATE: MAY 2025

FIGURE 2

Appendix A

Laboratory Analytical Reports & Chain of Custody Forms

**EMSL Analytical, Inc.**

200 Route 130, Cinnaminson, NJ, 08077
Telephone: 856-858-4800 Fax: cs@emsl.com
EMSL-CIN-01

EMSL Order ID: 012516803**LIMS Reference ID:** AD16803**EMSL Customer ID:** ENVI54

April 24, 2025

Chris Lore
Fuss & O'Neill, Inc. [ENVI54]
One Financial Plaza, 15th Floor
Hartford, CT 06103

The following analytical report covers the analysis performed on samples submitted to EMSL Analytical, Inc. on 4/10/2025. The results are tabulated on the attached pages for the following client designated project:

Needham Crumb Rubber - 20081266.B51

The reference number for these samples is EMSL Order #: AD16803 . Please use this reference when calling about these samples. If you have any questions, please do not hesitate to contact the lab at 856-858-4800.

Owen McKenna Laboratory Manager or other approved signatory

**EMSL Analytical, Inc.**

200 Route 130, Cinnaminson, NJ, 08077
Telephone: 856-858-4800 Fax:cs@emsl.com
EMSL-CIN-01

EMSL Order ID: 012516803**LIMS Reference ID:** AD16803**EMSL Customer ID:** ENVI54

Attention: Chris Lore
Fuss & O'Neill, Inc. [ENVI54]
One Financial Plaza, 15th Floor
Hartford, CT 06103
(860) 646-2469
chris.lore@fando.com

Project Name: Needham Crumb Rubber - 20081266.B51

Customer PO:
EMSL Sales Rep: Jeromy Bish
Received: 04/10/2025 10:30
Reported: 04/24/2025 18:46

Positive Hits Summary

No positive results reported



April 23, 2025

Travis Albert
EMSL Analytical
200 Route 130 North
Cinnaminson, NJ 08077

Work Order: **HN2504814**

Re: **AD16803**

Dear Travis,
Enclosed are the results of the sample(s) submitted to our laboratory.

The analytical data provided relates directly to the samples received by ALS Environmental - Holland and for only the analyses requested.

Sample results are compliant with industry accepted practices and Quality Control results achieved laboratory specifications. Any exceptions are noted in the Case Narrative, or noted with qualifiers in the report or QC batch information. Should this laboratory report need to be reproduced, it should be reproduced in full unless written approval has been obtained from ALS Environmental. Samples will be disposed in 30 days unless storage arrangements are made.

If you have any questions regarding this report, please feel free to contact me:
ADDRESS: 3352 128th Avenue, Holland, MI, USA PHONE: +1 (616) 399-6070 FAX: +1 (616) 399-6185

Chelsey Cook
/S/ CHELSEY COOK
Project Manager



Client: EMSL Analytical
Project: AD16803

Work Order: HN2504814
Date Received: 15-Apr-2025

CASE NARRATIVE

All analyses were performed consistent with the quality assurance program of ALS Environmental. This report contains analytical results for samples for the Tier II level requested by the client.

Sample Receipt

3 soil/solid samples were received for analysis at ALS Environmental on 15-Apr-2025. Any discrepancies upon initial sample inspection are annotated on the sample receipt and preservation form included within this report. The samples were stored at minimum in accordance with the analytical method requirements.

Metals

EPA 6020B-3050B-S

Batch ID: 3073778

The concentration in the Method Blank was greater than the quantitation limit. Positive results in the batch may be biased high for this analyte: Cu batch 1956896

The MSD recovery was above the upper control limit. The corresponding result in the parent sample may be biased high for this analyte: K batch 1956896

The matrix spike recoveries are unavailable due to dilution below the calibration range. K batch 1956896

The RPD between the MS and MSD was outside of the control limit. The corresponding result should be considered estimated for this compound: K batch 1956896

The MSD recovery was outside of the control limit; however, the result in the parent sample is greater than 4x the spike amount. No qualification is required for this analyte: Pb batch 1956896

The MS recovery was outside of the control limit. However, the MSD recovery and the RPD between the MS and MSD was in control. No qualification is required for this analyte: As, Pb batch 1956895

The MS recovery was outside of the control limit; however, the result in the parent sample is greater than 4x the spike amount. No qualification is required for this analyte: Pb batch 1956896

Batch ID: 3072027

The concentration in the Method Blank was greater than the quantitation limit. Positive results in the batch may be biased high for this analyte: Cu batch 1956896

The MSD recovery was outside of the control limit; however, the result in the parent sample is greater than 4x the spike amount. No qualification is required for this analyte: Al Ba Ca Fe Pb Mg Mn Zn batch 1956896

The MS recovery was outside of the control limit; however, the result in the parent sample is greater than 4x the spike amount. No qualification is required for this analyte: Al Ba Ca Fe Pb Mg Mn Zn batch 1956896

HN2504814-001: Arsenic - The reporting limit is elevated due to dilution for high concentrations of non-target analytes. As

HN2504814-002: Arsenic - The reporting limit is elevated due to dilution for high concentrations of non-target analytes. As

HN2504814-003: Arsenic - The reporting limit is elevated due to dilution for high concentrations of non-target analytes. As

SAMPLE DETECTION SUMMARY

This form includes only detections above the reporting limits.

For a full listing of sample results, continue to the Sample Results section of this Report.



CLIENT ID: AD16803-01		Lab ID: HN2504814-001			
Analyte	Results	Flag	MRL	Units	Method
Percent Moisture	11.9		0.1	%	EPA 3550C
Zinc	3990		62.5	mg/kg	EPA 6020B

CLIENT ID: AD16803-02		Lab ID: HN2504814-002			
Analyte	Results	Flag	MRL	Units	Method
Percent Moisture	8.5		0.1	%	EPA 3550C
Zinc	4240		66.2	mg/kg	EPA 6020B

CLIENT ID: AD16803-03		Lab ID: HN2504814-003			
Analyte	Results	Flag	MRL	Units	Method
Percent Moisture	11.0		0.1	%	EPA 3550C
Zinc	3160		67.0	mg/kg	EPA 6020B

SAMPLE SUMMARY



Client: EMSL Analytical
Project: AD16803
Workorder: HN2504814

Laboratory Sample ID	Client Sample ID	Sample Matrix	Collection Date	Date Received
HN2504814-001	AD16803-01	SOIL/SOLID	04/07/25 11:30	04/15/25 09:00
HN2504814-002	AD16803-02	SOIL/SOLID	04/07/25 12:30	04/15/25 09:00
HN2504814-003	AD16803-03	SOIL/SOLID	04/07/25 13:00	04/15/25 09:00

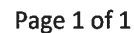
EMSL Analytical, Inc. Environmental Chemistry Lab Service 200 Route 130 North, Cinnaminson, NJ 08077 TEL: (856) 858-4800 FAX: (856) 786-5974		Chain of Custody / Analysis Request Form Print ALL Information. Incomplete chain of custody could result in the delay of analysis.		EMSL Project # AD16803 Account Rep: ENV154 Indicate State where samples were collected: MA	
REPORT RESULTS TO: Name: Travis Albert PO#: Company EMSL Analytical, Inc. Address: 200 Route 130 North City: Cinnaminson		SEND INVOICE TO: Name: PO#: Company EMSL Analytical, Inc. Address: 200 Route 130 North City: Cinnaminson		Turnaround Time DUE 4/25 Analytical Laboratory Services 3352 128 th Ave Holland MI 49424 616-403-6136	
State: NJ Zip: 08077		State: NJ Zip: 08077			
Tel: 856-858-4800 ext. 2548 Fax: 856-854-2362		Tel: 856-858-4800 Fax: 856-854-2362			
Email: <u>sublab@emsl.com</u>		# of Samples in Shipment: 3 (3 jars each)		PROJECT NAME:	
Date of Sample Shipment: 4/14/25					
Sampled by: (Signature) EMSL CLIENT		Matrix		Preservative	
		Sampling		List Method and Test Needed	
	Lab Sample Number		Waste Water		
			SOIL		
			AIR		
			SLUDGE		
			OTHER		
			HCl		
			HNO3		
			H2SO4		
			OTHER		
			DATE		
			TIME		
					Metals by ICP (6020B)
1.	AD16803-01			X	4/07/25 11:30a
2.	AD16803-02			X	4/07/25 12:30
3.	AD16803-03			X	4/07/25 1300
4.					
Released By Signature		Date & Time Released		Delivery Method	
Received By Signature		Date & Time Received		Condition Noted	
<i>[Signature]</i>		4/14/25		FedEx	
<i>[Signature]</i>		4-8-25 900		164 JRL6	
Please indicate reporting requirements: ☐ 1. Results Only ☒ 2. Results and QC ☐ 3. Reduced Deliverables ☐ 4. Disk Deliverable ☐ 5. Other					
Comments: Analyze for As, Zn by 6020B					

Page 5 of 13

Environmental Division
 Holland
 Work Order Reference
HN2504814



Telephone : +1 616 399 6070



Received by:

Date/Time:

Carrier Name:

Shipping container/cooler in good condition?

Yes/ No / Not Present

Custody seals intact on shipping container/cooler?

Yes / No / ☒ Present

Custody seals intact on sample bottles?

Yes / No / ~~Not~~ Present

Chain of Custody present?

Yes / No

COC signed when relinquished and received?

Yes / No

COC agrees with sample labels?

Yes / No

Samples in proper container/bottle?

Ye / No

Sample containers intact?

Yes / No

Sufficient sample volume for indicated test?

Yes / No

All samples received within holding time?

Yes / No

Container/Temp Blank temperature in compliance?

5/ No

Temperature(s) (°C):

16.4/16.4

Thermometer(s):

DA8

Sample(s) received on ice?

Yes / No

Matrix/Matrices:



Cooler(s)/Kit(s):

Date/Time sample(s) sent to storage:

4-15x25

Water – VOA vials have zero headspace?

Yes / No / No ~~Vials~~

Water – pH acceptable upon receipt?

Yes / No / N/A

pH strip lot #: < 2 > 12 Other

pH adjusted (note adjustments below)?

Yes / No / N/A

pH adjusted by:

Login Notes:

[illegible]

REPORT QUALIFIERS AND DEFINITIONS

*	Value exceeds Regulatory Limit (if MCL displayed)
a	Analyte is non-accredited
B	Analyte detected in the associated Method Blank above the Reporting Limit
E	Value above quantitation range
H	Analyzed outside of Holding Time
J	Analyte is present at an estimated concentration between the MDL and Report Limit
NC	Not Calculated
ND	Not Detected at the Reporting Limit
O	Sample amount is > 4 times amount spiked
P	Dual Column results percent difference > 40%
R	RPD above laboratory control limit
S	Spike Recovery outside laboratory control limits
U	Analyzed but not detected above the MDL
V	The Continuing Calibration Verification was outside of control criteria
X	Analyte was detected in the Method Blank between the MDL and Reporting Limit, sample results may exhibit background or reagent contamination at the observed level.

Holland Laboratory Certifications¹

Agency	Type	ID	Issued	Expires
Alabama	Drinking Water (Secondary)	42500	12/17/2024	12/31/2025
Colorado	UST		06/21/2024	06/30/2025
Connecticut	Drinking Water (Secondary)	PH-0155	12/10/2024	12/31/2026
Florida	NELAP (Primary)	E871106	07/01/2024	06/30/2025
Illinois	NELAP (Secondary)	200076	11/14/2024	12/31/2025
Indiana	Drinking Water (Secondary)	C-MI-08	12/31/2024	09/04/2026
Iowa	State Specific	403	09/18/2023	09/01/2025
Kansas	NELAP (Secondary)	E-10411	07/09/2024	07/31/2025
Kentucky	Waste Water	KY98004	12/20/2024	12/31/2025
Kentucky	UST	120474	06/24/2024	06/30/2025
Michigan	Drinking Water (Primary)	0022	12/19/2023	09/04/2026
Minnesota	NELAP (Secondary)	026-999-449	12/17/2024	12/31/2025
Missouri	Drinking Water (Secondary)	01262	11/14/2024	12/30/2027
New Jersey	NELAP (Secondary)	MI015	07/01/2024	6/30/2025
New York	NELAP (Secondary)	12128	04/01/2024	04/01/2025
North Dakota	State Specific	R-192	11/18/2024	06/30/2025
Ohio	Drinking Water (Secondary)	87783	06/25/2024	6/30/2025
Pennsylvania	NELAP (Secondary)	68-03827	06/14/2024	07/31/2025
Texas	NELAP (Secondary)	T104704494	02/12/2025	01/31/2026
USDA	Domestic CA	Soil-MI-007	02/06/2025	08/07/2026
USDA	Soil Import	525-23-62-77572	03/03/2023	03/03/2026
West Virginia	State Specific	355	02/04/2025	08/31/2025
Wisconsin	State Specific	399084510	08/15/2024	08/31/2025

¹ - Scope available upon request

ANALYST SUMMARY



Client: EMSL Analytical
Project: AD16803

Work Order: HN2504814

Sample Name: AD16803-01
Laboratory Code: HN2504814-001
Sample Matrix: SOIL/SOLID

Date Collected: 04/07/25
Date Received: 04/15/25

Analysis Method	Preparation Lot	Prepared By	Analysis Lot	Analyzed By
EPA 3550C	1952125		3060436	Jeffrey Blakeman
EPA 6020B	1956896	Elise Poll	3073778	Stephanie Pierson
EPA 6020B	1956896	Elise Poll	3072027	Stephanie Pierson

Sample Name: AD16803-02
Laboratory Code: HN2504814-002
Sample Matrix: SOIL/SOLID

Date Collected: 04/07/25
Date Received: 04/15/25

Analysis Method	Preparation Lot	Prepared By	Analysis Lot	Analyzed By
EPA 3550C	1952125		3060436	Jeffrey Blakeman
EPA 6020B	1956896	Elise Poll	3073778	Stephanie Pierson
EPA 6020B	1956896	Elise Poll	3072027	Stephanie Pierson

Sample Name: AD16803-03
Laboratory Code: HN2504814-003
Sample Matrix: SOIL/SOLID

Date Collected: 04/07/25
Date Received: 04/15/25

Analysis Method	Preparation Lot	Prepared By	Analysis Lot	Analyzed By
EPA 3550C	1952125		3060436	Jeffrey Blakeman
EPA 6020B	1956896	Elise Poll	3073778	Stephanie Pierson
EPA 6020B	1956896	Elise Poll	3072027	Stephanie Pierson

Analytical Report



Client: EMSL Analytical
Project: AD16803
Matrix: SOIL/SOLID

Work Order: HN2504814
Date Collected: 04/07/25 11:30
Date Received: 04/15/25 09:00

CLIENT ID: AD16803-01

Lab ID: HN2504814-001

Analyte	Method	Results	Qual	Units	MRL	Dilution Factor	Date Analyzed	Date Extracted
General Chemistry Parameters								
Percent Moisture	EPA 3550C	11.9		%	0.1	1	04/15/25 13:53	NA
Metals								
Arsenic	EPA 6020B	ND	U	mg/kg	3.12	10	04/22/25 00:21	04/18/25 09:59
Zinc	EPA 6020B	3990		mg/kg	62.5	100	04/22/25 13:58	04/18/25 09:59

Analytical Report



Client: EMSL Analytical
Project: AD16803
Matrix: SOIL/SOLID

Work Order: HN2504814
Date Collected: 04/07/25 12:30
Date Received: 04/15/25 09:00

CLIENT ID: AD16803-02	Lab ID: HN2504814-002
------------------------------	------------------------------

Analyte	Method	Results	Qual	Units	MRL	Dilution Factor	Date Analyzed	Date Extracted
General Chemistry Parameters								
Percent Moisture	EPA 3550C	8.5		%	0.1	1	04/15/25 13:53	NA
Metals								
Arsenic	EPA 6020B	ND	U	mg/kg	3.31	10	04/22/25 00:23	04/18/25 09:59
Zinc	EPA 6020B	4240		mg/kg	66.2	100	04/22/25 14:00	04/18/25 09:59

Analytical Report



Client: EMSL Analytical
Project: AD16803
Matrix: SOIL/SOLID

Work Order: HN2504814
Date Collected: 04/07/25 13:00
Date Received: 04/15/25 09:00

CLIENT ID: AD16803-03	Lab ID: HN2504814-003
------------------------------	------------------------------

Analyte	Method	Results	Qual	Units	MRL	Dilution Factor	Date Analyzed	Date Extracted
General Chemistry Parameters								
Percent Moisture	EPA 3550C	11.0		%	0.1	1	04/15/25 13:53	NA
Metals								
Arsenic	EPA 6020B	ND	U	mg/kg	3.35	10	04/22/25 00:24	04/18/25 09:59
Zinc	EPA 6020B	3160		mg/kg	67.0	100	04/22/25 14:01	04/18/25 09:59

QA/QC Report



Client: EMSL Analytical
Project: AD16803
Matrix: SOIL/SOLID
Batch: 1952125

Work Order: HN2504814
Date Collected: NA
Date Received: NA

General Chemistry Parameters

MB	CLIENT ID: Method Blank						Lab ID: QC-1952125-001			
----	-------------------------	--	--	--	--	--	------------------------	--	--	--

Method: EPA 3550C **Dilution:** 1 **Analysis Date:** 04/15/25 13:05
Prep Date: NA

Analyte	Result	Units	MRL	Spike Amount	Spike Ref. Amount	% Rec	% Rec Limits	RPD	RPD Limit	Qual
Percent Moisture	ND	%	0.1							U

LCS	CLIENT ID: Laboratory Control Sample						Lab ID: QC-1952125-002			
-----	--------------------------------------	--	--	--	--	--	------------------------	--	--	--

Method: EPA 3550C **Dilution:** 1 **Analysis Date:** 04/15/25 13:05
Prep Date: NA

Analyte	Result	Units	MRL	Spike Amount	Spike Ref. Amount	% Rec	% Rec Limits	RPD	RPD Limit	Qual
Percent Moisture	100	%	0.1	100		100	98-102			

DUP	CLIENT ID: Batch QC						Lab ID: QC-1952125-004			
-----	---------------------	--	--	--	--	--	------------------------	--	--	--

Method: EPA 3550C **Dilution:** 1 **Analysis Date:** 04/15/25 13:05
Prep Date: NA

Analyte	Result	Units	MRL	Spike Amount	Spike Ref. Amount	% Rec	% Rec Limits	RPD	RPD Limit	Qual
Percent Moisture	51.7	%	0.1		51.8			0.0580	10	

DUP	CLIENT ID: Batch QC						Lab ID: QC-1952125-015			
-----	---------------------	--	--	--	--	--	------------------------	--	--	--

Method: EPA 3550C **Dilution:** 1 **Analysis Date:** 04/15/25 13:54
Prep Date: NA

Analyte	Result	Units	MRL	Spike Amount	Spike Ref. Amount	% Rec	% Rec Limits	RPD	RPD Limit	Qual
Percent Moisture	25.8	%	0.1		25.6			0.779	10	

The following samples were analyzed in this batch:

QA/QC Report



Client: EMSL Analytical
Project: AD16803
Matrix: SOIL/SOLID
Batch: 1956896

Work Order: HN2504814
Date Collected: NA
Date Received: NA

Metals										
MB		CLIENT ID: Method Blank					Lab ID: QC-1956896-001			
Method: EPA 6020B		Dilution: 1		Analysis Date: 04/21/25 23:53						
		Prep Date: 04/18/25 10:00								
Analyte	Result	Units	MRL	Spike Amount	Spike Ref. Amount	% Rec	% Rec Limits	RPD	RPD Limit	Qual
Arsenic	ND	mg/kg	0.250							U
Zinc	ND	mg/kg	0.500							U
LCS		CLIENT ID: Laboratory Control Sample					Lab ID: QC-1956896-002			
Method: EPA 6020B		Dilution: 1		Analysis Date: 04/21/25 23:55						
		Prep Date: 04/18/25 10:00								
Analyte	Result	Units	MRL	Spike Amount	Spike Ref. Amount	% Rec	% Rec Limits	RPD	RPD Limit	Qual
Arsenic	4.94	mg/kg	0.250	5		98.9	80-120			
Zinc	5.23	mg/kg	0.500	5		105	80-120			
MS		CLIENT ID: Batch QC					Lab ID: QC-1956896-004			
Method: EPA 6020B		Dilution: 1		Analysis Date: 04/21/25 23:59						
		Prep Date: 04/18/25 10:00								
Analyte	Result	Units	MRL	Spike Amount	Spike Ref. Amount	% Rec	% Rec Limits	RPD	RPD Limit	Qual
Arsenic	6.26	mg/kg	0.341	5.359	1.58	93.6	75-125			
Zinc	507	mg/kg	0.682	5	557	NC	75-125			EO
MSD		CLIENT ID: Batch QC					Lab ID: QC-1956896-005			
Method: EPA 6020B		Dilution: 1		Analysis Date: 04/22/25 00:01						
		Prep Date: 04/18/25 10:00								
Analyte	Result	Units	MRL	Spike Amount	Spike Ref. Amount	% Rec	% Rec Limits	RPD	RPD Limit	Qual
Arsenic	5.99	mg/kg	0.336	5.2743	1.58	90.0	75-125	4.44	20	
Zinc	362	mg/kg	0.671	5	557	NC	75-125	33.4	20	EOR
The following samples were analyzed in this batch: HN2504814-001, HN2504814-002, HN2504814-003										



May 06, 2025

Travis Albert
EMSL Analytical
200 Route 130 North
Cinnaminson, NJ 08077

Re: **AD16803**

Work Order: **HN2504814**

Revision: **1**

Dear Travis,
Enclosed are the results of the sample(s) submitted to our laboratory.

The analytical data provided relates directly to the samples received by ALS Environmental - Holland and for only the analyses requested.

Sample results are compliant with industry accepted practices and Quality Control results achieved laboratory specifications. Any exceptions are noted in the Case Narrative, or noted with qualifiers in the report or QC batch information. Should this laboratory report need to be reproduced, it should be reproduced in full unless written approval has been obtained from ALS Environmental. Samples will be disposed in 30 days unless storage arrangements are made.

If you have any questions regarding this report, please feel free to contact me:
ADDRESS: 3352 128th Avenue, Holland, MI, USA PHONE: +1 (616) 399-6070 FAX: +1 (616) 399-6185

Chelsey Cook

/S/ DALE SCHIPPER on behalf of PM listed above

Project Manager



Client: EMSL Analytical
Project: AD16803

Work Order: HN2504814
Date Received: 15-Apr-2025

CASE NARRATIVE

All analyses were performed consistent with the quality assurance program of ALS Environmental. This report contains analytical results for samples for the Tier II level requested by the client.

Sample Receipt

3 soil/solid samples were received for analysis at ALS Environmental on 15-Apr-2025. Any discrepancies upon initial sample inspection are annotated on the sample receipt and preservation form included within this report. The samples were stored at minimum in accordance with the analytical method requirements.

Metals

EPA 6020B-3050B-S

Batch ID: 3073778

The RPD between the MS and MSD was outside of the control limit. The corresponding result should be considered estimated for this compound: K batch 1956896

The MS recovery was outside of the control limit; however, the result in the parent sample is greater than 4x the spike amount. No qualification is required for this analyte: Pb batch 1956896

The concentration in the Method Blank was greater than the quantitation limit. Positive results in the batch may be biased high for this analyte: Cu batch 1956896

The MSD recovery was above the upper control limit. The corresponding result in the parent sample may be biased high for this analyte: K batch 1956896

The MSD recovery was outside of the control limit; however, the result in the parent sample is greater than 4x the spike amount. No qualification is required for this analyte: Pb batch 1956896

The MS recovery was outside of the control limit. However, the MSD recovery and the RPD between the MS and MSD was in control. No qualification is required for this analyte: As, Pb batch 1956895

The matrix spike recoveries are unavailable due to dilution below the calibration range. K batch 1956896

Batch ID: 3072027

The concentration in the Method Blank was greater than the quantitation limit. Positive results in the batch may be biased high for this analyte: Cu batch 1956896

The MSD recovery was outside of the control limit; however, the result in the parent sample is greater than 4x the spike amount. No qualification is required for this analyte: Al Ba Ca Fe Pb Mg Mn Zn batch 1956896

The MS recovery was outside of the control limit; however, the result in the parent sample is greater than 4x the spike amount. No qualification is required for this analyte: Al Ba Ca Fe Pb Mg Mn Zn batch 1956896

HN2504814-001: Arsenic - The reporting limit is elevated due to dilution for high concentrations of non-target analytes. As

HN2504814-002: Arsenic - The reporting limit is elevated due to dilution for high concentrations of non-target analytes. As

HN2504814-003: Arsenic - The reporting limit is elevated due to dilution for high concentrations of non-target analytes. As

SAMPLE DETECTION SUMMARY

This form includes only detections above the reporting limits.

For a full listing of sample results, continue to the Sample Results section of this Report.



CLIENT ID: AD16803-01	Lab ID: HN2504814-001
-----------------------	-----------------------

Analyte	Results	Flag	MDL	MRL	Units	Method
Percent Moisture	11.9		0.1	0.1	%	EPA 3550C
Zinc	3990		61.3	62.5	mg/kg	EPA 6020B

CLIENT ID: AD16803-02	Lab ID: HN2504814-002
-----------------------	-----------------------

Analyte	Results	Flag	MDL	MRL	Units	Method
Percent Moisture	8.5		0.1	0.1	%	EPA 3550C
Zinc	4240		64.9	66.2	mg/kg	EPA 6020B

CLIENT ID: AD16803-03	Lab ID: HN2504814-003
-----------------------	-----------------------

Analyte	Results	Flag	MDL	MRL	Units	Method
Percent Moisture	11.0		0.1	0.1	%	EPA 3550C
Zinc	3160		65.6	67.0	mg/kg	EPA 6020B

SAMPLE SUMMARY



Client: EMSL Analytical
Project: AD16803
Workorder: HN2504814

Laboratory Sample ID	Client Sample ID	Sample Matrix	Collection Date	Date Received
HN2504814-001	AD16803-01	SOIL/SOLID	04/07/25 11:30	04/15/25 09:00
HN2504814-002	AD16803-02	SOIL/SOLID	04/07/25 12:30	04/15/25 09:00
HN2504814-003	AD16803-03	SOIL/SOLID	04/07/25 13:00	04/15/25 09:00

EMSL Analytical, Inc.
Environmental Chemistry Lab Service
200 Route 130 North, Cinnaminson, NJ 08077
TEL: (856) 858-4800 FAX: (856) 786-5974

Chain of Custody / Analysis Request Form
Print ALL Information. Incomplete chain of custody could result in the delay of analysis.

EMSL Project # AD16803
Account Rep: ENVI54
Indicate State where samples were collected:
MA

REPORT RESULTS TO:

Name: Travis Albert PO#:

Company
EMSL Analytical, Inc.

Address: 200 Route 130 North

City: Cinnaminson

SEND INVOICE TO:

Name: PO#:

Company
EMSL Analytical, Inc.

Address: 200 Route 130 North

City: Cinnaminson

Turnaround Time

DUE 4/25

Analytical Laboratory Services

3352 128th Ave
Holland MI 49424
616-403-6136

State: NJ Zip: 08077

Tel: 856-858-4800 ext. 2548 Fax: 856-854-2362

Email: sublab@emsl.com

State: NJ Zip: 08077

Tel: 856-858-4800 Fax: 856-854-2362

of Samples in Shipment: 3 (3 jars each)

PROJECT NAME:

Date of Sample Shipment: 4/14/25

Sampled by: (Signature) EMSL CLIENT

Matrix

Preservative

Sampling

List Method and Test Needed

	Lab Sample Number				Waste Water	SOIL	AIR	SLUDGE	OTHER	HCL	HNO3	H2SO4	OTHER	DATE	TIME		Metals by ICP (6020B)				
1.	AD16803-01												X	4/07/25	11:30a		X				
2.	AD16803-02												X	4/07/25	12:30		X				
3.	AD16803-03												X	4/07/25	1300		X				
4.																					

Released By
Signature

Date & Time
Released

Delivery Method

Received By
Signature

Date & Time Received

Condition Noted

Monnelly

4/14/25

FedEx

[Signature]

4-15-25 900

164 JRB

Please indicate reporting requirements: ☐ 1. Results Only ☒ 2. Results and QC ☐ 3. Reduced Deliverables ☐ 4. Disk Deliverable ☐ 5. Other

Comments: Analyze for As, Zn by 6020B

Environmental Division
Holland

Work Order Reference

HN2504814



Telephone : +1 616 399 6070



ALS Holland Sample Receiving Checklist

Received by: Date/Time: 4-15-25 Fedex 900Carrier Name:

Shipping container/cooler in good condition?

Yes / No / Not Present

Custody seals intact on shipping container/cooler?

Yes / No / Not Present

Custody seals intact on sample bottles?

Yes / No / Not Present

Chain of Custody present?

Yes / No

COC signed when relinquished and received?

Yes / No

COC agrees with sample labels?

Yes / No

Samples in proper container/bottle?

Yes / No

Sample containers intact?

Yes / No

Sufficient sample volume for indicated test?

Yes / No

All samples received within holding time?

Yes / No

Container/Temp Blank temperature in compliance?

Yes / NoTemperature(s) (°C): 16.4 / 16.4Thermometer(s): DA8

Sample(s) received on ice?

Yes / NoMatrix/Matrices: DA8Cooler(s)/Kit(s): Date/Time sample(s) sent to storage: 4-15-25

Water – VOA vials have zero headspace?

Yes / No / No Vials

Water – pH acceptable upon receipt?

Yes / No / N/ApH strip lot #: < 2 > 12 Other

pH adjusted (note adjustments below)?

Yes / No / N/ApH adjusted by:

Login Notes:

REPORT QUALIFIERS AND DEFINITIONS

*	Value exceeds Regulatory Limit (if MCL displayed)
a	Analyte is non-accredited
B	Analyte detected in the associated Method Blank above the Reporting Limit
E	Value above quantitation range
H	Analyzed outside of Holding Time
J	Analyte is present at an estimated concentration between the MDL and Report Limit
NC	Not Calculated
ND	Not Detected at the Reporting Limit
O	Sample amount is > 4 times amount spiked
P	Dual Column results percent difference > 40%
R	RPD above laboratory control limit
S	Spike Recovery outside laboratory control limits
U	Analyzed but not detected above the MDL
V	The Continuing Calibration Verification was outside of control criteria
X	Analyte was detected in the Method Blank between the MDL and Reporting Limit, sample results may exhibit background or reagent contamination at the observed level.

Holland Laboratory Certifications¹

Agency	Type	ID	Issued	Expires
Alabama	Drinking Water (Secondary)	42500	12/17/2024	12/31/2025
Colorado	UST		06/21/2024	06/30/2025
Connecticut	Drinking Water (Secondary)	PH-0155	12/10/2024	12/31/2026
Florida	NELAP (Primary)	E871106	07/01/2024	06/30/2025
Illinois	NELAP (Secondary)	200076	11/14/2024	12/31/2025
Indiana	Drinking Water (Secondary)	C-MI-08	12/31/2024	09/04/2026
Iowa	State Specific	403	09/18/2023	09/01/2025
Kansas	NELAP (Secondary)	E-10411	07/09/2024	07/31/2025
Kentucky	Waste Water	KY98004	12/20/2024	12/31/2025
Kentucky	UST	120474	06/24/2024	06/30/2025
Michigan	Drinking Water (Primary)	0022	12/19/2023	09/04/2026
Minnesota	NELAP (Secondary)	026-999-449	12/17/2024	12/31/2025
Missouri	Drinking Water (Secondary)	01262	11/14/2024	12/30/2027
New Jersey	NELAP (Secondary)	MI015	07/01/2024	6/30/2025
New York	NELAP (Secondary)	12128	04/01/2024	04/01/2025
North Dakota	State Specific	R-192	11/18/2024	06/30/2025
Ohio	Drinking Water (Secondary)	87783	06/25/2024	6/30/2025
Pennsylvania	NELAP (Secondary)	68-03827	06/14/2024	07/31/2025
Texas	NELAP (Secondary)	T104704494	02/12/2025	01/31/2026
USDA	Domestic CA	Soil-MI-007	02/06/2025	08/07/2026
USDA	Soil Import	525-23-62-77572	03/03/2023	03/03/2026
West Virginia	State Specific	355	02/04/2025	08/31/2025
Wisconsin	State Specific	399084510	08/15/2024	08/31/2025

¹ - Scope available upon request

ANALYST SUMMARY



Client: EMSL Analytical
Project: AD16803

Work Order: HN2504814

Sample Name: AD16803-01
Laboratory Code: HN2504814-001
Sample Matrix: SOIL/SOLID

Date Collected: 04/07/25
Date Received: 04/15/25

Analysis Method	Preparation Lot	Prepared By	Analysis Lot	Analyzed By
EPA 3550C	1952125		3060436	Jeffrey Blakeman
EPA 6020B	1956896	Elise Poll	3073778	Stephanie Pierson
EPA 6020B	1956896	Elise Poll	3072027	Stephanie Pierson

Sample Name: AD16803-02
Laboratory Code: HN2504814-002
Sample Matrix: SOIL/SOLID

Date Collected: 04/07/25
Date Received: 04/15/25

Analysis Method	Preparation Lot	Prepared By	Analysis Lot	Analyzed By
EPA 3550C	1952125		3060436	Jeffrey Blakeman
EPA 6020B	1956896	Elise Poll	3073778	Stephanie Pierson
EPA 6020B	1956896	Elise Poll	3072027	Stephanie Pierson

Sample Name: AD16803-03
Laboratory Code: HN2504814-003
Sample Matrix: SOIL/SOLID

Date Collected: 04/07/25
Date Received: 04/15/25

Analysis Method	Preparation Lot	Prepared By	Analysis Lot	Analyzed By
EPA 3550C	1952125		3060436	Jeffrey Blakeman
EPA 6020B	1956896	Elise Poll	3073778	Stephanie Pierson
EPA 6020B	1956896	Elise Poll	3072027	Stephanie Pierson

Analytical Report



Client: EMSL Analytical
Project: AD16803
Matrix: SOIL/SOLID

Work Order: HN2504814
Date Collected: 04/07/25 11:30
Date Received: 04/15/25 09:00

CLIENT ID: AD16803-01	Lab ID: HN2504814-001
------------------------------	------------------------------

Analyte	Method	Results	Qual	Units	MDL	MRL	Dilution Factor	Date Analyzed	Date Extracted
General Chemistry Parameters									
Percent Moisture	EPA 3550C	11.9		%	0.1	0.1	1	04/15/25 13:53	NA
Metals									
Arsenic	EPA 6020B	<0.375	U	mg/kg	0.375	3.12	10	04/22/25 00:21	04/18/25 09:59
Zinc	EPA 6020B	3990		mg/kg	61.3	62.5	100	04/22/25 13:58	04/18/25 09:59

Analytical Report



Client: EMSL Analytical
Project: AD16803
Matrix: SOIL/SOLID

Work Order: HN2504814
Date Collected: 04/07/25 12:30
Date Received: 04/15/25 09:00

CLIENT ID: AD16803-02	Lab ID: HN2504814-002
------------------------------	------------------------------

Analyte	Method	Results	Qual	Units	MDL	MRL	Dilution Factor	Date Analyzed	Date Extracted
General Chemistry Parameters									
Percent Moisture	EPA 3550C	8.5		%	0.1	0.1	1	04/15/25 13:53	NA
Metals									
Arsenic	EPA 6020B	<0.397	U	mg/kg	0.397	3.31	10	04/22/25 00:23	04/18/25 09:59
Zinc	EPA 6020B	4240		mg/kg	64.9	66.2	100	04/22/25 14:00	04/18/25 09:59

Analytical Report



Client: EMSL Analytical
Project: AD16803
Matrix: SOIL/SOLID

Work Order: HN2504814
Date Collected: 04/07/25 13:00
Date Received: 04/15/25 09:00

CLIENT ID: AD16803-03	Lab ID: HN2504814-003
------------------------------	------------------------------

Analyte	Method	Results	Qual	Units	MDL	MRL	Dilution Factor	Date Analyzed	Date Extracted
General Chemistry Parameters									
Percent Moisture	EPA 3550C	11.0		%	0.1	0.1	1	04/15/25 13:53	NA
Metals									
Arsenic	EPA 6020B	<0.402	U	mg/kg	0.402	3.35	10	04/22/25 00:24	04/18/25 09:59
Zinc	EPA 6020B	3160		mg/kg	65.6	67.0	100	04/22/25 14:01	04/18/25 09:59

QA/QC Report



Client: EMSL Analytical
Project: AD16803
Matrix: SOIL/SOLID
Batch: 1952125

Work Order: HN2504814
Date Collected: NA
Date Received: NA

General Chemistry Parameters

MB	CLIENT ID: Method Blank	Lab ID: QC-1952125-001
-----------	--------------------------------	-------------------------------

Method: EPA 3550C **Dilution:** 1 **Analysis Date:** 04/15/25 13:05
Prep Date: NA

Analyte	Result	Units	MDL	MRL	Spike Amount	Spike Ref. Amount	% Rec	% Rec Limits	RPD	RPD Limit	Qual
Percent Moisture	<0.1	%	0.1	0.1							U

LCS	CLIENT ID: Laboratory Control Sample	Lab ID: QC-1952125-002
------------	---	-------------------------------

Method: EPA 3550C **Dilution:** 1 **Analysis Date:** 04/15/25 13:05
Prep Date: NA

Analyte	Result	Units	MDL	MRL	Spike Amount	Spike Ref. Amount	% Rec	% Rec Limits	RPD	RPD Limit	Qual
Percent Moisture	100	%	0.1	0.1	100		100	98-102			

The following samples were analyzed in this batch: HN2504814-001, HN2504814-002, HN2504814-003

QA/QC Report



Client: EMSL Analytical
Project: AD16803
Matrix: SOIL/SOLID
Batch: 1956896

Work Order: HN2504814
Date Collected: NA
Date Received: NA

Metals

MB	CLIENT ID: Method Blank	Lab ID: QC-1956896-001
----	-------------------------	------------------------

Method: EPA 6020B **Dilution:** 1 **Analysis Date:** 04/21/25 23:53
Prep Date: 04/18/25 10:00

Analyte	Result	Units	MDL	MRL	Spike Amount	Spike Ref. Amount	% Rec	% Rec Limits	RPD	RPD Limit	Qual
Arsenic	<0.0300	mg/kg	0.0300	0.250							U
Zinc	<0.490	mg/kg	0.490	0.500							U

LCS	CLIENT ID: Laboratory Control Sample	Lab ID: QC-1956896-002
-----	--------------------------------------	------------------------

Method: EPA 6020B **Dilution:** 1 **Analysis Date:** 04/21/25 23:55
Prep Date: 04/18/25 10:00

Analyte	Result	Units	MDL	MRL	Spike Amount	Spike Ref. Amount	% Rec	% Rec Limits	RPD	RPD Limit	Qual
Arsenic	4.94	mg/kg	0.0300	0.250	5		98.9	80-120			
Zinc	5.23	mg/kg	0.490	0.500	5		105	80-120			

The following samples were analyzed in this batch: HN2504814-001, HN2504814-002, HN2504814-003

Appendix B

Sampling Equipment

Sampling Equipment

Analyte	Description	Calibration
Volatile Organic Compounds (VOCs)	Ion Science Tiger Photoionization Detector	Calibrated by Rental Company Verified Prior to Use
Surface Temperature & Relative Humidity	TSI Q-Trak Air Quality Monitor	Verified Prior to Use

Appendix C

Field Logs

Location Needham Crumb Rubber Date 4/7/2005 25

Project / Client 20081206, B51

Tech: C Julian

Tare: Crumb Rubber Sampling

Weather: 40's Rain / Hail

Time : Description

830 : C Julian arrives at FEO prep for Crumb Rubber Sampling.

0930: C Julian leaves for Needham Memorial Field.

1000 : C Julian meets Tara from town of Needham, Begins Sampling

1130 : C Julian completes Memorial Field. moves to Flanders / Brock Field.

1300: C Julian completes Sampling fields. Returns to FEO

1400: C Julian arrives at FEO, unloads equipment, composites samples.

Sample ID	Time	Location
1643250407-01	1130	Memorial Field
↓ -02	1230	Flanders Field
↓ -03	1300	Brock Field

CJ

Crumb Rubber Sampling Field Data

Client/Project Name: Needham Crumb Rubber		 FUSS & O'NEILL
Project Location: Needham, MA	PROJECT #: 20081266.B50	
Sample #: ¹⁶⁴³²⁵⁰⁴⁰⁷ 1643241002 - 01	Sample Location ID G-01, G-02, G-03, G-04, G-05, G-06 <i>[Handwritten signature]</i>	

Sample Location Description (include sketch map with location of sample)

Memoir park - See figure

Sample Data

Sample Data	Container	Quantity	Preservative
Date: 4/7/25 ^{4/7/25} Time: 1130 Sampler: CJ Weather: Ambient Temperature: ^{53°C} 119°F Relative Humidity: ^{43%} Barometric Pressure: — Sampling Device: Auger / Core Sampler / Shovel / Trowel / Other: <u>Shovel</u> Field decon: Yes / No <u>Dedicated</u> Type of Sample: Grab / Composite / Other: PID Reading (ppm): <u>0.1</u>	4oz amber	3	—

Description Data

Generic Sample Description: Crumb rubber

Comments:

Crumb Rubber Sampling Field Data

Client/Project Name: Needham Crumb Rubber		 FUSS & O'NEILL
Project Location: Needham, MA	PROJECT #: 20081266.B50	
1643250407 Sample#: 1643241002-02	Sample Location ID 6-7, 68, 69, 610, 611, 612	

Sample Location Description (include sketch map with location of sample)

Founder field - see figure

Sample Data

Date: ~~4/10/2008~~ 4/17/25 Time: 1230
 Sampler: CJ
 Weather: Ambient Temperature: 47.5
 Relative Humidity: 49.4
 Barometric Pressure: —
 Sampling Device: Auger / Core Sampler / Shovel / Trowel /
 Other: Ja
 Field decon: Yes / No / Dedicated
 Type of Sample: Grab / Composite
 Other: —
 PID Reading (ppm): 0.0

Container	Quantity	Preservative
4oz-Amber	3	—

Description Data

Generic Sample Description: Crumb rubber

Comments:

Crumb Rubber Sampling Field Data

Client/Project Name: Needham Crumb Rubber		 FUSS & O'NEILL
Project Location: Needham, MA	PROJECT #: 20081266.B50	
Sample #: <u>1643250407-03</u> <u>1643241002</u>	Sample Location ID <u>6-13, 6-14, 6-15, 6-16, 6-17, 6-18</u>	

Sample Location Description (include sketch map with location of sample)

Rock Field - See Map

Sample Data

Sample Data	Container	Quantity	Preservative
Date: <u>4/7/25</u> 10/02/2024 Time: <u>1300</u> Sampler: <u>CJ</u> Weather: Ambient Temperature: <u>49.3</u> <u>H4.1</u> Relative Humidity: <u>70%</u> Barometric Pressure: <u>—</u> Sampling Device: Auger / Core Sampler / Shovel / Trowel / Other <u>—</u> Field decon: Yes / No / <u>Dedicated</u> Type of Sample: Grab / Composite / Other <u>Sacs</u> PID Reading (ppm): <u>0.0</u>	4oz Amber	3	---

Description Data

Generic Sample Description: Crumb rubber

Comments:



MAP REFERENCE

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SOURCE: OFFICE OF GEOGRAPHIC AND ENVIRONMENTAL INFORMATION (MASSGIS), COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

MEMORIAL FIELD BOUNDARIES APPROXIMATE BASED ON SITE OBSERVATIONS

LEGEND

PARK BOUNDARY

SAMPLE LOCATIONS TO FORM COMPOSITE

SCALE
HORIZ. 1" = 100'
VERT.
GATUM
HORIZ.
VERT.
0 25 100
GRAPHIC SCALE



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NEEDHAM HEALTH DEPARTMENT

SITE PLAN
MEMORIAL PARK
92 ROSEMARY ROAD

NEEDHAM

MASSACHUSETTS

PROJ. No. 20081266 R10
DATE: JUNE 2020

FIGURE 1



MAP REFERENCE

THIS MAP WAS PREPARED FROM USGS ORTHOPHOTOGRAPHY. (c) 2013 MASSGIS.

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FIELD BOUNDARIES APPROXIMATE BASED ON SITE OBSERVATIONS

LEGEND



FOUNDERS FIELD BOUNDARY

BROCK FIELD BOUNDARY

SAMPLE LOCATIONS TO
FORM COMPOSITE

SCALE
HORIZ. 1" = 150'
VERT.
DATUM
HORIZ.
VERT.
0 75 150
GRAPHIC SCALE



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NEEDHAM HEALTH DEPARTMENT

SITE PLAN
DEFAZIO PARK
380 DEDHAM ROAD

NEEDHAM

MASSACHUSETTS

PROJ No: 20081296 B10
DATE: JUNE 2009

FIGURE 2



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☐ 1419 Richland Street, Columbia, SC 29201
☐ 78 Interstate Drive, West Springfield, MA 01089

108 Myrtle Street, #502, North Quincy, MA 02171
☐ 317 Iron Horse Way, Suite 204, Providence, RI 02908
☐ 80 Washington Street, Suite 301, Poughkeepsie, NY 12601

CHAIN-OF-CUSTODY RECORD

4559

Turnaround

☐ 1 Day* ☐ 3 Days* ☐ Other _____ (days)
☐ 2 Days* ☒ Standard (____ days) *Surcharge Applies

PROJECT NAME <i>Needham Crumb Rubber</i>		PROJECT LOCATION <i>Needham MA</i>		PROJECT NUMBER <i>20081266.B51</i>		LABORATORY <i>EMSL/ALS</i>	
REPORT TO: <i>Evan Kosewicz</i>				Analysis Request <i>Arsenic / Zinc (pretend 6000 B only use 6000 B if detection limit can be met)</i>			
INVOICE TO: <i>↓</i>							
P.O. No.: <i>20081266.B51</i>							
Sampler's Signature: <i>Chris J</i> Date: <i>4/7/2005</i>							
Source Codes: MW=Monitoring Well PW=Potable Water S=Soil W=Waste SW=Surface Water T=Treatment Facility B=Sediment A=Air X=Other <i>Crumb Rubber</i>				Containers			
Item No.	Transfer Check	Sample Number	Source Code	Date Sampled	Time Sampled	Comments	
1		1643250407 - 01	X	4/7/25	1130	X	
2		↓ - 02	X	↓	1230	X	
3		↓ - 03	X	↓	1300	X	

Transfer Number	Relinquished By	Accepted By	Date	Time	Reporting and Detection Limit Requirements: <i>please meet detection limits: Arsenic - 2.5 mg/kg Zinc 15,000 mg/kg</i>
1	<i>Chris J</i>				Additional Comments: <i>Send samples to ALS Lab, Holland, Michigan</i>
2					
3					
4					

Tara Gurge

Subject: FW: Needham Board of Health inquiry to MDPH re: safe levels of arsenic in crumb rubber associated with artificial turf

Massachusetts Dept. of Public Health reply, along with the website link for their Artificial Turf Fields Factsheet, <https://www.mass.gov/info-details/artificial-turf-fields>.

From: Blanchet, Meg (DPH)
Sent: Thursday, October 2, 2025 6:29 PM
To: tgurge@needhamma.gov
Cc: Smith, C.Mark (DEP) <c.mark.smith@mass.gov>; Seeley, Mara (DPH) <Mara.Seeley@mass.gov>
Subject: RE: Needham Board of Health inquiry re: safe levels of arsenic in crumb rubber associated with artificial turf - Please advise

Hi Tara,

It was nice speaking with you earlier this week regarding your email below.

As we discussed, for evaluations such as the one conducted by your consultant, environmental sampling data are typically compared to risk-based threshold values (e.g., soil standards) - a Relative Risk cannot be calculated based on these data. In this case, it appears that MassDEP's residential soil concentration values were used, which would be considered a protective approach since people spend less time using the fields than they would in a residential setting. Any specific questions about how MassDEP defines their soil standards should be directed to their Office of Research and Standards (ORS). I've copied Mark Smith, from MassDEP ORS on this email in case he can be of assistance.

As I mentioned, DPH has an [Artificial Turf Fields Factsheet](#) that provides common sense guidance for using these fields safely, with tips for reducing any potential exposures during and after use. It sounds like you have signage posted at your fields with some of the same messaging.

Best,
Meg

Meg Blanchet, M.S., REHS (she/her)
Director, Division of Environmental Toxicology, Hazard Assessment and Prevention (TOX)
Massachusetts Department of Public Health
Bureau of Climate and Environmental Health

Email: Meg.Blanchet@mass.gov
Phone: 617.624.5757

If you need immediate assistance for an emergency outside regular business hours, please call the Office of Preparedness and Emergency Management Duty Officer at 617 339-8351.

Our Vision: A climate-resilient future where everyone thrives and can live, learn, work, and play in a clean and green Massachusetts.



OFFERED BY Division of Environmental Toxicology, Hazard Assessment and Prevention |
Bureau of Climate and Environmental Health | Department of Public Health

Artificial Turf Fields

Learn about the components, potential health impacts, and safety tips for using artificial turf fields in both indoor and outdoor settings.

An artificial turf field (ATF) is a popular alternative to natural grass. While ATFs are most commonly used outdoors, they have also been installed in many indoor facilities. In recent years, people have raised health concerns about the safety of ATFs, especially regarding potential exposure to chemicals found in the components. This fact sheet informs people about the components of artificial turf fields and ways to use them more safely.

What are ATFs made of?

Artificial turf fields typically include three layers – padding and backing material at the bottom, infill in the center, and artificial grass blades on top. The grass blades are plastic. The infill layer typically contains crumb rubber from recycled car and truck tires. Infill is often composed exclusively of crumb rubber or a mixture of crumb rubber and sand. Less frequently, infill materials can be entirely plant-based. The sand helps to stabilize the field, while the crumb rubber cushions the surface and keeps the grass blades upright.

What chemicals are in ATFs?

Tire manufacturing utilizes many natural and artificial substances, some of which are present in crumb rubber infill. These include volatile organic compounds

(VOCs), semi-VOCs (SVOCs) such as polycyclic aromatic hydrocarbons (PAHs), and metals such as lead. Per- and polyfluoroalkyl substances (PFAS) have been found in some ATF components.

Can I be exposed to chemicals while using ATFs?

There are several ways to be exposed to the chemicals in crumb rubber:

- Breathing in volatile chemicals or dust particles generated from the crumb rubber.
- Swallowing small amounts of crumb rubber while playing on the fields or after playing from unwashed hands.
- Skin contacts with crumb rubber.

A 2019 study by the U.S. Environmental Protection Agency (EPA), the Centers for Disease Control and Prevention (CDC), and the Consumer Product Safety Commission estimates that exposure to chemicals in crumb rubber is likely to be low. For metals like lead, the study found that only a tiny fraction of the metals in crumb rubber would be absorbed if accidentally swallowed. Exposure to VOCs and SVOCs is limited because only small amounts are released into the air, which field users might breathe in. However, concentrations may be higher in air at indoor ATFs than outdoor ATFs. To date, no studies have evaluated PFAS exposure among ATF users.

Follow the tips provided in this factsheet for safer use of ATFs, and to minimize potential exposure to chemicals that may be present in ATFs.

Can exposure to chemicals in ATFs affect my health?

To date, scientific research mostly concludes that adverse health effects from exposure to chemicals while using ATFs are unlikely. It is important to note that no studies have specifically evaluated whether there is a relationship between disease outcomes and exposure to crumb rubber in ATFs.

A 2024 biomonitoring study by the U.S. EPA, CDC, and Consumer Product Safety Commission measured levels of chemicals in blood and urine samples from study participants using ATFs and natural grass fields. Blood levels of metals after using ATFs were similar to those in the general population, and urine levels of PAH metabolites did not differ among participants using natural grass fields or ATFs.

At sufficiently high exposures, such as in manufacturing settings, the chemicals found in crumb rubber can cause irritation of the eyes, nose, throat, and skin, as well as headaches, nausea, and even organ damage. Some PAHs may also increase the risk of developing cancer if individuals are exposed to very high concentrations over long periods of time.

Many factors determine whether exposure to chemicals through ATF usage can affect health. Factors include exposure amount, frequency, duration, chemical absorption, and individual sensitivity; for example, children are generally more sensitive than adults.

Can using ATFs on hot days increase my risk for heat-related injury and illness?

Outdoor ATFs can reach higher surface temperatures than natural grass fields on hot days, regardless of the type of ATF infill used. Higher surface temperatures can lead to heat-related injuries, such as burns, blisters, and heat stress.

ATF users should limit use on particularly hot days and take water breaks every 20 minutes. People should monitor ATF surface temperatures using an infrared thermometer and use natural grass field alternatives if ATF surface temperatures exceed 120°F.

Can I be exposed to lead when playing on ATFs?

Lead has been detected in the crumb rubber of some ATFs. In the 2019 federal study, researchers tested crumb rubber from nine tire recycling facilities and 40 ATFs nationwide. While lead was consistently detected, the researchers determined that if a person accidentally swallowed crumb rubber, only a small amount of lead would be available in the swallowed material for the body to absorb.¹

Because the study only evaluated tire crumb rubber, lead may be present in and released from other components (e.g., grass blades) of ATFs. The construction of some ATFs includes certified components with low or no lead content. Using ATFs with this certification can help minimize exposure to lead.

While everyone is exposed to small amounts of lead in their daily life, young children, infants, and pregnant people are most vulnerable to the effects of lead exposure.

Follow the tips provided in this factsheet for safer use of ATFs, and to minimize potential exposure to chemicals that may be present in ATFs.

Can using ATFs increase my risk for bacterial infections?

Some studies have measured the levels of bacteria on surfaces of different types of athletic fields. Very limited research has found fewer bacteria in ATFs than in soil. The 2019 federal study reported that indoor ATFs have fewer bacteria than outdoor ATFs. However, many factors (e.g., presence of bacteria, moisture, and temperature) influence the risk of bacterial infections following the use of any athletic surface. The frequency and severity of skin abrasions can also affect the risk of infection.^{1 5} California's Environmental Protection Agency reported that athletes experience more frequent turf burns (i.e., skin abrasions) on ATFs than on

natural fields. Overall, practicing good hygiene is the best way to prevent getting and spreading infections. Washing skin abrasions with soap and water can decrease the risk of bacterial infections.

Does DPH support the use of ATFs?

DPH does not endorse any consumer product, including ATFs. The purpose of this fact sheet is to summarize currently available information and offer suggestions for ways to minimize possible exposure to potentially harmful chemicals during the use of ATFs.

Are there tips for safer use of ATFs?

Here are some steps to minimize potential exposure to potentially harmful chemicals in ATFs:

While playing on ATF:

- Always wear shoes.
- Do not swallow any crumb rubber that accidentally enters the mouth. Monitor young children to prevent swallowing.
- If playing indoors, take steps to increase ventilation if possible (e.g., open windows/doors, turn on fans).
- Be aware that crumb rubber absorbs heat, which can increase the surface temperature of ATF and lead to heat-related illness.
- Minimize passive recreation (e.g., laying, sitting).

After playing on ATF:

- Wash hands after use and before eating (especially young children).

- Clean all clothing and equipment used on ATF.
- Take off shoes before entering the house to prevent tracking in any crumb rubber.
- Clean all turf burns with soap and water.

Who can I contact to learn more?

Specialists at the Massachusetts Department of Public Health, Bureau of Climate and Environmental Health, are available to answer your questions.

Contact us at 617-624-5757 (TTY: 617-624-5286) or visit us at: [Bureau of Climate and Environmental Health | Mass.gov \(/orgs/bureau-of-climate-and-environmental-health\)](https://www.mass.gov/orgs/bureau-of-climate-and-environmental-health)

Additional Resources

[Frequently Asked Questions Artificial Turf Fields](https://www.mass.gov/doc/frequently-asked-questions-artificial-turf-fields-0/download)

(<https://www.mass.gov/doc/frequently-asked-questions-artificial-turf-fields-0/download>)

(English, PDF 462.22 KB)

[Frequently Asked Questions Artificial Turf Fields](https://www.mass.gov/doc/frequently-asked-questions-artificial-turf-fields/download)

(<https://www.mass.gov/doc/frequently-asked-questions-artificial-turf-fields/download>)

(English, DOCX 1.06 MB)

Contact

Division of Environmental Toxicology, Hazard Assessment and Prevention (TOX)

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Directions

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Board of Health

AGENDA FACT SHEET

October 17, 2025

Agenda Item	BOH Regulations – Modernization plus Racial & Health Equity Assessments
Presenter(s)	Timothy Muir McDonald, Director of Health & Human Services

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Mr. McDonald will brief the Board of Health on a years-long project, aligned with the Board's strategic priorities and goals, to update and modernize the Board's existing regulations and to assess those regulations using the HHS Racial & Health Equity policy framework. During FY2025, the Public Health Division staff worked with the talented consultants from BME Strategies to research and develop revision recommendations for the following regulations: <u>Modernization</u> • Article 2: Disposal of Refuse • Article 3: Public Nuisance • Article 4: Keeping of Domestic Animals • Article 6: Offensive Traders, Occupations, and Practices • Article 7: Body Art • Article 18: Regulation for Excavation and Trench Safety AND Trench Additional Information <u>Racial & Health Equity</u> • Article 3: Public Nuisance • Article 6: Offensive Traders, Occupations, and Practices • Article 7: Body Art	

Detailed memos summarizing the process for the Modernization work and the Racial & Health Equity work are included in this packet.

Over the next six months, the Public Health Division wishes to engage the Board of Health to review and, if approved, enact changes to the above regulations according to the following schedule:

- September 2025 – Project Overview for Board of Health
- October 2025 – Detailed review of FY25 process
- November 2025 – Noticed Public Hearing on initial set of three BOH regulations
- December 2025 – Continued hearings and BOH Votes
- January 2026 – Noticed Public Hearing on second set of three BOH regulations
- February 2026 – Continued hearings and BOH Votes

2.	VOTE REQUIRED BY BOARD OF HEALTH (with Suggested Motion)
-----------	--

None expected.

3.	BACK UP INFORMATION:
-----------	-----------------------------

- Memo: Review of Six Needham Board of Health Regulations
- Memo: Racial and Health Equity Assessment of Three Needham Board of Health Regulations
- Needham Health & Human Services – Racial & Health Equity Policy
- Needham Public Health Division Strategic Plan – February 9, 2024



Needham Public Health Division

Prevent. Promote. Protect.

MEMO:

REVIEW OF SIX NEEDHAM BOARD OF HEALTH REGULATIONS



BME STRATEGIES

JUNE 2025

MEMO

OVERVIEW: BOARD OF HEALTH REGULATION REVIEW

The Needham Public Health Division (Needham) partnered with BME Strategies (BME) to conduct a racial and health equity assessment of six existing Board of Health (BOH) regulations. Working collaboratively, Needham and BME focused on updating outdated procedures and concepts, as well as aligning with federal and state laws and regulations that have been modified or rescinded since the BOH regulations were last enacted. The aim of this assessment process is to establish a review protocol, increasing Needham's internal capacity for future reviews of BOH regulations.

This regulation review process has been broken up into two phases:

- **Phase 1: Initial Review of BOH Regulations.**
 - Objectives of Phase 1:
 - Select and identify changes to be made to six regulations, focusing on outdated procedures and concepts.
 - Increase Needham's internal capacity for future regulation reviews.
- **Phase 2: Racial and Health Equity Assessment.**
 - Objectives of Phase 2
 - Select, review, and identify changes to be made to three regulations through a racial and health equity lens.
 - Increase Needham's internal capacity for future regulation equity analyses.

This project's timeline and components are outlined in a comprehensive timeline spreadsheet, which can be found in Appendix A (pages 17 and 18 of this memo). The timeline was updated regularly as deadlines were adjusted and priorities shifted.

PROCESS: INITIAL REVIEW OF BOH REGULATIONS

This section details the process implemented during the Initial Review of BOH Regulations, intended to guide Needham staff in conducting future reviews of additional BOH regulations.

Regulation Selection

For Phase 1, BME and Needham selected, reviewed, and developed revision recommendations for the following six BOH regulations:

- Article 2: Disposal of Refuse
- Article 3: Public Nuisance
- Article 4: Keeping of Domestic Animals
- Article 6: Offensive Trades, Occupations and Practices
- Article 7: Body Art
- Article 18: Regulation for Excavation and Trench Safety & Trench and Additional Information

Framework Development and Individual Review

The initial review of six regulations was guided by a Framework that was jointly developed by Needham and BME. The Framework contains specific criteria that considers formatting and provisions that may need to be updated, as well as out-of-date terminology and state laws and regulations. This Framework can be found in Appendix B (page 19 of this memo). BME conducted a review of all six regulations and developed initial recommendations, which were then shared with Needham for feedback and additional input.

Workshop Preparation and Structure

BME synthesized all feedback and recommendations in preparation for a workshop to discuss potential revisions. Needham and BME met in person on March 3rd, 2025 for a three-hour long workshop where they discussed potential amendments to the regulations. The workshop was structured in such a way where regulations that would likely require the most amount of time for discussion were addressed first. Items that reflected consensus—based on feedback from Needham and BME’s individual reviews—were presented to the group first, followed by items requiring further discussion. Notes from the discussion were added to a Canva board as the team moved through the Framework questions.

Compare and Contrast Survey and Meeting

Several regulations required additional analysis through comparison with similar regulations from other municipalities. For example, Needham chose to incorporate language from Mashpee’s Nuisance Regulation into their Public Nuisance Regulation. BME conducted a compare and contrast analysis of the six regulations against language and definitions used in other municipalities’ regulations. BME’s findings and recommendations were consolidated into a Google Form, which Needham team members used to provide feedback on proposed changes. On March 28th, BME and Needham met virtually to review the survey results and determine which changes to adopt. The agreed-upon updates from that meeting were added to the *Regulation Review Findings* section of this memo.

Initial Regulation Review Memo Development

Following the workshop and compare and contrast meeting, BME consolidated and synthesized all feedback from the pre-workshop, in-person, and virtual discussions. All revisions that were agreed upon by both BME and Needham are outlined in the next section, *Regulation Review Findings*. There are some items that, even after some deliberation, require further discussion before a revision is made to a regulation. These items are identified through orange text and will be saved for a future fiscal year.

REGULATION REVIEW FINDINGS

Article 2: Disposal of Refuse

Revisions to be adopted:

- Update the Definition section.

Table 1. Article 2 Language Revisions Agreed Upon by Needham.

Page numbers in parentheses indicate the location of the original language within the regulation.

Original Language	Updated Language	Rationale
<i>These regulations do not address the installation or management of dumpsters. These regulations also do not address the operation of the Needham RTS or food waste management operations. (p. 1, Section 2.1)</i>	<i>These regulations do not address the installation or management of dumpsters. These matters are addressed in Article 8: Regulation Requiring the Permitting, Maintenance, and Cleanliness of Dumpsters in Needham. These regulations also do not address the operation of the Needham RTS or food waste management operations.</i>	Direct readers to Needham's recently updated dumpster regulation.
<i>In order to protect the environment, promote recycling and comply with Massachusetts Waste Ban regulations (310CMR 19.017)... (p. 3, Section 2.4.1)</i>	<i>In order to protect the environment, promote recycling in line with Minimum Recycling Requirements (310 CMR 19.083), and comply with Massachusetts Waste Ban regulations (310 CMR 19.017)...</i>	Cite relevant CMR (310 CMR 19.083) in updated language.
<i>There shall be a fee as per Article 17 of the Board of Health Regulations, Permit and License Fees, for each vehicle used in such service. (p. 3, Section 2.5.2)</i>	<i>The applicant shall submit an annual non-refundable Waste Hauler Permit application. There shall be a fee according to the current Board of Health fee schedule found on the Needham Public Health Division website.</i>	It is not clear where the original language is pointing applicants to. The updated language makes it more clear where applicants can find the fee schedule.
<i>Private Hauler Permits (p. 3, Section 2.5)</i>	<i>Waste Hauler Permits</i>	<i>Private Hauler Permits</i> is referred to as <i>Waste Hauler Permits</i> on the Needham's permit website .
<i>Massachusetts Department of Environmental Protection's Solid Waste Management Facility Regulations--310 CMR 19.000 (p. 6, Section 2.13.1)</i>	<i>The Massachusetts Department of Environmental Protection's Solid Waste Facility Management Regulation (310 CMR 19.028)</i>	Specify the section that is being referred to in 310 CMR 19.000 , to make it easier for people to locate it.
<i>(a) First offense: Warning (b) Second offense: \$200 fine (c) Third offense: \$500 fine (d) Subsequent offenses: Revocation of permit (p. 5, Section 2.10)</i>	<i>First offense: \$50 fine Second offense: \$100 fine Third offense: \$200 fine Fourth and subsequent offenses: \$300 fine</i>	<i>Adopt the fine schedule listed in Needham's General By-Laws (p. 66, Section 8.2.2.7) for consistency in fine schedules across regulations and alignment with the Board of Health Regulations.</i>

Renewal applications will be due by March 20th. The Town will have 30 days to consider the application. Permits will be valid for 12 months and will expire on March 31st of the year unless the Private Hauler submits their permit renewal application and is approved. (p. 3, Section 2.5.3)

Refer to the Town of Needham's Permits/Licenses website page for the renewal application schedule. The Town will have 30 days to consider the application. Permits will be valid for 12 months unless the Waste Hauler submits their permit renewal application and is approved.

Renewal applications for Private Waste Haulers are no longer due by March 20th. If the dates change before the next time the regulation is updated, directing readers to the website will ensure that they have the most up-to-date information.

Private Hauler is now referred to as Waste Hauler on the [Needham permit website](#).

Requires further discussion. This question received mixed responses in the post-equity workshop survey. Two out of three respondents felt that the proposed updated language should be adopted, while one respondent suggested that we take into account the following information:

Needham has typically aligned permit renewals with the RTS permit renewals for waste hauler trucks. This is also what is stated on the online waste hauler permit: Permit Information: A separate RTS sticker is required for each vehicle that will enter the RTS. Stickers can be purchased at the Treasurer's Office, located in the Needham Town Hall, at 1471 Highland Avenue. To purchase your RTS sticker, you must present your valid Permit issued by the Needham Public Health Division (NPHD). NPHD reserves the right to inspect any permitted trucks at any time.

Leaf and Yard Waste: shall mean deciduous and coniferous seasonal deposition (e.g., leaves), grass clippings, weeds, bush trimmings, garden materials and brush, branches, and tree limbs **(size?)** and any other compostable materials that are allowed to be delivered to the Needham RTS. (p. 2, Section 2.3)

Leaf and Yard Waste: shall mean deciduous and coniferous seasonal deposition (e.g., leaves), grass clippings, weeds, bush trimmings, garden materials and brush, branches, logs and tree limbs **(up to 12" in diameter)** and any other compostable materials that are allowed to be delivered to the Needham RTS. **RTS does not accept tree stumps.**

Tree limb size needs to be specified. Updated language was recommended by Matt DeMarrais, Superintendent of Needham's Recycling & Solid Waste Division.

No existing section on noise regulations.

Except in an emergency, collection of solid waste and recyclables, which causes noise that extends beyond the property line, shall be limited to the hours of 7AM to 8PM unless authorized by rules or regulations adopted by the Select Board. The penalty for violation of this regulation shall be as follows:

First offense: \$50 fine
Second offense: \$100 fine
Third offense: \$200 fine
Fourth and subsequent offenses: \$300 fine

Establish a noise regulation, adopting language from [Needham's General By-Laws](#) noise regulation (p. 38, Section 3.8) and Board of Health Regulation fine schedule (p. 66, Section 8.2.2.7).

Enforcement of this regulation shall be by administrative hearing before Board of Health or if needed by criminal complaint in the district court and/or non-criminal disposition ticket per M.G.L. Chapter 40, §21D. Agents of the Board of Health or its designee shall have the power to enforce the provisions of this regulation. (p. 5, Section 2.9)

Enforcement of this regulation shall be by administrative hearing before **Public Health Division staff** and in front of the Board of Health, **if necessary**, or if needed by criminal complaint in the district court and/or non-criminal disposition ticket per **MGL Chapter 40, Section 21D**. Agents of the Board of Health or its designee, **the Police Department, and the DPW** shall have the power to enforce the provisions of this regulation.

Adopt language from Needham's recently updated [Dumpster regulation](#) for consistency across regulations.

Article 3: Public Nuisance

Revisions to be adopted:

- Selected as one of three regulations to review in a Racial and Health Equity Assessment.
 - Is the current fine schedule best practice?
 - Nuisance complaint log data may reveal interesting trends.
- Add a Definition section.

Table 2. Article 3 Language Revisions Agreed Upon by Needham.

Page numbers in parentheses indicate the location of the original language within the regulation.

Original Language	Updated Language	Rationale
<i>Board of Selectmen</i> (p. 2)	<i>Select Board</i>	<i>Original language is outdated.</i>
No language about hearing procedures.	<i>The owner to whom an order is served under this regulation shall have the right to request a hearing before the Director of Health and Human Services (DHHS) and/or their designee(s) within seven (7) days after the order was served, in the form of a written petition. Upon receipt of a petition the DHHS and/or their designee(s) shall set a time and place for a hearing and shall inform the owner thereof in writing. The hearing shall be commenced not later than thirty (30) days after the day on which the order was served. At the hearing, the owner shall be given the opportunity to be heard and to show why the order should be modified or withdrawn. After the hearing, the DHHS and/or their designee(s) shall sustain, modify or withdraw the order and shall inform the owner in writing of its decision. If the Director and/or their designee(s) sustains or modifies the order, it shall be carried out within the timeframe allotted in the original order or in the modification.</i>	Language adopted from <u>Needham's General By-Laws</u> (p. 39, Section 3.9.6) and <u>Mashpee's Nuisance Regulation</u> (pp. 2-3, Section VI). Mashpee offers specifics related to hearing procedures, while including language from the Town By-Laws maintains consistency within Needham.
Title on page 1: <i>Regulation for the Control of Public Health Nuisance</i>	<i>Regulation for the Control of Public Health Nuisance</i>	There is a section in <u>Needham's General By-Laws</u> regulating public nuisances in general, and the updated title specifies public <i>health</i> nuisances.
PDF title: <i>Public Nuisance</i>	<i>Public Health Nuisance</i>	There is a section in <u>Needham's General By-Laws</u> regulating public nuisances in general, and the updated title specifies public <i>health</i> nuisances.

<i>commonwealth</i> (two mentions on p. 1)	Commonwealth	Commonwealth should be capitalized.
<i>MGL Chapter 111, Section 31</i> (p. 1, Section 3.1)	<i>MGL Chapter 111, Sections 31, 122, 123, 124, 125, and 127B</i>	Additional sections are adopted from <u>Mashpee's Nuisance Regulation</u> . Citing additional sections ensures that the regulation is all-encompassing of authorizing MGLs.
No existing section on severability.	<u>SEVERABILITY</u> <i>In the event any section of this regulation is judged invalid in a court of law, such section shall be severed from the remaining sections, which shall remain in full force and effect.</i>	<i>Updated language adopted from <u>Mashpee's Nuisance regulation</u>.</i>
<i>The Board of Health shall order the owner or occupant of any private premises...</i> (p. 1, Section 3.2)	<i>The Director of Health and Human Services (DHHS) and/or their designee(s) shall order the owner or occupant of any private premises...</i>	Specify that the director and their designees are responsible for enforcement of this regulation.
No existing definition for <i>Nuisance</i> .	<i>Nuisance: shall mean source of filth or causes of sickness or distress within a town, which may be injurious to the health, safety, and wellbeing of the public and the environment. Nuisance includes, but is not limited to, the following acts or conditions which may be injurious to the health, safety and well-being of the public: air, noise, sewage, refuse, housing and human habitation, potential for spread of disease from rodents, insects, livestock and from any previous mentioned and unmentioned causes, hazardous materials and hazardous waste.</i>	Adopt definition from <u>Mashpee's Nuisance Regulation</u> .
No existing definition for <i>Owner</i> .	<i>Owner: shall mean any person who alone or severally with others has legal title to a parcel of land with or without buildings, structures, or occupants. This definition shall include any mortgagee in possession, or agent, trustee, or person appointed by a court.</i>	Adopt definition from <u>Mashpee's Nuisance Regulation</u> .
No existing definition for <i>Occupant</i> .	<i>Occupant: shall mean a person who resides on premise, other than as a guest.</i>	Adopt definition from <u>105 CMR 410.000</u> (housing code).
<i>The Board of Health shall order the owner or occupant of any private premises, at his own expense, to remove any nuisance, source of filth or cause of sickness found thereon within twenty four hours, or within such other time as it considers reasonable after notice and such owner or occupant shall...</i>	<i>The Director of Health and Human Services and/or their designee(s) shall order the owner or occupant of any private premises, at their own expense, to remove any nuisance, source of filth or cause of sickness found thereon or the owner or occupant shall be subject to a fine according to the following...</i>	Adopt the fine schedule listed in <u>Needham's General By-Laws</u> (p. 66, Section 8.2.2.7) for consistency in fine schedules across regulations and alignment with the Board of Health Regulations. Update fine scale for Fourth and subsequent offenses to be flexible,

(continued) be subject to a fine up to \$1,000 for each offense. Each day the violation continues shall be a separate offense. (p. 1, Section 3.2)	(continued) schedule: First offense: \$50 fine Second offense: \$100 fine Third offense: \$200 fine Fourth and subsequent offenses: \$300 fine, up to \$1,000 In cases of emergency, it is up to the DHHS and/or designees to determine if the time frame for removal of the nuisance should be shorter.	(continued) as it's up to the discretion of the health agent depending on the severity of the violation. Specify that the director and their designees are responsible for enforcement of this regulation.
Such order shall be in writing and be served personally to the owner, occupant or his authorized agent by any person authorized to serve civil process; or a copy of the order may be left at the last and usual place of abode of the owner, occupant or agent by registered mail, return receipt requested, if he is known and within the commonwealth. If the order is directed against the owner and if the residence and whereabouts of the owner or his agent are unknown or outside the commonwealth, the board may direct the order to be served by posting a copy thereof in a conspicuous place on the premises and by advertising it for at least three days out of five consecutive days in one or more newspapers of general circulation within the municipality wherein the building is situated. (p. 1, Section 3.2)	Such order shall be in writing and be served personally to the owner, occupant, or their authorized agent by any person authorized to serve civil process; or a copy of the order may be left at the last and usual place of abode of the owner, occupant or agent by registered mail, return receipt requested, if he is known and within the commonwealth. The written order shall identify the name of the owner, occupant, or their authorized agent, the property, the existence of a nuisance and order for abatement, and removal within a specified time period. If the order is directed against the owner and if the residence and whereabouts of the owner of his agent are unknown or outside the Commonwealth, the Board may direct the order to be served by posting a copy thereof in a conspicuous place on the premises and by advertising it for at least three days out of five consecutive days in one or more newspapers of general circulation within the municipality wherein the building is situated.	Adopt language from <u>Mashpee's Nuisance Regulation</u> , specifying what should be contained in a nuisance order, the timeframe in which it should be corrected, and where the nuisance exists.

Article 4: Keeping of Domestic Animals

Revisions to be adopted:

- Update the Definition section.

Table 3. Article 4 language revisions agreed upon by Needham.

Page numbers in parentheses indicate the location of the original language within the regulation.

Original Language	Updated Language	Rationale
Public Health Department	Public Health Division	Original language is outdated. There are 25 instances of Public Health Department throughout the regulation.

30 (p. 5, Section 4.5.7)	Maintain the following format for numbers throughout the regulation: e.g., <i>thirty</i> (30)	Numbers in the original language are formatted inconsistently.
his/her (p. 2, Section 4.3)	<i>Their</i>	Original language is outdated.
Director of Public Health (p. 2, Section 4.3)	Director of Health and Human Services	Original position title is outdated.
Keeping of Animals Permit (p. 2, Section 4.3)	Animal Permit	Original language is outdated according to Needham's Animal Permit application .
Columbidea (p. 3, Section 4.3)	Columbidea	Original language is spelled incorrectly.
The Facility shall be located no less than : a. 100 Feet from a Wetland as defined by M.G.L. c. 131, section 40, b. 30 Feet from a side lot line, rear lot line or a public way, c. 50 Feet from any abutting dwelling, d. 100 Feet from any well, public or private, used as drinking water supply, and e. The Facility must comply with all applicable zoning requirements (p. 4, Section 4.4.1)	4.4.1 The Facility shall: a. be located no less than 100 Feet from a Wetland as defined by MGL Chapter 131, Section 40, b. be located no less than 30 Feet from a side lot line, rear lot line or a public way, c. be located no less than 50 Feet from any abutting dwelling, d. be located no less than 100 Feet from any well, public or private, used as drinking water supply, and e. comply with all applicable zoning requirements.	Option e in the original language does not align with the language used in the first sentence of the section.
EEE (p. 4, Section 4.5.1)	Eastern Equine Encephalitis (EEE)	The acronym "EEE" is not defined.
he/she (p. 5, Section 4.5.9)	<i>they</i>	Original language is outdated.
Department of Environmental Management (p. 7, Section 4.7.4)	Massachusetts Department of Environmental Protection	Original department name is outdated.
Section 4.10 (pp. 7–8)	Add the following sub-section to Section 4.10: 4.10.4 In the event of highly pathogenic avian influenza, information about disposal and reporting will be available from the Massachusetts Department of Agricultural Resources (MDAR).	Avian influenza is always a threat in domestic poultry populations. Adding a sub-section directs readers to the appropriate guidance.
Section 4.10 (pp. 7–8)	Add the following sub-section to Section 4.10: 4.10.5 In accordance with MGL Chapter 129, Section 26B, hatching eggs, baby chicks, or live poultry cannot be bought, sold, transported, or imported into the Commonwealth unless they come from flocks that meet state disease-free standards, except poultry intended for immediate slaughter or exhibition.	Adding this section establishes the required standards for where flocks are sourced from, per MGL Chapter 129, Section 26B .

MSPCA (p. 8, Section 4.13.1)	MSPCA– Angell	MSPCA is an outdated name for the nonprofit.
4.13.2 All animals shall be immunized against rabies, when appropriate for that species, with proof supplied annually prior to the issuance or renewal of a permit. No permit will be issued without proof of immunization. All animals shall additionally meet any State-mandated immunization requirement(s). (p. 8, Section 4.13.2)	4.13.2 All animals shall be immunized against rabies, when appropriate for that species, with proof supplied annually prior to the issuance or renewal of a permit. For a current list of which animals shall be vaccinated, see 330 CMR 10.00. No permit will be issued without proof of immunization. All animals shall additionally meet any State-mandated immunization requirement(s).	Direct readers to an external source for the most up-to-date requirements for rabies vaccines, rather than listing them in the regulation, as this information may change before the next time this regulation is updated. Only dogs, cats, and ferrets are required to be vaccinated according to: 330 CMR
It is recommended that horses be immunized for Eastern Equine Encephalitis, tetanus, strangles , West Nile Virus, influenza, and Rhino . It is also recommended that a Coggins Test be conducted as circumstances dictate. (p. 8, Section 4.13.3)	4.13.3 It is recommended by the American Association of Equine Practitioners (AAEP) that horses be immunized for Eastern Equine Encephalitis (EEE) , tetanus, West Nile Virus (WNV), and rabies . It is also recommended that horses are tested for Equine Infectious Anemia (EIA) as circumstances dictate.	While vaccinations for horses are not required federally or at the state level, the AAEP recommends the vaccines listed in the updated language. The Coggins test is one of two tests that can be used to test for EIA. Updated language is more all-encompassing.
Rhino (p. 8, Section 4.13.3)	Delete language.	Delete original language because Rhino (short for Rhinopneumonitis) immunization is not a recommended vaccine for horses.
Eastern Equine Encephalitis (p. 8, 4.13.3)	EEE	This the second mention of EEE, so only the acronym needs to be used here.
USDA (p. 8, Section 4.13.4)	United States Department of Agriculture (USDA)	The acronym "USDA" is not defined.
Chair: Stephen Epstein, MD Vice-Chair: Edward Cosgrove, PhD Member: Jane Fogg, MD (p. 10, Section 4.18)	Remove this list.	Original language is redundant of the list of BOH members on p. 1.
No existing definition for variance.	Variance: shall be a legal exemption from a specific regulation or permit requirement.	Variance is a term used 15 times throughout the regulation. Add a definition to define its meaning in the context in this regulation and to make the language more accessible for readers.

Article 6: Offensive Trades, Occupations and Practices

Revisions agreed upon by Needham:

- Eliminate this regulation due to it being incomplete, outdated, and not relevant.
- Selected as one of three regulations to review in a Racial and Health Equity Assessment.
 - While Needham agrees that this article should be eliminated, consider whether elements of this regulation should be integrated into other Needham BOH regulations.

- Compare and contrast this regulation with other municipalities' regulations to determine whether they have similar regulations (e.g., Newton, Brookline, Lexington, Cambridge, Andover, and FRCOG).
- The Town of Needham Zoning may restrict the regulation automatically, and many of these concerns are currently regulated under our Nuisance regulation.

Article 7: Body Art

Revisions to be adopted:

- Selected as one of three regulations to review in a Racial and Health Equity Assessment.
 - Some cultural practices may not be considered in how body art is currently regulated in Needham.
 - Consider whether the use of piercing systems should be prohibited in Needham.
- Update the Definition section

Table 4. Article 7 Language Revisions Agreed Upon by Needham.

Page numbers in parentheses indicate the location of the original language within the regulation.

Original Language	Updated Language	Rationale
Universal Precautions (p. 1, Section 7.1; p. 5, Section 7.3; p. 10, Section 7.7)	Standard Precautions	According to current language in the CDC's Standard Precautions for All Patient Care .
Public Health Department (p. 2, Section 7.3)	Public Health Division	Original language is outdated.
<i>Storage and Disposal of Infectious or Physically Dangerous Medical or Biological Waster, State Sanitary Code, Chapter VIII</i> (pp. 2–3, Section 7.3; p. 12, Section 7.7)	<i>Minimum requirements for the management of medical or biological waste (State Sanitary Code Chapter VIII)</i>	The updated language reflects the exact terminology used in the source: 105 CMR 480
Director of Public Health (pp. 2–3, Section 7.3)	Director of Health and Human Services	Original position title is outdated.
Occupational Exposure to Bloodborne Pathogens (p. 3, Section 7.3)	<i>Bloodborne Pathogens</i>	Updated language reflects the terminology currently used in OSHA 29 CFR 1910.1030 .
<i>Recommendations for Preventing Transmission of Human Immunodeficiency Virus and Hepatitis B Virus to patients during Exposure Prone Invasive Procedures</i> (p. 5, Section 7.3)	<i>Recommendations for Preventing Transmission of Human Immunodeficiency Virus and Hepatitis B Virus to Patients During Exposure-Prone Invasive Procedures</i>	The updated language reflects the terminology used in the source .
July 12, 1991, Vol. 40, No. RR 8 (p. 5, Section 7.3)	July 12, 1991 / Vol. 40 / No. RR-08	The updated language makes it easier to copy-and-paste in an external search for the source. When pasted into a search engine, the updated language pulls up the source , whereas the original language pulls up MA and Brookline's regulations.

June 23, 1989, Vol.38 No. S 6 (p. 5, Section 7.3)	June 23, 1989 / Vol. 38 / No. S-6	BME is unable to find the source/study using any variation in original language. Source may not be digitized. It is still recommended to update language to reflect what is used for July 12, 1991 / Vol. 40 / No. RR-08 in the same section.
No existing language that prohibits piercing clients under 14 years old, except for ear piercings.	Add the following sub-section to Section 7.5 (p. 6): <i>6. A body practitioner shall not pierce a client under 14 years old with the exception of ear piercings (MA Bill HD.2184).</i>	<u>MA Bill HD.2184</u> states a body practitioner shall not pierce a client under 14 years old with the exception of ear piercing. Original language in Section 7.5 does not have such a restriction listed.
142 Code of Massachusetts Regulation 248 (p. 7, Section 7.6.1)	248 CMR 10.00	The original CMR cannot be found when searched in the CMR database. The updated language cites the correct CMR: <u>248 CMR 10.00</u> .
Seeing Eye dogs (p. 8, Section 7.6.1)	Remove language.	A "Seeing Eye Dog" refers specifically to a dog that has been trained at The Seeing Eye, Inc., a dog training school in NJ. "Service animals" are protected by State and Federal laws, and the language should reflect this term.
Material Safety Data Sheets (p. 10, Section 7.6.5)	Safety Data Sheets	Updated terminology according to <u>OSHA</u> .
section 7(k) (p. 11)	Section 7.7(17)	It is easier to find, via ctrl+F, the section that is being referenced in the regulation.
section (E) (p. 11)	Section 7.7(7)	It is easier to find, via ctrl+F, the section that is being referenced in the regulation.
Section 15 (p. 16)	Section 7.15	It is easier to find, via ctrl+F, the section that is being referenced in the regulation.
Section 13 (p. 16)	Section 7.13	It is easier to find, via ctrl+F, the section that is being referenced in the regulation.
Article 9 of the Town of Needham General By-Laws (p. 17, Section 7.18)	Article 8 of the Town of Needham General By-Laws	"Article 9" cites the incorrect <u>Needham General By-Laws</u> . The correct article is <u>Article 8: Penalties And Enforcement Of Town By-Laws Rules And Regulations</u> .
No existing language about apprenticeships.	Adopt the entire section on Body Art Apprentices (p. 21, Section 13), but revise subsection (A) to say: <i>There shall be no more than one (1) apprentice per body art practitioner.</i>	Adopt language from <u>Brookline's Body Art Regulation</u> . Updated language permits as many apprentices as there are practitioners.

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. (p. 16, Section 7.17)	The fine for a violation of any provision of these Rules and Regulations shall be \$100.00 per offense. Each day that a violation continues without a license shall be \$300.00 per day. The fine for a practitioner without a license shall be \$300 per day.	Adopt language from <u>Brookline's Body Art Regulation</u> . Change Brookline's \$50 fine for the first offense to \$100, as a higher fine may serve as a more impactful incentive to comply with the regulation.
Lacks requirements for permanent cosmetics permit applicants.	Add Section 12(F)(5) (pp. 19-20) of <u>Brookline's Body Art Regulation</u> to Needham's Practitioner and Training section (p. 14, Section 7.12.1).	Needham and Brookline's <i>Practitioner and Training</i> sections use the same language, except Brookline's includes language about requirements for permanent cosmetics practitioners.
<u>Mobile Body Art Establishment</u> : shall mean any trailer, truck, car, van, camper or other motorized or non-motorized vehicle, a shed, tent, movable structure, bar, home or other facility wherein, or concert, fair, party or other event whereat one desires to or actually does conduct body art procedures. (p. 4, Section 7.3) <u>Temporary Body Art Establishment</u> : shall mean the same as Mobile Body Art Establishment. (p. 5, Section 7.3)	<u>Mobile Body Art Establishment or Temporary Body Art Establishment</u> : shall mean any trailer, truck, car, van, camper or other motorized or non-motorized vehicle, a shed, tent, movable structure, bar, home or other facility wherein, or concert, fair, party or other event whereat one desires to or actually does conduct body art procedures.	Combine both definitions for conciseness purposes.
<u>Autoclave</u> : shall mean an apparatus for sterilization utilizing steam pressure at a specific temperature over a period of time. <u>Autoclaving</u> : shall mean a process which results in the destruction of all forms of microbial life, including highly resistant spores, by the use of an autoclave for a minimum of thirty minutes at 20 pounds of pressure (PSI) at a temperature of 270 degrees Fahrenheit. (p. 2, Section 7.3)	<u>Autoclave</u> : shall mean an apparatus for sterilization utilizing steam pressure at a specific temperature over a period of time. Autoclaves are used in the process of autoclaving, which results in the destruction of all forms of microbial life, including highly resistant spores, by the use of an autoclave for a minimum of thirty minutes at 20 pounds of pressure (PSI) at a temperature of 270 degrees Fahrenheit.	<u>Autoclaving</u> appears only in the definition section, but nowhere in the rest of the regulation.
No existing definition for washing pad.	<u>Washing Pad</u> : shall mean sterile, single-use gauze or other sterile applicators.	Without a definition, the meaning of <i>washing pad</i> is unclear.

Article 18: Regulation for Excavation and Trench Safety & Trench and Additional Information

Revisions to be adopted:

- Add the content in Article 18: Trench and Additional Information as a Section in Article 18: Regulation for Excavation and Trench Safety as it's unnecessary to have two separate documents for Article 18. Delete Article 18: Trench and Additional Information.
- Add a Definition section.

Table 5. Article 18 Language Revisions Agreed Upon by Needham.

Parentheses indicate where, of the two Article 18s, the original language can be found.

Original Language	Updated Language	Rationale
<i>his/her</i> (Article 18: Regulation for Excavation and Trench Safety)	<i>their</i>	Original language is outdated.
<i>Whoever violates any provisions of these regulations shall be fined up to \$300 per offense for Trench Excavation violations.</i> (Article 18: Regulation for Excavation and Trench Safety)	Keep as is.	Maximum fines according to the <u>Needham General By-Laws</u> for the violation of the following: trench (\$100 p. 67) and excavation (\$300 p. 66).
<i>Department of Public Safety in conjunction with the Division of Occupational Safety</i> (Article 18: Regulation for Excavation and Trench Safety)	<i>Office of Public Safety and Inspections (OPSI)</i>	The department name has been updated since this regulation was last enacted.
<i>State Environmental Code: Title 5, 310 CMR 15.000</i> (Article 18: Regulation for Excavation and Trench Safety)	<i>310 CMR 15.000: The State Environmental Code, Title 5</i>	The updated language reflects the terminology used in <u>310 CMR 15.00</u> .
<i>Article 18: Regulation for Excavation and Trench Safety</i> (article title)	<i>Article 18: Excavation and Trench Safety</i>	For consistency purposes, aligning with other regulations' titles.
<i>To view the full regulation and G.L.c.82A, go to www/mass.gov/dps</i> (Article 18: Trench and Additional Information)	Delete sentence from regulation.	The link " www/mass.gov/dps " is out of date. The link could be changed again before the next time the regulation is revised and updated.
No existing language on vehicles permissions/prohibitions around a private property excavation.	Include the following provision: <i>(5) In accordance with The Town of Needham's Traffic Rules and Regulations, no person shall allow, permit or suffer any vehicle registered in their name to stand or park alongside or opposite any street excavation when such stopping, standing or parking would obstruct traffic. Fines for violation of this provision are found in the Traffic Rules and Regulations.</i>	NPHD permits only trench excavations that are conducted off the street on private properties, while the DPW permits street excavations. Adopt language from Needham's <u>Traffic Rules and Regulations</u> (p. 8, Section 5-1) to outline vehicle prohibitions related to excavation on private properties.

No existing definition section.

Excavator: Any entity including, but not limited to, a person, partnership, joint venture, trust, corporation, association, public utility, company or state or local government body or public agency which performs excavation operations including the excavation of trenches.

General Public: All natural persons not engaged in construction activities at a trench site.

Permitting Authority: A city, town, or public agency required to administer the provisions of 520 CMR 14.03.

Public Agency: A department, agency, board, commission, authority, or other instrumentality of the Commonwealth.

Serious Injury: A personal injury that results in death, dismemberment, significant disfigurement, permanent loss of the use of a body organ, member, function, or system, a compound fracture, or other significant injury that requires immediate admission and overnight hospitalization and observation by a licensed physician.

Trench: An excavation which is narrow in relation to its length, made below the surface ground in excess of three feet below grade and the depth of which is, in general, greater than the width, but the width of the trench, as measured at the bottom, is no greater than 15 feet.

Unattended Trench: A trench where neither the excavator, or any of the people who are engaged in construction activities at the trench, are present.

Create a new definition section with the definitions listed under "Updated Language," which were drawn from 520 CMR 14.

Across All Regulations

Table 6. Formatting Revisions Agreed Upon by Needham.

Page numbers in parentheses indicate the location of the original language within the regulation.

Formatting Update	Rationale
Update and/or add Authority and Effective Dates sections to all regulations, based on what is seen in Needham's BOH Dumpster regulation (Article 8). In the Effective Dates section, notate which updates were made.	Ensure consistency across all newly updated regulations.
Use Needham's BOH Dumpster regulation (Article 8) and the Needham style guide for a formatting template (e.g., indenting, font, headers).	Ensure consistency across all newly updated regulations.
MGLs: - e.g., MGL Chapter III, Section 31 - At first mention of MGLs, use Massachusetts General Laws (MGL). For any following mentions, use the acronym MGL.	Ensure consistency across all newly updated regulations.
CMRs: - e.g., 310 CMR 19.017 - At first mention of MGLs, use Code of Massachusetts Regulations (CMR). For any following mentions, use the acronym CMR.	Ensure consistency across all newly updated regulations.
PDF file names: e.g., ARTICLE-6—Offensive-Trades—Occupations—and-Practices	Ensure consistency across all newly updated regulations.
Date formatting: e.g., April 20, 2025	Ensure consistency across all newly updated regulations.
Do not include links to external URLs. Ensure that the correct source or title is referenced so that it can be easily copy-and-pasted for an external search.	The URLs may change before the next time the regulation is updated.
Include page numbers at the bottom and centered on each page in all regulations. Use the following format: e.g., 1 of 8.	Ensure consistency across all newly updated regulations.
Add "nonrefundable" before all mentions of "fees."	Emphasize that permit applications are non-refundable.
Cite the authority that establishes any fine schedules.	It will be easier to update fine schedules in future reviews of BOH regulations if the regulation points to the specific source that authorizes the fine schedule.

APPENDIX A: PROJECT TIMELINE

Year	Month		Goals	Activities	Status	Needham Role	BME Role	Notes	
2024	December	Week 1	BME initial written assessment of 6 to 8 existing BOH regulations	Meet with Tim to discuss BOH plan	Complete	Tim to meet with BME	Email Tim to set up meeting; Prepare timeline and proposed BOH regulations to review; Meet with Tim	Meeting 12/12	
		Week 2		Review regulations and develop recommendations	Complete		Review regulations; Develop recommendations		
		Week 3							
		Week 4							
2025	January	Week 1							
		Week 2							
		Week 3		Write assessment #1	Complete		Write assessment		
				Connect with Needham team	Complete	Provide feedback on timeline and selected regulations; Meet with BME	Determine who is on the BOH team from Needham; Share timeline with Needham; Set up meeting with Needham team	Meeting 1/27	
		Week 4		Finalize timeline and selection of regulations	Complete	Approve timeline and selected regulations	Apply Needham feedback to timeline and regulations		
				Needham review of BME's recommendations for BOH regulations	BME share written assessment with Needham	Complete		Determine approach for Needham to give feedback; Share assessment with Needham	BME to send Needham assessment by 1/31
					Needham review regulations	Complete	Review recommendations; Attend Katja's office hours as needed (held every Wednesday and Thursday from 1-2 PM until 2/21)	Hold office hours twice a week for any questions or clarification as Needham reviews regulations	~3 weeks to review
	February	Week 1	BME supported workshop for Needham staff to outline possible revisions to regulations						
		Week 2							
		Week 3		Needham to provide feedback and BME to revise assessment	Complete	Share feedback on recommendations with BME	Synthesize feedback from Needham; Apply feedback to assessment	Needham share feedback with BME by 2/21	
				Select regulations for racial & health equity assessment	Complete	Propose regulations; Share at workshop #1	Propose regulations; Share at workshop #1		
	Week 4	Plan workshop	Complete	Review BME's plan for the workshop; Provide feedback	Finalize workshop details; Share with Needham	BME to share workshop details with Needham by 2/26			
		March	Week 1	Host workshop #1	Complete	Host workshop; Determine regulation amendments; Select regulations for racial & health equity	Host workshop; Determine regulation amendments; Select regulations for racial & health equity	Workshop scheduled for 3/3 1-4p @ Needham	
	Write memo #1			Complete		Write memo detailing the process, findings, and cases for adopting regulatory changes	Shared with Needham on 3/17		
	Week 2								
	Week 3		Needham review of memo	Complete	Review memo and provide feedback to BME	Share memo with Needham	~1 week to review, share feedback with BME by 3/24		
	Week 4		Conduct compare & contrast analysis of regulations	Complete	Review BME's recommendations and share feedback with BME by 3/31; Attend meeting to discuss changes	Conduct analysis; Share findings and recommendations with Needham by 3/24; Host virtual meeting to discuss changes based on the analysis	Virtual 1-hour meeting on 3/31		
				Develop updated Definition sections for all six regulations	Complete	Review BME's recommendations and share feedback with BME by 3/31; Attend meeting to discuss changes	Develop updated Definition sections for all six regulations; Share recommendations with Needham by 3/24; Host virtual meeting to discuss changes	Virtual 1-hour meeting on 3/31	
	April	Week 1	BME written initial Racial & Health Equity assessment of at least three BOH regulations						
		Week 2		Finalize memo	Complete		Incorporate Needham memo feedback; Incorporate findings from C&C/definitions discussion; Finalize memo; Share final memo with Needham		
					BME written initial Racial & Health Equity assessment of at least three BOH regulations	Conduct health equity assessment	Complete		Develop equity rubric and conduct an equity review using the rubric

		Week 3	Needham conducts a Racial & Health Equity assessment of BOH regulations	BME share equity rubric with Needham	Complete		Determine approach for Needham to give feedback; Share rubric with Needham	BME shared rubric with Needham on 4/21
				Needham to conduct equity assessment	Complete	Review regulations using the equity rubric		Needham will have 2 weeks to review, share rubric with BME by 5/5
	May	Week 4	BME supported workshop for Needham staff to outline possible revisions to regulations					
		Week 1		Needham to share completed equity assessment with BME	Complete	Share completed equity rubric with BME	Synthesize feedback from Needham; Synthesize Needham's assessment and incorporate into workshop plan	Needham to share rubrics with BME by 5/5
		Week 2		Plan workshop	Complete	Review BME's plan for the workshop; Provide feedback	Finalize workshop details; Share with Needham	BME to share workshop plan with Needham by 5/6
		Week 3		Host workshop #2	Complete	Attend workshop; Discuss and determine regulation amendments	Host workshop; Discuss and determine regulation amendments	Workshop scheduled for 5/12 1-4p @ Needham
				Develop survey containing final items from the initial and equity reviews that require additional decision-making	Complete		Develop survey; share with Needham	BME to share survey with Needham by 5/28
		Week 4		Needham to complete survey	Complete	Complete survey	Apply Needham's responses to the equity memo	Needham will have 1 week to review (complete survey by 6/4)
				Write memo #2	Complete		Write memo detailing the process, findings, and cases for adopting regulatory changes	
	June	Week 1	Summary memo outlining the process, findings, and the cases for adopting regulatory changes based on Racial and Health Equity					
		Week 2		Needham review of memo	Complete	Review memo and provide feedback to BME	Share memo with Needham	Needham to share memo feedback by 5/23
		Week 3						
		Week 4		Finalize Initial Review & Racial Health Equity memos	Complete		Incorporate Needham memo feedback; Finalize memos; Share final memos with Needham	

APPENDIX B: REGULATION REVIEW FRAMEWORK

Assess the following criteria:

Content & Formatting

- Is this regulation still relevant? For instance, is it still being cited?
- When compared to other SSAs/BOHs, are best practices being implemented in this regulation?
- Are there any provisions in the regulation that should be updated?
- Is the cited research up to date?
- Do the BOH members need to be updated?
- Are the definitions and language up to date?
- Are organization and department names up to date?
- Are the dates up to date?
- Are there any formatting improvements that can be made?

Laws & Regulations

- Are the Massachusetts General Laws (MGL) up to date?
- Are the Code of Massachusetts Regulations (CMR) up to date?
- Are there any other outdated rules or regulations?

Equity Assessment Considerations

- How could this regulation serve as a potential opportunity for a roundtable exercise?
- How could this regulation serve as a potential opportunity for an equity analysis?

Potential Equity Assessment Lenses and Framing:

- Does the regulation fall under the Foundational Public Health Services (FPHS) foundational capabilities and areas?
- Does the regulation incorporate the Culturally and Linguistically Appropriate Services (CLAS) Standards?
- Is the regulation written with the following lenses in mind?

- Racial equity
- Anti-racism
- Anti-oppression
- Health equity

- Does the regulation address the CDC OHE's 7 Health Equity Intervention and Action Principles?

- Embrace equity as foundational
- Embody anti-racism and anti-oppression
- Establish and maintain infrastructure
- Communicate effectively
- Engage communities and mobilize partners
- Apply equitable evaluation approaches
- Address structural and social determinants of health



Needham Public
Health Division

Prevent. Promote. Protect.

MEMO:

RACIAL AND HEALTH
EQUITY ASSESSMENT OF
THREE NEEDHAM BOARD
OF HEALTH REGULATIONS



BME STRATEGIES

JUNE 2025

MEMO

OVERVIEW: BOARD OF HEALTH REGULATION REVIEW

The Needham Public Health Division (Needham) partnered with BME Strategies (BME) to conduct a racial and health equity assessment of three existing Board of Health (BOH) regulations. Working collaboratively, Needham and BME focused on updating outdated procedures and concepts, as well as aligning with federal and state laws and regulations that have been modified or rescinded since the BOH regulations were last enacted. The aim of this assessment process is to establish a review protocol, increasing Needham's internal capacity for future reviews of BOH regulations.

This regulation review process has been broken up into two phases:

- **Phase 1: Initial Review of BOH Regulations.**
 - Objectives of Phase 1:
 - Select and identify changes to be made to six regulations, focusing on outdated procedures and concepts.
 - Increase Needham's internal capacity for future regulation reviews.
- **Phase 2: Racial and Health Equity Assessment.**
 - Objectives of Phase 2
 - Select, review, and identify changes to be made to three regulations through a racial and health equity lens.
 - Increase Needham's internal capacity for future regulation equity analyses.

This project's timeline and components are outlined in a comprehensive timeline spreadsheet, which can be found in Appendix A (pages 15 and 16 of this Memo). The timeline was updated regularly as deadlines were adjusted and priorities shifted.

PROCESS: RACIAL & HEALTH EQUITY ASSESSMENT

This section details the process implemented during the Racial and Health Equity Assessment, intended to guide Needham staff in conducting future equity-focused reviews of additional BOH regulations.

Regulation Selection

During the Initial BOH Regulation Review (Phase 1), Needham and BME collaboratively selected and reviewed the following three BOH regulations for a Racial and Health Equity Assessment:

- Article 3: Public Nuisance
- Article 6: Offensive Trades, Occupations and Practices
- Article 7: Body Art

Equity Assessment Framework Development

To guide the assessment process, BME developed an Equity Assessment Framework that included questions intended to help individual team members reflect, generate ideas, and

begin forming individual perspectives before coming together at the workshop. The Framework was created with guidance from a consultant who has experience working on the Culturally and Linguistically Appropriate Services (CLAS) program at the Massachusetts Department of Public Health. This Framework can be found in Appendix B (pages 17–20 of this memo). BME shared a draft of the Framework with Needham, requesting any feedback on its content. Feedback was applied to the Framework before it was formally shared with the Needham team, prompting team members to conduct individual reviews and provide comments to BME.

Individual Equity Assessment

Using the Framework, Needham staff conducted individual assessments of the selected regulations. Their insights and comments informed the structure and focus of the equity workshop. BME incorporated this feedback into the final workshop plan to ensure a productive and efficient discussion on potential revisions and equity.

Workshop Preparation and Structure

Needham and BME met in person on May 12th, 2025 for a three-hour long workshop where they engaged in a conversation about what racial and health equity looks like in the context of regulations, exploring potential amendments. The workshop began with a series of questions from the Framework, designed to help frame decision-making through the lens of the purpose and impact of the regulations. Notes from the discussion were added to a Canva board as the team moved through each question. Some of these questions can be found in the following section in this memo, *Equity Assessment Workshop Takeaways*.

Post-Workshop Survey

Following the workshop, BME conducted additional research on items identified as requiring further investigation before deciding on revisions. The findings and BME's recommendations were compiled into a Google Form, which Needham team members used to provide feedback on whether a revision should be adopted. BME then organized responses into final revision decisions, which are contained in this memo.

Equity Memo Development

BME wrote this Racial and Health Equity Assessment memo detailing the process, findings, and cases for adopting regulatory changes. Takeaways from these conversations can be found in the section *Equity Assessment Workshop Takeaways*. The *Regulation Revisions* section below presents revisions agreed upon by both BME and Needham during the workshop and post-workshop survey.

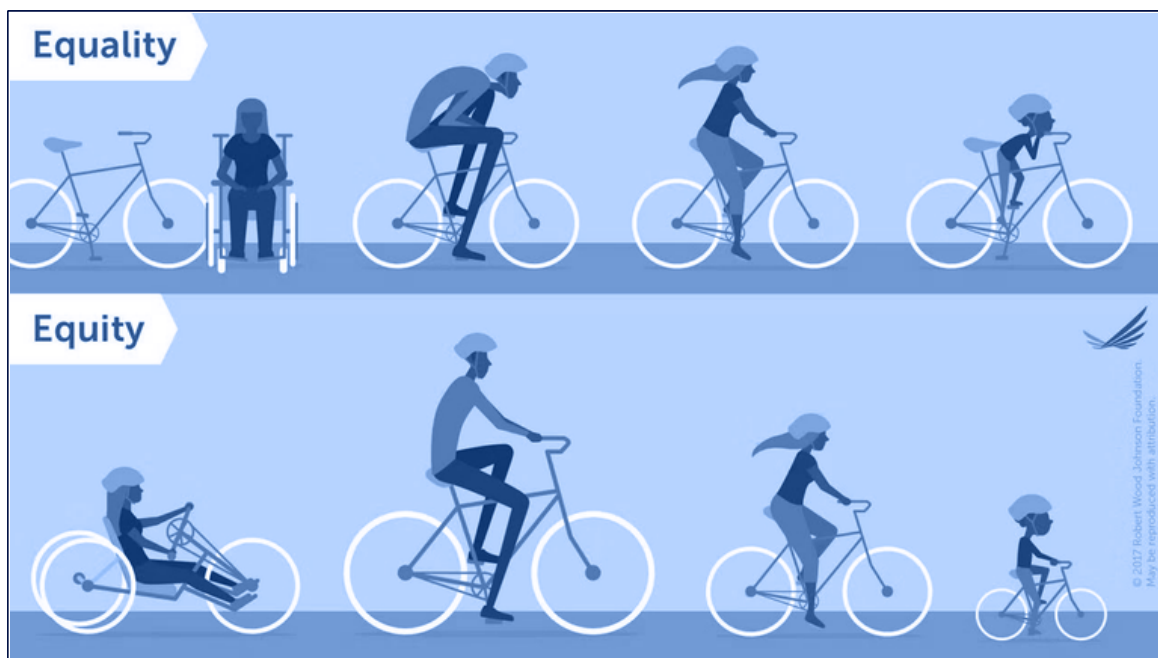
EQUITY ASSESSMENT WORKSHOP TAKEAWAYS

This section summarizes key takeaways from the individual equity assessment and workshop discussion, providing a framework for future BOH regulation reviews. This framework is intended to be flexible and will continue to evolve with each new equity-focused conversation about BOH regulations.

Defining Racial and Health Equity

What does racial and health equity mean to you?

- Consider whether a system and its processes provide opportunity for people to achieve the best possible health outcomes and whether there are barriers in place, preventing individuals and communities from achieving optimal health outcomes.
- Something that is optimal to one group isn't always optimal for another. Consider how favorable health outcomes can be fostered across the diverse needs of a community or population.
- Getting everyone to the same level, but this may require different resources for different people to get there.
- Ensuring that people are respected and supported without stigma during efforts to achieve racial and health equity.
- Reducing barriers.
- Providing more services for people who need more support and filling in gaps for other community members. A visual example of this is shown through the graphic below depicting the difference between equality and equity.¹



¹Joan Barlow, "We Used Your Insights to Update Our Graphic on Equity," Robert Wood Johnson Foundation, November 21, 2022, <https://www.rwjf.org/en/insights/blog/2022/11/we-used-your-insights-to-update-our-graphic-on-equity.html>.

What does racial and health equity look like in the context of BOH regulations?

- Sometimes a regulation may be overly strict without necessity. In such cases, deregulation could be an appropriate option.
- Consider who the regulations are being built for: The worst possible actor? The average person?
- Needham adopted high fees for medical marijuana dispensaries. It is important to reflect on whether that decision was based on a 'we frown upon this' sin tax, or on a genuine cost analysis — 'Is this fee appropriate to account for the time it takes to inspect a dispensary?' It may have been worth spending more time evaluating that tradeoff.
- Apply an equity lens to the Shared Service Arrangement (SSA) new variance application forms. Think about the following: How do people fill out the form? Providing Pocketalks (translation services) and writing the language at an 8th grade reading level help with making the form accessible, but how can we ensure that its accessibility is all-encompassing? Should we translate the form into another language? Establishing a Community Advisory Board (CAB) could be useful for determining the best next steps for improving the forms' accessibility.
- A study from Stanford found that benzene from natural gas is associated with increased risk for cancer². Based on this, our initial instinct may be to ban gas stoves in the name of public health but we have to think about who this would be impacting. Would it be equitable? Not everyone has the resources to replace their gas stoves.
- When developing new programs or updating regulations, it is important to consider the diverse needs and abilities of individuals in accessing the program or navigating the regulations.
- We should avoid making assumptions about people's ability to follow a regulation. For example, whether they have access to a computer to apply for a permit.

Purpose of BOH Regulations

What is the purpose of Needham's BOH regulations?

- They provide guidance to the Environmental Health team on how to respond to and address regulation violations.

Who is affected by the regulations?

- Residents and occupants in Needham.
- The Town's Environmental Health team.
- People passing through Needham.
- Neighboring towns.

What is the vision for how regulations can positively impact the Needham community?

- Ensure the Needham community can live a healthy life.

²Kashtan YS, Nicholson M, Finnegan C, et al. Gas and Propane Combustion from Stoves Emits Benzene and Increases Indoor Air Pollution. Environ Sci Technol. 2023;57(26):9653–9663. doi:10.1021/acs.est.2c09289.

- Regulations should foster consistency in how health agents view and respond to nuisance cases, ensuring each is treated in a similar manner.
- Prevent injuries and/or the spread of diseases so Needham will have safe and sanitary establishments.

Questions Derived From the Culturally and Linguistically Appropriate Services (CLAS) Standards

What is the purpose of fines for regulation violations?

- High fines for violations may appear to be a revenue grab by the town, whereas lower fines are often intended to send a message, serving primarily as a deterrent.
- Fines incentivize compliance with a regulation within a reasonable time frame.
- Needham's Environmental Health team has never issued a fine for public health nuisance or body art establishment violations. Providing a warning has shown to be an effective tool to address violations, before needing to implement a fine. The Environmental Health team have enacted a lien once for a pool that was not maintained. If a nuisance is a risk to health, the team pushes to fix the nuisance.
- If someone lacks the means to address the issue, they likely also cannot afford to pay the fine.
- A severe violation that impacts many people, is dangerous, and/or not safe may be brought to the BOH.
- Any fines that are collected go into the town's general fund and are not retained by NPHD.

Besides fines, what other approaches to regulation compliance might be effective?

- Coupling the risk of fines with training and education can be an effective strategy. Fines alone may not always be effective.
- Additional education and ensuring that resources are easily accessible to residents would help prevent any future instances of nuisances.
- Warning letters ordering that a violation be corrected, delivered to violators, before fines are given.
- The town may address the nuisance and then place a lien on the property.
- Refer cases to Needham's state partners when appropriate.
- Withhold the issuance of new operating permits until violations are resolved.
- Ensure that enforcement processes are clearly documented and consistently applied, minimizing the risk of disproportionate penalties or decisions influenced by individual bias.

How can the regulations be written in more accessible terms?

- Consider who the regulations are written for: staff, the public, or both? It is important to be conscious of the language that is used. Sometimes the language is hard to understand among Needham staff members.
- Consider what questions a reader would have when reviewing a regulation. These questions can be contained in FAQ documents, supplementing each regulation. Through the FAQ, readers can determine whether the regulation applies to them or not. FAQs should be made available to the public for comment.

- The regulations currently feel formal and contain a lot of legal language.
- Regulations should be written in plain language, free of legal or bureaucratic jargon.
- Work with a legal team to determine how much of the regulation language can be written in plain terms. Legal language is designed to protect the town and the regulations must adhere to MGLs and CMRs. As long as these factors are met, language can be updated to be more accessible.
- Internally-available documents could be developed to help staff understand how to interpret the regulations. This would be useful for onboarding future Environmental Health team members, ensuring consistency in regulation enforcement across all staff.
- Add “in other words...” to expand on concepts in the regulations.

Regulation Enforcement and Community Impact

How does the Environmental Health team ensure that the community understands regulation requirements?

- Stakeholder meetings are held annually to discuss the Food Code, but not every Food Establishment permit holder attends.
- Education efforts include:
 - Social media posts and public service announcements (PSAs) created by interns.
 - Facebook, which is considered the most effective platform for reaching residents.
 - NPHD Instagram account.
 - Local digital news outlets, such as the Needham Observer and Needham local newspapers.
- When the BOH dumpster regulation was recently updated, affected restaurants and businesses received an email including a link to apply for a dumpster permit. An email list was generated from the Town’s Economic Developer. Mailing printed updates was considered but deemed impractical due to the volume (over 100 letters). Email was determined to be a more efficient and accessible communication method.
- When the Tobacco Regulation was updated, the Environmental Health team met in person with businesses holding tobacco permits to explain the changes. The same information was also emailed to the establishments. All permit holders were required to sign a document acknowledging receipt and understanding of the new regulations.
- Regulations and any updates are posted to the town website, local paper, and Needham resident Facebook group.
- If ear piercing systems (also known as piercing guns) were to be banned altogether, community members may think that means ear piercings in general are forbidden and therefore may feel the town is working against them. It is important to educate permit holders and Needham residents about what an ear piercing system ban means.

How can people express concerns when it comes to experiences with inspections and enforcement of the regulation?

- Develop trainings for individuals who interact with or enforce specific regulations, similar to the food establishment forum trainings that are currently conducted. Have training participants complete surveys following each training.

- The Environmental Health team shares regulation updates with permit holders when changes are made, hearings are passed, etc.
- Regulation updates are shared via social media posts, PSAs with Needham Cable, and YouTube.
- Create an advisory board, similar to the Food Code Advisory Board, for all regulations.
- The Environmental Health team makes a point to explain the reasons behind regulations to permit holders.
- When the Food Code was updated in 2022, a mass email was sent out to spread the word about the proposed updates. Feedback on the proposed updates were gathered from about 20 people at a stakeholder meeting. The Food Code Advisory Board was a part of that process.
- Hearings for proposed regulation updates are posted on the Needham website and local paper. Public comment is allowed at the beginning of all BOH meetings. Needham advertises regulatory changes and welcomes public comment. Any big changes are presented to the BOH.
- Currently, regulations are updated sporadically. Establishing a regulation review schedule would help ensure that regulations are up-to-date.
- Surveying nuisance complainants would be useful as monitoring and quality improvement strategies. Some questions may include: Did the Environmental Health team do a good job of responding to the complaint?
 - The Environmental Health team has given out surveys in the past, but have only collected about 5 responses total. It is tough to remember to give out the survey.
- The survey could be accessed using a QR code.
- A QR code could be a way to access all regulation resources.

Racial and Health Equity Assessment Process Reflections

What worked during this process?

- The Framework and workshop questions were helpful with conducting assessments of the regulations.

What can be improved upon for future racial and health equity assessments?

- The review process demands fall largely on the environmental health team. Establishing a sub-committee could help distribute this responsibility more evenly across team members.
- It is tough for someone who is not on the Environmental Health team to review the regulations, given limited data and experience related to inspections in Needham. Environmental Health could consolidate and present data to the rest of those assessing the regulations, providing more context to regulation reviews. Ensuring that all team members have an understanding of how the regulations function in reality would help inform their review of the regulation and be well-prepared for future workshop discussions.
 - Revisit who is involved in the review process to potentially include other staff from Needham.

REGULATION REVISIONS

The regulations outlined in the section below detail the revisions to be adopted into each regulation, based on the equity assessments conducted by Needham and BME and conversations during the equity workshop.

ACROSS ALL REGULATIONS

Table 1. Items That Require Additional Discussion and Decision-Making Across All Regulations.

Context	Action Items
The post-equity workshop survey asked respondents to share their opinion on how these FAQs should be presented. There were mixed responses, which are as follows: 1. Incorporate FAQs into the regulation itself, with its own section. 2. Create a separate PDF file with FAQs, linked underneath the respective regulation on the Needham website. 3. Create a separate web page with FAQs for each regulation. Add a link to this page in the list of Needham BOH regulations page.	Determine the most effective way to present FAQs for each regulation. Due to the lack of consensus from the equity workshop and survey, this decision should be revisited in future fiscal year(s).

ARTICLE 3: PUBLIC NUISANCE

Equity Assessment Workshop Takeaways

What is the purpose of Article 3?

- Regulates nuisances on private property that may cause harm or disease.
- Hoarding can lead to pest infestations and create living conditions that are unsafe for human health and habitation.
- Provides guidance on how to respond to and address nuisance complaints.
- The regulation aims to address major health-related issues that significantly impact community well-being.
- While some nuisances are easy to identify—such as overflowing trash—others, like standing water, odors, or noise, may be more subjective and harder to assess.
- Addressing conditions that attract pests, such as rats, protects not only the property's residents but also neighbors, as pests can easily spread to nearby areas.
- Complaints regarding potential nuisances described in Article 3 may alert health agents to possible hoarding cases in the town, which can lead to unsafe or unsanitary living conditions. This process enables the Environmental Health team to seek appropriate assistance for those who are unable to address a nuisance on their own.

Which communities might Article 3 disproportionately and adversely affect?

- Enforcing this regulation may increase the risk of eviction, exacerbating housing instability and systemic discrimination.
- Individuals with chronic or mental health conditions, disabilities, or advanced age may be unable to address nuisances due to physical or financial limitations.
- Low-income individuals may not have the means to hire a service to help address nuisances. They may also work multiple jobs which may not leave them enough time to clean up nuisances.
- Unequal enforcement of nuisance regulations may disproportionately harm marginalized communities and deepen existing disparities.
- Some violations may stem from a lack of time, support, or awareness—such as maintaining a pool or lawn. Older adults or those without family nearby may face additional challenges.

Table 2. Article 3 Revisions Agreed Upon by Needham.

Revision	Rationale
Add an FAQ to supplement Article 3, including the following questions and answers: Q: How can I report a public health nuisance? A: Submit a report through the Town of Needham website. Q: What is considered a nuisance? A: A nuisance is a source of filth or cause of sickness or distress within a town, which may be harmful to the health, safety, and wellbeing of the public and the environment. Some examples of nuisances include noise, pests, poor property maintenance, excessive light, or foul smells. Q: What is the protocol for responding to nuisance complaints? 1.A: You can review this fact sheet from the Massachusetts Department of Environmental Protection (MassDEP), which describes how local health departments respond to nuisance complaints.	The purpose of the FAQ would be to help Needham residents and staff understand what the regulation means, improving its accessibility.
Current Article 3 language: <i>A debt due the Town shall constitute a lien on the land upon which the structure is located if a statement of claim, signed by the Board of Health and setting forth the amount claimed without interest, is filed with the Registry of Deeds within ninety days after the debt becomes due. Such lien shall take effect upon the filing of the statement and shall continue for two years from the first day of October next 2 following the date of such filing. Within a reasonable time after filing the statement of claim with the Registry of Deeds (and certainly before the expiration of the two year period during which the lien is in effect), the Board of Health shall certify to the assessors the claims upon the land. The assessors shall, in turn, commit such claims with their warrant to the collector of the taxes, who shall have the same power and duties with respect to such claim as in the case of the annual taxes upon real estate. The provisions of law relative to the nonpayment thereof, and the redemption of land so sold or taken shall apply to such claim.</i> (pp. 1–2, Section 3.2) Replace the language above with language adopted from Mashpee's Nuisance Regulation (p. 2, Section V.1.b): <i>Nonpayment of charges to abate or remove the nuisance by the Town may result in a municipal charges lien pursuant to MGL Chapter 40, Section 58.</i>	We have discussed cleaning up the language about liens in Article 3. Adopt language from Mashpee's Nuisance Regulation for conciseness.

Table 3. Items That Require Additional Discussion and Decision-Making for Article 3.

Context	Action Items
In light of eliminating Article 6: Offensive Trades, Occupations and Practices, it was suggested during the workshop that a definition for <i>Nuisance Trades</i> be added to Article 3's definition section. There is currently no mention of nuisance trades in the regulation, and based on decisions made during the Initial Regulation review, there is no need to add a definition for nuisance trades. However, we should consider whether to include a section or mention of which nuisance trades are prohibited in Needham. Here are some examples of language prohibiting trades/employment: MGL Section 143, MAHB Model. If language regarding nuisance trades is included, a definition for nuisance trade may be added to Article 3. Note that the Needham Zoning By-Laws already restricts many new nuisance trades from appearing or starting up and many of the older ones have left town. Language to include in Article 7 based on survey suggestions: - Examples of nuisance trades: - Noisy businesses: Businesses with loud machinery, music, or activities that disrupt the peace and quiet of surrounding properties. - Businesses that produce nuisance odors: Industries that produce strong odors that are offensive and affect the health or comfort of nearby residents. - Polluting businesses: Businesses that release pollutants into the air or water, harming public health or the environment. - Businesses operating without proper permits: Businesses that operate in violation of regulations or without necessary licenses can be considered nuisances. Definition based on survey suggestions: Nuisance Trade: A business or activity that significantly interferes with the use and enjoyment of property or that causes harm to the public's health, safety, or well-being.	Consider whether <i>trades</i> should be included as a nuisance in Article 3. If so, determine the language that should be used to describe <i>nuisance trades</i> in the regulation and what the definition of <i>Nuisance Trades</i> should be. Requires additional discussion in future fiscal year(s) given a lack of consensus based on the workshop discussion and post-equity workshop survey responses.
Needham and BME agreed to add an FAQ to supplement Article 3. The current FAQs can be found in Table 2.	Continue to build on the FAQs for Article 3 through additional discussions in future fiscal years, aiming to fill any gaps in understanding that are not met by the current FAQ list seen in Table 2.

Article 6: Offensive Trades, Occupations and Practices

Needham agreed to eliminate Article 6 during the Initial Regulation Review process, citing its outdated language and lack of relevance. However, it was still selected for the Racial and Health Equity Assessment to explore whether any components might be valuable if integrated into other regulations.

Based on individual equity assessments and conversations during the equity workshop, Needham agreed that no elements from Article 6 should be incorporated into other BOH

regulations. Additionally, they decided that there are no comparable regulations from other municipalities in Massachusetts that warrant adoption into Needham’s BOH regulations.

ARTICLE 7: BODY ART

Equity Assessment Workshop Takeaways

What is the purpose of Article 7?

- Ensure safety for body art practitioners and body art establishment patrons.
- Prevent infections or injuries from body art procedures.
- Permits and allows body art to occur safely.
- Aims to address any harmful medical procedures or transmission of diseases, etc.
- Protect people’s health and safety by preventing transmission of disease and injuries during body art procedures (tattoos & piercings).

Which communities might Article 7 disproportionately and adversely affect?

- As of May 2025, there is only one licensed body art practitioner in town. While the permit fees are relatively high, the applicant did not report any issues with the cost.
- There is a lack of language in the regulation that acknowledges cultural and traditional practices. For example, in Hispanic households, ear piercing at a young age often symbolizes femininity and beauty. In other cultures, it may signify tribal affiliation or a rite of passage.
- If ear piercing systems (also known as piercing guns) were to be banned altogether, community members may think that means ear piercings in general are forbidden and therefore may feel the town is working against them.
 - Ear piercing systems may be a cheaper option than having ears pierced with a single use needle.
- The current regulations may be a barrier to those trying to start a body art business.

Table 4. Article 7 Revisions Agreed Upon by Needham.

Revision	Rationale
Add a new section to Article 7 that lists requirements for body art establishment permit applicants.	Adding a new section to Article 7 that clearly details permit application requirements may help make it easier for applicants to navigate the process. The list of requirements is to be agreed-upon in a future fiscal year (see Table 5).
Supplement Article 7 with a detailed enforcement process for body art establishments.	Current regulation enforcement processes are not clear and spread out throughout Article 7. Including a detailed enforcement process may help current and future body art establishments and practitioners better understand what to expect when navigating inspections and regulation violations. What is contained in this enforcement process is to be agreed-upon in a future fiscal year (see Table 5).

Add an FAQ to supplement Article 7.

The purpose of the FAQ would be to help Needham residents and staff understand what the regulation means, improving its accessibility.

The list of FAQs is to be agreed-upon in a future fiscal year (see Table 5).

Table 5. Items That Require Additional Discussion and Decision-Making for Article 7.

Context	Action Items
We agreed to develop a list of requirements for body art establishment permit applicants and present it under a new section in Article 7. An example of this list can be found under Cambridge Public Health Department's (CPHD) FAQs for body art .	Develop a list of body art permit application requirements. Requires additional discussion in future fiscal year(s) to approve a final list of requirements.
We agreed to supplement Article 7 with a detailed enforcement process for body art regulations. One team member suggested including language that explains how the fines that will issued and whether they are escalating for each time a violation of the regulation is found. Development of an internal Standard Operating Procedure (SOP) with specifics may be useful, and include a more detailed process and how fines are used. When asked how this enforcement process should be presented, there were mixed responses, which are as follows: 1. Add a new section to Article 7 with a description of enforcement processes. 2. Add a Q & A detailing the enforcement process under the new FAQs for Article 7.	Develop a finalized enforcement process for body art regulations. Develop an internal SOP for enforcement processes related to body art regulations. Requires additional discussion in future fiscal year(s) to approve the summary of the enforcement process and how it should be presented.
During the workshop, we asked whether there is any specialized training required of a practitioner to pierce the body of a child. BME did not find any information about pediatric piercing licenses or training in Massachusetts. One team member suggested that having a physician or RN would be the best practice for the piercing of a child. Another suggested that it might be a barrier to have an RN or physician perform it and that anyone should be able to pierce a child with parental and guardian supervision and approval from a licensed facility.	Consider whether Article 7 should include a regulation stating that only physicians or RNs be allowed to give a piercing to a child. Requires additional discussion in future fiscal year(s) given a lack of consensus based on the workshop discussion and post-equity workshop survey responses.
The use of ear piercing systems is limited to use on the lobe of the ear by licensed practitioners in Article 7: <i>No practitioner shall use an ear piercing system on any part of the client's body other than the lobe of the ear (p. 11, Section 7.7).</i> The Association of Professional Piercers advises against the use of ear piercing systems, detailing the	Determine whether the use of ear piercing systems (also known as piercing guns) should be prohibited among body art practitioners in Needham. Requires additional discussion in future fiscal year(s) given a lack of consensus based on the workshop discussions and post-equity workshop survey responses.

issues with piercing guns on [this page](#). The risks associated with piercing cartilage with an ear piercing system is also explained there.

Cartilage piercings, which typically refer to the upper and outer part of the ear, appear to be taught during a two-year body art apprenticeship. However, BME did not find any specific requirements that cartilage piercings are covered during an apprenticeship in a Massachusetts municipal or state regulation.

1. Quincy (Section 124-91) is the only municipality in Massachusetts that has banned the use of ear piercing guns.

Survey results: One respondent agreed to ban ear piercing, one respondent selected to not ban them, and one person was not sure.

Survey respondents agreed that Article 7's FAQs should be adopted from the [Cambridge Public Health Department's \(CPHD\) FAQs for body art practitioners](#). Note that some specifics under each answer would have to be updated to align with Needham's regulation, such as the expiration date of body art practitioner licenses.

Questions should include what requirements there are for: the facility, practitioners to qualify, the application, how to show proof of two years of experience, keeping of records requirements, SOPs for emergencies, accidents, patient medical issues, and minimum requirements for equipment.

FAQs should also include how and which records should be kept, that monthly testing is needed for autoclaves, a list of labs that can run spore testing, and expectations for floor plans.

Develop a list of FAQs based on CPHD's body art FAQs.

When language about apprenticeships is formally adopted into Article 7 (a revision determined during the Initial Regulation Review process), add an FAQ about apprenticeships.

Requires additional discussion in future fiscal year(s) to approve a final list of FAQs.

APPENDIX A: PROJECT TIMELINE

Year	Month		Goals	Activities	Status	Needham Role	BME Role	Notes
2024	December	Week 1	BME initial written assessment of 6 to 8 existing BOH regulations	Meet with Tim to discuss BOH plan	Complete	Tim to meet with BME	Email Tim to set up meeting; Prepare timeline and proposed BOH regulations to review; Meet with Tim	Meeting 12/12
		Week 2		Review regulations and develop recommendations	Complete		Review regulations; Develop recommendations	
		Week 3						
		Week 4						
2025	January	Week 1						
		Week 2						
		Week 3		Write assessment #1	Complete		Write assessment	
				Connect with Needham team	Complete	Provide feedback on timeline and selected regulations; Meet with BME	Determine who is on the BOH team from Needham; Share timeline with Needham; Set up meeting with Needham team	Meeting 1/27
		Week 4	Needham review of BME's recommendations for BOH regulations	Finalize timeline and selection of regulations	Complete	Approve timeline and selected regulations	Apply Needham feedback to timeline and regulations	
				BME share written assessment with Needham	Complete		Determine approach for Needham to give feedback; Share assessment with Needham	BME to send Needham assessment by 1/31
				Needham review regulations	Complete	Review recommendations; Attend Katja's office hours as needed (held every Wednesday and Thursday from 1-2 PM until 2/21)	Hold office hours twice a week for any questions or clarification as Needham reviews regulations	~3 weeks to review
	February	Week 1	BME supported workshop for Needham staff to outline possible revisions to regulations					
		Week 2						
		Week 3		Needham to provide feedback and BME to revise assessment	Complete	Share feedback on recommendations with BME	Synthesize feedback from Needham; Apply feedback to assessment	Needham share feedback with BME by 2/21
				Select regulations for racial & health equity assessment	Complete	Propose regulations; Share at workshop #1	Propose regulations; Share at workshop #1	
		Week 4		Plan workshop	Complete	Review BME's plan for the workshop; Provide feedback	Finalize workshop details; Share with Needham	BME to share workshop details with Needham by 2/26
	March	Week 1		Host workshop #1	Complete	Host workshop; Determine regulation amendments; Select regulations for racial & health equity	Host workshop; Determine regulation amendments; Select regulations for racial & health equity	Workshop scheduled for 3/3 1-4p @ Needham
				Write memo #1	Complete		Write memo detailing the process, findings, and cases for adopting regulatory changes	Shared with Needham on 3/17
		Week 2						
		Week 3		Needham review of memo	Complete	Review memo and provide feedback to BME	Share memo with Needham	~1 week to review, share feedback with BME by 3/24
		Week 4		Conduct compare & contrast analysis of regulations	Complete	Review BME's recommendations and share feedback with BME by 3/31; Attend meeting to discuss changes	Conduct analysis; Share findings and recommendations with Needham by 3/24; Host virtual meeting to discuss changes based on the analysis	Virtual 1-hour meeting on 3/31
				Develop updated Definition sections for all six regulations	Complete	Review BME's recommendations and share feedback with BME by 3/31; Attend meeting to discuss changes	Develop updated Definition sections for all six regulations; Share recommendations with Needham by 3/24; Host virtual meeting to discuss changes	Virtual 1-hour meeting on 3/31
	April	Week 1						
		Week 2		Finalize memo	Complete		Incorporate Needham memo feedback; Incorporate findings from C&C/definitions discussion; Finalize memo; Share final memo with Needham	
			BME written initial Racial & Health Equity assessment of at least three BOH regulations	Conduct health equity assessment	Complete		Develop equity rubric and conduct an equity review using the rubric	BME shared proposed regulation rubric with Needham on 4/4; Needham to provide feedback on rubric criteria by 4/11

		Week 3	Needham conducts a Racial & Health Equity assessment of BOH regulations	BME share equity rubric with Needham	Complete		Determine approach for Needham to give feedback; Share rubric with Needham	BME shared rubric with Needham on 4/21
				Needham to conduct equity assessment	Complete	Review regulations using the equity rubric		Needham will have 2 weeks to review, share rubric with BME by 5/5
	May	Week 4	BME supported workshop for Needham staff to outline possible revisions to regulations					
		Week 1		Needham to share completed equity assessment with BME	Complete	Share completed equity rubric with BME	Synthesize feedback from Needham; Synthesize Needham's assessment and incorporate into workshop plan	Needham to share rubrics with BME by 5/5
		Week 2		Plan workshop	Complete	Review BME's plan for the workshop; Provide feedback	Finalize workshop details; Share with Needham	BME to share workshop plan with Needham by 5/6
		Week 3		Host workshop #2	Complete	Attend workshop; Discuss and determine regulation amendments	Host workshop; Discuss and determine regulation amendments	Workshop scheduled for 5/12 1-4p @ Needham
				Develop survey containing final items from the initial and equity reviews that require additional decision-making	Complete		Develop survey; share with Needham	BME to share survey with Needham by 5/28
		Week 4		Needham to complete survey	Complete	Complete survey	Apply Needham's responses to the equity memo	Needham will have 1 week to review (complete survey by 6/4)
				Write memo #2	Complete		Write memo detailing the process, findings, and cases for adopting regulatory changes	
	June	Week 1	Summary memo outlining the process, findings, and the cases for adopting regulatory changes based on Racial and Health Equity					
		Week 2		Needham review of memo	Complete	Review memo and provide feedback to BME	Share memo with Needham	Needham to share memo feedback by 5/23
		Week 3						
		Week 4		Finalize Initial Review & Racial Health Equity memos	Complete		Incorporate Needham memo feedback; Finalize memos; Share final memos with Needham	

APPENDIX B: EQUITY ASSESSMENT FRAMEWORK

Consider the following for all regulations

These questions are meant to help us define the goal and scope of this equity review, guiding our approach and decision-making throughout the process.

What is the scope of this equity review? i.e., to what extent can or should we incorporate and build on enforcement processes in the regulation itself?

Do community members have the opportunity to weigh in on proposed changes prior to enactment of a regulation? Consider ways that this process could be ensured or improved upon.

How can people express concerns when it comes to experiences with inspections/enforcement of the regulation? Is this something that can be incorporated into the regulations? How can Needham track this data?

How do inspectional services ensure that the community understands the regulation requirements?

What is the purpose of fines for regulation violations?

Communication and accessibility:

Does Needham have language translation/interpretation services readily available when interacting with people who violate regulations?

Should the regulation be translated into additional languages? Consider what the proportion of the non-English speaking population is in Needham.

Article 3: Public Health Nuisance

Assess the following criteria:

When reviewing existing regulations, it can be easy to lose sight of why it's in place to begin with. Use the following questions to set the foundation for reviewing this regulation:

What is the purpose of this regulation?

What problem is it seeking to address?

Who is affected by this regulation?

What is the vision for how this regulation will positively impact the Needham community?

Foundational Public Health Services (FPHS) Foundational Capabilities:

- Assessment & Surveillance
- Community Partnership Development
- Organizational Competencies
- Policy Development & Support
- Accountability & Performance Management
- Emergency Preparedness & Response
- Communications

Reflect on which Foundational capabil(ities) this regulation falls under.

How can this regulation be updated to more closely address existing and additional capabilities?

Based on the Culturally and Linguistically Appropriate Services (CLAS) Standards, consider the following:

Is there any existing data that demonstrates who has been disproportionately impacted by the enforcement of this regulation (e.g., by zip code or other demographics)?

Which communities might this regulation disproportionately and adversely affect?

How may this regulation adversely impact and/or discriminate against racially and historically marginalized communities in Needham?

How may this regulation adversely impact low-income individuals?

Are there any instances or patterns of people struggling to pay the fees and fines related to this regulation?

What other approaches to compliance might be effective?

How can the regulation be written in more accessible terms?

Criteria specific to this regulation:

Is the current fine schedule best practice?

Consider Needham nuisance complaint log data and how it may shape our discussion surrounding equity.

From Sai: I did a manual run through of the nuisance cases we had over the past 12 months or so. Needham had a total of 75 nuisance complaints. Of them, 39 were related to rats. 5 were related to elderly people who owned their own property, and 2 cases involved people who lived at the housing authority. We had 4 cases related to renters. I would say the vast majority of complaints were from homeowners or businesses, and I would not consider them to fall into any socioeconomic factor category and they tended to be people who appeared to be doing pretty well. I think we tended to have a higher proportion of housing related cases related to groups of people from a lower socioeconomic status or were related mental health challenges.

Article 6: Offensive Trades, Occupations and Practices

While Needham and BME have agreed to eliminate Article 6, use the questions below to reflect on which elements of the regulation could be useful, worth integrating into other regulations, or adopt any policies from other municipalities with similar regulations.

Assess the following criteria:

When reviewing existing regulations, it can be easy to lose sight of why it's in place to begin with. Use the following questions to set the foundation for reviewing this regulation:

What is the purpose of this regulation?

What problem is it seeking to address?

Who is affected by this regulation?

What is the vision for how this regulation will positively impact the Needham community?

Foundational Public Health Services (FPHS) Foundational Capabilities:

Assessment & Surveillance

Community Partnership Development

Organizational Competencies

Policy Development & Support

Accountability & Performance Management

Emergency Preparedness & Response

Communications

Reflect on which Foundational capabil(ities) this regulation falls under.

How can this regulation be updated to more closely address existing and additional capabilities?

Based on the Culturally and Linguistically Appropriate Services (CLAS) Standards, consider the following:

Is there any existing data that demonstrates who has been disproportionately impacted by the enforcement of this regulation (e.g., by zip code or other demographics)?

Which communities might this regulation disproportionately and adversely affect?

How may this regulation adversely impact and/or discriminate against racially and historically marginalized communities in Needham?

How may this regulation adversely impact low-income individuals?

Are there any instances or patterns of people struggling to pay the fees and fines related to this regulation?

What other approaches to compliance might be effective?

How can the regulation be written in more accessible terms?

Criteria specific to this regulation:

While Needham and BME agree that this article should be eliminated, consider whether elements of this regulation should be integrated into other Needham BOH regulations. For instance, many concerns in this regulation are currently regulated under Article 3 (Public Nuisance).

Check regulations from other municipalities to determine whether they have similar regulations (e.g., Newton, Brookline, Lexington, Cambridge, Andover, and FRCOG). If so, are there any elements of regulations or entire regulations that Needham should adopt related to offensive trades, occupations, and practices?

Confirm whether the Needham's zoning regulations may restrict the regulation automatically.

Article 7: Body Art

Assess the following criteria:

When reviewing existing regulations, it can be easy to lose sight of why it's in place to begin with. Use the following questions to set the foundation for reviewing this regulation:

What is the purpose of this regulation?

What problem is it seeking to address?

Who is affected by this regulation?

What is the vision for how this regulation will positively impact the Needham community?

Foundational Public Health Services (FPHS) Foundational Capabilities:

Assessment & Surveillance

Community Partnership Development

Organizational Competencies

Policy Development & Support

Accountability & Performance Management

Emergency Preparedness & Response

Communications

Reflect on which Foundational capabil(ities) this regulation falls under.

How can this regulation be updated to more closely address existing and additional capabilities?

Based on the Culturally and Linguistically Appropriate Services (CLAS) Standards, consider the following:

Is there any existing data that demonstrates who has been disproportionately impacted by the enforcement of this regulation (e.g., by zip code or other demographics)?

Which communities might this regulation disproportionately and adversely affect?

How may this regulation adversely impact and/or discriminate against racially and historically marginalized communities in Needham?

How may this regulation adversely impact low-income individuals?

Are there any instances or patterns of people struggling to pay the fees and fines related to this regulation?

What other approaches to compliance might be effective?

How can the regulation be written in more accessible terms?

Criteria specific to this regulation:

If applicable, reflect on your interactions with body art establishments and practitioners. How may those interactions inform any updates that may be made to this regulation?

Consider the following lens and how this regulation may be revised accordingly: Some cultural practices may not be considered in how body art establishments and practitioners are currently regulated in Needham.

Consider whether the use of ear piercing systems should be prohibited in Needham.

Which definition for ear piercing should we use?



NEEDHAM DEPARTMENT OF HEALTH AND HUMAN SERVICES

POLICY or PROCEDURE TITLE: **Racial and Health Equity**

Number: **HHS-ALL-116**

Policy Type: Administrative

Original Date: June 3, 2022

Date Reviewed or Revised: **September 3, 2025**

Effective Date: **September 3, 2025**

BACKGROUND:

Racism is a pervasive condition that causes health disparities and has been recognized by health and mental health professionals for many years as a serious public health crisis. Other factors contributing to health disparities are poverty, immigration status, gender, gender identity, disabilities, and ethnicity. This crisis demands that public health and social services strive toward overcoming disparities through policies, programs, actions, and self-reflection. The Department of Health and Human Services is obligated and committed to tackling racial and health inequities in all its work.

PURPOSE:

Institutional racism and other social conditions are systemic, cultural, and interpersonal threats to public health and mental health. While public health and social service organizations have recognized the problems of health inequity and racial injustice, policies have lagged behind statements and thus have failed to institutionalize efforts to promote health equity and racial justice. It is imperative for the Department of Health and Human Services to continue to combat inequality and biases that are based on sexual orientation, sex or gender identity, ability, age, immigration status, socioeconomic status, ethnicity, national origin, religion, and marital status.

The purpose of this policy is to support and to expect all staff members to be intentional in addressing all forms of health inequities. This is a challenge, and yet much more critical, in this predominantly White town.

POLICY: All Needham Health and Human Services divisions will design and provide outreach and programs to benefit groups of people who are marginalized by such things as race, socioeconomic status, immigration status, disability, and gender identity.

DEFINITIONS:

Diversity is the range of human differences and identities. It includes race, ethnicity, gender, age, national origin, religion, disability, sexual orientation, gender identity, socioeconomic status, education, marital status, language, veteran status, and physical appearance. It also involves different ideas, perspectives, and values.

Equity is the fair treatment, access, opportunity, and advancement for all people, while striving to identify and eliminate barriers that prevent the full participation of some groups. In an

equitable environment, an individual or group would be given what was needed for equal advantage.

Inclusion authentically bringing traditionally excluded individuals and groups into processes, activities, decision making, and policy making and creating an environment in which any individual or group will be welcomed, respected, supported, and valued as a fully participating member.

PROCEDURE: The department will engage staff, colleagues, and residents in conversations and actions to promote equitable and inclusive practices and programs,ⁱ to ensure equal access to services.

1. Staff members will be intentional in addressing all forms and causes of health inequities.
2. Division directors will ensure that staff use a racial equity assessment approach to evaluate new policies for the potential positive and negative impacts on equity (see addendum).
3. Directors will review their division's mission and vision and will review existing policies and procedures through a lens of equity and inclusion and revise where necessary.
4. Educational material and reports published by Needham Health and Human Services programs will be translated into the most common languages of the community or the schools, and interpreters will be engaged for community presentations.
5. Educational material will be written with gender-neutral language whenever practical.

References:

[The Massachusetts Public Health Association Health Equity Policy Framework](#)
[Government Alliance on Race and Equity Toolkit](#) (GARE)
[Race Forward Racial Equity Impact Assessment Kit](#)
[Needham Public Schools REAL Coalition](#)

Addendum: Equity assessment questions

Note: The links to the MPHA Health Equity Framework and the GARE Toolkit were updated on May 16, 2025.

Prepared by: Lynn Schoeff with members of the DHHS Racial Equity Committee (Karen Shannon, Diana Acosta, Tiffany Zike, LaTanya Steele, Jess Moss, Aicha Kelley, Jess Rice, Sara Shine,

Signatures on the following page.



**NEEDHAM DEPARTMENT OF
HEALTH AND HUMAN SERVICES**

Approved by:

Timothy Muir McDonald

September 3, 2025

Director of Health and Human Services

Date

Latanya Michelle Steele

September 3, 2025

Director of Aging Services

Date

Sam Shin

September 3, 2025

Director of Youth & Family Services

Date

Position Vacant

Assistant Director of Public Health, Nursing & Clinical

Date

Jana Dune

September 3, 2025

Assistant Director of Public Health
Environmental & Community Health

Date

Addendum

Key assessment questions:

1. What is the policy under consideration?
 - a. Desired results and outcomes
 - b. How the proposed policy will change existing racial & other inequities
 - c. How it will address historic or contemporary inequities
2. What are the racial and other equity impacts of this decision?
 - a. Who is most impacted?
3. Who will benefit from or be burdened by the decision?
 - a. Which racial, ethnic, or gender groups may be most affected by and concerned with the issues related to this proposal?
 - b. Are there potential negative impacts or unintended consequences?
 - c. Are there strategies to mitigate the unintended consequences?
4. Have affected community members or leaders been engaged in the development or vetting of the proposal?
5. Can the policy be successfully implemented and evaluated for impact?

Abbreviated tool suggested by GARE:

- What are the racial equity impacts of this particular decision?
- Who will benefit from or be burdened by the particular decision?
- Are there strategies to mitigate the unintended consequences?

For more detailed assessment tools, see the references cited in the policy.

¹ From Needham REAL Coalition



NEEDHAM PUBLIC HEALTH DIVISION

2024 – 2028 STRATEGIC PLAN

**APPROVED DECEMBER 12, 2023
FOR BOARD OF HEALTH REVIEW FEBRUARY 9, 2024**

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EXECUTIVE SUMMARY

CONTEXT

The Needham Public Health Division engaged in a comprehensive strategic planning process to support its application to the Public Health Accreditation Board (PHAB). This strategic plan establishes the division's 2024 – 2028 priorities, provides a roadmap for the work, and is a tool to aid leadership and staff decision-making. The process was led by the Needham Strategic Planning Team and supported by the consulting team of [BME Strategies](#) and [Copper Strategic](#). It began in June 2023 and concluded in December 2023.

MISSION

The Needham Board of Health and its Public Health Division promote and protect the public health and social well-being of all Needham's residents, especially the most vulnerable. The division seeks to prevent and control the spread of disease, address environmental issues, promote healthy lifestyles, and embrace its role in regional health initiatives.

STRATEGIC PRIORITIES

The following six priorities will guide the work of the division:

	1	Ensure equitable access to care.
	2	Address the impacts of social determinants of health on the Needham community.
	3	Use lessons learned during the pandemic to improve emergency preparedness and response.
	4	Collaborate closely with other Town departments and regional partners to address intersecting community needs.
	5	Prioritize responses to and prevention of mental health crises, substance use, and chronic conditions.
	6	Invest in workforce development.

GOALS, OBJECTIVES, AND DELIVERABLES

A detailed set of measurable and time-bound targets has been established to operationalize the strategies outlined above. Each strategy is linked to an overarching Board of Health governance priority, broken down into defined tasks, and assigned to an owner.

IMPLEMENTATION AND PERFORMANCE MANAGEMENT

Implementation planning began with an analysis of the division's strengths and weaknesses, an assessment of external trends, events, and other factors that may impact community health or the health division, and consideration of the division's capacity needs.

The first step upon formal adoption of the plan is to build out a detailed performance management plan. This will serve as the division's primary tool for managing workflow, driving accountability, and celebrating success. The Performance Management Plan will follow the fiscal year and be synchronized with the division's CHIP (Community Health Improvement Plan) timeline.

STAKEHOLDER INVOLVEMENT

Feedback and input from the Board of Health and division staff was sought throughout the process. In addition, focus groups were conducted with representatives of community and advocacy groups, other Town departments, partner organizations, and elected officials.

SECTION 1: THE PLANNING PROCESS

A. Participants

Needham's strategic planning process was directed by the Needham Strategic Planning Team (see below) and supported by the consulting team of BME Strategies and Copper Strategic. The planning team represented knowledge and perspectives from across the health division.

The group met monthly and conducted work in between meetings. The process began in June 2023 and concluded in December 2023.

Timothy McDonald and Tiffany Benoit were in frequent communication with the Needham Board of Health about the process. The strategic plan was discussed at the June 9, July 14, September 8, October 13, and December 8, 2023 Board of Health meetings. In addition, an in-depth discussion was conducted with Board Chair Tejal Gandhi, M.D., MPH, and Board member Kathleen Ward Brown, Sc.D., on November 27, 2023. In each case board feedback was solicited and incorporated into the development of the plan.

Strategic Planning Team:

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 Coordinator

Julie McCarthy, Epidemiologist

Kerry Dunnell, Program Manager

B. Sequence of the Process

The team began by crafting an outline informed by PHAB standards. From there, they built out iterative drafts in the following sequence:



C. Stakeholder Engagement

Key stakeholders were engaged throughout the process.

- As noted above, the Board of Health was kept apprised of progress regularly and was asked for input.
- In addition, focus groups were conducted with representatives of:
 - Community and advocacy groups
 - Other departments in the Town of Needham
 - Partner organizations
 - Elected officials
- Finally, the plan was developed to ensure it is widely understood by staff. In addition to informal discussions with staff throughout the process, an all-hands meeting was held on November 30, 2023, dedicated to discussion of the plan. The strategic plan was updated based on feedback generated during this meeting.

Please see the Appendix for stakeholder lists.

D. Board Approval

On February 9, 2024, the plan will be introduced to the Needham Board of Health for approval.

SECTION 2: OUR PRIORITIES & DIRECTION 2024 - 2028

A. Mission, Vision, Values, and Guiding Principles

Mission

The Needham Board of Health and its Public Health Division promote and protect the public health and social well-being of all Needham's residents, especially the most vulnerable. The division seeks to prevent and control the spread of disease, address environmental issues, promote healthy lifestyles, and embrace its role in regional health initiatives.

Vision

The vision of the Needham Board of Health and its Public Health Division is a community where all residents can live, work, play, and grow in an environment conducive to optimal health and well-being through all stages of life.

Values

- Integrity, Reliability, and Trust: We are a trusted resource, communicating accurate and concise information. We are professional, direct, honest, and flexible, listening and responding to community concerns with patience and respect. Our services are based on evidence and best practices. We are responsible stewards of limited resources.
- Dedication and Collaboration: We advocate for the health and well-being of the community. We demonstrate dedication, passion, and empathy while collaborating with community partners. We are motivated by the belief that people are empowered by knowledge that allows them to make informed decisions.
- Professional and Supportive: We provide a professional, collaborative, and respectful work environment. Staff members act as team players, supporting each other by sharing the work and being considerate of others.

Guiding Principles

1. We are guided by the fundamental belief that everyone has the right to live a healthy, safe lifestyle.
2. As public health professionals, we view it as our responsibility to:
 - Protect the public, especially the most vulnerable;
 - Prevent when possible, respond when necessary;
 - Contribute to individual and societal well-being;
 - Ensure people can live to their fullest capacity;
 - Make government work better, more efficiently, and more responsively.
3. We approach our work:
 - Acknowledging the social determinants of health, i.e., the conditions in the environments in which people are born, live, learn, work, play, worship, and age that affect a wide range of health, functioning, and quality-of-life outcomes and risks, as defined in Healthy People 2030;
 - With a commitment towards advancing racial and health equity;
 - Promoting evidence-based health practices and data-driven program management;
 - In partnership with residents, community organizations, other Town departments, and federal, regional, state, and local agencies;
 - As good stewards of public resources, using Town operating funds, grant resources, and donations efficiently;
 - Striving to provide as many public health resources as possible to residents and community organizations.

B. Strategic Priorities

The division's priorities were selected based on a current understanding of community needs. They were developed to reflect Needham's Community Health Assessment (CHA) and Community Health Improvement Plan (CHIP). In consultation with the Board of Health, governance and oversight priorities were established in alignment.

		Needham Public Health Division Strategic Priority	Needham Board of Health Governance & Oversight Priority
	1	Ensure equitable access to care	Utilize all legal and regulatory actions available to improve and protect the public's physical and mental health
	2	Address the impacts of social determinants of health on outcomes	Augment the knowledge and information staff has to help inform best approaches to addressing social determinants of health
	3	Use lessons learned during the pandemic to improve emergency preparedness and response	Build confidence and trust of public health officials within the community; act as a champion for the division
	4	Collaborate closely with other Town departments and regional partners to address intersecting community needs	Promote community activities that increase health and wellness, including building community partnerships
	5	Prioritize responses to and prevention of mental health crises, substance use, and chronic conditions	Support the strategic use of remediation funds as determined by the division's strategic planning process
	6	Invest in workforce development	Support the budget process with the Select Board; ensure the necessary resources for staff, services, and training

C. Goals and Objectives

To operationalize these strategic priorities, the Needham team will execute a detailed set of measurable and time-bound targets. These goals were developed to be:

Strategically cohesive, i.e.:

- Logically linked to the strategic priorities
- Developed through the lens of social determinants of health
- Consistent with our Community Health Assessment (CHA) and Community Health Improvement Plan (CHIP)
- Specific, measurable, and time-bound
- Matched to an owner, with specific deliverables and deadlines identified

and anchored on:

- Closing gaps between residents' needs and the division's current efforts
- Connecting residents to physical and mental health care resources
- Refining standard operating procedures to respond to emerging needs
- Developing a Behavioral Health Emergency Response Plan in collaboration with other Town departments and community organizations
- Developing health promotion/health education campaigns with other Town departments and community partners
- Expanding training opportunities for NPHD staff

Board Priority	Divisional Strategic Priority	Goal	1-Year Strategies and Deliverables (additional years to be developed by NPHD as the strategic plan is implemented)	Deadline (subject to change)	Owner (subject to change)
1. Utilize all legal and regulatory actions available to improve and protect the public's health.	Ensure equitable access to care	Conduct a gap analysis of Standard Operating Procedures (SOPs)/protocols to identify missing and outdated plans or protocols that do not reflect the current procedures of Needham Public Health	Update existing insurance enrollment and school vaccine protocols with Needham Public Schools (NPS) to prepare for large numbers of migrant families/children	Late summer 2024	Nursing Staff working with Needham Public Schools (NPS)
		Better connect residents to physical and mental health care resources	Host "health fairs" at various community locations with access to an interpreter to educate and connect residents to physical and mental health resources Promote local shuttle services that can help decrease barriers to healthcare access such as the Needham Community Council and Aging Services Division amongst others	Late summer 2024	NPHD Staff with Community Based Organizations (CBOs)
		Develop SOPs and educational materials to respond to migrant family public health needs (mental and physical health) from notice to referral	Develop an SOP to respond to arriving migrant families and their needs Develop a "welcome" one-pager prepared in different languages that can be distributed to new arrivals.	Early summer 2024	NPHD Staff with community-based organizations (and NPS)
2. Augment the knowledge and information staff have to help inform best approaches to addressing social determinants of health (SDOH).	Address the impacts of social determinants of health on outcomes	All goals will be developed with the SDOH in mind	As determined in other strategic planning goals	-	NPHD staff
3. Build confidence and trust within the community in NPHD; act as a champion for the division.	Use lessons learned during the pandemic to improve emergency preparedness	Develop a Behavioral Health Emergency Response Plan by working with other Town of Needham departments and community organizations	Identify training needs that can help Needham Medical Reserve Corps (MRC) to respond effectively to community mental health needs during an emergency.	Late summer 2024	NPHD/HHS mental health staff, emergency management personnel / leadership, Riverside - mental health clinicians

Board Priority	Divisional Strategic Priority	Goal	1-Year Strategies and Deliverables (additional years to be developed by NPHD as the strategic plan is implemented)	Deadline (subject to change)	Owner (subject to change)
4. Promote community activities that increase health and wellness, including building community partnerships.	Collaborate closely with other Town departments and regional partners to address intersecting community needs	Develop health promotion/health education campaigns with other Town departments and community partners	Continue and expand partnership with Police for tobacco product and substance use prevention Advocate for the hiring of another clinician to work with Needham youth in various community settings to connect to resources, such as the interface referral system, and perform screenings	Winter 2024	NPHD Staff, HHS, community-based organizations, other Town of Needham departments, Charles River Regional Staff
5. Use remediation funds strategically as determined by the division's strategic planning process.	Prioritize response to mental health, substance use, and chronic conditions	Design opioid-specific programming using public engagement feedback from various ongoing outreach efforts.	Connect with members of the community to identify which community resources or interventions would make the most impact on residents to address the opioid crisis	Starting in spring 2024	NPHD leadership
6. Support the budget process with the Select Board; ensure the necessary resources for staff, services, and training.	Encourage and facilitate workforce development	Expand training opportunities for NPHD Staff and equip NPHD staff with Mental Health-specific skills	Update the Workforce Development Plan Offer Adult Mental Health First Aid training to NPHD staff and offer the training to municipal partners.	Winter 2024 Winter 2024	NPHD leadership

D. External Factors

External trends, events, or other factors that may impact the health division include:

- Reliability of funding streams
- Statewide efforts to transform local public health infrastructure in Massachusetts through the Public Health Excellence grant program and additional legislation pending in the Massachusetts State House
- Lingering impact of the COVID-19 pandemic in terms of residents' perception (positive and negative) of public health officials as trusted messengers
- Tight job market, impacting recruitment and retention
- Imperfect tools to ensure all community members are aware of the range of services provided by the division
- Nationwide mental health and opioid crises and their impacts on Needham residents
- The tight housing market and increased cost of living make it difficult for elderly residents to stay in their homes and increases the support needed from NPHD
- Due to the recent influx of migrants to the state of Massachusetts, hotels across the state have been used as temporary housing. While no hotels in Needham are in use right now, the NPHD needs to prepare for this eventual likelihood and the public health needs that will arise from it.

Other constraints exist within the Town but are outside the purview of the Health Division:

- Capacity of Town-wide services that the division does not have control over, such as human resources and information technology
- Restrictions on the use of indirect grant funding
- Lack of data, and access to and ease of use of data collected by other Town departments and local hospital partners

E. Divisional Strengths and Weaknesses

Strengths / Key Assets

- Degree of commitment and mission-alignment across leadership and staff
- Staff capabilities and skill level; depth of experience and subject matter expertise
- Team culture and cohesion
- Strong foundation built over time to access a breadth of funding sources
- Political and policy-maker relationships
- Relationships and collaboration with other Health and Human Services (HHS) divisions and Town of Needham departments
- Orientation toward long-range planning, transparency
- Dual assistant directors' structure which increases capacity and continuity
- Established infrastructure to bring in grant funding, increase the division's resources and capacity

Gaps to address / opportunities for improvement

- Staff capacity – people are stretched across multiple projects
- Inconsistent practices around document sharing and knowledge management
- Program management capacity – both people-power and technical tools
- Lack of full visibility into what is happening enterprise-wide with respect to IT
- Speed of hiring
- Need to synchronize and be more cohesive division-wide (esp. with stakeholder outreach, but not limited to that) (some silo effect)
- Need an internal dashboard to show progress and/or better tools to improve project integration
- Stakeholder networks – we often go back to the same well
- Opportunity to turn temporary funding sources into permanent, sustainable funding sources
- Additional way to assess and evaluate the needs of the community beyond online surveys

F. Linkages

This strategic plan was designed to complement and build upon other guiding documents, plans, initiatives, and coalitions already in place to improve the health of Needham residents. Rather than conflicting with or duplicating the recommendations and actions of existing frameworks and coalitions, the participants of the strategic planning process identified potential partners and resources wherever possible. This was done explicitly with the Community Health Assessment (CHA) and Community Health Improvement Plan (CHIP), Substance Prevention Alliance of Needham (SPAN), Massachusetts Collaboration for Action, Leadership, and Learning (MassCALL3), and opioid abatement work underway, along with other initiatives.

SECTION 3: IMPLEMENTATION AND CAPACITY PLANNING

As we transition to implementation planning, we have reviewed our existing capacity and our capacity needs.

A. Information Management

The Needham Public Health Division currently utilizes three different document-sharing functionalities – a shared drive, Microsoft Teams, and OneDrive. The need is to better coordinate the use of these systems to share information more efficiently and effectively.

The Town of Needham plans to remove the shared drive in the coming years, leaving in place Microsoft Teams and OneDrive. NPHD is currently devising a staff survey to better understand how each staff member uses the current systems. This will provide the baseline data to develop a plan to organize a standardized and consistent approach to information management.

B. Workforce Development

The Needham Public Health Division participated in the 2021 – 2022 PH WINS workforce development survey. This survey provided data on NPHD staff training needs. Through this survey NPHD developed a set of goals to increase the type and amount of training each employee attends on an annual basis. These are detailed in the Workforce Development Plan. NPHD plans to participate in the PH WINS workforce survey each cycle that it is offered to track progress against these training goals.

C. Communications and Branding

The Needham Public Health Division has retained the services of MORE Advertising to develop a comprehensive brand strategy, including a logo update, brand and style guide, and standardized templates for documents and social media posts.

Improving internal communications remains an area of need and opportunity. Specific to strategic planning implementation, discussions with staff are underway to update the meeting and reporting cadence and to more broadly evaluate and improve how information is shared internally.

D. Financial Sustainability

The Needham Public Health Division is well-resourced through a combination of funds provided by the annual municipal budget, revolving funds, donations, trust funds, and grants. Approximately half of the Public Health Division's spending comes from its operating budget, with the other 50% supported by non-profit, foundation, state, and federal sources. NPHD also relies upon other types of accounts – donation accounts, revolving funds, trust funds, and financial warrant articles – to support smaller programs or very targeted activities.

Our fiscal strategy includes spending non-durable sources first, maximizing potential earnings, and limiting costs. Two specific needs moving forward are:

- Increased support from the Board of Health in pursuing new funding opportunities, especially those that can be made permanent rather than temporary
- Greater flexibility in using indirect grant funds.

SECTION 4: PERFORMANCE MANAGEMENT

The division will track progress in achieving its goals using a methodical process, a tracking tool, and quarterly in-person status review meetings.

The forthcoming Performance Management Plan will follow the fiscal year, will align CHIP and Strategic Plan timelines, and will establish:

- Individual and team priorities aligned with overall organizational priorities
- Priorities broken down by quarter
- An effective pattern of well-organized weekly, monthly, quarterly, and annual meetings to monitor progress toward achieving objectives, maintain alignment, and drive accountability
- What data sets will be reviewed and at what intervals
- Key activities by owner
- Deliverables and timelines
- Resource allocation
- The system/platform used to track progress, including:
 - Identifying the primary owner(s) or user(s) of the system
 - How data is entered into the system
 - How data will be used to guide decision-making, programming decisions, and continuous quality improvement

APPENDIX: STAKEHOLDER FOCUS GROUPS

Advocacy Groups – October 30, 2023

Hanna Burnett, Domestic Violence Action Committee (NPHD staff)
Nancy Irwin, Friends of Needham Board of Health
Sandra Robinson, Needham Community Council
Lt. Belinda Carroll, Police DVAC Co-Chair (invited)
Colleen Schaller, Council on Aging (invited)
Tatiana Swanson, Disability Commission (invited) (Town staff)

Peer Departments – October 31

Deputy Chief Chris Baker, Community Crisis Intervention Team
Chief Thomas Conroy, Fire Department
Lee Newman, Planning & Community Development
Sara Shine, Youth & Family Services
Stacey Mulroy, Parks and Recreation (invited)
Lt. John McGrath, Police Department (invited)
LaTanya Steele, Aging Services (invited)

Customers – October 31

Laurie Blake, Needham Housing Authority
Steve Volante, Volante Farms

Community Partners - November 1

Jill Carter, Beth Israel Lahey Hospital
Susannah Hann, Needham Public Schools
Emily Turnbull, Needham Police (invited)

Elected Officials – To Be Scheduled

Denise Garlick – 13th Norfolk

KEY THEMES:

Appreciated the outreach and being involved in the process

Compliments:

- Very thorough, logical, covers all the pillars of public health
- Priorities are well thought out
- Reads as inclusive doc; the priority around people and compassion, caring for each other – that value really came through
- Mission statement captures what the department is trying to do
- Really liked and understood the mission, vision, and values (esp. “prevent when possible, respond when necessary”)

Questions / Curious for more information

- How much of this is new? How much is ongoing/continuation of existing work?
- Hadn’t seen BOH/staff areas of focus divided so starkly in the past

Encouragements

- ID any gaps in awareness of public health services within the general public
- Communications are good between our divisions – keep doing this!
- ID how some of the goals overlap between departments
- Involve other departments in the goal-planning process
- Mental health cannot be emphasized enough
- Involve staff to a greater degree and make it readable/accessible to them
- Consider naming the schools as a key partner



Board of Health

AGENDA FACT SHEET

October 17, 2025

Agenda Item	September 2025 Staff Reports
Presenter(s)	Public Health Division staff members

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Each program area within the Public Health Division will give a brief update on current topics, projects, events, accomplishments, and more.	
2.	VOTE REQUIRED BY BOARD OF HEALTH
Discussion only.	
3.	BACK UP INFORMATION:
a) Environmental Health – Sai Palani & Tara Gurge b) Accreditation – Lynn Schoeff & Alison Bodenheimer c) Traveling Meals – Rebecca Hall d) Substance Use Prevention: Regional – Lydia Cunningham e) Substance Use Prevention: Needham – Karen Shannon, Karen Mullen, Monica DeWinter, Angi MacDonnell, Vanessa Wronski f) Public Health Preparedness –Taleb Abdelrahim g) Epidemiology – Julie McCarthy h) Nursing – Ginnie Chacon-Lopez & Laura Duff i) Shared Public Health Services – Staff	



Needham Public Health Division

Prevent. Promote. Protect.



September 2025

Assist. Health Director - Tara Gurge

Full-time Health Agent – Sainath Palani

Part-time Health Agents/Food Inspectors – Monica Pancare and Cameron Bishop

Unit: Environmental Health

Date: October 17, 2025

Staff members: Tara Gurge, Sainath Palani, Monica Pancare and Cameron Bishop

Activities and Accomplishments

Activity	Notes
Staff Updates	Cameron Bishop, our new 10 hr./week inspector, started with us the week of September 15th. As part of his onboarding process, we set up a training with Relavent on the FoodCode Pro electronic food inspection software. We are also having him shadow inspector staff and having him review our policies. We also hired 4 per diem part-time Environmental Health Inspectors that will be able to work up to 5 hrs./week assisting us with conducting food and housing inspections and other work. Alexandra Diener, our previous intern, will be coming back to conduct some additional work for us. Human Resources is in the process of sending out those per diem staff offer letters. They are all set to start on Oct. 15th.
Adoption of FDA 2022 Food Code and Food Code Supplement	As we mentioned at last month's BOH meeting, we are looking forward to adopting the 2022 FDA Food Code and Food Code Supplement, which has been on our list of items to accomplish over the past couple of years. As we discussed, we will be able to accommodate the board's requests with adjusting enforcement for some excerpts of the supplement, and we are planning on rolling out the enforcement of this 2002 Food Code and Food Code Supplement over an approximate 6-month timeframe to allow our food establishments sufficient time to accommodate the new code requirements. (See Memo provided in your packets with proposed timeframes). We are hosting our 3 annual Fall Food Establishment in-person trainings at Needham Town Hall in early October, and we will also be working with our bi-lingual Spanish trainer to conduct a virtual training. For this years training, we will be reviewing the regulatory updates of the 2022 FDA Food Code & Supplement. We will be able to answer any questions our food establishments may have on these new changes. We will also be giving each attendee a folder with helpful guidance and info.

	In early January, we are also hosting two in-person ServSafe Food Manager certification training courses for our food establishments in order to help them achieve these new code requirements, with having a certified food manager present during all hours of operation. We will be covering the cost of the all-day training and the exam, and the participants will only need to cover the cost of the training books. This is the first year we have been able to host this type of ServSafe Food Manager certification training, which we were able to use some of our FDA grant money to accomplish this.
Staff Conferences/ Trainings	Tara and Sai attended the annual Massachusetts Environmental Health Association (MEHA) Yankee Conference this year in Plymouth, MA from Sept. 10 – 11 th . Sai and Tara will also be attending the upcoming virtual Northeast Food and Drug Officials Association (NEFD OA) conference on Oct. 22 and 23 rd .
Gyro and Kebab House Administrative Hearing	We had an administrative hearing with Gyro & Kebab House due to a poor inspection that had occurred the week prior which led to the voluntary closure of the establishment. At the meeting they agreed to few terms which included establishing certain food safety systems within the kitchen to prevent those violations from occurring again. The risk level for this establishment also increased by one level from a risk level 2 to a risk level 3 for at least one year which would lead to more frequent routine food inspections and a higher annual permit fee, per our approved Food Code Enforcement Policy requirements.

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

Activities

<i>Activity</i>	<i>Notes</i>
Body Art	1 – Permits Issued and inspection performed - A new body art practitioner's permit issued to Anna S. to practice at the Premium Med Spa. Establishment inspection occurred the end of August and inspection was performed with Full-Time public health nurse.
Body Work	1 – Permits/Plan reviews conducted for Body Work Establishment at: - <u>Baan Thai Spa</u> appears to have expanded their establishment. Proper building permits were pulled (BC-25-10006) and work appears to have been completed in the spring of 2025. Health agent will reach out to the Building Department to notify our office in the future about these sort of changes to places we permit. Updated floor plans will be requested and an in-person inspection will be scheduled however three extra spa rooms have already been added without a plan review. Article 19 does not require for there to be a plan review for these types of changes and just requires the operator to comply with the regulation. An inspection will be scheduled to confirm that facilities

	meet requirements in the regulation and that all practitioners are required to apply for a permit, prior to practicing in Needham.
Demo Reviews/ Approvals	4 - Demolition signoffs: -#1152 Central Ave. -#339 Chestnut Ave. (rodent inspection performed by health agent) -#150 Fair Oaks Park -#37 Moseley Ave.
Disposal of Sharps Permits	0 – Disposal of Sharps Permits issued.
Septage/Grease/ Medical Waste Hauler Permits Issued	0 – Septage/Grease & Medical Waste Hauler Permits Issued.
Trash/Recycling Waste Hauler Permit issued	0 - Trash and Recycling Waste Hauler Permits issued:
Food - Plan reviews/Follow- ups/Pre-operation inspections	5 – Plan Reviews/Initial Pre-operation inspections conducted for: - Pre-planning meeting for New Le Petit Four Commissary in Needham - Boston Children’s Hospital – Kitchen build out but plan review from our office to take place in October after contract is signed with company who will be running the kitchen is finished. - HACCP Plan and variance reviews and changes for Fuji & New Garden (for acidified sushi rice) and Volante Farms (for reduced oxygen packaging). Plans were outdated and confusing and had to be revised. All four plans are in the process of being revised and approved in the month of September.
Food – Temporary Food Event Permits issued	10 – Temporary Food event online permit application reviews and permits issued to: - Needham Jr. Football & Cheer (Sunday nights at fieldhouse- serving burgers, hotdogs, breakfast sandwiches, run by owner of Hungry Coyote). - Broadmeadow Elementary School PTC-Outdoor movie night (September 26th) - Friends of Needham Soccer-Soccer Night at Fieldhouse (September 30 th) - Pop Up NHS Football Game- Tiffany’s Brownies (Oct. 3 through Oct. 24 th) (2x) - Dandiya Night at the CATH- ICON (September 20 th) - DVAC meeting at Powers Hall (Oct. 27 th) - Hearth Pizza for Harvest Fair (Oct. 5 th) - Playa Bowls for Jog your memory 5K (Oct. 5 th) - Broadmeadow PTC Pasta Night (Nov. 5 th)
Food Complaints/ Follow-ups	3 – Food Complaints/Foodborne illness cases receive for: - Complaint was received about pet animals being brought into Trader Joes. Health agent discussed this incident with the store manager who went through their protocols of how they respond to pets in their store and they confirmed that in this case this was a real service animal.

	- Complaint was received about a customer questioning the Little Spoon servers about how their gluten free items get prepared. The way that the server described the process made it appear that the items were not prepared any differently. Health agent stopped by the store and conversed with the manager and they confirmed that the gluten free items are done in a specialized manner. - Complaint was received about no soap in customer bathrooms at Volante Farms. Health agent responded and found that the automatic feature of the dispensers were no longer working however customers can press the dispenser to manually dispense soap.
Housing - Complaints/Follow-ups, etc.	(5/10) - New Housing Complaints/Follow-ups conducted at: - <u>Chambers St. (Needham Housing Authority/NHA) (0/0) - Update:</u> No change from previous month. Unit is still being cleaned and reinspection will be performed prior to it being rented to another individual. - <u>Pickering St. (0/1)</u> – EMS services reported extreme unsanitary and unsafe conditions during responding to an emergency at a property. Update: There was a 2.5 month lapse due to one of the occupants being in a medical facility. A reinspection was performed with the public health nurse to assess what would be needed prior to the discharge of the occupant back into the home. - <u>2nd Ave. (0/1)</u> - There were reports of mouse activity in one of the units. The occupant requested an inspection. Mouse activity was observed and orders to correct were sent to the property manager. Recent pest control reports were sent to our office. Update: Compliance letter sent out after sufficient documentation was sent to our office. No further action on this case is needed. - <u>Linden St. (1/1)</u> – Complaint received about large potholes and other safety conditions at the property. Housing inspection was performed and conditions present did not warrant a condition that was in violation of the housing code. - <u>Captain Cook Dr. (1/1)</u> – Complaint received about mold in bathroom at a NHA property. A comprehensive inspection was requested and performed and orders to correct were sent to the NHA. Reinspection was set for last week in October. - <u>Great Plain Ave. (1/1)</u> – Occupant filed complaint about one of their screens being in disrepair. Health agent performed an inspection and then worked with property manager to repair the opening in the screen. No further action is necessary. - <u>Tillotson Rd. (1/2)</u> – Environmental health staff responded to a fire and performed inspections for all units in the building. The unit where the fire originated from was deemed uninhabitable and unsafe and was condemned on an emergency basis. Another site visit was performed to post the placard. Owner is aware that a reinspection will be required prior to allowing the unit to be rented again. No further would be required. - <u>Linden St. (1/3)</u> – Complaint was received about a unit in the NHA being infested with flies and the tenant being admitted to a medical center after the appearance of the flies. An inspection was performed and orders to correct were sent out. Health agent worked with our epidemiologist, social worker, tenant, property manager and property owner to address the possible infestation issues and the cause of it. Unit was deemed safe to reoccupy and other outstanding violations must still be corrected. A reinspection was scheduled for late October.

Housing Pre-occupancy inspections	0 – Housing pre-occupancy inspections conducted.
Nuisance complaints/Follow-ups	(0/2) – New Nuisance Complaints/Follow-ups: - <u>Dedham Ave. (0/1)</u> – Meeting held at Public Health Division to discuss reported pest concern at First Parish/Needham Children’s Center – Follow-up joint site visit conducted with Assist. DPW Director and rep from First Parish. We will be receiving an estimate from a DPW vendor to exclude an additional area with stainless steel mesh and gravel, along a gap that is present (right up against the previous rodent exclusion) along the Town line and the church/daycare property fence line. We will also be coordinating the gassing of the burrows in the area prior to this pending exclusion installation, with our town pest control service, Modern Pest Control. Update: Work is still pending and will be done in this area to finish the exclusionary work. - <u>Central Ave. (0/1)</u> – Neighbor complaint received related to standing water and excessive birdseed outside. In addition, there are cars parked in the drive filled with items and there is evidence of items packed in the garage. This is a repeat complaint from 2024. An attempt was made to connect with homeowner in August who did not answer the door. Update: Another attempt was made but homeowner was not responsive. Exterior of the property was creating a nuisance condition. A letter is in the process of being drafted to get the owner to respond to us about the neighbors reports.
Indoor/Outdoor Pool plan reviews/ spot checks and annual permit renewal inspections	5 – Indoor/Outdoor plan reviews and pool spot checks conducted: - <u>Wingate</u> - <u>Sheraton</u> – Pool closure with two reinspections - <u>Homewood Suites</u> – Pool closure
Planning Board Special Permit review	1 - Planning Board review conducted: - #100 West St.
Septic Certificate of Compliance (COC)	1 – Septic Certificate of Compliance final signoffs issued: -#260 Charles River St.
Septic – Construction Repair permit issued	1 – Septic Construction Permits issued. -#1574 Central Ave. (d-box only)
Septic Failure Letters	0 – Septic system failure/conditional pass reviews conducted / Letters sent for:

Septic Installation inspections	2 – Septic installation inspections conducted: - #1266 South St. (x2) - #300 Charles River St.
Septic Deed Restrictions	1 – Septic Deed Restrictions received. - #1574 Central Ave.
Septic Installer Exam/Permit Issued	0 - Septic System Installer exam and permits 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/Approvals issued	2 – Septic System Plan reviews conducted/approvals issued: - #300 Charles River St. – Stamped plans that were submitted to your house of the existing house and the proposed additions did not match what was present in reality. Septic system was installed. Homeowner agreed to work with our office to remove doors and certain walls in the house to remove rooms so that number of rooms in the house meets the design flow of the newly installed septic system. (Deed restriction, etc.) - #1574 Central Ave. – Number of bedrooms in the house exceeded the design flow of the permitted septic system based on the records available at the Health Division. One of the doors to the bedrooms was removed and the garbage grinder was also removed and a deed restriction was placed on the house.
Septic – Soil/Perc Tests	0– Septic Soil/Perc Tests conducted.
Septic Trench permit issued	1 – Septic Trench permits issued. -#1574 Central Ave.
Septic – Abandonment Forms	0 – Septic abandonment/connection to sewer forms received.
Tobacco Compliance Checks/Hearing Scheduled/ Retail inspections	9 – Tobacco retail routine compliance checks conducted at all permitted establishments. - Compliance checks were performed in September and all six retailers passed the check. Please see attached summary. - Site visits were performed at the three retailers that previously sold nicotine pouches. All were no longer selling these products.
Well Permit online applications/plan reviews/ inspections	1 – Well permit online applications/plan reviews conducted: - #626 South St. (Permission to drill letter sent)

Zoning Board of Appeals plan review	1 – Zoning Board of Appeals plan review conducted: - #43 Fremont St.
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FY 26 Priority FBI Risk Violations of Interest

Establishment	Date	Violation(s)	Corrective Action/Follow-up
Blue on Highland	September 3, 2025	-Cole slaw on service line flip top was at an elevated and unsafe temperature of 48F.	Reinspection performed -Item was allowed to move into a walk-in fridge to cool down.
Gari	September 13, 2025	-Hose in a rinse sink was left below sink rim allowing for an indirect connection between the potable water system and the wastewater system. - The food contact surface of the shredder was soiled.	-Hose length must be adjusted or it must be made so it is retractable. In the meantime, hose must be hung up between uses. -Shredder was discarded.
Conrad's	September 17, 2025	-Cooked chicken wings were improperly stored on floor beneath other raw meat products in walk-in. -Mechanical glass dishwasher in the coffee bar was not dispensing any sanitizer. -TCS ingredients for nacho station stored on ice in front of the oven were all out of safe temperatures.	Reinspection performed -Cooked wings were moved and other improperly stored items were moved. -Mechanical dishwasher was observed as being repaired. -Nacho ingredients were moved into the pizza flip top.
The Common Room	September 20, 2025	-The blade and cover of the slicer were still soiled after being cleaned by a cook. Blade was also not properly sanitized after cleaning. Sanitizer in bottles were too weak. -Sauces were not being reheated properly.	-Discussed the proper reheating of sauces with the chef.
St. Sebastian School	September 22, 2025	-An extra side self-service buffet line was observed that had exposed food that was not properly protected with a sneeze guard.	-PIC agreed to purchase a new sneeze guard for this station. In the interim, they would set up the available sneeze guards for this station. (COS)
Gyro & Kebab House	September 23, 2025	-Food handling staff were not washing their hands between performing different tasks that contaminate the hands though out the duration of the	Establishment voluntarily closed. A reinspection was performed that allowed them to conditionally reopen after refrigeration units were repaired.

		inspection. In addition to this, they did not change their gloves throughout. -Raw chicken was observed to be stored directly on top of a box of tomatoes. -Gyro on vertical spits were not continuously cooking throughout the day based on the information collected. Internal temperature of the gyros were in the temperature danger zone for potentially over 6 hours. -5 of 6 available cold holding units were not at safe temperatures and all TCS food inside of them were at elevated and unsafe temperatures. -PIC was not able to locate a calibrated probe thermometer at the time of inspection.	Administrative meeting with manager took place to create risk control plans and deliverables that had to be submitted. -Food handling staff at the time of inspection was new and a fill in for the day. They will be retrained. -Tomatoes were discarded since they would undergo a cook step. -All out of temperature RTE and TCS foods were voluntarily discarded at time of inspection. -Gyros were discarded at time of inspection. Cooking verification was performed at time of reinspection and it was found that even after 2 hours of continuously cooking internal temperatures were reaching a safe cook temperature. Spits were reduced in size by half and it lead to a quicker cook time. The chicken gyro was temporarily asked to be suspended until SOPs for it's preparation could be submitted. -Thermometer was available but obviously not in use. A digital thermometer was purchases. Internal temperate logs must be kept moving forward and they will be forwarded to our office for review for at least two weeks.
Zdorovie ADHC	September 23, 2025	-Cooked fish and the cold vegetable salad with cut tomatoes were both received out of temperature delivered from the commissary central kitchen in Newton.	-Fish was ordered to be reheated prior to service. Health agent required that staff keep internally temperatures of received food and that the food must be delivered in properly insulated boxes. (COS)
Rainbow ADHC	September 23, 2025	-Five large cases of shell eggs were at 89F after they were delivered and left on a counter in the kitchen.	-Eggs would be fully boiled and were required to put under refrigeration immediately and then to be all fully boiled that same day. (COS)
Masala Art	September 24, 2025	-More than one food handler were not washing their hands between changing tasks such as going from warewashing back to preparing food. -PIC was notified to inform food handlers to stop work and wash their hands one by one. Food handlers each	-Food consultant and PIC will retrain staff on when, where and how to wash hands. This will be confirmed at a reinspection with the consultant present. -Main mechanical dishwasher was ordered to be used. Wiping cloth

		improperly washed their hands for less than 5 seconds by rinsing their hands under running water. -The food grade sanitizer dispenser for all wiping cloth buckets and in the 3-bay sink was not dispensing any sanitizer. -Mechanical bar dishwasher was not dispensing any sanitizer. -Multiple knife blades that are used for the preparation of raw meats were all soiled with apparent pieces of meat and away on the knife holder. - Multiple TCS foods in one of the under counter fridges were holding at elevated temperatures.	buckets were asked to be manually made with chlorine. -soiled knives were run through mechanical dishwasher. -TCS held at elevated temperatures were either voluntarily discarded or moved into the working walk in fridge depending on time in which the food was out of temperature for.
Wingate	September 29, 2025	-Dishwasher was observed handling clean dishware from the mechanical dish machine with a soiled dirty glove and bare hands that were visibly dirty.	-PIC was informed about this and dishwasher washed their hands and were informed to wash their hands and wear clean gloves when they switch from cleaning dirty dishes and then they handle clean dishes.

Category	Jul	Aug	Sep	FY'26	FY'25	FY'24
Food Establishment						
Annual/Seasonal Permits	1	1	0	2	124	128
Mobile Food Truck Permits	0	1	0	1	4	5
Temp. food permits	8	3	10	21	45	51
Farmers Market permits	2	2	0	4	13	15
Frozen Dessert Permits	0	0	0	0	4	-
Food Variances	0	0	0	4	4	4
Food Service Plan Reviews	1	0	5	6	11	21
Food Service Pre-op. Insp.	2	2	0	4	20	23
Food Service Routine insp.	13	13	18	44	240	224
Food Service Re-insp.	8	2	5	15	135	114
Residential Kitchen insp.	1	2	0	3	13	5
Mobile Routine insp.	0	1	1	2	4	5
Temp. food inspections	8	0	0	8	16	24
Farmers Market insp.	12	6	9	27	26	65
Enforcment action (fine, admin meeting, etc.)	0	0	1	1	-	-
Fines Issued (\$)	0	0	0	0	350	-
Food Complaints	2	1	3	6	25	25
Follow-up food complaints	0	1	3	4	18	18
Biosafety Permits	0	0	0	0	4	4
Biosafety Inspections	0	0	0	0	4	4
Biosafety Plan Review/Meetings	0	0	0	0	2	7
Body Art Establishment Permits	0	0	0	0	1	-
Body Art Practitioner Permits	0	0	1	0	1	-
Body Art Insp.	0	1	1	0	2	-
Bodywork Estab. Permits	0	0	0	0	7	5
Bodywork Pract. Permits	0	0	0	0	8	10
Bodywork Estab. Insp.	0	0	0	0	7	8
Demo Sign offs	6	11	4	21	67	96
Domestic Animal permits	0	0	0	0	13	17
Domestic Animal Inspections/New permits	0	2	1	3	0	2
Dumpster Permits	0	5		5	84	-
Funeral Home Director	0	0		0	2	-
Grease/ Septage Hauler Permits	0	0		0	28	25
Housing New Complaints	2	2	5	9	22	38
Housing Inspections	2	1	5	8	-	-
Housing Reinspections	3	3	3	9	-	-
Housing Follow-ups (non- inspections)	0	2	2	4	72	107

Category	Jul	Aug	Sep	FY'26	FY'25	FY'24
Housing Orders to Correct Sent	1	0	3	4	-	-
Condemnations	0	0	1	1	-	-
Compliance letters issued	0	2	1	3	-	-
Pre-Rental Housing Insp.	0	0	0	0	-	-
Hotel Inspections	0	0	0	0	4	5
Marijuana Permits	0	0	0	0	1	1
Marijuana Inspections	0	0	0	0	1	3
Marijuana Plan Review	0	0	0	-	-	-
Medical Waste Hauler permits	0	0	0	0	9	6
Nuisance Complaints (non-rat)	4	7	3	14	37	53
Smart Box Captures (total)	8	0	15	23	28	-
Nuisance Investigations	4	5	0	9	-	-
Nuisance Follow-ups	5	4	1	10	60	89
Nuisance Orders to Correct	1	0	0	1	-	-
Nuisance Compliance Letters	0	0	0	0	-	-
Nuisance Rat Complaints	3	4	3	10	-	-
Nuisance -Rat Investigations/meetings	4	2	1	7	-	-
Pool inspections	4	3	3	10	22	30
Pool Follow up inspections	0	1	2	3	11	6
Fines Issued (\$)	0	0	300	300	-	-
Pool permits	0	0	0	0	14	14
Pool-Wading/Special Purpose	1	1	0	0	3	3
Pool plan reviews	0	0	0	0	0	0
Pool variances	0	0	0	0	7	5
Septic Soil Test Witnessing	1	0	0	1	3	6
Septic Plan reviews	1	0	2	0	5	13
Septic Const. permits	0	0	1	1	6	4
Septic Install. Insp.	4	6	3	13	20	26
Septic COC for New Construction	1	1	1	3	2	6
Septic COC for Repair	0	0	0	0	1	0
Septic COC for Component	0	0	0	0	4	1
Septic Trench permits	1	0	1	2	11	9
Septic Installer permits	1	0	0	1	10	7
Septic Installer Tests	1	0	0	1	3	5
Septic Abandonment Forms	0	2	0	2	1	4
Septic Info. requests	0	3	2	5	48	60

Category	Jul	Aug	Sep	FY'26	FY'25	FY'24
Disposal of Sharps permits	0	0	0	0	10	10
RTS Site Inspection	0	0	0	0	1	1
Planning Board Subdivision Sp Permit Plan reviews/Insp. of lots	0	0	1	1	20	10
Subdivision Bond Releases	0	0	0	0	5	2
Special Permit/Zoning	0	3	1	4	23	16
Tobacco permits	0	0	0	0	6	6
Tobacco Routine insp	0	0	0	0	12	12
Tobacco Follow-up insp.	0	0	3	3	12	3
Tobacco Compliance checks	0	0	6	6	18	12
Tobacco complaints	0	0	0	0	0	0
Trash Hauler permits	2	0	0	2	22	16
Well - Plan Reviews, Permission to drill letters, Insp.	2	1	1	4	9	11
Well Permits (Completion)	0	0	0	0	3	0
Monthly Totals	120	107	117	227	1488	1505



September 8, 2025

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 born after January 1, 2004. Article 1 § D.3 reads, “Each person selling or distributing tobacco products shall verify the age of **every** purchaser of tobacco products by means of government-issued photographic identification containing the bearer’s date of birth that the purchaser is born before January 1, 2004.” 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 operative who is born after January 1, 2004. The student attempts to buy tobacco products from each tobacco permit holder with their an ID. If sales are made to the operative, the tobacco permit holder is subject to the following penalties under Article 1 § U. depending on whether the permit holder violated state or local regulations.

For the September 8, 2025 compliance checks, one underage male volunteer assisted. No sales were made to an underaged buyer. Attached is a complete summary detailing each compliance check.

Participant – age 20





Needham Public Health Division

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Establishment:	Speedway #2472
Type of Establishment:	Chain
Style of Establishment:	Gas Mini-Mart
Time:	2:40 pm
Purchaser asked for ID?:	Yes
Purchaser asked for age?:	Yes
Sex of Clerk:	Male
Age of Clerk:	Adult
Type of tobacco asked for:	Marlboro cigarettes
Outcome:	No sale made
Notes:	
Establishment:	7-Eleven #32485B
Type of Establishment:	Chain
Style of Establishment:	Convenience Store
Time:	2:45 pm
Purchaser asked for ID?:	Yes
Purchaser asked for age?:	Yes
Sex of Clerk:	Male
Age of Clerk:	Adult
Type of tobacco asked for:	Marlboro cigarettes
Outcome:	No Sale Made
Notes:	
Establishment:	Needham Heights Auto. Shell
Type of Establishment:	Chain
Style of Establishment:	Gas Mini-Mart
Time:	2:48 pm
Purchaser asked for ID?:	Yes
Purchaser asked for age?:	Yes
Sex of Clerk:	Male
Age of Clerk:	Adult
Type of tobacco asked for:	Marlboro Cigarettes
Outcome:	No Sale Made
Notes:	
Establishment:	Needham Center Fine Wine
Type of Establishment:	Independent
Style of Establishment:	Liquor Store
Time:	2:57 pm



Needham Public Health Division

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Purchaser asked for ID?: Yes
Purchaser asked for age?: Yes
Sex of Clerk: Male
Age of Clerk: Adult
Type of tobacco asked for: Marlboro Cigarettes
Outcome: No Sale Made
Notes:

Establishment: Great Plain Ave Gas (Exxon Mobil)
Type of Establishment: Chain
Style of Establishment: Gas Mini-Mart
Time: 3:00 pm
Purchaser asked for ID?: Yes
Purchaser asked for age?: Yes
Sex of Clerk: Male
Age of Clerk: Older Adult
Type of tobacco asked for: Marlboro cigarettes
Outcome: No Sale Made
Notes:

Establishment: Needham Service Center
Type of Establishment: Independent
Style of Establishment: Gas Mini-Mart
Time: 2:55 pm
Purchaser asked for ID?: Yes
Purchaser asked for age?: Yes
Sex of Clerk: Male
Age of Clerk: Adult
Type of tobacco asked for: Marlboro Cigarettes
Outcome: No Sale Made
Notes:



Unit: Accreditation

Date: September 2025

Staff: Lynn Schoeff and Alison Bodenheimer

Activities and Accomplishments

Activity	Notes
Preparation for PHAB site visit	- A mock site visit will be held on October 27. - Prepared documentation for site visit - Updated and wrote additional policies & procedures - Reviewed and updated Continuity of Operations Plan
Performance Management	- Series of meetings held with staff to ensure all activities for fiscal year 2025 were updated and discussed summary progress report and next steps. - Activities for fiscal year 2026 captured and entered in performance management system for tracking progress along with early progress updates when available.
Quality Improvement	- Finalized scope of work for program evaluation and quality improvement trainer in response to staff needs
Policies	<u>Finalized</u> Legal Notice (ADM) Posting BOH Agenda (ADM) BOH Meeting Packets (ADM) Evidence of Authenticity (ADM) Staff Orientation (ADM) Board of Health Orientation (ADM) Racial and Health Equity (ALL HHS) Mandated Reporting (HHS)

	Payroll (HHS) Continuity of Operations Plan (EP) After-Action Report (EP) Tanning Facility Permit and Inspection (PHN) Septic Installer Permit (EH) Customer Satisfaction and Feedback (ADM) Animal Quarantine (EH) Medical Marijuana Treatment Facility Permit (EH) Opioid Plan Advisory Committee (PRV) <u>In Process</u> Recovery Support Fund (PRV) Program Evaluation (ADM) Updating documents (ADM) Saving documents for shared access (ADM) Blood pressure screening (PHN) Flu vaccine administration (PHN) Testing vaccine alarm system (PHN) Vaccine inventory management (PHN)
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**Needham Public
Health Division**
Prevent. Promote. Protect.



Unit: Traveling Meals Program

Date: September 2025

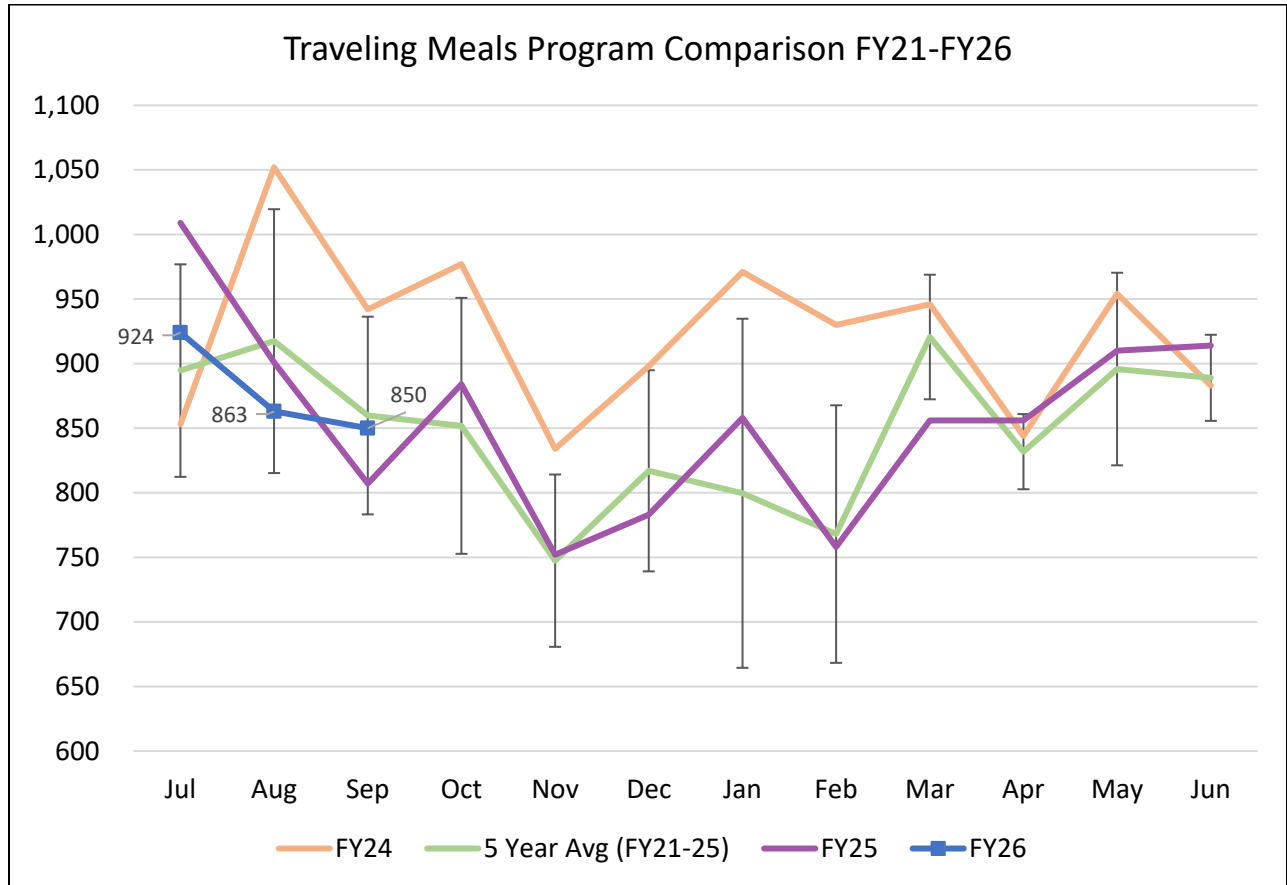
Staff: Rebecca Hall

Activities and Accomplishments

Activity	Notes
<i>Volunteers and Seasonal Drivers delivered meals to homebound Needham residents in need of food.</i>	<i>Meal delivery for month by 29 Volunteer Drivers and Community Partners</i>
<i>850 Meals delivered in September 2025</i> <i>47 Clients at end of September:</i> <i>38 Springwell Consumers</i> <i>9 Private Pay Consumers</i> <i>1 New Client (1 Springwell)</i> <i>3 Cancelled Program (Springwell)</i>	<i>No 911 calls initiated</i>
<i>Included flyer for The Council's Memory Café in meal bags</i>	<i>Community Council's Memory Café is for those living with dementia and their care partners; took place on 9/25/25</i>
<i>Included flyers about "Clean Up / Fix Up / Spruce Up Day" Sign-Up in meal bags</i>	<i>Program sponsored by Needham Council on Aging and Exchange Club of Needham; Event date 10/25/25</i>
<i>Included short survey about Traveling Meals Program in meal bags</i>	<i>Goal is to gain insight into client interactions with food in their meal bags (i.e., what components are not eaten, is hot meal eaten right away, etc.)</i>

Other Public Health Division activities this month:

Summary overview for the month: **Graph of Meal Deliveries for the month September 2025**





Unit: Substance Use Prevention: MassCALL3 Grant (Needham, Dedham, Walpole, & Westwood)

Date: September 2025

Staff: Lydia Cunningham, MPH, CHES®, CPS

Activities and Accomplishments

Activity	Notes
Prevention Capacity Building	• Time spent weekly in-person in cluster community health departments: Town of Dedham and Town of Walpole. • Collaboration with Town of Westwood (Human Services and Public Health) to support Westwood Cares Coalition rebuilding. • Participation in Dedham Youth Commission's "Youth Resource Bazaar" networking and providing resources to community members (Spoke with 104 adults and 121 youth). • Talk They Hear You campaign material distribution (digital and print media). • Meeting held with Scott Formica, SSRE, about feasibility and cost of parent surveys for Dedham, Walpole, and Westwood in 2026.
Strategic Plan Implementation	• <u>Parent/caregiver social marketing campaign</u>: focus group questions finalized, promotional materials distributed, initial focus group held September 24th. • <u>Alcohol and cannabis curriculum programs for middle and high school</u>: additional outreach conducted to cluster community school administrative and health education staff offering support with curriculum review and implementation. Meeting scheduled with new Dedham Public Schools K-12 Wellness Director. • <u>iDECIDE (Drug Education Curriculum: Intervention, Diversion, and Empowerment)</u>: information received



	from iDECIDE staff regarding “Implementation Roadmap” and documents to support fidelity of implementation, as well as status of program implementation in cluster towns. Discussion of next steps had with leadership team. Participation in iDECIDE training through PTTC. Meeting held with program facilitator at Needham Youth and Family services. Meetings scheduled with trained facilitators in Westwood and Walpole High Schools.
Communication & Community Outreach	• MassCALL3 Connections Monthly Meeting held September 2nd, featuring an overview of adult social marketing campaign, review of data collection requests and data received, parent survey planning, website updates, local public health policy updates, and information on upcoming events and trainings. • Social media: prevention messages delivered weekly on Prevention Partners Instagram and Facebook. • Website updates: Prevention Partners website updates published and shared with leadership team members for review. • Poster presentation on MassCALL3 grant strategies at BSAS Statewide Prevention Coordinators meeting.
Meetings and Trainings	• MassCALL3 Connections Monthly Meeting- 9/2 • Dedham Youth Commission Youth Resource Bazaar- 9/3 • Middlesex County District Attorney Ryan: Anti-Hate Anti-Bias Taskforce- 9/4 • Scott Formica, SSRE, discussion of feasibility of parent focus groups in cluster communities- 9/4 • August MassCALL3 Expense Reimbursement, Michelle Vaillancourt and Lisa McDonough, Town of Needham- 9/15 • Massachusetts Alcohol Policy Coalition- 9/17



	• Jessica Goldberg, Education Development Center, MassCALL3 grant evaluation consultation- 9/17, 9/23 • Beth Israel Deaconess Needham (BIDN) Community Benefits Meeting- 9/18 • Needham Board of Health- 9/19 • Westwood Cares: Danielle Sutton, Director of Human Services, Town of Westwood & Amanda Decker, Bright Solutions LLC- 9/22 • MetroWest Substance Awareness & Prevention Alliance- 9/23 • Walpole Prevention Coalition- 9/23 • PTTC: Science of the Positive- 9/24 • Adult Focus Group (adult social marketing campaign strategy)- 9/24 • A Restorative Alternative for School Substance Use Infractions (iDECIDE)- 9/25 • Norfolk County District Attorney Community Coalition Leaders Meeting- 9/29 • BSAS Statewide Prevention Coordinators Meeting- 9/30
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Staff time off: September 5th-12th.

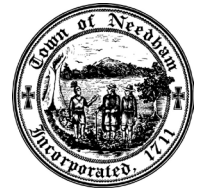
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END



Needham Public Health Division

Prevent. Promote. Protect.



Unit: Substance Use Prevention

Date: September, 2025

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

Activities and Accomplishments

Activity	Notes
SPAN Projects & Events	SPAN in the community: Needham THRIVES Festival: Angi MacDonnell and Monica De Winter represented the department with a SPAN table at the Needham Thrives Festival on Sunday, 9/28. Narcan Training: Karen Shannon conducted Narcan administration training to the attendees of the Town of Needham Leadership meeting on 9/18. Approx. 35 in attendance. SPAN Policy & Advocacy: The Prevention Team met with Mary Cole of Baystate Community Services and Stormy Leung, a prevention coordinator for the Town of Braintree, to gather information about creating a formal Coalition policy team. Karen Shannon and Monica De Winter will be the primary participants of a new alcohol policy training program for coalitions offered by the U.S. Alcohol Policy Alliance. The eight-month program is designed to teach coalitions how to conduct policy work and includes monthly virtual training sessions, one-on-one coaching and quarterly community of practice meetings. The knowledge gained from this program will inform the Prevention Team's efforts to work with SPAN to build a policy action team. Coalition meetings: the Prevention Team facilitated meetings of the Mental Health Action Team on 9/10, the Education Action Team on 9/16, and the Steering Committee on 9/25. SPAN social media: https://www.facebook.com/SPANNeedham/
Opioid Settlement Funds	Angi MacDonnell and Karen Shannon continue to move projects forward that meet the goals and objectives of the Needham Opioid Settlement Funds (NOSF) Strategic Action Plan. Those efforts include planning for a Needham Recovery Community Support Fund and the Opioid Settlement Action Team. Draft policies for both initiatives are completed.

	Annual Expenditure Report: Angi and Karen are working with Tim McDonald and the Town Accounting Dept. to complete this report of FY25 expenses for NOSF and is due on 11/1. Updates to Community Narcan Program: The MA Bureau of Substance Addiction Services (BSAS) issued updates to the Community Narcan Program (CNP) in their guidelines document. Affiliate members, like NPHD, are no longer permitted to provide naloxone to substance use treatment programs. When providing clients with Narcan upon their discharge, treatment programs are required to either bill the clients' insurance or submit the Naloxone for Uninsured People (NUP) Order Form for those without insurance.
Needham Public Health Peer Recovery Coach	During September, Angi MacDonnell, Peer Recovery Coach engaged in the following: Worked with 7 people, no new referrals. Average Age of those receiving services: 53 years. • Conducted debrief of Needham Overdose Awareness vigil with the planning committee; discussed strengths and areas of opportunity to consider for next year's vigil. • Provided transportation home for several peers from the Needham Overdose Awareness vigil. • Attended meeting of MetroWest Opioid Abatement Collaborative • Opioid Settlement Funds Strategic Plan implementation: ○ Drafted policies for two initiatives in the planning stages: Needham Recovery Community Support Fund and the Opioid Settlement Action Team Policy. Angi and Karen S. attended the Recovery Day celebration hosted by M.O.A.R.. MA Organization for Addiction Recovery, on the Boston Common, 9/26, along with colleagues from Natick and Sudbury. The event was an opportunity for those in recovery and their allies to celebrate recovery, hear inspiration from speakers and march in solidarity.
Alcohol Compliance	Monica De Winter and Karen Shannon continue the alcohol compliance work implemented under the STOP Act Grant, including: • Working with Needham Police on alcohol compliance checks. • Hosting responsible beverage service training for Needham alcohol licensees; the next scheduled training will be Monday, December 15 and will be facilitated by two Needham Police officers who are certified RBS instructors of the ServSafe Alcohol program.

SALSA	During the month of September, 41 SALSA leaders contributed 255 hours of service in Needham. September highlights include: - 81 NHS students participated in SALSA's September kickoff meeting on 9/12/12. Members heard about fall volunteer opportunities and were able to sign up to participate. - 41 NHS students participated in SALSA's new member training on Sat. 9/20 where they learned presentation skills needed to teach Pollard Middle School 8th grade health classes. 6 SALSA leaders helped w/training and led breakouts. - 9 NHS students from SALSA's Peer Leadership team attended the Norfolk County Peer Leadership Breakfast on 9/26/25.
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Summary for September 2025: this month focused on preparation for the SPAN fall meeting, preparation for and marketing of SPAN's participation in community events, and opioid settlement funds planning and reporting.



Unit: Emergency Preparedness

Date: September 2025

Staff: Taleb Abdelrahim

Activities and Accomplishments

Activity	Notes
Medical Reserve Corps (MRC)	- Assisted with vaccination clinics tasks and coordination. - September was National Preparedness Month, and the NC-8 MRC hosted a Training Day in Needham on September 13th, offering multiple sessions to strengthen volunteer preparedness and resilience. - Prepared to participate at Needham Harvest Fair to showcasing MRC works & Emergency Preparedness to our community.
Emergency Supplies Inventory	Conducted an inventory check of emergency supplies to ensure readiness.



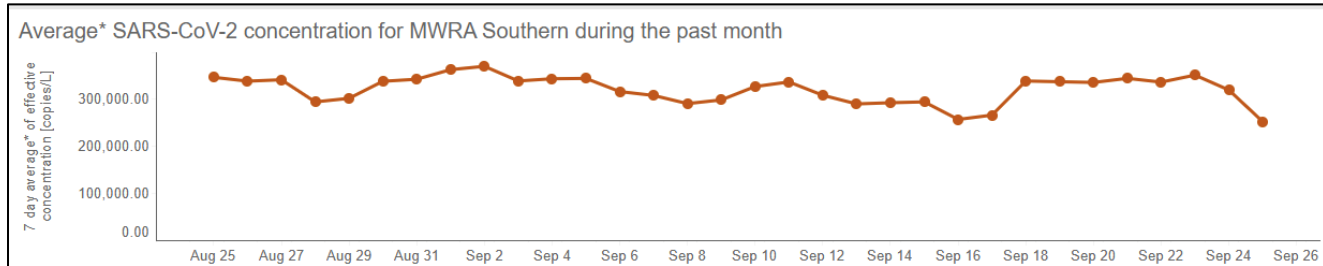
Unit: Epidemiology

Date: September 2025

Staff: Julie McCarthy

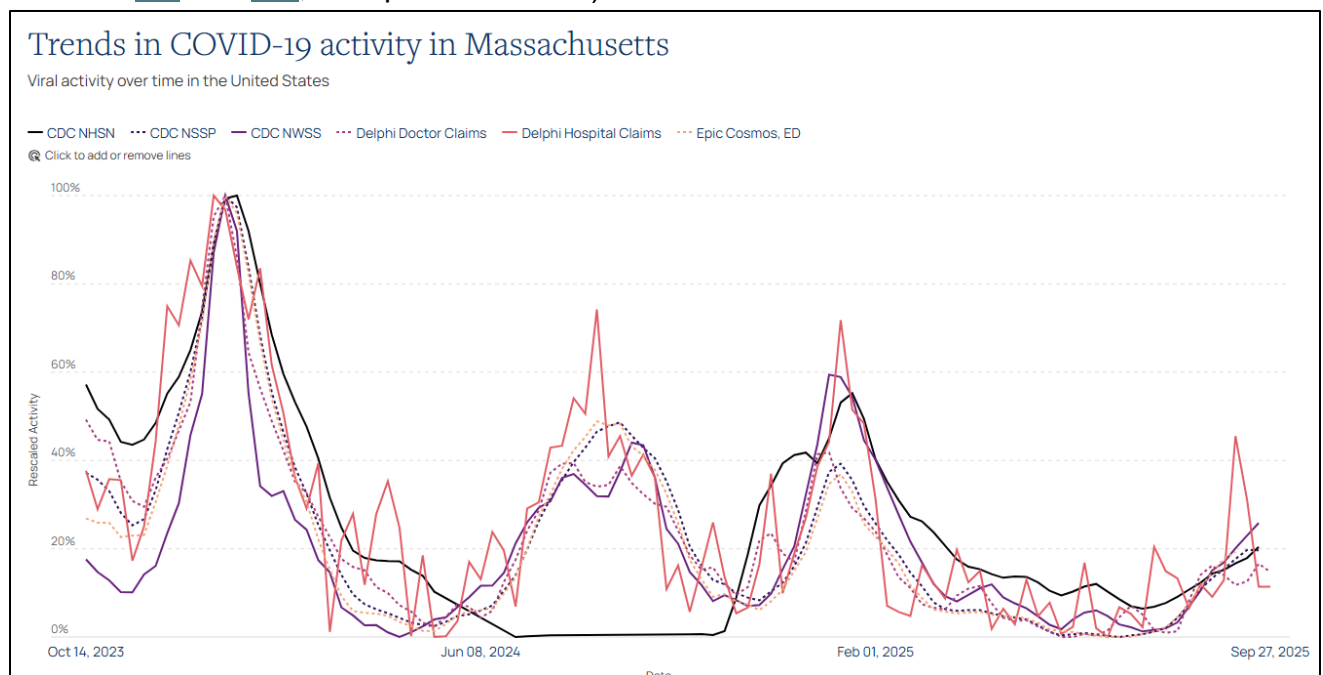
Upcoming respiratory virus season updates:

- Emergency department visits related to respiratory illnesses are currently considered “very low” in MA (<https://www.mass.gov/info-details/respiratory-illness-reporting>)



SOURCE: <https://www.mass.gov/info-details/wastewater-surveillance-reporting>

- Government shutdown means most CDC data sources are not being updated, so it is tough to get national data. [Your Local Epidemiologist](#) discussed [POPHIVE](#) in recent newsletter, which combines data from National Syndromic Surveillance Program, RESP-NET, National Wastewater Surveillance program, Google Trends API, Epic Cosmos, and more. Trends can be shown by data source (here is [US](#) and [MA](#), also pictured below).



- Recall notice: [Listeria outbreak](#) linked to prepared pasta meals. No MA cases recorded, but Marketside beef meatball marinara linguine meals were shipped to Walmart locations nationwide. Best if used by dates: SEP 22, 2025; SEP 24, 2025; SEP 25, 2025; SEP 29, 2025; SEP 30, 2025; and OCT 01, 2025. Establishment number: "EST. 50784" or "EST. 47718" inside the USDA mark of inspection.

Activities and Accomplishments

Activity	Notes
Biosafety	Scheduling a fall meeting for Needham Biosafety Committee to review Biosafety Regulation & ensure regulation is in line with our permitting, our practices as a Committee. Any proposed changes will be brought to BOH.
WNV/EEE	Needham is low risk for EEE and Moderate Risk for WNV (but surrounded by communities which are High Risk for WNV). MA DPH mosquito testing and Arbovirus updates will conclude on 10/10/25, with final report issued 10/14.
Community Health Survey	Working with consultants (BME Strategies) to organize Community Engagement Session to solicit feedback and involve community partners in advertisement of and distribution of the survey. Finalizing demographics section of survey and will bring draft of demographics section and list of other topic areas of interest to community engagement session.
Needham HEARTSafe	Continuing to make updates to Needham HEARTSafe StoryMap to provide information and resources to residents: (a) connected form for residents and businesses to register AED in PulsePoint; (b) embedded map of all AEDs in Needham registered in PulsePoint AED . Website will be included as part of our application to the Citizen CPR Foundation to become a HEARTSafe Community .



Unit: Public Health Nursing

Date: September 2025

Staff: Hanna Burnett, Ginnie Chacon-Lopez, and Laura Duff

Activities and Accomplishments

Activity	Notes
Community Outreach	• Flu clinics held: ○ CATH 9/6 ○ Needham Housing Authority: Linden/Chambers 9/10 ○ Needham Housing Authority: Seabeds 9/10 ○ Nehoiden Glen 9/15 ○ CATH 9/20 ○ Needham Library for Staff 9/22 ○ Needham Library for Staff 9/24 • Home visits for flu administration • Attended the Needham Community Council's inaugural Memory Café at the Library • BP clinics continued weekly at CATH and monthly at both NHA locations • 2 CPR classes conducted
DVAC	• Planning for the cable launch event continued ○ Powers Hall on Monday 10/27 starting at 6pm • Silent Witness event planned for October ○ Library from 10/8-10/24 • 2 survivors assisted with resources.
HEARTSafe	• Needham is now officially part of Cardiac Arrest Registry for Enhanced Survival (CARES)! • Work continues to find a way to fulfill element 9 (AED integration into 911-system).
Additional Notes	• Hired five new per diems: Cassandra Antoine, Michelle Anastasi, Sophia Caruso, Margarita Teti, and Annalisa Torres • Hanna Burnett staying as per diem • Tiffany Benoit back as per diem • Laura Duff working on Hanna's previous initiatives • COVID-19 vaccine ordering pending • More vaccine clinics scheduled for October

Potential Foodborne Illnesses	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	2026	2025	2024
Botulism Confirmed													0	5	0
Calicivirus/Norovirus Confirmed			<5										<5	9	5
Campylobacteriosis Confirmed	<5		<5										<5	6	10
Campylobacteriosis Probable			<5										<5	<5	<5
Cryptosporidiosis Probable		<5	<5										<5	<5	<5
Cyclosporiasis Confirmed													0	0	<5
Enterovirus Suspect			<5										<5	<5	0
Enterovirus Confirmed													0	<5	0
Hepatitis A Suspect													0	<5	0
Giardiasis Confirmed													0	<5	0
Salmonellosis Confirmed	<5												<5	<5	6
Salmonellosis Probable													0	<5	0
Shiga Toxin Producing Organism Confirmed													0	<5	0
Shiga Toxin Producing Organism Probable													0	<5	<5
Shiga Toxin Producing Organism Suspect													0	<5	0
Shigellosis Confirmed													0	<5	0
Shigellosis Probable	<5												<5	<5	0
Vibrio sp. Probable													0	0	<5
Vibrio sp. Suspect													0	0	<5
Arbovirus	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	2026	2025	2024
Babesiosis Confirmed	<5												<5	5	<5
Babesiosis Suspect													0	0	<5
Dengue Fever Probable													0	<5	<5
HGA/Anaplasmosis Confirmed													0	<5	<5
HGA/Anaplasmosis Probable													0	<5	0
Lyme Disease Suspect	6	5	<5										14	23	45
Lyme Disease Probable	<5	<5											5	13	35
Other Communicable Illnesses	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	2026	2025	2024
Group A streptococcus Suspect			<5										<5	0	0
Group A streptococcus Confirmed													0	<5	0
Group B streptococcus Confirmed													0	0	<5
Haemophilus influenzae Confirmed													0	<5	<5
Hepatitis B Suspect	<5	<5	6										12	47	5
Hepatitis B Contact	<5												<5	0	0
Hepatitis B Confirmed													0	<5	0
Hepatitis B Probable													0	<5	0
Hepatitis C Confirmed													0	<5	0
Hepatitis C Probable			<5										<5	5	<5
Hepatitis D Suspect													0	<5	0
Influenza Suspect	<5		<5										<5	<5	8
Influenza Confirmed	<5												<5	356	160
Legionellosis Confirmed	<5												<5	0	<5

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Novel Coronavirus Confirmed	12	15	30											57	204	318
Novel Coronavirus Probable		<5	6											7	69	56
Novel Coronavirus Suspect	<5													<5	11	14
Malaria Confirmed														0	0	<5
Measles Suspect			<5											<5	0	0
Pertussis (Bordetella spp.) Confirmed		<5												<5	<5	<5
Streptococcus pneumoniae Confirmed														0	<5	0
Streptococcus pneumoniae Probable														0	<5	0
TB Infection Suspect	8	<5	<5											14	33	10
TB Infection Confirmed														0	12	47
TB Infection Contact														0	<5	<5
Varicella Suspect	<5	<5												<5	<5	<5
Totals	48	31	59	0	0	0	0	0	0	0	0	0	0	138	847	746

Immunizations/Injections	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	2026	2025	2024
B12	1	2	2										5	18	8
Influenza			243										243	533	771
Tdap													0	2	0
Covid-19													0	76	208
VFC		8	2										10	11	0
Other													0	13	3
Total	1	10	247	0	0	0	0	0	0	0	0	0	258	653	990

Animal-to-Human Bites	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	2026	2025	2024
Dog	1												1	0	3
Cat													0	0	1
Bat													0	4	0
Total Bites	1	0	0	0	0	0	0	0	0	0	0	0	1	4	4

Assistance Programs	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	2026	2025	2024
Food Pantry													0	0	0
Friends													0	1	0
Gift of Warmth	1	2	0										3	17	29
GoW Amount	300	600	0										900	8675	16843
Parks & Rec													0	0	0
Self Help													0	0	2

Education	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	2026	2025	2024
CPR Education	6	26	8										40	479	243
Matter of Balance Graduates													0	16	15
Narcan	2	34	65										101	201	174

Donations:	\$0
Gift Cards Distributed:	0

**September
2025 Report**

Unit: Public Health Excellence - Shared Services, Contact Tracing & Local Public Health Training Hub

Date: 10/6/2025

Staff members: Kerry Dunnell, Jennifer Casey, Jennifer Gangadharan & Padraig Martin

Activities and Accomplishments

Activity	Notes
Shared Services- Charles River Public Health District (Towns of Dover, Medfield, Needham, and Sherborn)	Staff members: Kerry Dunnell, Jennifer Casey, Jennifer Gangadharan Staff Updates Regional Environmental Health Agent position was re-posted. We received twenty-four applications and a panel comprised of Tara Gurge, Asst Dir Needham, Jason Belmonte, Health Director, Dover, and Timothy McDonald, HHS Director Needham, conducted six interviews. After consideration, second round interviews were scheduled on October 16th for the three strongest candidates. Community Support & Engagement <i>Environmental Health -- Regional environmental health agents support environmental health activities and conduct inspections in all member communities as requested</i> Inspections in communities are limited until Regional Health Agent position is filled. <i>Public Health Nursing--</i> - Created educational content on National Emergency Preparedness Month, Healthy Aging Month for September for all towns to use for community education. - Supported Needham Nursing/Epi staff conduct interviews for Per Diem Public Health Nurse positions. - September 6th worked at Needham Flu Clinic at CATH - Sept 16th attended Regional Public health Nurse Meeting - Sept 18th listened to ACIP meeting to get most up to date info on vaccine recommendations to share with all communities - Created an educational flyer for all communities for MA residents on eligibility for COVID-19 vaccine - Sept 23rd hosted SSA Nurse Meeting with Public Health Nurses from Needham, Medfield, Dover and Sherborn

- Sept 24th met with communications team regarding rolling out Canva for Charles River Public Health District and Training Hub
- Sept 24th Attended Public Health Nurse Workforce Learning Lab
- Started planning Hands Only CPR clinic with Dover/Sherborn Public Health Nurse

Projects

- Canva template development and training for all Charles River Public Health District communities. Caravan Consulting interviewed staff from Sherborn, Medfield, and shared services staff. Canva core training has been scheduled for all SSA's in CRHD for mid to late October.

Staff Continuing Education & Training updates

Training Hub- North Central & MetroWest Local Public Health Training Hub Serving the 40 communities in the Charles River Health District, Greater Boroughs, MetroWest Public Health Coalition, Nashoba Associated Boards of Health, Norfolk County-8 Public Health shared services arrangements, and the communities of Bellingham, Holliston and Marlborough.	Staff members: Kerry Dunnell, Jennifer Casey, Jennifer Gangadharan, Padraig (Pat) Martin Training Delivery Updates Training Hub outreach, communication & support activities • Jenn and Pat coordinated plans to host Tier 3 Housing class in Needham with Baystate Training Hub. Kickoff meeting Sept 3rd. • Pat and Jenn attended Tier 3 Housing Course in Needham Sept 8,15,22,29 • Jenn attended Housing Court Presentation hosted by Baystate Training Hub Sept 25 • Jenn shadowed a home inspection with Sai on Sept 9 • Pat conducted a tier 3 food training • Attended and participated in an LPH training academy meeting Funder Communication & Collaboration
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Board of Health

AGENDA FACT SHEET

October 17, 2025

Agenda Item	Proposed Amendments to Select Board Alcohol Regulations
Presenter(s)	Karen Shannon, Substance Use Prevention Prog. Coord. Lydia Cunningham, Substance Use Prevention Prog. Coord. Angie MacDonnell, Behavioral Health Peer Support Specialist

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	Ms. Shannon, Ms. Cunningham, and Ms. MacDonnell will present to the Board on the topic of the October 14, 2025 public hearing about proposed amendments to the Select Board's alcohol regulations, the Board of Health's written comments, and future opportunities for public comment.
2.	VOTE REQUIRED BY BOARD OF HEALTH (with Suggested Motion)
	None expected.
3.	BACK UP INFORMATION:
	• Board of Health Letter/Written Comment re Select Board Alcohol Regulations • Alcohol Regulations Background Memo • Town of Needham Alcohol Regulations Clean Copy



Needham Public Health Division

Prevent. Promote. Protect.



October 14, 2025

Dear Chair Heidi Frail, Vice Chair Catherine Reid Dowd, and Needham Select Board Members,

The Needham Board of Health is charged by the Massachusetts General Court to protect the public's health under its authority to make reasonable health regulations¹ and to "examine all nuisances, sources of filth and causes of sickness."² Although the Board of Health does not issue alcohol licenses as with tobacco, the Board appreciates the opportunity to provide feedback on the proposed revisions to the Town of Needham alcohol regulations.

Research has found that limiting access and availability of alcohol contributes to reduced adult and underage alcohol use, which has been effective in reducing associated harms.³ In Massachusetts, alcohol was responsible for the deaths of 2,760 people per year on average between 2015-2019.⁴ Alcohol was involved in 3,700 assaults, 99 homicides, and 148 suicides in Massachusetts in the year 2020.⁴ Additionally, fatal crashes involving drivers under the influence of alcohol are more common in Massachusetts than nationwide; 66,000 adults in the state self-reported driving after drinking at least once in the past 30-days.⁴

A spokesperson from AAA Northeast reported this July that the number of fatal accidents involving alcohol or other drugs in Massachusetts have increased every year since 2020. State police data from 2023 show 34 crashes investigated with suspicion of alcohol impairment.⁵

In Needham, self-reported youth alcohol use through the MetroWest Adolescent Health Survey (MWAHS) is higher than the rates for the MetroWest Region. The most recent survey (2023) found:

- 48% of Needham High School students drank alcohol in their lifetime, and 30% drank in the past 30 days.
- 18% of youth report binge drinking in the past 30 days. (Binge drinking is defined as consuming 4 or more drinks in a row for females, or 5 or more drinks in a row for males).
- 12% of Needham eighth graders report drinking in their lifetime, and 7% attended a party in the last 30 days where alcohol was available to them.

With these data points in mind, there are areas in the proposed changes to the alcohol regulations that are of concern to the Board of Health:

1. Extension of On-Premises Last Call Time to Midnight

Policies that govern where, when, and how alcohol is available to residents- including days and hours of sale- affect the extent and severity of alcohol problems a population will experience.⁴ Research consistently shows that longer service hours are associated with

¹ M.G.L. Ch. 111, s.31, available at: <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter111/Section31>

² M.G.L. Ch. 111, s.122, available at: <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter111/Section122>

³ Popova S, Giesbrecht N, Bekmuradov D, Patra J. Hours and days of sale and density of alcohol outlets: impacts on alcohol consumption and damage: a systematic review. *Alcohol Alcohol*. 2009 Sep-Oct;44(5):500-16. doi: 10.1093/alcalc/agn054. PMID: 19734159. <https://pubmed.ncbi.nlm.nih.gov/19734159/>

⁴ Jernigan, D. H., & Zhou, X. (2022). Alcohol, Health and Safety in Massachusetts. *Boston University School of Public Health Department of Health Law, Policy, and Management*.

⁵ Rosenberg, E. (2025, June 10). *Fatal crashes involving drugs, alcohol on the rise in Mass*. NBC Boston; NBC10 Boston. <https://www.nbcboston.com/news/local/deadly-oui-crash-data-massachusetts/3736531/>

increased rates of injury, violence, and impaired driving. Expanding alcohol service hours risks undermining well-established public health strategies aimed at reducing alcohol-related harm.

The Board of Health is committed to working collaboratively with the Select Board on ensuring Town regulations serve the best interests of the residents and community. However, based on a large body of research documenting the connection between access and availability of alcohol and harms related to drinking, the Board of Health does not support the extension of on-premises last call time to midnight and recommends it remains at 11:00 p.m.

2. Penalties

The Board of Health recommends all penalties for compliance check failure be imposed consecutively, rather than spread across multiple weeks.

Regarding holding penalties in abeyance for first time compliance check failures, the Board of Health recommends the penalty be served within one month of the failure rather than be held in abeyance. In our view, this approach—holding the penalty in abeyance—effectively functions as a warning, which is similar in effect to the penalties that existed prior to the April 2023 updates to the Needham Alcohol Regulations. Those 2023 updates specifically removed warnings from the penalty schedule for alcohol compliance check failures and represented forward progress by removing discretion from the penalty-setting process.

However, if the Select Board chooses to include language on a one calendar-year abeyance period, we recommend that the language be expanded to include the following conditions for abeyance:

- a. The suspended penalty is only held in abeyance on the condition that the licensee does not commit another violation within a specified period (twelve months).
- b. Failure to comply will result in the immediate imposition of the deferred suspension.

The Board of Health believes that stricter penalties will incentivize licensee compliance, thereby reducing the likelihood of health and safety harm to residents.

The Board of Health appreciates your review of this letter and looks forward to discussing the positions outlined above. Thank you for your support and advocacy on behalf of all Needham residents.

Sincerely,
The Needham Board of Health



Edward Cosgrove, PhD



Stephen Epstein, MD, MPP



Tejal Gandhi, MD, MPH



Robert Partridge, MD, MPH



Aarti Sawant-Basak, PhD



MEMORANDUM

TO: Select Board
CC: Katie King, Town Manager; David Davison, Deputy Town Manager/Director of Finance; John Schlittler, Chief of Police; Tim McDonald, Director of Health and Human Services; Christopher Heep, Town Counsel
FROM: Myles Tucker, Support Services Manager
SUBJECT: Town of Needham Regulations for the Sale of Alcoholic Beverages – Proposed Update
DATE: September 16, 2025

Background

Periodically, staff proposes recommended updates to the Town of Needham Regulations for the Sale of Alcoholic Beverages (“regulations”) based on input from the Board, changes in state law, feedback from licensees, and changes to the practice of license administration. The proposed changes before the Board are in line with this practice. The Board most recently updated the alcohol regulations in April 2023.

As additional background, below is a summary of the current inventory of issued licenses relative to the quota allotted to the Town:

Type	Quota	Issued	Remaining
On-Premises, All Alcohol	34	21	13
On-Premises, Wine and Malt	7	1	6
Off-Premises, All Alcohol	7	7	0
Off-Premises, Wine and Malt	7	0	7

Discussion

The proposed changes primarily cover a series of substantive changes (listed in order by their appearance in the proposed regulations):

Addition of Continuing Care Retirement Communities as Category and Regulating Self-Service Taps

In 2025, the Board approved an on-premises alcohol license to North Hill, a Continuing Care Retirement Community (CCRC). North Hill was the first CCRC to apply for and be granted an alcohol license in Needham. The proposed regulations add a new section governing CCRCs. Similar to the unique motion the Board voted to approve North Hill’s license, these regulations draw from existing regulations for non-profit clubs. North Hill was also the first establishment in Needham to utilize self-serve taps. The proposed changes now include text regulating this service model.

Extension of On-Premises Last Call Time to Midnight

In 2018, the Board changed the allowable last call time for on-premises licenses from midnight to 11 PM (note: state law allows for service as late as 2 AM). However, the Board did not require that restaurants change their ABCC approved hours following this change and many continue to keep their previously approved hours. Further, the Board has granted several newer licensees exceptions to have last call time at midnight. In total, 15 of the 22 on-premises licensees in Needham are currently licensed to serve alcohol until midnight, including 12 of 16 restaurants. To align with practice, the proposed regulations restore the Town’s allowable last call to midnight.

Changing Employee Roster Reporting

In 2023, the Select Board included a requirement for licensees to provide the Town with an updated staff roster within 45 days of any new hire and during their annual license renewal process. The purpose of this requirement is to ensure that each staff member involved in alcohol service is properly trained. Over the past two years, the 45-day requirement has proven onerous in practice both to licensees and Town staff. The proposed changes remove this requirement, while maintaining annual reporting and clarifying that the Board may request a current roster at any time.

Training Changes and Clarification

On the recommendation of the Needham Department of Health and Human Services, the proposed regulations permit live virtual training as a substitute for live in-person training requirements. This training medium is becoming increasingly common. It can be accessed more expeditiously and at a lower cost than in-person training in the event that free, Town-provided training is not available on a suitable timeline. Further, the proposed regulations clarify that only the staff involved in the service of alcohol must be trained in alcohol service.

Innkeeper Updates

The proposed regulations make two changes to Innkeeper licenses. First, “cocktail lounge” is replaced with “restaurant or guest lounge”, aligning with current industry practice. Second, the proposal removes text linking restaurant regulations to hotels, since hotels also serve alcohol at front desk concession desks. The current text contradicts a later section that discusses sales at the concession stand.

Existing Common Victualler Standard

Over the past five years, the Board has chosen not to hold restaurant applicants to a current regulation that requires 12 months of operation as a restaurant before applying for an alcohol license. The proposed regulations removes this requirement to align with current practice.

Annual Service Report CPA Requirement

Current regulations require that the annual alcohol service report provided by restaurants be completed by a certified public accountant (CPA). The Town has heard feedback from businesses that this requirement is onerous and that the report can be accurately generated without a specialized professional. The proposed regulations remove the CPA requirement while maintaining annual reporting.

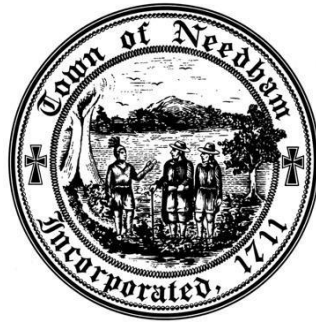
Penalties

The proposed regulations make two changes to penalties. First, based on case law and recent practice, the recommended first penalty for a compliance check failure now includes text recommending the suspension be held in abeyance. Of note, the Board is welcome to hold any penalty in abeyance. Second, following recent Board input, language requiring that penalties be served consecutively is removed, along with the addition of language codifying the Board’s practice to hold a hearing following a third violation or compliance check failure.

Administrative and Technical Changes

The recommended regulations also recommend several technical and administrative changes aimed at updating stale language and replacing it with evergreen text; improving clarity; updating text to account for advances in technology and procedures; making numerical changes necessitated by changes to section numbering; and formatting adjustments. Specific examples include:

- Replacement of references to specific citations in Massachusetts General Laws with references to “applicable regulation[s] of Massachusetts General Law”
- Clarifies that a building inspection is required prior to issuing an initial license
- Removes the requirement for applicants to provide other licenses issued by the Town or ABCC
- Clearly states that scanner apps on cell phones may be acceptable card scanning device
- Removes text alluding to a fee schedule attachment that is redundant to the current Select Board fee schedule



TOWN OF NEEDHAM

REGULATIONS FOR THE SALE OF ALCOHOLIC BEVERAGES

Amended and Revised: DD Mon YYYY

- I. Types of Licenses to be Granted in Needham**
- II. Compliance**
- III. General Rules and Regulations Applicable to Holders of Licenses to Sell Alcoholic Beverages within the Town**
- IV. Rules and Regulations for the Sale of Alcoholic Beverages by Innholders Only**
- V. Rules and Regulations Applicable to the Sale of Alcoholic Beverages in Restaurants**
- VI. Rules and Regulations Applicable to Clubs and Veterans Organizations**
- VII. Rules and Regulations Applicable to Continuing Care Retirement Communities**
- VIII. Rules and Regulations Applicable to Special Event Licenses**
- IX. Rules and Regulations Applicable to Package Stores**
- X. Rules and Regulations Applicable to Farmer Series Pouring Permittees**
- XI. Violations**

Licensing Authority: Select Board

The Needham Select Board, acting as local licensing authority pursuant to the provisions of Massachusetts General Laws Chapters 138 and 140 and other relevant legal authority, promulgates these regulations applicable to the sale and distribution of alcoholic beverages in the Town of Needham. These regulations are in addition and supplemental to all other legal requirements, including but not limited to applicable State and Federal law and regulations.

I. TYPES OF LICENSES TO BE GRANTED IN NEEDHAM

The Town of Needham issues the types of alcoholic beverages licenses listed below. All licenses shall comply with Chapter 138 of the Massachusetts General Laws, and Chapter 204 of the Code of Massachusetts Regulations, as they relate to the specific type of license.

- 1.1 Innholders All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in a hotel dining area with a seating capacity of not less than ninety-nine (99) persons and a living capacity of not less than fifty (50) rooms, under the applicable regulations of Massachusetts General Law, this regulation, and any and all conditions stipulated for the specified license. The sale of alcoholic beverages to the room of any registered guest is prohibited unless otherwise authorized by the Select Board.
- 1.2 Restaurant All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in a restaurant and/or function room under the applicable regulations of Massachusetts General Law, this regulation, and any and all conditions stipulated for the specified license.
- 1.3 Restaurant Wine and Malt Beverages: issued to qualified applicants to sell only wine and malt beverages in a restaurant under the applicable regulations of Massachusetts General Law, this regulation, and any and all conditions stipulated for the specified license.
- 1.4 Club and Veterans' Organization All Alcoholic Beverages: issued to qualified applicant Clubs existing under Chapter 180 of Massachusetts General Laws and Veterans' Organizations duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts to sell all alcoholic beverages under the applicable regulations of Massachusetts General Law, this regulation, and any and all conditions stipulated for the specified license.
- 1.5 Continuing Care Retirement Community Wine and Malt Beverages: issued to qualified applicants to sell wine and malt beverages in a continuing care retirement community under the applicable regulations of Massachusetts General Law, this regulation, and any and all conditions stipulated for the specified license.
- 1.6 Continuing Care Retirement Community All Alcoholic Beverages: issued to qualified applicants to sell all alcohol beverages in a continuing care retirement community under the applicable regulations of Massachusetts General Law, this regulation, and any and all conditions stipulated for the specified license.

- 1.7 Special One Day: issued to qualified applicants of non-profit status to sell all alcoholic beverages; or to sell wine and malt beverages only; or to qualified applicants of for-profit status to sell wine and malt beverages only under the applicable regulations of Massachusetts General Laws, this regulation, and any and all conditions stipulated for the specific license.
- 1.8 Package Store All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in packages not to be consumed on the premises under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license.
- 1.9 Package Store Wine and Malt Beverages: issued to qualified applicants to sell wine and malt beverages in packages not to be consumed on the premises under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages and any and all conditions stipulated for the specific license.
- 1.10 Farmer Series Pouring Permit: issued to qualified applicants to sell malt beverages, for consumption on the grounds of a licensed farmer-brewery pursuant to M.G.L. c.138, §19C, as well as on the grounds of the farm operated as appurtenant and contiguous to, and in conjunction with, such farm, and in accordance with the applicable regulations of the Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages and any and all conditions stipulated for in the specific license. For purposes of this policy, the word “license”, “Licensee”, and “licensed premises” shall include a “Farmer Series Pouring Permit”, “Farmer Series Pouring Permittee”, and “premises subject to a Farmer Series Pouring Permit”, respectively, unless otherwise noted.

II. COMPLIANCE

- 2.1 The issuance of a license by the Select Board for the sale of alcoholic beverages under M.G.L. c. 138 applies only to said sales and does not release the Licensee from compliance, nor does it assume compliance with the rules, regulations, requirements and procedures of other government boards, agencies or bodies having jurisdiction.
- 2.2 Failure to comply with these regulations, the laws of the Commonwealth of Massachusetts, the Regulations of the Alcoholic Beverages Control Commission (ABCC) or the Town’s bylaws may result in the revocation, suspension or cancellation of the license.

III. GENERAL RULES AND REGULATIONS APPLICABLE TO HOLDERS OF LICENSES TO SELL ALCOHOLIC BEVERAGES WITHIN THE TOWN

This section shall apply to any and all alcoholic beverages licenses issued by the Select Board except those applicable to Special One Day Licenses (Section 8).

3.1 Hours of Operation

3.1.1 No patron shall be served or sold alcoholic beverages before or after the hours stated in the license.

3.1.2 On-Premises Consumption

3.1.2.1 The hours during which the sale of all alcoholic beverages to be consumed on the premises may be made by any Licensee shall be from 11:00 a.m. to 12 a.m. Monday through Saturday and from 10:00 a.m. to 11 p.m. on Sundays, unless otherwise determined by the Select Board or further limited by statute or regulation.

3.1.2.2 Except for alcohol sold by a Farmer Series Pouring Permittee, the hours during which the sale of all alcoholic beverages may be made in a dining room are further limited to the time when the dining room is open and food service is available to the public. No alcoholic beverages shall be sold or served in a dining room before the dining room is open and food service is available, or after the dining room has been closed and food service has been suspended to the public.

3.1.2.3 No alcoholic beverages shall be served within the licensed premises during the fifteen (15) minutes preceding the hours stated on the license at which service of alcoholic beverages must cease.

3.1.2.4 All bottles, glasses, containers, etc., shall be cleared from all tables and bars within thirty (30) minutes of the established closing hour and all patrons will be off the licensed premises within forty-five (45) minutes of the established closing hour.

3.1.3 Off-Premises Consumption

The hours during which the sale of all alcoholic beverages to be consumed off the premises may be made by any Licensee shall be from 8:00 a.m. to 11:00 p.m. or 8:00 a.m. to 11:30 p.m. on days preceding a legal holiday, unless otherwise determined by the Select Board or further limited by statute or regulation.

3.1.4 Adjustments

The Board may adjust hours for individual and/or classifications of Licensees upon receipt of their request(s) for consideration of special circumstances and/or occasions.

3.1.5 Employees and Staff

With the exception of the Licensee and the manager, all employees shall vacate the licensed premises no later than sixty (60) minutes after the official closing hour designated on the alcohol license. Bona fide employees of the licensed

establishment may remain upon or enter upon the licensed premises outside of the regular hours of operation while actually engaged in cleaning, staff meetings or trainings, opening, closing or preparing for the current or next day's business, but they may not dispense or consume any alcoholic beverage during such non-public hours. In any instance wherein a Licensee will have employees working on the licensed premises in excess of sixty (60) minutes before or after the serving times, the Licensee shall cause notification of the fact to be given by telephone to the Needham Police Department along with the estimate as to how long the work party will be on the premises. This provision shall not limit employees from being on the premises to produce malt beverages in accordance with a license issued pursuant to M.G.L. c.138, §19C or §19D.

3.2 Payment of Charges and Taxes

Applicants and Licensees must pay, in full, all taxes and charges owed to the Town on a current basis prior to the issuance of a new license, the transfer of an existing license and/or the annual renewal of a license.

3.3 Filing and Application Requirements (excludes Special Event Licenses)

3.3.1 Application for New and Transfer of License.

In addition to the ABCC Application package, Applicants shall provide:

- a. Proof of insurance;
- b. All fees;
- c. Completed and unexpired alcohol awareness training certificate for proposed managers of record;
- d. Certificate of inspections, where required;
- e. Employee roster (Section 3.4.2.); and
- f. Any additional information the Select Board shall request (see Section 5.4 and Section 5.6).

3.3.2 Application for Renewed License

In addition to the ABCC Renewal Application Form, Applicants shall provide:

- a. Proof of insurance;
- b. Completed and unexpired alcohol awareness training certificates for all employees, including manager of record;
- c. Certificate of inspections, where required;
- d. Employee roster (Section 3.4.2.); and
- e. Any additional information the Select Board shall request (see Section 5.4 and Section 5.6).

3.3.3 Abutter Notification

When conducting a public hearing to consider the issuance or transfer of a license to sell or serve wine, malt and/or alcoholic beverages, the Board shall require the Applicant to notify all owners of property within a 300-foot radius of the premises to be licensed.

3.3.4 Insurance

No license shall be issued for the sale of alcoholic beverages (Special Event licenses excluded) in the Town until such time as the Applicant shall present to the Select Board a certificate of insurance showing that the Applicant carries the following policies of insurance from an insurance company licensed by the Department of Insurance of the Commonwealth of Massachusetts as follows: workers' compensation insurance as required by M.G.L. Chapter 152; and liquor liability insurance in the minimum amount of \$100,000 per person/\$1,000,000 aggregate for personal injury and \$100,000 per occurrence for property damage. Licensees shall notify the Board no later than ten (10) days prior to the cancellation or material change of said coverage. The Board may, pursuant to M.G.L. c.138, §§64A, 64B, 67 increase the minimum amount of required insurance coverage. Failure to maintain such coverage during the license period shall be grounds for revocation.

3.3.5 Fees

All license fees of the Board are incorporated into the Select Board licensing fee schedule. This schedule is reviewed on an annual basis and updated by the Select Board as required.

3.3.5.1 Filing Fees: All required filing fees shall be paid in full at such time as the application is filed. Filing fees shall not be pro-rated for any reason.

3.3.5.2 License Fees: All license fees for the initial issuance of a new license, or for the transfer of an existing license, for a change in the structural composition of a licensed premises, and/or for the annual renewal of a license shall be paid in full prior to the issuance of the license. The initial license fee will be pro-rated based on the number of months remaining in the calendar year at the time of occupancy.

3.3.6 Floorplans and Signage

3.3.6.1 When a submittal of a floorplan is required by the ABCC, Applicants for a new or amended license shall submit an architectural floor plan, drawn to scale, that includes the following information, which will be clearly marked:

- a) the net floor area (net floor area shall be the area of the rooms measured between the interior walls exclusive of stairways, service bars, hallways, etc.) and dimensions of the existing room or rooms and exterior premises requested to be licensed including dining rooms, function rooms, exterior premises and rooms in which alcoholic beverages are to be stored;

- b) the location of any proposed Bar Service Areas, cocktail lounge, or other area where patrons may stand while consuming alcohol;
- c) areas in which seats or benches are to be securely fastened to the floor and areas in which the seats and tables are moveable;
- d) entrances and exits;
- e) kitchens and/or food preparation areas;
- f) take out areas;
- g) storage areas;
- h) restrooms;
- i) cash register areas;
- j) all rooms not being requested to be licensed shall be labeled as to their function, such as, kitchen, coatroom, lobby, etc.;
- k) total occupant load;
- l) areas where food trucks or other mobile food vendors may be parked for the purposes of serving patrons;
- m) outdoor service areas, showing location of seats, tables, trash cans, and physical barriers to segregate the licensed premises from non-licensed areas; and
- n) any other licensed spaces not covered by the above.

3.3.6.2 The number and location of all seats, chairs, and stools upon or within the licensed premises must be approved in writing by the Board. In no event shall the total number of seats, chairs, and stools upon the licensed premises exceed the maximum seating capacity nor the maximum occupancy capacity of the licensed premises.

3.3.6.3 Where outdoor service is proposed, the Applicant shall provide draft signage that will be posted around the licensed premises to aid in restricting the transportation or possession of any alcohol, wine, or malt beverage beyond the limitation of the barrier.

3.3.6.4 No physical alteration, the effect of which would be to constitute a change in the description of the licensed premises as shown on the license, shall be made without prior written approval of the Board.

3.4 Management and Trainings (excludes Special Event Licenses)

3.4.1 Management.

At all times that the licensed premises are open for the sale or service of alcoholic beverages, the Licensee shall have on the premises a manager or assistant manager who has successfully completed an in-person alcoholic beverages server training program satisfactory to the Select Board. The onsite manager/assistant manager shall be responsible for compliance with all applicable laws of the Commonwealth of Massachusetts concerning the sale of alcoholic beverages and the Town's rules and regulations for the provision and consumption of alcoholic beverages. The designated manager/assistant

manager shall have full authority to make decisions concerning the operation of the establishment.

3.4.2 *Employee Roster*

A current employee roster shall be available upon request to the Town for all licensed establishments. An updated employee roster shall be provided prior to operation when first opening, annually upon license renewal, and upon the request of the Select Board or its designee.

3.4.3 *Training*

3.4.3.1 All managers, assistant managers, and bartenders shall attend an in-person or live virtual alcoholic beverage server training program satisfactory to the Select Board within 30 days of employment and once every two years thereafter. There shall be an un-expired certificate of program completion on file with the Select Board at all times; provided that for new employees, the certificate may be provided concurrently with the employee roster required under Section 3.4.2.

3.4.3.2 All employees serving, pouring, or delivering alcoholic beverages not covered by Section 3.4.3.1 shall complete a Town- approved training program within 30 days of employment, or provide proof of training certification at a Town-approved course within the last three years. All such employees must complete an approved program once every three years. There shall be an un-expired certificate of program completion on file with the Select Board at all times; provided that for new employees, the certificate may be provided concurrently with the employee roster required under Section 3.4.2 and shall be provided upon request of the Select Board or its designee.

3.4.3.3 It is the obligation of the license manager to inform all employees about the rules and regulations of the Select Board, the ABCC, and any and all applicable Massachusetts laws.

3.5 *General and Miscellaneous Provisions*

3.5.1 There shall be no alcoholic beverages taken from the premises of an establishment licensed under M.G.L. c.138, §12, except for deliveries for the operation of the business as controlled by M.G.L. c.138, and with the exception of partially consumed bottles of wine that are purchased with a meal and resealed in accordance with 204 CMR 2.18 or sales conducted pursuant to M.G.L. c.138, §19C or §19D.

3.5.2 The licensed premises shall meet and fully comply with all health standards and regulations applicable to the sale of alcoholic beverages.

- 3.5.3 The licensed premises must be well lit at all times.
- 3.5.4 There shall be no indecent or immoral entertainment on the licensed premises.
- 3.5.5 Gambling, lotteries, or other games are prohibited except as otherwise permitted by law.
- 3.5.6 The licensed premises shall be subject, at all times, to inspection by members of the Select Board, the Town Manager, Inspector of Buildings, Board of Health or its representatives, Police Department, Fire Department, or any other department or official of the Town so directed by the Select Board.
- 3.5.7 No licensed restaurant, innkeeper, continuing care retirement community, Farmer Series Pouring Permittee, or package store may permit the use of any amusement service such as electronic games on the premises.
- 3.5.8 Service of alcoholic beverages shall be completed by a trained staff member or through a metered self-service station under the supervision on a trained staff member (applicable to on premise Licensees only, including Farmer Series Pouring Permittees).
- 3.5.9 Licensees shall make all reasonable and diligent efforts to ensure that loitering, disorder, disturbances or illegality of any kind does not occur at the licensed premises. The Licensee shall ensure that business in the licensed premises is conducted in a responsible manner so that no activity shall detract from the quality of life in the Town generally, or in the neighborhood in which the licensed premises are located. The Licensee may be held responsible for such activity, whether present or not. Licensees shall at all times maintain the immediate and surrounding area outside the licensed premises in a state of cleanliness and upkeep.
- 3.5.10 The alcoholic beverage license must be prominently displayed and available for public viewing inside the premises.
- 3.5.11 Licensees shall at all times maintain the immediate and surrounding area outside the licensed premises in a state of cleanliness and upkeep.
- 3.5.12 The Licensee shall request proof of identification from any patron appearing to be under the age of 40 prior to any alcohol sale and confirm the authenticity of the identification card through the use of a digital card scanner or a card scanning application on an electronic device, such as a tablet or cellular phone.

IV. RULES AND REGULATIONS FOR THE SALE OF ALCOHOLIC BEVERAGES BY INNOLDERS ONLY

- 4.1 Service of alcohol in restaurants or guest lounge areas is permitted with the approval of the Select Board but limited to approved areas by the Select Board with appropriate identification of the specific location documented by the Inspector of Buildings.
- 4.2 The service of alcoholic beverages to the room of any registered guest is prohibited unless otherwise authorized by the Select Board.
- 4.3 With the approval of the Select Board, an Innholder may sell sealed wine and malt beverages at a concession stand in the lobby of the hotel. Such sales shall be to individuals renting rooms at the establishment only and must be consumed within the rented rooms. Any wine and malt beverage purchased at the concession stand must remain sealed until the purchaser has returned to their room.

V. RULES AND REGULATIONS APPLICABLE TO THE SALE OF ALCOHOLIC BEVERAGES IN RESTAURANTS

5.1 Purpose

It is the policy and purpose of the Select Board acting as the Licensing Board of the Town of Needham to limit the issuance of alcoholic licenses as an incidental part of a Common Victualler's primary and principal business endeavor of preparing and serving food to the public in a restaurant and function room.

The issuance of alcoholic licenses will be utilized so as to both enhance the dining experience of individuals patronizing Needham restaurants and to foster the economic development of business areas in the Town by encouraging and promoting foot traffic in those areas where restaurants are located. The Board will consider when deciding upon a license application the foregoing factors and any other matter deemed appropriate by the Board including by way of description but not limitation: proximity to residential neighborhoods, traffic, parking, appropriateness of menu and other aesthetic considerations including the physical layout of the interior of the establishment. Licenses will not be granted to establishments whose principal business activity is fast food, take-out, or which has any "drive-through" component.

5.2 Common Victualler's License

No alcohol license will be issued to any Applicant unless such Applicant is the Licensee named in a current or pending Common Victualler's license.

5.3 Food Service

Service of food must be available in all areas in which alcoholic beverages are to be served. Meals must be served on solid dinnerware with silverware accompanying the same. No paper plates or plastic cutlery are permitted.

5.4 Fire Safety Inspections

Chapter 304 of the Acts of 2004, An Act Relative to Fire Safety in the Commonwealth, requires that every license holder under M.G.L. Chapter 138 Section 12 must submit as a precondition of renewal of the license “a valid certificate of inspection issued by a local inspector and signed by the head of the fire department for the city, town or district in which the premises is located.” No license shall be issued for the sale of alcoholic beverages in the Town until such time as a copy of the valid certificate of inspection has been filed with application.

5.5 Bar Service

The sale or service of alcoholic beverages for consumption at any unapproved Bar Service Area is prohibited. For the purposes of these regulations, Bar Service Area is defined as service across a counter at which alcoholic drinks are prepared to patrons who may or may not be waiting to dine. For those establishments with no table service, the Bar Service Area shall include the entire area where patrons may consume alcohol. Bar Service Areas are permitted only in locations expressly approved and authorized by the Select Board. Such authorization may be granted under the following conditions:

- a) The Board makes a finding that it is in the best interest of the Town to allow the service of alcoholic beverages in the Bar Service areas
- b) No more than a total of fifteen (15) seats or twenty percent (20%) of the total seats in the premises, whichever is less, shall be allowed in the Bar Service area(s), except that the Board may authorize a greater number where such seats are intended for food service customers as part of the Licensee's business plan;
- c) The seats in the Bar Service areas are included when calculating the number of seats in the premises;
- d) All food and beverages on the menu served in the public dining room shall be available for service to the patrons in the Bar Service areas.

5.6 Reporting

Licensees shall provide the Select Board with a statement as to the percentage the annual sales for the previous period of October 1-September 30 of alcoholic beverages compared to the total annual sales of food and alcoholic beverages. If the percentage exceeds fifty percent (50%), the Select Board may investigate to determine whether the service of alcoholic beverages has become more than incidental to the service of food on the premises. If the Board determines that the sale of alcoholic beverages has become more than incidental to the sale of food on the premises, it may after hearing require the Licensee to reduce its alcohol sales or take any other action permitted by law, including suspension or revocation of the license.

VI. RULES AND REGULATIONS APPLICABLE TO CLUBS AND VETERANS ORGANIZATIONS

- 6.1 Every club applicant to be eligible to be licensed to sell any or all alcoholic beverages within the Town of Needham must be a corporation duly organized and existing under Chapter 180 of the General Laws of the Commonwealth of Massachusetts and has maintained club facilities for not less than three (3) years prior to the filing of an application. The within provisions may be waived by the Select Board.
- 6.2 Every Veterans organization to be eligible to be licensed to sell any and all alcoholic beverages within the Town of Needham must be duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts.
- 6.3 Each Applicant shall furnish a copy of its Charter or other legal evidence of its eligibility as herein specified when requested by the Select Board.
- 6.4 Each eligible club and veteran's organization must have the exclusive legal right to the possession and enjoyment of indoor facilities of not less than 2,000 square feet of floor space on one or more floors and which may consist of one or more rooms.
- 6.5 Each Licensee hereunder acting by and through its Board of Directors or other governing body shall appoint a manager or bartender who is of good moral character and a responsible person. The manager or bartender will be in charge during open hours acting for and on behalf of the Board of Directors or other governing Board. Acting for and on behalf of the Board of Directors the manager or bartender shall be responsible for the conduct of the members and guests, accountable for keeping order and the prevention of undue noise and disturbances on the licensed premises and the neighborhood.
- 6.6 Section 5.3 of these policies shall apply to all clubs and veterans' organizations.

VII. RULES AND REGULATIONS APPLICABLE TO CONTINUING CARE RETIREMENT COMMUNITIES

- 7.1 Every continuing care retirement community (CCRC) applicant to be eligible to be licensed to sell any or all alcoholic beverages within the Town of Needham must be a corporation duly organized and existing under Chapter 93, Section 76 of the General Laws of the Commonwealth of Massachusetts. The within provisions may be waived by the Select Board.
- 7.2 Every CCRC shall be duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts.
- 7.3 Each Applicant shall furnish a copy of legal evidence of its eligibility as herein specified when requested by the Select Board.
- 7.4 Each Licensee hereunder acting by and through its Board of Directors or other governing body shall appoint a manager of record who is of good moral character

and a responsible person. The manager of record will act on behalf of the Board of Directors or other governing Board. Acting for and on behalf of the Board of Directors, the manager of record shall be responsible for the conduct of the members and guests, accountable for keeping order and the prevention of undue noise and disturbances on the licensed premises and the neighborhood.

7.5 Section 5.3 of these policies shall apply to all CCRCs.

VIII. RULES AND REGULATIONS APPLICABLE TO SPECIAL ONE DAY LICENSES

8.1 Hours of Sale

Request for the sale of alcohol under a Special Event License is limited to between the hours of 11:00 a.m. and 12:00 a.m. on Monday through Saturday, and 12:00 p.m. and 12:00 a.m. on Sundays.

8.2 Notice

Special Event Licenses are exempt from the legal notice and publication requirements.

8.3 Eligibility

8.3.1 No Special Event License shall be granted to any person while their application for an On-Premises license is pending before the Select Board. No person shall be granted a Special Event License for more than 30 days in a calendar year.

8.4 Application

The Applicant shall provide the following information and documents to the Select Board:

- a) Information requested in the Town's One Day Special License application.
- b) Descriptive information about the event (invitation, flyer, letter of explanation, etc.)
- c) Written indication of the manner by which service, sale, delivery, and/or dispensing of alcoholic beverages are to be controlled.
- d) Written evidence of the owner's permission to use the proposed licensed premises.
- e) Proof of Non-profit Status (if request is for all alcoholic beverages).
- f) Sketch/floorplan of the proposed licensed premises detailing where alcohol will be served, sold, delivered, and/or dispensed.
- g) Designation and identification in writing of all individuals who will serve, sell, deliver, and/or dispense alcoholic beverages and evidence of whether or not said individuals have completed in the past three years an appropriate Massachusetts alcoholic beverages server training program.
- h) Acknowledgement that the person holding the special license has purchased the alcoholic beverages from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder. A person holding a section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04)

8.5 Conditions

The Special Event Manager shall provide for the orderly and safe conduct of the event, shall be responsible for the proper sale, service, delivery, dispensing and consumption of alcoholic beverages, shall be physically present during the duration of the entire event and shall sign the Event Information Sheet. The Special Event Manager shall display such Special Event License where sale of alcoholic beverages is taking place.

IX. RULES AND REGULATIONS APPLICABLE TO PACKAGE STORES

9.1 General Provisions

9.1.1 Employees at the licensed premises on which a Section 15 license is exercised must be 21 years of age except that such Licensees may employ a person under the age of 21 who does not directly handle, sell, store, or prepare for display any alcoholic beverages. Notwithstanding the foregoing, food store employees 18 years of age or older may handle, store, or prepare any alcoholic beverages for display.

9.1.2 No seating, chairs, stools, or tables for use by customers or patrons shall be placed or permitted by a retail package store Licensee upon or within the licensed premises, or upon any area under the direction and control of the Licensee without the Select Board's consent.

9.1.3 Where the liquor licenses are granted to serve the public, Licensees shall be open to the public and, except in exigent circumstances, operate on all days and hours in accordance with the terms of the issued liquor license. The closing of the licensed premises to the public, for a period of five (5) consecutive days or more, or for any period totaling ten (10) days during the calendar year without the prior approval of the Select Board may be deemed to be an abandonment of the Liquor License and sufficient grounds for revocation of the Liquor License.

9.1.4 Package Store Licenses may be granted to food stores as defined in these regulations, but will not be granted to convenience stores.

9.1.5 Alcohol-related signage displayed so that it is visible to the public will be limited. As a condition of the license, the Licensee will comply with the Town of Needham Sign By-law, as from time to time amended.

9.1.6 Advertisement at local sporting events or school events and sponsorships of sporting teams where participant's uniforms carry the name, logo or advertisement for any business which derives more than 25% of its gross revenues from the sale of alcoholic beverages is prohibited.

9.1.7 "Nips" or bottles of spirits containing fewer than eight (8) fluid ounces shall not be located in an area directly accessible by customers, and shall be offered for sale upon the request of a customer from a location within

the premises to which customers do not have direct access, such as behind a counter.

9.2 Deliveries

9.2.1 For all deliveries conducted off the licensed premises, the Licensee shall keep written records including the date of sale, quantities and sizes of items purchased, method of payment transaction, and name and address of purchaser. In addition to the preceding requirements, the amount of the beverages that were delivered, the date and time of delivery, the signature of the person receiving the delivery and the type of identification card used to confirm age. Such written records shall be maintained by the Licensee within or upon the license premises for a period of not less than one year and must be readily available for inspection by the Town.

9.2.1.1 Deliveries must be made during the operating hours of the store.

9.2.1.2 Deliveries shall be made by persons no less than 21 years of age.

9.2.1.3 A copy of Off-Premises Transportation Permit, license to deliver issued by the ABCC, shall accompany application at time of submittal.

9.2.2 Hours for product deliveries to establishment and/or pick-up of bottle returns should be arranged so that activity does not interfere with the quiet enjoyment of the neighborhood.

9.3 Sample Tastings

Consumption of alcoholic beverages within or upon the retail package store licensed premises, or upon any area under the direction and control of the Licensee, by any person is strictly prohibited except for sample tasting.

9.4 Food Store Alcohol License Requirements

9.4.1 A food store is defined as a farm stand, grocery store, or supermarket, which sells at retail, food for consumption on or off the gross premises, whether alone, or in combination with grocery items or other non-durable items typically found in a grocery store and sold to individuals for personal, family or household use. Such food store shall carry fresh and processed meats, poultry, dairy products, eggs, fresh fruits and produce, baked goods and baking ingredients, canned goods and dessert items. Notwithstanding the foregoing, a food store for the purposes of these regulations shall not be a convenience store, any business that sells gasoline, or a business which derives more than 25% of its gross revenues from the sale of alcoholic beverages. The retail space used to display alcoholic beverages shall not exceed twenty-five percent (25%) of the total retail space on the premises. The Select Board shall determine whether an Applicant is a food store as set out herein and in compliance

with any and all requirements.

- 9.4.2 A convenience store is defined as an establishment that sells at retail food and other non-durable items to individuals more on a daily basis, such as but not limited to small quantities of food, candy, newspapers, and tobacco products. Convenience stores are frequently open with only one staff member on duty at a time, are usually open later than 10:00 p.m. and may or may not sell gasoline. The Select Board reserves the right to consider each of these factors when determining if an Applicant will be considered a convenience store.
- 9.4.3 Regular sales and operation of the food store must continue during all times when the sales of alcoholic beverages are permitted.
- 9.4.4 Package store licenses issued to food stores shall be limited to wine and malt beverages only; provided, however, that a farm stand, as defined in 330 CMR 22.02, shall be eligible for an all-alcohol package store license.

X. RULES AND REGULATIONS APPLICABLE TO FARMER SERIES POURING PERMITTEES

10.1 Applicants

Applicants for a Farmer Series Pouring Permit shall hold a Farmer-Brewery License (M.G.L. c.138, §19C) from the ABCC at all times. If an Applicant for a Permit does not have a valid ABCC Farmer-Brewery License at the time of Application, issuance of the Permit shall be conditioned on receipt of such ABCC license.

10.2 Purpose

The issuance of Farmer Series Pouring Permits shall be utilized so as to foster the economic development of the Town by encouraging and promoting patronage in those areas where Farmer Series Pouring Permittees are located. The Select Board shall consider when deciding upon a license application the foregoing factors and any other matter deemed appropriate by the Board including by way of description but not limitation: proximity to residential neighborhoods, traffic, parking, community engagement, and other aesthetic considerations including the physical layout of the interior of the establishment.

10.3 Water Station

At all times, there shall be a free, self-service water station for patrons and customers to use without staff assistance. This provision may be waived by the Select Board upon a showing of good cause and only if a sign is posted by the bar stating that tap water is available upon request and free of charge.

10.4 Occupancy

Where required by the Select Board, the Licensee shall delegate a staff member to keep and maintain an accurate count of all individuals occupying the premises to ensure compliance with building code occupancy limits.

10.5 Food Service

The Permittee shall ensure that food service is available to its patrons at all times that alcohol is served for on-premises consumption. The Permittee may satisfy this provision by (i) holding a Common Victualler's license and operating a full-service kitchen; (ii) arranging for food to be brought onto the premises by mobile food truck vendors; (iii) contracting with nearby restaurants; (iv) allowing patrons to have food delivered for consumption on the premises; or (v) such other arrangement as the Select Board deems appropriate. The Permittee shall submit a plan for food service with its application.

XI. VIOLATIONS

11.1 Violations

Any violation of the License terms and conditions, these Regulations, the Regulations of the Alcoholic Beverages Control Commission, the laws of the Commonwealth, including General Laws Chapter 138, or the Town's General Bylaws may be grounds for action by the Select Board, including the modification, suspension, revocation, nonrenewal or cancellation of a license.

11.2 Suggested Orders

Except as provided in Section 11.3, the suggested orders listed below shall be a guide for the Select Board. The Board, in its discretion, may impose an order that is more lenient or more severe than suggested by the guidelines when the facts surrounding a violation so warrant. In determining the appropriate action in any given case, the Select Board shall consider the violation, the facts of the case, other relevant factors including the Licensee's prior record, and aggravating or mitigating circumstances.

Offense	Suggested Order
1 st Offense	One to five day suspension
2 nd Offense	Six to ten day suspension
3 rd Offense	Ten to thirty day suspension. Licensee shall be required to provide the Board with a satisfactory written plan to prevent further violations, under signature of the manager of record and any person or entity holding more than a 10% ownership interest in the license. The Select Board shall hold a hearing relative to the offense.
4 th Offense	Revocation.

11.3 Compliance Checks

The Town conducts, and expects to continue to conduct, routine compliance checks of Licensees, including, but not limited to, service to underage persons checks using agents of the Needham Police Department. The following schedule of recommended discipline is a guideline intended to illustrate the range of disciplinary action that the Select Board may impose for service to underage violations identified in compliance

checks, which are intended to be educational by design. Other violations discovered during the course of a compliance check may following the suggested order scheme identified in Section 11.2. The Select Board is not limited by these guidelines and may impose greater or lesser discipline based on consideration of the violation alleged, the facts of the case, other relevant factors including the Licensee's prior record, and aggravating or mitigating circumstances.

Offense	Suggested Order
1 st Offense	One to two day suspension, which may be held in abeyance for one calendar year.
2 nd Offense	Up to five-day suspension.
3 rd Offense	Up to ten-day suspension. Licensee shall be required as a condition of the license to provide the Board with a satisfactory written plan to prevent further violations, under signature of the manager of record and any person or entity holding more than a 10% ownership interest in the license. The Select Board shall hold a hearing relative to the offense.
4 th Offense	Minimum ten-day suspension. Based on relevant circumstances as determined by the Board, the Board may order a longer suspension of any length, imposition of conditions on or other modifications of the license, disqualification of the manager of record, or compulsory initiation by the Licensee of transfer of ownership to a responsible party to be approved by the Board.

11.4. Training

All employees involved in the improper sale of alcohol and the in-store manager at the time of the violation (as determined by the license Manager of Record) shall not serve alcohol until they complete another training course (either virtually or in-person) in accordance with Section 3.4.3, notwithstanding when the course was last completed and provide proof of said training to the Select Board. In addition, these employees must complete in-person or live virtual training in accordance with Section 3.4.3 no later than the next such training offered by the Town of Needham and provide proof of said training to the Select Board.

11.5 Prior Violations

In calculating the number of prior offenses under this guideline, the Select Board will consider determined violations occurring within the five (5) years preceding the date of current violation.

11.6 Hearings

11.6.1 A Licensee shall have a right to notice and hearing before modification, suspension, revocation, nonrenewal or cancellation of a license by the Board, except that the Board may under emergency circumstances as allowed by Law suspend the license pending hearing.

11.6.2 A Licensee may waive its right to hearing, and the Board in such cases may make findings and act without hearing on recommendation of the Town Manager. The Board may, however, require that a hearing be held notwithstanding such a waiver, in which case the Licensee shall have notice of hearing and an opportunity to be heard before action is taken on modification, suspension, revocation, nonrenewal or cancellation of a license, except that Select Board may under emergency circumstances as allowed by Law suspend the license pending hearing.

11.7 Notice of Suspension

On the days when Suspension of License is being served, the Licensee will publicly post at its public entrance(s) a notice of the Suspension in a form as the Board or Town Manager may direct. The Board may also post notice of violation hearings, findings, decisions, and orders to the Town's website and Town's social media.

APPROVED: 6/14/77
Amended and revised: 11/18/97
Amended and revised: 2/9/99
Revised fee schedule: 12/7/99
Revised fee schedule: 12/5/00
Revised and approved: 8/20/02
Fee changes 12/21/04
Addition of Liquor
Liability Insurance: 1/25/05
Addition of One-Day License: 1/25/05
Amended and revised: 11/14/06
Amended and revised: 6/22/10
Amended and revised: 12/18/12
Amended and revised: 5/13/14
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Amended and revised: 7/25/2017
Amended and revised: 8/18/2020
Amended and revised: 7/26/2022
Amended and revised: 4/25/2023
Amended and revised:

SELECT BOARD

ACTING AS

NEEDHAM LICENSING BOARD