



Needham Board of Health



AGENDA

Friday, May 13, 2016

7:00 a.m. – 8:30 a.m.

**Charles River Room – Public Services Administration Building
500 Dedham Avenue, Needham MA 02492**

- 7:00 to 7:05 - Welcome & Review of Minutes
- 7:05 to 7:30 - Director and Staff Reports

* * * * *

Board of Health Public Hearing

- 7:30 to 8:00 - Administrative Hearing about Tobacco Regulation
(Article #1) Violations—Sale to Underage Persons

* * * * *

- 8:00 to 8:20 - Discussion of Proposed New or Amended BOH
Regulations

- Body Art
- Synthetic Marijuana
- Drug Paraphernalia

- 8:20 to 8:30 - Board Discussion of Policy Positions
- Other Items
- Next Meeting Scheduled for Friday June 10, 2016
- Adjournment

(Please note that all times are approximate)

NEEDHAM BOARD OF HEALTH

April 1, 2016

MEETING MINUTES

PRESENT: Stephen Epstein, M.D., Chair, Edward V. Cosgrove, Ph.D. Vice-Chair, and Jane Fogg, M.D.

STAFF: Timothy McDonald, Director, Maryanne Dinell, Tara Gurge, Carol Read

GUEST: David A. Lawson, Director, Norfolk County Mosquito Control District, Patty Carey, Director of Parks & Recreation, Christopher Coleman, Assistant Town Manager/Director of Operations

CONVENE: 7:00 a.m. - Public Services Administration Building (PSAB), 500 Dedham Avenue, Needham MA 02492

DISCUSSION:

Call To Order - 7:03 am - Dr. Epstein

Approve Minutes:

Upon motion duly made and seconded, the minutes of the BOH meeting of February 12, 2016 were approved as submitted.

The motion carried. The vote was unanimous.

Director's Report - Timothy McDonald

Mr. McDonald provided the Board of Health with a copy of the Finance Committee's report/budget letter, which indicated that the request for an additional Environmental Health Agent was seriously considered but that the structure of the Health and Human Services department after reorganization may result in a different staffing approach by the Town; as a result the request for an Environmental Health Agent was not approved by Finance Committee.

Mr. McDonald said that Finance Committee was provided a number of documents which showed the increased workload on the current Environmental Health Agent (Ms. Gurge); that workload is the result of the Town's growth which has resulted in reviews for more demolition permits, a greater number of septic system reviews and replacements, and an ever increasing number of restaurant inspections.

The increased volume of inspections also does not include the new regulatory responsibilities that are incumbent upon the Public Health Department as a result of the recently adopted Bodyworks and Registered Marijuana Dispensary regulations.

Dr. Epstein suggested registering some concern with the Town's Finance Committee, particularly if a registered marijuana facility opens and food trucks are allowed in more areas of Needham. He said the Public Health Department will not be able to handle all of the extra work. Mr. McDonald agreed.

A general discussion ensued about prioritizing body works, demolitions, food borne illness, and marijuana dispensaries. Dr. Fogg said adding necessary staff is not for a multi-tasking job, but one for a skilled person with credentials. Mr. McDonald said knowing the timeframe for reorganization is important. Dr. Cosgrove said the Public Health Department will be negatively affected if staff is not increased.

One of the challenges in advocating for an Environmental Health position is that much of the work that is conducted by Ms. Gurge takes place behind the scenes. Mr. McDonald commented on collaborating with a food vendor, Needham Times, and Needham Channel on how the Town does a food inspection. Dr. Epstein said that was a good idea.

Mr. McDonald reported he, Ms. Read, and staff members are in the process of interviewing applicants for the full-time federal Drug Free Communities grant position. He said three to five candidates will be invited back for second round interviews.

Mr. McDonald reported that he has assisted with interviews for candidates for the position of Director of School Health Services and the Town's Director of Human Resources, who has recently been hired. He commented only one of the three candidates was appropriate to advance to the next round for the position of Director of School Health Services. He said he is hopeful a candidate will be chosen.

Mr. McDonald reported that the Town Manager has offered him two or three questions on the Citizens Satisfaction Survey for public health and emergency management. He commented on questions related to public health include healthy challenges, pressing community conditions, emergency management, and general questions about understanding the importance of personal preparedness.

Mr. McDonald reported on testimony given for a MA House of Representatives bill to establish a commission on upstream health promotion, where language was changed to include both

school health and local health, rather than either/or. He commented the change is minor and reported favorably out of the house committee last week.

Update on Rosemary Pool

Mr. McDonald said funding for final design stage of the Rosemary Pool Complex project will be voted on at Town Meeting in May. Draft floor plans were reviewed by the Board of Health. Mr. McDonald stated that office space would be shared between Park & Recreation and Public Health in an effort to most efficiently use the available space. Sharing functions and space such as a Copy Room and Supply Closet will be beneficial for both departments.

Dr. Epstein asked about the reorganization of HHS and whether the proposal is for each division to be scattered throughout Needham. Discussion followed about available square footage and having Public Health staff in one location. Dr. Fogg said she is worried the proposed building is not enough space. Dr. Epstein asked about the square footage needed for combining of Public Health, Youth Services, and Council on Aging. Dr. Cosgrove said that the Council on Aging will always be in its own building, leaving the Public Health Department and Youth Services looking for space. Mr. McDonald said Park & Recreation needs a multipurpose room. Patty Carey commented that finding space for Parks & Recreation programs has been a challenge for over 30 years. Dr. Fogg said in order to run a good department, space is needed to get the entire staff together at least monthly, commenting that on the draft floor plan the conference room looks rather small.

Discussion paused for Christopher Coleman to join the meeting.

Norfolk County Mosquito Control Program

David A. Lawson, Director presented a Powerpoint presentation. He gave an overview of Norfolk County Mosquito Control Program saying the burden from mosquito borne disease throughout world history suggests that perhaps half of all human deaths before modern time were caused by malaria. Mr. Lawson said it is generally accepted that a regional public approach to mosquitos control is necessary. A map was shown of the 25 towns that are voluntarily part of the Norfolk County Mosquito Control district, and paid for by local aid through the town cherry sheet. He explained the formula for an equitable budget for the towns in the district.

Mr. Lawson explained Field Operations and what it takes for effective mosquito control. He commented on the best available science, Integrated Pest Management and its application, larvicide products, residential water source reduction, as well

as surveillance and the use of traps in each of the 25 towns in the district.

Mr. Lawson said on the Asian Tiger mosquito as implicated in the Zika virus, and the CDC is currently mapping the mosquito. He said currently the mosquito has only been found at a tire business in New Bedford, MA and at a tire business in Ayer, MA. He said it is currently not believed the Zika virus will be a risk for transmission in Massachusetts this summer.

Mr. Lawson commented on aerial and ground larviciding. He showed a BTI, a soil bacterium which is applied to the environment. He said the product is toxic to mosquito larvae and black fly larvae only, noting it is an incredibly environmentally sensitive product to target mosquitos without harming other creatures or animals. He commented the active ingredient sprayed over an acre of land equals 3 drops from an eyedropper, drifts through the wind, and is designed to kill mosquitos flying at the time. Mr. Lawson said spraying in the Town of Needham is scheduled on Tuesday evenings from 10 p.m. to midnight.

The Board thanked Mr. Lawson for the presentation.

Staff Reports

• Environmental Health Agents Report - Tara Gurge

Ms. Gurge reported on 301 Reservoir Street. She gave a brief history of the catering site and said a 2016 permit was not issued. She explained two people are interested in leasing the space. It came to her attention, however, that one of the potential caterers was already illegally using the site as an active catering facility. Photographs were taken. Ms. Gurge said a cease and desist letter was prepared and handed to the caterer. Ms. Gurge said the caterer is hopeful he would be considered by the Board of Health to issue a license. She said an administrative hearing has been set up for Wednesday, April 6, 2016 at 11 am. She asked the Board for input. Discussion ensued and the Board agreed working illegally shows that rules were not respected, and the individual is not trustworthy.

Ms. Gurge said a spa owner came to discuss several new techniques including micro blading and micro needling. She explained micro blading is basically a temporary tattoo under the skin, where the needle breaks the skin. Ms. Gurge explained micro needling as a procedure done by a doctor using a roller with micro pinpricks to stimulate growth under the skin. Ms. Gurge said she contacted the State who asked her to check with the Division of Health

Care Facility Licensure and Certification. She commented this practice could not be done in a basic spa, but in a doctor office. Mr. McDonald said updated regulations will be brought to the May 2016 Board of Health meeting for consideration.

Ms. Gurge said trash hauler regulations will be updated, and will likely be based upon model regulations which are currently being developed by MA DEP.

Ms. Gurge said David Roche, Needham's Building Commissioner, called her regarding a report of someone possibly sleeping in the basement of the toy store on Great Plain Avenue. She said Mr. Roche went to the site and saw evidence of a mattress. A follow-up visit to remove items will be completed.

Ms. Gurge reported on the tobacco permit for Tedeschi Convenience Store on Garden Street. She said Panella's is interested in the site and the next permit. She commented on 7-11 and Tedeschi, and said she continues to keep an eye on the 60 day timeframe and working with Town Counsel.

Christopher Coleman, Assistant Town Manager/Personnel joined the meeting and discussion resumed on the Rosemary Pool project and Finance Committee notes.

Dr. Epstein explained more resources are needed to meet the expanding scope and role of the Public Health Department, and especially the Environmental Health Agent's responsibilities. He said he did not believe there was disagreement about what is needed, but rather some question of how to do it and whether it will be accomplished as part of the HHS reorganization.

Dr. Epstein said getting more resources is not something that can wait under a five year plan, noting that the Finance Committee report indicates the issue could be brought before the Special Town Meeting in the fall 2016. He commented he thinks it is a fast track to move to an HHS, which he said is great. He said the plans for office space at a new Rosemary Pool complex do not consider this plan to integrate Health & Human Services, but rather focus only on the Public Health Department.

Dr. Epstein said synergy of departments is not reflected in the current plans. He commented it is important to have a coherent vision for timing and execution of the Health & Human Services reorganization, and that a Registered Sanitarian is needed to inspect any RMD that comes to Town.

He asked Mr. Coleman to comment on the Town's vision and timeframe. Mr. McDonald noted that the Finance Committee's report indicates that the HHS reorganization may free up additional staff resources so that the request for an Environmental Health Agent would not be necessary or might be drawn from pooled staff.

Dr. Fogg said the position requires a credentialed and well-trained person, not an administrative position or a generalist. She said a coherent plan of what can be accomplished for public safety and inspection is necessary. Dr. Fogg said there are many unknowns for the potential home growing of marijuana, noting there probably will be a strong cry for home growing no matter what the Town does with an RMD. She said in two to three years it is possible there will be a need for three full-time inspectors. Dr. Fogg said she understands the Finance Committee's motivation for efficiency, but that does not negate the need for another inspector.

Mr. Coleman explained the Finance Committee voted to allocate money through the Reserve Fund, unlike saying "no" where the money would not be available until the next fiscal year. He said more data is needed to prove the need for an additional Environmental Health Agent. Mr. McDonald said extensive documentation has been provided.

Dr. Fogg said the delay does not make sense to her because home growing applicants could happen as soon as July. She said the Board of Health will have to prioritize its functions and responsibilities given its available resources, and that some responsibilities may fall to the bottom of the list.

Mr. Coleman asked if it is the vision of the BOH that to make the model of having Parks & Recreation Department along with the Public Health Department and Youth Services. Dr. Fogg said the first priority is an Environmental Inspector and second is building adequate space for the future of the combined department. She asked what the purpose of merging departments is if they are going to be further separated at multiple locations throughout town. Discussion ensued on the floor plan at Rosemary Pool. Mr. Coleman pointed out the floor plan provides space for three work stations, an Environmental Health position, nurses, and access to a multi-use space, Parks & Recreation space for programming, training, and parking. Dr. Cosgrove commented it would make sense for the COA, Youth Services, and Veteran's Services to be close together.

Mr. Coleman explained the benefit of having the Public Health Department and Parks & Recreation at the Rosemary Pool complex and its closer proximity to the COA on Hillside Avenue. Mr. Coleman said Youth Services would be able to work at the Rosemary Pool complex on a project basis, not permanently. He said Veteran's Services will now not have a dedicated work space, but rather walk around CATH to interact with seniors.

Dr. Epstein wondered about the synergy of staff when people are not in the same space. Discussion ensued about synergy and location of various departments. Dr. Epstein said a single site is operationally not possible, and that two sites is possible but somehow that is not part of the Town's vision. Dr. Cosgrove said he is concerned there are not enough people to do the work, and constant vigilance is needed. Dr. Fogg said her main concern is public health and safety, but greater resources are needed to maintain the achievements.

Dr. Epstein commented on the floor plan, saying the filter room on the first floor may be an environmental concern due to chlorine storage. Dr. Fogg commented on sensitive health and private family matters, and said space must be considered. Mr. Coleman reviewed the floor plan, parking, and discussed the property as a year-round building. Mr. Coleman said the building will also be used as an emergency shelter and will have a permanent generator. Dr. Epstein and Mr. McDonald thanked Mr. Coleman for his time.

- **Public Health Nurses Report - Donna Carmichael**

Mr. McDonald reported information received from Donna Carmichael. He updated the HDA was a tick borne disease from September, a 60 year old female with a history of a tick bite on the Cape. He said there were three cases of Hepatitis B (two chronic and one acute). Follow-up continues by part-time Public Health Nurse Alison Paquette. He said the acute case of Hepatitis B frequently travels to and from Brazil, was hospitalized in Boston, lives in Needham with his immediate and some extended family. He commented on Hepatitis C cases (one acute case), influenza A and a handful of influenza B cases across the age spectrum.

Mr. McDonald commented on two long-term care outbreaks which he said were managed well. Mr. McDonald said a high school student with pertussis was fully immunized, parents treated prophylactically, brother not symptomatic. He said the school nurse has been notified for surveillance. He noted the family travels internationally every two years. Mr. McDonald said two cases of mumps associated with the outbreak at

Harvard, both fully immunized and self-isolated after symptoms. He said one is a 17 year old volunteer at the hospital who goes to China every two years.

Mr. McDonald commented on a false positive Zika virus case that was revoked. Dr. Epstein said to keep an eye on the pertussis and mumps cases. He mentioned the mumps vaccine is thought not to be effective. Mr. McDonald said he did not know that. Dr. Epstein said the children developed the mumps despite immunization. He said the immunization failed and that isolation is very important.

- **Traveling Meals Coordinator Report - Maryanne Dinell**

Ms. Dinell reported on a job to be posted this month, and that school was delayed two hours in March. She said meals went out on time; Wingate Needham provided green carnations to clients on St. Patrick's Day. Mr. McDonald said he met with neighbors of Beth Israel as part of the community meeting to ask about access of the Traveling Meals program to the old emergency room department entrance. He said the meeting was attended by a single resident. He said one neighbor has voiced a number of concerns, largely unrelated to Traveling Meals, but dissatisfaction with the hospital and the situation. He said he will work with the neighbor.

- **Other Items**

Mr. McDonald commented a full substance abuse prevention report will be made next month, regulatory work including micro needling and micro blading, synthetic marijuana, and K2 spice will also be discussed next month. Mr. McDonald commented on regulatory language for tobacco permits, and possibly retracting permits. He included information on RMDs, noting the Board of Selectmen held a public hearing. He said he, the Police Chief, and the Fire Chief will meet with each RMD applicant on Monday, April 4, 2016. Dr. Fogg suggested making a recommendation as a Board at the May meeting as to the qualities it would like in an RMD.

Upon motion duly made by Stephen Epstein, M.D., and seconded by Jane Fogg, M.D., the Needham Board of Health names Edward V. Cosgrove, Ph.D., to serve as Chairman of the Town of Needham Board of Health effective after the Town's election on April 12, 2016. The motion carried. The vote was unanimous.

Upon motion duly made by Stephen Epstein, M.D., and seconded by Jane Fogg, M.D., the Needham Board of Health names Jane Fogg, M.D., to serve as Vice-Chairman of the Town of Needham Board of Health effective after the Town's election on April 12, 2016. The motion carried. The vote was unanimous.

Dr. Epstein commented a future discussion may include nursing homes and how patients are transferred to the hospital with a lack of information or accurate medication lists. He said he is concerned as residents are impacted in facilities in Needham. He said he is unsure what jurisdiction the Board of Health has over nursing homes. Dr. Fogg agreed there is a lack of communication including medication, contact, and physician. Dr. Epstein suggested meeting with operators of licensed facilities in Needham.

Carol Read said she and Mr. McDonald were involved in the BID-Needham Community Health Needs Assessment Retreat.

Adjournment -

Upon motion duly made and seconded, that the April 1, 2016 BOH meeting adjourn at 9:30 a.m. The motion carried. Unanimous vote.

Respectfully submitted: Mary Hunt, Recording Secretary



NEEDHAM PUBLIC HEALTH



Director's Report

To: Needham Board of Health
From: Timothy Muir McDonald, Public Health Director
Date: May 10, 2016
Re: Monthly Report for March and April 2016

March and April were both busy months for the Public Health Department that involved policy work and analysis of the applications from Registered Marijuana Dispensary operators, conducting interviews for Public Health Department positions and serving on an interview team at the Council on Aging, and preparing for Annual Town Meeting.

Job Search

While February was partially occupied by job searches for a Director of School Health Services and a Director of Human Resources for the Town, March and April included interviews for two positions more directly related to the Public Health Department. I assisted Jamie Gutner, the Executive Director of Council on Aging, with the search for a 30-hour a week licensed-independent clinical social worker for the senior-focused social worker grant from the MetroWest Health Foundation. The chosen candidate, Kerrie Atwood, began work at CATH on May 3, 2016. At least one other promising candidate was identified in the search, and might be ideal for the Town-funded social worker position that was created with the transfer of the salary money that paid Carol Read (before the Public Health Department received multi-year state and federal grants).

The second search was the Public Health Department's search for a full-time Drug Free Communities (DFC) Grant Program Coordinator. The Needham Public Health Department and the Needham Coalition for Youth Substance Abuse Prevention have been without a full-time Drug Free Communities (DFC) Grant Program Coordinator since October 1, 2015, the day that Needham was awarded Years 6-10 DFC funding. Carol Read and two part-time staff members—Monica DeWinter and Karen Shannon—have done tremendous work to continue NCYSAP's important youth substance use prevention work over the past seven months, but the need for a dedicated full-time staff person has long been apparent.

After a diligent (and time consuming) process that included creating a job description that more appropriately reflected the duties of the DFC grant for which the Senior Substance Use Prevention Program Coordinator will be responsible, the Town's Personnel Board approved the position and the open position was posted on the Town's website on February 15, 2016. It was posted for 30 days on the Town website as well as the job boards/websites of the Massachusetts Municipal Association, the Massachusetts Health Officers Association, the Boston University School of Public Health, the Harvard T.H. Chan School of Public Health, the Tufts University School of Public Health, and the Boston College Graduate Schools of Education and Social Work. Additionally, Ms. Read and I both reached out to our professional and personal networks by phone and over email in the search to find the perfect candidate to lead Needham's important DFC work.

The search resulted in 30 applicants, many of whom were very well qualified. A total of nine candidates were invited to participate in first round interviews on Monday March 28th and Wednesday March 30th. Candidates were interviewed by a review team that included Ms. Read, Ms. DeWinter, Ms. Shannon, Karen Mullen, Maureen Doherty, and me (all of our substance use prevention part-time and full-time staff, in other words). Following first round interviews, the review team recommended that five of the nine candidates be invited back for second round interviews, although there was some separation in the scores of the first two candidates and the next three candidates.

Those five candidates were invited back for second round interviews which took place on Tuesday April 5th and Friday April 8th in front of a review team that included Police Chief John Schlittler, Coalition leadership team member and town volunteer Bob Timmerman, Assistant Director of Human Resources Chuck Murphy-Romboletti, Environmental Health Agent Tara Gurge, and me. Second round candidates were asked to prepare a brief assignment (over one weekend) based upon a scenario of presenting data on youth binge drinking to concerned parents and then trying to enlist those parents as volunteers in the Coalition. The second round review team found, similar to the first round review team, that two of the candidates scored significantly higher than the other three candidates.

The candidate with the highest score following the second round (also the candidate that all interviewers agreed had done an absolutely superlative job with the presentation assignment) was Catherine Delano. Following a reference check, Ms. Delano was offered the position of Senior Substance Use Prevention Program Coordinator. Ms. Delano has relevant substance use prevention policy work experience (having worked at the state's Bureau of Substance Abuse Services), a strong and balanced record of graduate-level education and training (a Master's of Social Work degree with a focus on youth substance use, and a Master's of Public Health degree that will be awarded in May 2016), and she has excellent enthusiasm and the right temperament to interact with Public Health Department staff members and with Needham residents and community partners while advancing the work of the Needham Coalition for Youth Substance Abuse Prevention.

Ms. Delano began work with the Public Health Department in a part-time capacity on May 4, 2016, and will transition to full-time employment on June 6, 2016.

Uber...but for Senior Transit

Jamie Gutner and I attended an event at the MetroWest Health Foundation to hear about a pilot program to facilitate senior mobility; the program is a partnership between the Jacksonville Council on Aging and Uber, and it represents an intriguing option-of-last-resort for individuals that are not able to make other transportation arrangements. Jamie and I hope to have additional details about the Jacksonville pilot project and have explored some of the considerations about trying to replicate that pilot program in Needham for you next month.

Healthy Aging through Healthy Community Design

Needham has one of the highest populations of adults age 60 and over in the MetroWest region. According to demographic information maintained by the Needham Town Clerk, in 2015 fully 24% of the town's population (a total of 7,357 residents) were age 60 and above; and this age group represents a

great and growing proportion[1] of all Needhamites. The number of 60-plus Needham residents has increased by more than 700 over the past two years alone, and that age cohort is projected to grow by 14.9% in Needham over the next five years according to the McCormack School at UMass Boston. By 2020, residents age 60 and older will represent 27.1% of the Town's residents, and a decade later will hit 31%.

The growing number of seniors has resulted in a housing crunch in the community, as residents approaching retirement age look to down-size their homes and reduce their dependence on automobile travel as they age. Needham's policies, regulations, and by-laws[3] have not kept pace with desires of this demographic wave, and this *Healthy Aging through Healthy Community Design* grant from the Massachusetts Association of Health Boards will allow Town departments and our committed community partners to conduct a thorough assessment of the municipal regulations and policies that impact older adult health (either positively or negatively), particularly in the context of housing and transit policies for an aging population.

Paper copies of the survey are available at the Town Library, Center at the Heights, Community Council, Treasurer's Office, and Town Clerk. It can also be completed online at

<http://surveys.ssre.org/s3/needhamseniors>.

The survey closes on May 27. Residents 55 years and older are encouraged to complete the survey and ask friends and colleagues to do so as well.

Registered Marijuana Dispensaries

The Board of Selectmen continues to move forward with the vetting process for the applicants that wish to open a Registered Marijuana Dispensary (RMD) in Needham and which are in the final stage of the MA Department of Public Health approval process. The three applicants are: Massachusetts Patients Foundation, Medical Marijuana of Massachusetts, and Sage Cannabis. Although the information has changed somewhat since the beginning of May, on the following pages is an excerpt of some of the information I put together for the Town Manager last month.

Sincerely,



Timothy Muir McDonald
Director of Public Health, Town of Needham

[1] McCormack Graduate School of Policy and Global Studies at the University of Massachusetts Boston and its Center for Social and Demographic Research on Aging. Demographic fact sheet available at: https://www.umb.edu/editor/uploads/images/centers_institutes/center_social_demo_research_aging/Dem_Brief_2.pdf And Dataset available at: https://www.umb.edu/editor/uploads/images/centers_institutes/center_social_demo_research_aging/Projections_by_MA_town_2010_2030_1.xlsx
[3] To say nothing of the Town's built environment.

Memorandum

To: Board of Selectmen
From: Kate Fitzpatrick, Town Manager
CC: Christopher Coleman, Assistant Town Manager (Operations)
David Davison, Assistant Town Manager (Finance)
Dennis Condon, Chief of Fire Department
John Schlittler, Chief of Police Department
Sandy Cincotta, Support Services Manager
Timothy Muir McDonald, Director of Public Health
Date: April 20, 2016
Re: Staff Meeting with Prospective Registered Marijuana Dispensary Applicants

On April 7, 2016 hour-long meetings were held with the three prospective applicants that wish to open a Registered Marijuana Dispensary in Needham. Town officials present included Police Chief John Schlittler, Fire Chief Dennis Condon, Assistant Town Manager/Director of Operations Christopher Coleman, Director of Public Health Timothy Muir McDonald, and Support Services Manager Sandy Cincotta.

The purpose of this memo is to outline information gained from the presentations made by the prospective applicants, as well as the discussion sessions that followed. Additionally, based upon the information presented and the discussions which occurred, the staff members have identified additional questions or points for clarification that the Board of Selectmen may wish to pursue.

The purpose of this memo is **not** to recommend whether any of the three applicants should be provided with a letter of support or non-opposition from the Needham Board of Selectmen. That was not the assignment that was provided to these managers, and since some of these managers will be responsible for licensing, inspecting, and enforcing actions against these potential RMD operators if they ultimately are chosen to operate a RMD in Needham, it isn't appropriate for these department managers to make a recommendation or endorsement of a particular applicant.

The consensus of the Town Officials who took part in the April 7, 2016 meeting was that all of the applicants adhere to the regulatory requirements outlined by the Massachusetts Department of Public Health in its state regulations, especially in the area of dispensary operations and both on-site and delivery-based security. There are, however, differences in the applicants' business models and operational plans which will have an impact on the public health of the community.

If an applicant (or applicants) is chosen for a letter of support or non-opposition by the Board, the Town should make certain that there is a coordinated communication channel established between any Needham sited RMD facility and the appropriate Town Departments (Fire, Police, Public Health, primarily). For this area of consideration, all of the applicants have committed to close cooperation with the Town.

**Factors That May Impact the Public Safety and Public Health from the
Operation of an RMD in Needham**
(in order of presentation)

Criteria	Sage Cannabis	MA Patient Foundation	Medical Marijuana of MA
Free Delivery	Applicant Preference is to begin delivery after an initial 6-9 month period, but will accommodate Town needs.	Yes	Yes
Discrete Location off Busy Street	Yes, 29-37 Franklin Street	No, 33 Highland Avenue	Yes, 85 Wexford Street
Parking	Parking plan for 29 Franklin Street shows 8 spots in front of the building, with the garage available for loading. Unknown parking at 37 Franklin Street. Parking for employees is not separately delineated.	MPF indicates they have 8 spots out front, 3 to the side, and 13 to the rear. Highland Ave widening by MassDOT will eliminate 8 out front. Proposes valet parking. No location given for employee parking.	Parking plan for spaces inside garage for 5 patients, and 5 spaces for employees (2 in front and 3 in back).
Business Model which limits foot traffic (and by extension parking needed)	No, Walk In Business Model.	No, Walk In Business Model.	Yes, By Appointment Business Model.
Selection of MIPs	Somewhat Limited (limited sweets which will include brownies and cookies)	Somewhat Limited (limited sweets)	Limited (no sweets)
Limit on Marijuana Dispensed	No limit per visit; state imposed 10 ounce limit per 60 days.	No limit per visit; state imposed 10 ounce limit per 60 days.	Self-imposed limit of 1 ounce per visit; state imposed 10 ounce limit per 60 days.
Special Security Consideration (above regulations and requirements)	Garage/loading area in which to securely receive deliveries of product and pickup of cash.	N/A	Appointment only business model limits the amount of marijuana on Needham RMD premise at any given time. Operational plan and security arrangements call for daily pickup of cash and any excess product.

Needham Public Health Department
March 2016
Health Agents - Tara Gurge and Brian Flynn

Activities

<i>Activity</i>	<i>Notes</i>
Bodywork Application Reviews	Reached out to all the potential Bodywork establishments/practitioners and finished reviewing bodywork establishment and practitioner permit applications. UPDATE – Conducted third round of Bodywork establishment inspections with state inspector and local police detective. (Another follow-up final inspection is still pending at Season Day Spa.)
Bodywork Establishment Inspections	3 – Bodywork Establishment inspections conducted at the following sites: - Season Day Spa located at #24 Brook Rd. (Final inspection pending.) - Healing Hands Massage/A Place for Healing located at #475 Hillside Ave., basement unit. - Boston Rolfer/Getting Well Together, Inc. located at #1492 Highland Ave., #1.
Bodywork Practitioner Permit Reviews	2 – Annual Bodywork Practitioner permit reviews conducted for: - <u>Edward Miano</u> at Healing Hands Massage/A Place for Healing. - <u>Diana Phillips</u> at Boston Rolfer/Getting Well Together, Inc.
Cease and Desist Letter / Administrative Hearing Conducted	1 – Cease and Desist letter sent to the following illegal caterer: - <u>Robert Pelletier (CLC Catered Events)</u> – Order letter issued for conducting illegal catering out of #301 Reservoir St. in Needham. (NOTE: No Catering license was issued for the use of this space for 2016.) Administrative Hearing scheduled in April with owner and landlords. It was ordered that owner is not allowed to apply for a catering license in Needham until Jan. 2017. (Building Dept. Commissioner also in the loop on this order.)
Demo review/approval	8 - Demolition sign-offs: • #212 Washington Ave. • #46 Whittier Rd. • #20 Churchill Rd. • #109 Henderson St. • #43 Gage St. (home/garage) • #56 Nichols Rd. • #14 Gordon Rd. • #55 Kenney St.
Food – Complaints	3 – Food Complaints received for: - <u>D’Angelo’s</u> – Report of foodborne illness after eating tuna sub with cucumbers and green peppers. (Donna C. followed-up on complaint with store manager.) - <u>Farmhouse Restaurant</u> – Report from customer that they observed chef tasting food from a plate by using his gloved hand touching his mouth, and then they reported that he again touched the food on the plate with the same glove (without washing hands or changing glove.) Site visit conducted. Spoke with owner and chef about complaint. They will remind their staff about making sure they use single use tasting spoons to taste food on plates. - <u>Fernandes/ Dunkin Donuts Mini Mart</u> – Report of customer that bought a tuna sub and reported that it was stale. The sell by date noted on the sandwich was still in compliance. Site visit conducted. Met with store manager about complaint. They will adjust sell-by dates to ensure fresher products.

Food – Temporary Food Permits	6 – Temp. food event permit applications received/permits issued to: - <u>Needham Community Theatre, Inc.</u> – For 60th Anniversary Reception event at Historical Society. Inspection conducted at Historical Society prior to event. - <u>Needham Community Theatre, Inc.</u> – For Forbidden Broadway Show at Newman School. - <u>Needham Women’s Club</u> - For Grand Wine Tasting Event at Powers Hall in Needham Town Hall. - <u>Papi’s Mobile Food Truck</u> – For one day event at Babson College (Needham side.) Inspection of Mobile Food Truck conducted prior to this event. - <u>Community Council</u> – For Dance Party event at Needham Village Club. Inspection conducted at Village Club prior to this event. - <u>Sam’s Hot Dogs (Alan Rubin)</u> – Received applications for 3 upcoming temporary food events at the schools and 1 NBA Street Fair event. Inspected cart (Permit approval pending .)
Mobile Food inspections	2 – Mobile Food inspections conducted for: - Sam’s Hot Dog cart - Papi’s Mobile Food Truck
Food – New Food Permit Plan Reviews/Food Establishment Updates	3 – Food Permit Plan Reviews/ Establishment updates: - <u>Sheraton Needham Hotel</u> – Kitchen Renovation plans submitted for review. Final pre-operation inspection pending. - <u>Starbucks</u> – Renovation plans submitted for review. - <u>RFK Kitchen Restaurant (#948 Great Plain Ave.)</u> – Initial proposed kitchen design plans submitted, along with Plan Review packet. Submitted equipment layout plans for review. Meeting scheduled with owner to discuss kitchen layout.
Food – Annual Permits	0 – Annual food/retail food service permits issued.
Housing – Complaint Follow-up	1 – Housing Complaint Follow-up: - <u>#210 Hillside Ave., Unit #32</u> – Received complaint of lots of clutter in unit. Inspection conducted. Housing order letter sent. Two follow-up site visits conducted. Working with owner and tenant in cleaning up unit. <u>UPDATE</u> – Another follow-up inspection conducted. Improvement observed. (On-going.)
Nuisance – Complaints/Follow-ups	4 – New Nuisance Complaints/Follow-ups: - <u>#191 High Rock St.</u> – Report from abutting neighbor about strong odors present due to sealing of foundation from new home being built next door. She reports that the odors are off-gassing and getting into her home. Site visit conducted. Spoke to builder about communicating with neighbor about time frame of new home being built. - <u>Rhythmic Dreams (#422 Hillside Ave.)</u> – Reports received from parents about indoor air quality concerns inside the gymnastics studio during the hot summer months. Alison and I met with owner and staff on site to discuss concerns. She will install additional floor fans on site to ensure that air is constantly moving. Have other hot weather protocols in place (i.e. frequent water breaks, etc.). - <u>Roche Bros. Supermarket</u> – Resident concerned with not having readily accessible hand sanitizer dispenser/wipes set up by the Meat Department. Spoke to store manager about concern. He will install dispenser. She also had concerns with the amount of chicken meat juices on the display shelves (leaked from packages of raw chicken). Site visit conducted. Met with store manager. He will increase the cleaning schedule of the display case shelves. - <u>Restaurant Depot (x2)</u> – Report of pest activity in the ice cream cone/syrups/sugar aisle. Site visit conducted. Met with store manager. Will

	increase pest control service schedule to 2x per week. Follow-up site visit conducted. Will forward pest control reports to Health Dept. for review (On-going.) - <u>Area between Library (#1049 Highland Ave.) and Avery Manor (x2)</u> – Neighbors reported observing MBTA Train idling all night long, 50 ft. from house. They report having diesel odors migrate into home. Reported issue to Mass DEP. They contacted their Region I EPA contact. They are having their lawyers contact the MBTA about these idling concerns. (The Mass DEP will keep me in the loop on their follow-ups.) <u>UPDATE</u>: Mass DEP and EPA in process of investigating this concern. They are working with MBTA on issue. - <u>#14 Gage St.</u> – Resident called regarding her neighbor that is storing a lot of trash and debris on the exterior of his property. Site visit conducted. Letter sent. (Owner in process of picking up yard debris.) <u>UPDATE</u>: Debris picked up.
Pool Permit Plan Review (New Pools)	1 – Pool Plan Review conducted for: - <u>Needham Park and Recreation Rosemary Town Pool</u> – Received draft plans for 2 new pools. (Met with MA DPH to review pool plans.) <u>UPDATE</u>: Revised pool plans pending. (On-going)
Septic – Installation Inspection	1 – Installation inspection conducted at: - <u>Needham RTS</u> – For installation of tight tank, to accommodate new employee trailer on site. (Final alarm inspection pending.)
Major Project Special Permit Reviews (Planning/Zoning Board)	2 – Special Permit plan review comments sent: - <u>#948 Great Plain Ave.</u> - <u>#292 Forest St.</u> (Volante Farms expansion)
Tobacco – Complaints/ Follow-ups	0 – Tobacco Complaints/Follow-ups.
Tobacco – Compliance Checks conducted	12 – Tobacco Compliance Checks conducted on March 23rd. No Sales. (See attached summary sheet.)
Tobacco Insp.	5 – Tobacco routine inspections conducted.

Trash Hauler Truck Inspections conducted	11 – Trash Hauler truck inspections conducted for: - <u>Dooley Disposal</u> – 1 truck - <u>Junk Removers</u> – 4 trucks - <u>J.C. Timmerman</u> – 6 trucks
Waste Hauler permit renewals	19 - Annual Waste/Trash Hauler permit renewal applications received.
Well – Plan Review/ Approval to Drill	1 – Well Permit Plan Review conducted. Issued approval to drill letter to: - <u>#48 Redington Rd.</u> – For two closed-loop geothermal wells.

Yearly

Category	Jul	Au	S	O	N	D	J	F	M	A	Ma	Ju	Yly Tot	FY' 15	FY' 14	Notes/Follow-Up
Biotech	0	0	0	0	0	2	0	0	0	0	0	0	2	2	1	Biotech permits
Bottling	0	1	0	0	0	0	0	0	0	0	0	0	1	1	3	Bottling Permit insp.
Demo	13	13	16	7	11	11	5	9	8	0	0	0	93	100	117	Demo reviews
Domestic Animal	1	0	0	1	0	1	0	0	0	0	0	0	3	15	14	Animal permits
Food Service	9	10	16	14	13	25	19	17	16	0	0	0	139	220	198	Routine insp.
Food Service	5	2	5	5	1	1	0	2	0	0	0	0	21	26	43	Pre-oper. Insp.
Retail	4	5	7	10	3	5	5	4	11	0	0	0	54	71	69	Routine insp.
Resid. kitchen	0	0	3	0	2	0	1	1	0	0	0	0	7	8	11	Routine insp.
Mobile	1	1	1	0	0	0	0	0	2	0	0	0	5	10	13	Routine insp.
Food Service	2	5	1	8	7	5	0	1	2	0	0	0	31	52	36	Re-insp.
Food Service/ Retail	3	1	3	2	1	1	0	3	0	0	0	0	14	170	166	Annual permits
Food Service	5/4	3/0	17/0	9/2	15/0	1/1	3/1	5/0	6/4	0/0	0/0	0/0	61/11	96/44	90/52	Temp. food permits/ Temp. food insp.
Food Service	1/3	0/2	0/3	1/2	0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0	2/10	18/45	12/18	Farmers Market permits/ Market insp.
Food Service	1/1	2/2	0/0	4/4	0/0	2/2	3/3	0/0	3/3	0/0	0/0	0/0	15/15	17/21	15/16	New Compl/ Follow-ups
Food	4	3	1	1	0	1	1	3	3	0	0	0	17	35	28	Plan Reviews

Service																
Food Service	0	0	0	0	1	0	0	0	0	0	0	0	1	0	1	Admin. Hearings
Grease/ Septage Haulers	0	0	0	0	15	7	1	0	0	0	0	0	23	25	26	Grease/ Septage Hauler permits
Housing (Chap II Housing)	0/0	0/0	7/0	0/4	0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0	7/4	7/4	7/0	Annual routine insp./ Follow-up insp.
Housing	2/3	1/1	0/1	4/5	1/3	0/2	0/1	2/3	0/1	0/0	0/0	0/0	6/20	8/10	3/5	New Compl./ Follow-ups
Hotel	0/0	0/0	0/0	0/0	1/0	2/0	0/0	0/0	0/0	0/0	0/0	0/0	3/0	2/0	12/0	Annual insp./Follow-ups
Nuisance	6/6	7/7	2/1	5/4	3/4	2/5	3/4	6/4	4/7	0/0	0/0	0/0	38/42	43/47	42/44	New Compl./ Follow-ups
Pools	0/0	0/0	0/0	0/0	2/0	3/1	0/0	0/0	0/0	0/0	0/0	0/0	5/1	10/7	10/2	Pool insp./follow-ups
Pools	0	0	0	0	0	5	0	0	0	0	0	0	0	10	9	Pool permits
Pools	0	0	0	0	0	0	0	4	1	0	0	0	5	7	1	Pool plan reviews
Pools	0	0	0	0	0	3	0	0	0	0	0	0	3	6	6	Pool variances
Septic	2	0	0	1	1	1	1	0	0	0	0	0	6	9	8	Septic Abandon Forms
Septic	0	0	0	1	0	1	0	1	0	0	0	0	3	10	1	Addition to a home on a septic plan rev/approval
Septic	0	5	0	2	0	2	0	1	1	0	0	0	11	14	23	Install. Insp.
Septic	0	0	0	2	0	0	0	1	0	0	0	0	3	2	0	COC for repairs
Septic	1	0	0	1	0	0	0	0	0	0	0	0	2	0	6	COC for complete septic system
Septic	4	5	4	5	4	3	5	6	4	0	0	0	40	61	63	Info. requests.
Septic	0	0	1	0	3	0	1	0	0	0	0	0	5	3	2	Soil/Perc Test.
Septic	1	0	0	3	0	0	0	1	0	0	0	0	5	4	5	Const. permits
Septic	2	0	0	0	4	1	1	0	0	0	0	0	8	10	9	Installer permits
Septic	2	0	0	1	2	0	1	0	0	0	0	0	6	6	5	Installer Tests
Septic	1	0	0	0	0	0	0	0	0	0	0	0	1	3	4	Deed Restrict.
Septic	2	0	0	1	1	2	2	1	0	0	0	0	9	8	14	Plan reviews
Sharps insp.	0	0	0	0	0	9	1	0	0	0	0	0	10	10	8	Disposal of Sharps insp.
Sharps	0	0	0	0	0	9	1	0	0	0	0	0	10	10	8	Disposal of

permits																Sharps permits
Subdivision	0/0	1/0	0/0	0/0	0/0	0/0	1/0	0/0	0/0	0/0	0/0	0/0	2/0	7/1	6/2	Plan review- Insp. of lots /Bond Releases
Special Permit/ Zoning memos	0	3	1	1	0	0	6	0	2	0	0	0	13	12		Special Permit/ Zoning
Tobacco	0	0	1	0	0	12	0	0	0	0	0	0	13	12	12	Tobacco permits
Tobacco	0/0	2/0	2/0	2/0	5/0	1/0	1/0	2/0	5/0	0/0	0/0	0/0	20/0	21/2	20/21	Routine insp./ Follow-up insp.
Tobacco	0	0	0	12	0	12	0	0	12	0	0	0	36	36	33	Compliance checks
Tobacco	0/0	0/0	0/0	0/0	0/0	2/2	0/0	0/0	0/0	0/0	0/0	0/0	2/2	3/3	2/2	New compl./ Compl. follow-ups
Trash Haulers/ Medical Waste Haulers	0/0	1/0	0/0	1/0	0/1	0/1	0/0	0/0	3/0	0/0	0/0	0/0	5/2	29/2	24/2	Trash Hauler permits/ Medical Waste Hauler permits
Well	1/0	0/0	0/0	0/0	2/0	1/0	0/0	0/0	1/0	0/0	0/0	0/0	5/0	14/1	5/8	Permission to drill letters/ Well permits

Meetings, Events, and Trainings

<i>Title</i>	<i>Type</i>	<i>Description/Highlights/Votes/Etc.</i>	<i>Attendance</i>
Meet with Tim (x2)	Meeting	Met with Tim to review on-going projects/complaints.	2
Board of Selectmen Food Truck Hearings (x2)	Hearings (x2)	Attended both Board of Selectmen hearings on Food Trucks. Public comments were received/discussed.	100+
Lunch Staff Meeting	Meeting	Meeting with staff to review monthly activities.	11
RFK Kitchen Design Plan Meeting	Meeting	Met with new owners of proposed restaurant to review kitchen design plans.	3
New Proposed Rosemary Pool Design	Meeting	Met with MA DPH representatives and pool design engineer, along with Park and Rec. and other Town of Needham Depts. to review proposed pool design plans.	7
MHOA Conference	Conference	Attended Medical Marijuana conference with Tim and Carol.	100+
Needham LEPC Meeting	Meeting	Attended LEPC meeting to discuss recent Water Boil Drill exercise.	40+
LPHI Public Health online training	Online training modules	LPHI On-going trainings, webinars, online certifications to be completed for certificate.	1

FY 16 Critical Violations Chart (By Date)

Restaurant	Insp. Date	Critical Violation	Description
Restaurant Depot	8/10/15	- Food Contact surfaces cleaning and sanitizing; - Hand washing – Operation and Maintenance	- Need to provide sufficient hot water at Seafood Dept. 3-Bay sink; - Need to provide sufficient hot water at Seafood Dept. hand washing sink.
Pronti Bistro	8/10/15	- Hand washing – Operation and Maintenance	- Provide working soap dispenser; - Re-fill empty paper towel dispenser at kitchen hand washing sink.
Fuji Steakhouse	8/24/15	- Hand washing – Operation and Maintenance - Conformance with Approved Procedures/HACCP Plan (for Acidified Sushi Rice) - Food Contact surfaces cleaning and sanitizing	- Repair hot water faucet handle at kitchen hand washing sink; - Need to ensure that Sushi pH Log is maintained and entries are made when rice is prepared (Log was not up to date); - Ensure that dish machine reaches a min. temperature of 180 deg F or greater for final hot water sanitizing rinse.
The Center Café	9/15/15	- Separation/Segregation/Protection	- Observed Flies in establishment. Got copies of recent pest control reports. Will monitor.
Gari	10/20/15	- Hand washing – Operation and Maintenance	- Need to provide sufficient hot water at hand washing sinks. Only 99-103 deg F observed. Repaired. Ensure that sushi hand wash sink is easily accessible and used for hand washing only (some items stored in sink.)
Spiga	12/8/15	- Separation/Segregation/Protection	- Observed evidence of pests on site. Got copies of recent pest control reports. Will monitor.
Knowledge of Beginnings	1/12/16	- Hand washing – Operation and Maintenance	- Need to provide sufficient hot water at hand washing sinks. Repaired.
Dunkin Donuts Mini Mart	1/25/16	- Hand washing – Operation and Maintenance	- Need to provide sufficient hot water at hand washing sinks. Only 99-100 deg F observed. Repaired.

Needham Public Health Department
April 2016
Health Agents - Tara Gurge and Brian Flynn

Activities

<i>Activity</i>	<i>Notes</i>
Bodywork Application Reviews	Contacted all the Bodywork establishments/practitioners and finished reviewing bodywork establishment and practitioner permit applications. <u>UPDATE</u> – Follow-up inspection conducted at Season Day Spa with state inspector and local police detective. (Noted potential living quarters on site.) Notified Building Dept. about concern. They conducted a follow-up inspection the next day, and all items were removed off site. Waiting for local police detective to confirm re-inspection date for final pre-operation inspection.
Bodywork Establishment Inspections	3 – Bodywork Establishment inspections conducted at the following sites: - Season Day Spa located at #24 Brook Rd. (A final establishment inspection is pending.) - Healing Hands Massage/A Place for Healing located at #475 Hillside Ave., basement unit. - Boston Rolfer/Getting Well Together, Inc. located at #1492 Highland Ave., #1.
Bodywork Establishment Permits Issued	2 – Bodywork Establishment permits issued for the following sites: - Healing Hands Massage/A Place for Healing located at #475 Hillside Ave., basement unit. - Boston Rolfer/Getting Well Together, Inc. located at #1492 Highland Ave., #1.
Bodywork Practitioner Permits Issued	2 – Bodywork Practitioner Permits issued to: - Edward Miano (Healing Hands Massage/A Place for Healing) - Diana Philips (Boston Rolfer/Getting Well Together, Inc.)
UPDATE -Cease and Desist Letter / Administrative Hearing Conducted	1 – Cease and Desist Order letter issued to the following illegal caterer: - <u>Robert Pelletier (CLC Catered Events)</u> – Order letter issued for conducting illegal catering out of #301 Reservoir St. in Needham. (NOTE: No Catering license was issued for the use of this space for 2016.) <u>UPDATE:</u> Administrative Hearing conducted with owner and landlords. It was ordered that owner is not allowed to apply for a catering license in Needham until Jan. 2017. (Building Dept. Commissioner also in the loop on this order.)
Cease and Desist Catering Order and Letter Issued / Administrative Hearing Scheduled in May	1 – Cease and Desist Order letter issued to the following illegal caterer: - <u>Sante Mobile Café – (Steve Gilman and Scott Haviland)</u> – Commissary license was issued in 2016 for the Congregational Church kitchen site over at #1180 Great Plain Ave. They catered the Craft Boston event on April 29 – May 1st, which we ordered him not to, since he currently <u>does not</u> have a valid catering license with the Needham Health Dept. Required them to attend a mandatory hearing along with their landlord, to discuss this catering violation. Research was conducted to verify items discussed at the hearing. His commissary license has since been revoked. (DISCUSS)
Demo review/approval	5 - Demolition sign-offs: • 1 Colgate Road • 12 McCullough • 4 Hawthorn Ave. • 9 Ingleside Road • 75 Otis Street
NBA Street Fair	Annual NBA Street Fair Memo sent to review Food Code temporary food event permitting requirements. (In process of receiving food vendor applications for upcoming annual NBA Street Fair event.) On-going.

Needham Farmers Market	Seasonal Needham Farmers Market Memo sent to Farmers Market coordinator. (In process of receiving food vendor applications for upcoming seasonal Farmers Market event.) On-going.
Food – Complaints	2 – Food Complaints received for: - <u>Panera Bread</u> – Report of foodborne illness after eating turkey sandwich. (NOTE: This complainant also ate at other restaurants prior to getting ill.) Alison and I conducted a site visit and spoke to the store manager and District manager about complaint. Inspection conducted. Required manager to add additional foodborne illness facts to employee info. cards about what illness symptoms employees need to look for, when they need to stay out of work, when they can return to work, etc., and to add more specific info. on Norovirus signs and symptoms. He reviewed Norovirus handout with staff and posted it on staff bulletin board. - <u>Blue on Highland</u> – Report of foodborne illness after eating fish tacos. Site visit conducted. Met with owner about complaint. Inspection conducted. Checked fish supplier, no change. Frequent deliveries received, 6x/week. No violations observed.
Food – Temporary Food Permits	4 – Temp. food event permit applications received/permits issued to: - <u>Knights of Columbus</u> – For Trivia Night event. - <u>Landmark News Group, Inc.</u> – For Needham Baystate Conf. Relays @ DeFazio Field. Inspection conducted. - <u>Stacy's Juice Bar</u> – For Needham Community Council Fashion Show @ Powers Hall. - <u>Relay For Life</u> – Event at Newman School.
Food – Plan Reviews/ Food Establishment Updates	2 – Food Permit Plan Reviews/ Establishment updates: - <u>North Hill</u> – Kitchen Renovation plans submitted for review for new employee cafeteria. - <u>Captain Marden's Seafood Truck</u> – Application reviewed for seasonal Mobile Food Truck license. (Selectmen approved location on A Street.)
Food – Pre-operation inspections conducted	2 – Pre-operation inspections conducted for: - <u>North Hill</u> - For new employee cafeteria. - <u>Captain Marden's Seafood Truck</u> – Pre-operation inspection conducted.
Food – Seasonal Permit	1 – Seasonal food service permit issued to: - <u>Captain Marden's Seafood Truck</u> to be located on A Street.
Housing – Complaints/ Follow-ups	4 – Housing Complaints/Follow-ups: - <u>#210 Hillside Ave., Unit #32</u> – Received complaint of lots of clutter in unit. Inspection conducted. Housing order letter sent. Two follow-up site visits conducted. Working with owner and tenant in cleaning up unit. <u>UPDATE</u> – Another follow-up inspection was conducted. Additional clutter removed. Landlord replaced old refrigerator with new one. Will conduct a final follow-up inspection in mid-May (Pending.) - <u>#321 Hillside Avenue</u> – Still working with owner in addressing the on-going housing concerns. (She is in the process of evicting her tenants.) <u>UPDATE</u> – A follow-up inspection was conducted with Henry Fontaine, with the Building Dept. Additional concerns were noted by the tenant with squirrels being present under the eaves and also with electrical issues (i.e. fuses blowing) in their room. Henry reminded tenant not to overload circuits by running electric heater in their room. Owner is working with a carpenter in sealing up areas where pests are getting in. Tenant was told to contain and remove their trash debris in a timely manner. Pest control report is pending. (On-going.) - <u>#757 Highland Ave. (Webster Green Apts.)</u> – Report from renter about on-going dust issues due to on-going renovations being conducted on site. Site visit conducted. Met with complainants. Spoke to builder about concerns. He will communicate better with tenants about on-going renovations and

	time frames on when and where renovations are being conducted on site. - <u>#348 Manning St.</u> – Received a call from a tenant about housing code violations that she reports her landlord was not addressing for her. Housing inspection conducted with Scott Chisholm, Building Dept. electrical inspector. Order letter sent to landlord. Landlord requested an Administrative Hearing to discuss violations. Updated letter sent. (Will work with landlord in setting up a sufficient time frame for addressing the issues.)
Nuisance – Complaints/Follow-ups	3 – New Nuisance Complaints/Follow-ups: - <u>#186 Elmwood</u> – Report from abutting neighbor about dead/dying trees that are falling onto his rental property. Site visit conducted. Spoke to property manager about concern (x2). She hired a tree service to come out to remove dead trees. - <u>Area between Library (#1049 Highland Ave.) and Avery Manor (x1)</u> – Additional concerns reported by neighbors that live in this area with on-going train idling for 3+ hrs./odors getting into homes that are near tracks. Spoke to Mass DEP about additional complaints received. They have assured me that they are actively still working with the EPA in investigating this concern and that they are continuing to work with MBTA on addressing this train idling issue. (The Mass DEP will keep me in the loop on their follow-ups.) The MassDEP wants me to forward all additional complaints directly to them. I gave complainant my direct MassDEP contact so he can contact her directly about any additional concerns. - <u>#24 Jarvis Circle</u> – Report of overflowing dumpster next door where a new home is being constructed. Site visit conducted. Spoke to builder about concern. Dumpster was serviced.
Pool Permit Plan Review (New Pools)	1 – Pool Plan Review conducted for: - <u>Needham Park and Recreation Rosemary Town Pool</u> – Received draft plans for 2 new pools. (Met with MA DPH to review pool plans.) UPDATE: Meeting scheduled to review newly revised plans, which showed MA DPH required changes, etc. Hard copy of revised pool plans pending. (Additional comments to be sent.)
Pool Permit Renewal Mailings sent	4 – Pool Seasonal Outdoor Pool Permit renewal application mailings sent.
Pool Permit renewals	2 – Seasonal Outdoor Pool Permit renewal applications received for: - Charles River Landing Pool - Rosemary Ridge Condo Pool and Whirlpool - Needham Pool and Racquet Club Pool (still pending) - Rosemary Town Pool (still pending)
Septic – Construction Permit	1 – Septic Construction Permit issued for: - <u>#102 Pine St.</u> – For septic system upgrade.

Septic Trench Permit	1 – Septic Trench Permit issued to: - <u>Edward Hart</u> – Podgurski Corp. (For job at #102 Pine St.)
Septic – Installation Inspections	5 – Installation inspections conducted at: - <u>Needham RTS</u> – Inspection conducted to verify alarm on new tight tank that was installed, to accommodate new employee trailer on site. (Final grading inspection pending.) - <u>#102 Pine Street</u> – Conducted septic installation inspections (x4)
Septic – Soil Test	1 – Soil Test conducted at: - <u>#267 Cartwright Rd.</u> – Took soil testing logs. Perc test could not be conducted at this time. Will come back in early summer to conduct perc test.
Major Project Special Permit Review (Planning/Zoning Board)	1 – Special Permit plan review comments sent for: - Amendment to the Major Project Site Plan, Special Permit No. 2012-07 - No comments to add at this time.
Tobacco – Complaints/ Follow-ups	1 –Tobacco Complaint received: - <u>Fernandes/Dunkin Donuts Mini Mart</u> – Report received from Needham Police that underage 19 year old individual has reportedly been buying cigarettes at this store (boy's mother came into Police Dept. to issue complaint). Spoke to store owner and manager about concern. They assured us that her staff is always checking IDs. She has no new staff and ensures that everyone who sells cigarettes gets trained in checking IDs, etc., so they do not sell to minors.
Tobacco – Compliance Checks conducted	12 – Tobacco Compliance Checks conducted on Apr. 29th. One sale conducted to minor at the following tobacco establishment: - <u>7-Eleven (#173 Chestnut St.)</u> – Administrative Hearing Scheduled. <u>(DISCUSS)</u>
Tobacco Insp.	3 – Tobacco routine inspections conducted.
Trash Hauler Truck Inspections conducted	2 – Trash Hauler truck inspections conducted for: - <u>Needham Recycling</u> – 1 Truck - <u>Orifice</u> – 1 Truck

Waste Hauler permit renewals	5 - Annual Waste/Trash Hauler permit renewal applications received (along with late fees for late permit renewal applications).
Wells – Plan Review/ Approval to Drill	0 – Well Permit Plan Reviews conducted/Approval to Drill letters issued.

Yearly

Category	Jul	Au	S	O	N	D	J	F	M	A	Ma	Ju	Yly Tot	FY' 15	FY' 14	Notes/Follow-Up
Biotech	0	0	0	0	0	2	0	0	0	0	0	0	2	2	1	Biotech permits
Bodywork								5	3	3	0	0	11	0	0	Bodywork Estab. Insp.
Bodywork								1	0	2	0	0	3	0	0	Bodywork Estab. Permits
Bodywork								8	0	2	0	0	10	0	0	Bodywork Pract. Permits
Bottling	0	1	0	0	0	0	0	0	0	0	0	0	1	1	3	Bottling Permit insp.
Demo	13	13	16	7	11	11	5	9	8	5	0	0	98	100	117	Demo reviews
Domestic Animal	1	0	0	1	0	1	0	0	0	0	0	0	3	15	14	Animal permits
Food Service	9	10	16	14	13	25	19	17	16	17	0	0	156	220	198	Routine insp.
Food Service	5	2	5	5	1	1	0	2	0	2	0	0	23	26	43	Pre-oper. Insp.
Retail	4	5	7	10	3	5	5	4	11	8	0	0	62	71	69	Routine insp.
Resid. kitchen	0	0	3	0	2	0	1	1	0	0	0	0	7	8	11	Routine insp.
Mobile	1	1	1	0	0	0	0	0	2	0	0	0	5	10	13	Routine insp.
Food Service	2	5	1	8	7	5	0	1	2	3	0	0	34	52	36	Re-insp.
Food Service/ Retail	3	1	3	2	1	1	0	3	0	1	0	0	15	170	166	Annual permits
Food Service	5/4	3/0	17/0	9/2	15/0	1/1	3/1	5/0	6/4	4/1	0/0	0/0	65/12	96/44	90/52	Temp. food permits/ Temp. food insp.
Food Service	1/3	0/2	0/3	1/2	0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0	2/10	18/45	12/18	Farmers Market permits/ Market insp.
Food Service	1/1	2/2	0/0	4/4	0/0	2/2	3/3	0/0	3/3	2/2	0/0	0/0	17/17	17/21	15/16	New Compl/ Follow-ups

Food Service	4	3	1	1	0	1	1	3	3	2	0	0	19	35	28	Plan Reviews
Food Service	0	0	0	0	1	0	0	0	0	0	0	0	1	0	1	Admin. Hearings
Grease/ Septage Haulers	0	0	0	0	15	7	1	0	0	0	0	0	23	25	26	Grease/ Septage Hauler permits
Housing (Chap II Housing)	0/0	0/0	7/0	0/4	0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0	7/4	7/4	7/0	Annual routine insp./ Follow-up insp.
Housing	2/3	1/1	0/1	4/5	1/3	0/2	0/1	2/3	0/1	4/5	0/0	0/0	10/25	8/10	3/5	New Compl./ Follow-ups
Hotel	0/0	0/0	0/0	0/0	1/0	2/0	0/0	0/0	0/0	0/0	0/0	0/0	3/0	2/0	12/0	Annual insp./Follow-ups
Nuisance	6/6	7/7	2/1	5/4	3/4	2/5	3/4	6/4	4/7	2/4	0/0	0/0	40/46	43/47	42/44	New Compl./ Follow-ups
Pools	0/0	0/0	0/0	0/0	2/0	3/1	0/0	0/0	0/0	0/0	0/0	0/0	5/1	10/7	10/2	Pool insp./follow-ups
Pools	0	0	0	0	0	5	0	0	0	0	0	0	0	10	9	Pool permits
Pools	0	0	0	0	0	0	0	4	1	1	0	0	6	7	1	Pool plan reviews
Pools	0	0	0	0	0	3	0	0	0	0	0	0	3	6	6	Pool variances
Septic	2	0	0	1	1	1	1	0	0	0	0	0	6	9	8	Septic Abandon Forms
Septic	0	0	0	1	0	1	0	1	0	0	0	0	3	10	1	Addition to a home on a septic plan rev/approval
Septic	0	5	0	2	0	2	0	1	1	5	0	0	16	14	23	Install. Insp.
Septic	0	0	0	2	0	0	0	1	0	0	0	0	3	2	0	COC for repairs
Septic	1	0	0	1	0	0	0	0	0	0	0	0	2	0	6	COC for complete septic system
Septic	4	5	4	5	4	3	5	6	4	4	0	0	44	61	63	Info. requests.
Septic	0	0	1	0	3	0	1	0	0	1	0	0	6	3	2	Soil/Perc Test.
Septic	1	0	0	3	0	0	0	1	0	1	0	0	6	4	5	Const. permits
Septic	2	0	0	0	4	1	1	0	0	0	0	0	8	10	9	Installer permits
Septic	2	0	0	1	2	0	1	0	0	0	0	0	6	6	5	Installer Tests
Septic	1	0	0	0	0	0	0	0	0	0	0	0	1	3	4	Deed Restrict.
Septic	2	0	0	1	1	2	2	1	0	0	0	0	9	8	14	Plan reviews
Sharps insp.	0	0	0	0	0	9	1	0	0	0	0	0	10	10	8	Disposal of Sharps insp.

Sharps permits	0	0	0	0	0	9	1	0	0	0	0	0	10	10	8	Disposal of Sharps permits
Subdivision	0/0	1/0	0/0	0/0	0/0	0/0	1/0	0/0	0/0	0/0	0/0	0/0	2/0	7/1	6/2	Plan review- Insp. of lots /Bond Releases
Special Permit/ Zoning memos	0	3	1	1	0	0	6	0	2	1	0	0	14	12		Special Permit/ Zoning
Tobacco	0	0	1	0	0	12	0	0	0	0	0	0	13	12	12	Tobacco permits
Tobacco	0/0	2/0	2/0	2/0	5/0	1/0	1/0	2/0	5/0	3/0	0/0	0/0	23/0	21/2	20/21	Routine insp./ Follow-up insp.
Tobacco	0	0	0	12	0	12	0	0	12	12	0	0	48	36	33	Compliance checks
Tobacco	0/0	0/0	0/0	0/0	0/0	2/2	0/0	0/0	0/0	1/1	0/0	0/0	3/3	3/3	2/2	New compl./ Compl. follow-ups
Trash Haulers/ Medical Waste Haulers	0/0	1/0	0/0	1/0	0/1	0/1	0/0	0/0	3/0	0/0	0/0	0/0	5/2	29/2	24/2	Trash Hauler permits/ Medical Waste Hauler permits
Wells	1/0	0/0	0/0	0/0	2/0	1/0	0/0	0/0	1/0	0/0	0/0	0/0	5/0	14/1	5/8	Permission to drill letters/ Well permits

Meetings, Events, and Trainings

<i>Title</i>	<i>Type</i>	<i>Description/Highlights/Votes/Etc.</i>	<i>Attendance</i>
Meet with Tim (x2)	Meeting	Met with Tim to review on-going projects/complaints.	2
BOH Meeting	Meeting	Meeting with BOH to review monthly activities.	10
MHOA Community Sanitation Meeting	Meeting	Attended Annual MA DPH Community Sanitation meeting with Alison.	100+
LPHI Public Health classroom training	Training	Attended LPHI classroom training in Devens with Tim. (On-going trainings, webinars, online certifications to be completed for certificate.)	75+
Staff Meeting	Meeting	Meeting with staff to review monthly activities.	11
Rosemary Pool Plan Review Meeting	Meeting	Meeting held with Tim along with Park and Rec., Town Public Facilities and Assist. Town Manager.	5
Conf. Call with MA DPH to discuss revised Rosemary Pool Plans	Conf. Call	Spoke with MA DPH Community Sanitation Program to discuss updates to revised pool plans.	2

FY 16 Critical Violations Chart (By Date)

Restaurant	Insp. Date	Critical Violation	Description
Restaurant Depot	8/10/15	- Food Contact surfaces cleaning and sanitizing; - Hand washing – Operation and Maintenance	- Need to provide sufficient hot water at Seafood Dept. 3-Bay sink; - Need to provide sufficient hot water at Seafood Dept. hand washing sink.
Pronti Bistro	8/10/15	- Hand washing – Operation and Maintenance	- Provide working soap dispenser; - Re-fill empty paper towel dispenser at kitchen hand washing sink.
Fuji Steakhouse	8/24/15	- Hand washing – Operation and Maintenance - Conformance with Approved Procedures/HACCP Plan (for Acidified Sushi Rice) - Food Contact surfaces cleaning and sanitizing	- Repair hot water faucet handle at kitchen hand washing sink; - Need to ensure that Sushi pH Log is maintained and entries are made when rice is prepared (Log was not up to date); - Ensure that dish machine reaches a min. temperature of 180 deg F or greater for final hot water sanitizing rinse.
The Center Café	9/15/15	- Separation/Segregation/Protection	- Observed Flies in establishment. Got copies of recent pest control reports. Will monitor.
Gari	10/20/15	- Hand washing – Operation and Maintenance	- Need to provide sufficient hot water at hand washing sinks. Only 99-103 deg F observed. Repaired. Ensure that sushi hand wash sink is easily accessible and used for hand washing only (some items stored in sink.)
Spiga	12/8/15	- Separation/Segregation/Protection	- Observed evidence of pests on site. Got copies of recent pest control reports. Will monitor.
Knowledge of Beginnings	1/12/16	- Hand washing – Operation and Maintenance	- Need to provide sufficient hot water at hand washing sinks. Repaired.
Dunkin Donuts Mini Mart	1/25/16	- Hand washing – Operation and Maintenance	- Need to provide sufficient hot water at hand washing sinks. Only 99-100 deg F observed. Repaired.

Dunkin Donuts (Highland Ave.)	4/28/16	- Hand washing/ 3-Bay sink – Operation and Maintenance	- Need to provide sufficient hot water at hand washing and 3-Bay sinks. Only 88 deg F observed. Repaired.
-------------------------------	---------	--	---

February, 2016 Monthly Report
Maryanne Dinell- Traveling Meals Program Coordinator

Maryanne Dinell- Traveling Meals Program Coordinator

Description	Reason	Notes/Follow-Up (ongoing, completed, etc.)
Month of March, 2016	Clients need help with their daily meals.	58 clients on the Traveling Meals Program 39 Springwell clients 19 private pay clients - Needham residents
970 2- meal packages were delivered in March	25 Clients receive meals 5 times a week 33 Clients receive meals 3 days a week	675 meals delivered to Springwell Clients 275 meal delivered to private pay Total # meals delivered 970 @ 5.50 per meal =cost of \$5335.00
5 clients Joined the Program in March time	Age and surgery reason for need of the Program	3 residents private pay- 2 first time on Program 1- Returning to Program 2 Springwell
3 clients off Program	1 Client into assisted living 2 clients into hospital	2 on Program long term 1 assistance when recuperating from knee surgery

Category		Jul	Au	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	Ma y	Jun	FY '15 Total	FY '16 Total	
Meal Delivery		855	79 1	794	800	672	827	757	79 1	970				8014	7257	
General Telephone Calls- received		10	82	80	91	12 5	95	103	17 5	55				598	816	
Assistance Calls-to Springwell		0	0	0	4	5	3	2	3	4				58	21	
Not at home at delivery		6	12	9	4	12	9	2	5	6					65	
911		0	0	0	0	0	0	0	0					2	0	

Category		Jul	Au	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	Ma y	Jun	FY '15 Total	FY '16 Total	

Meetings, Events, and Trainings

BI	Type	Description/Highlights/Votes/Etc.	Attendance
Board of Health Meeting		Monthly meeting held at PSAP	9
Met with Wingate		They provided 32 green carnations to clients on the Program-	2

Donations, Grants, and Other Funding [List any donations received, grants funded, etc. over the past month.]

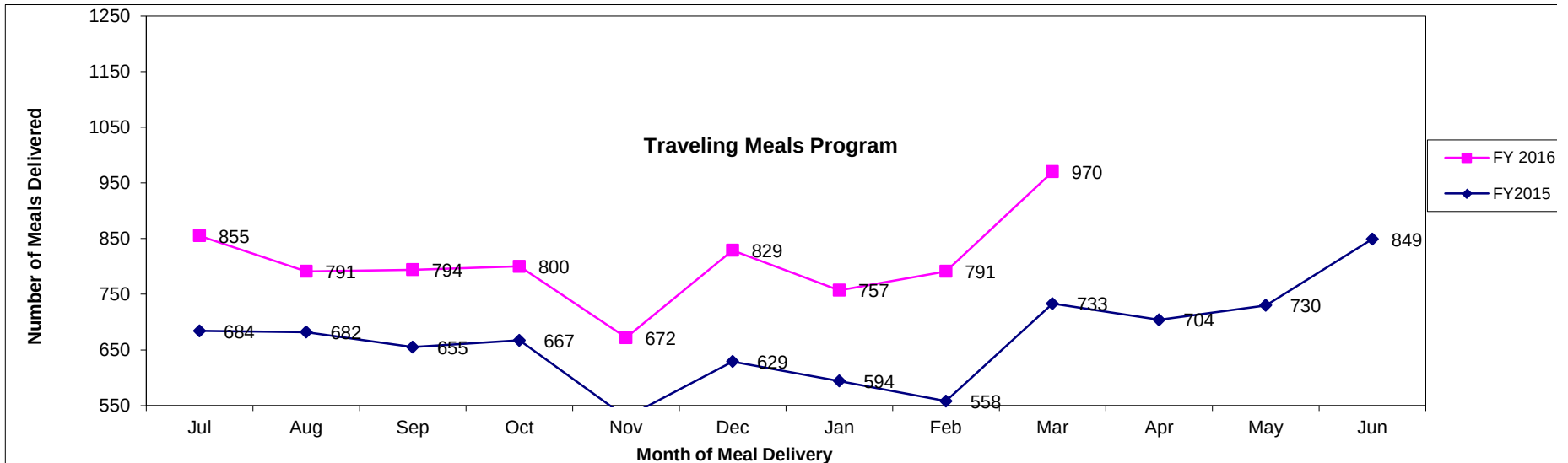
Description	Type (D,G,O)	Amount Given	Source	Notes

Traveling Meals Program

March, 2016 FY 16

Month	# Meals FY2015	# Meals FY2016	FY16 Cost	% Change # Meals
<u>Jul</u>	684	855	\$4,702.50	25%
<u>Aug</u>	682	791	\$4,350.50	16%
<u>Sep</u>	655	794	\$4,367.00	21%
<u>Oct</u>	667	800	\$4,400.00	20%
<u>Nov</u>	529	672	\$3,696.00	27%
<u>Dec</u>	629	829	\$4,559.50	32%
<u>Jan</u>	594	757	\$4,163.50	27%
<u>Feb</u>	558	791	\$4,350.50	42%
<u>Mar</u>	733	970	\$5,335.00	32%
<u>Apr</u>	704			
<u>May</u>	730			
<u>Jun</u>	849			
Totals:	8,014	7,259	39,924.50	

Projected-12 Mo.	
\$	53,232.67
#	9,679



February, 2016 Monthly Report
Maryanne Dinell- Traveling Meals Program Coordinator

Description	Reason	Notes/Follow-Up (ongoing, completed, etc.)
Month of April, 2016	Clients need help with their daily meals.	56 clients on the Traveling Meals Program 37 Springwell clients 19 private pay clients - Needham residents
800 2- meal packages were delivered in March	26 Clients receive meals 5 times a week 30 Clients receive meals 3 days a week	557 meals delivered to Springwell Clients 243 meal delivered to private pay residents Total # meals delivered 800 @ 5.50 per meal =cost of \$4400.00.00
3 clients Joined the Program in March time	Age and surgery reason for need of the Program	1 residents private pay- 2 first time on Program 2 Springwell
4 clients off Program	1 Client into assisted living 2 clients into hospital 1 Client no longer needs program	3 on Program long term 1 on their own

Category	Jul	Au	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	Ma y	Jun	FY '15 Total	FY '16 Total	
Meal Delivery	855	79 1	794	800	672	827	757	79 1	970	880			8014	8137	
General Telephone Calls-received	10	82	80	91	12 5	95	103	17 5	55	145			598	961	
Assistance Calls-to Springwell	0	0	0	4	5	3	2	3	4	4			58	25	
Not at home at delivery	6	12	9	4	12	9	2	5	6	5				70	
911	0	0	0	0	0	0	0	0					2	0	

Category		Jul	Au	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	Ma y	Jun	FY '15 Total	FY '16 Total	

Meetings, Events, and Trainings

BI	Type	Description/Highlights/Votes/Etc.	Attendance
Board of Health Meeting		Monthly meeting held at PSAP	9
Meeting with high school student to do community service		Mother and son packed and delivered meal to clients during the April, 2016 school vacation week. The Student received 12 hours towards his CSL requirement.	2

Donations, Grants, and Other Funding [List any donations received, grants funded, etc. over the past month.]

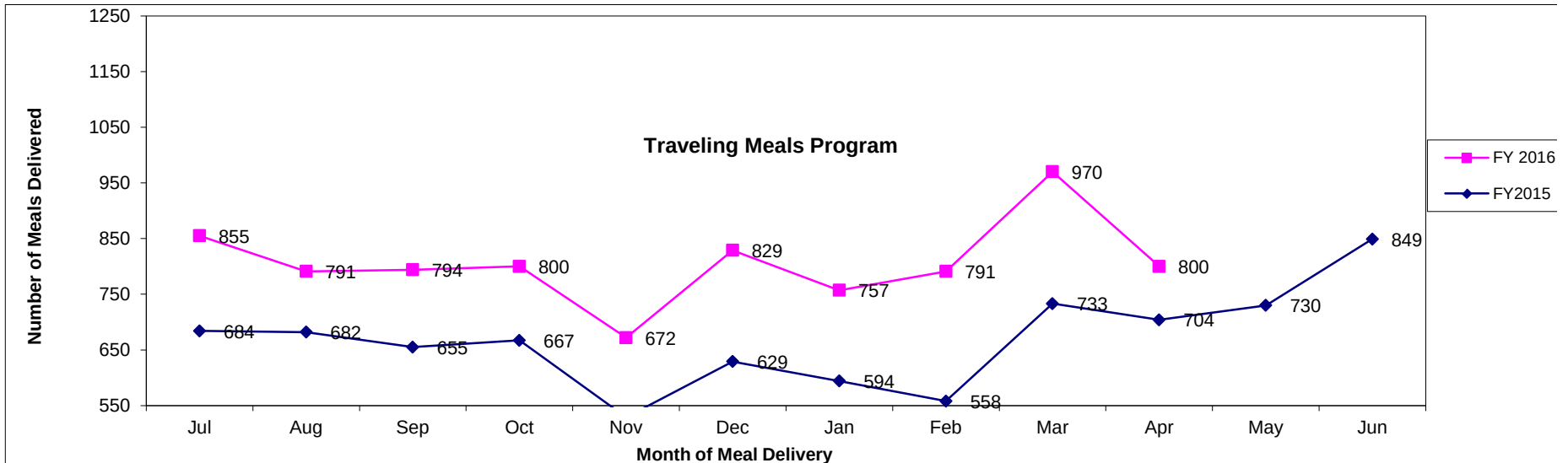
Description	Type (D,G,O)	Amount Given	Source	Notes

Traveling Meals Program

April, 2016 FY 16

Projected-12 Mo.	
\$	53,189.40
#	9,671

Month	# Meals FY2015	# Meals FY2016	FY16 Cost	% Change # Meals
<u>Jul</u>	684	855	\$4,702.50	25%
<u>Aug</u>	682	791	\$4,350.50	16%
<u>Sep</u>	655	794	\$4,367.00	21%
<u>Oct</u>	667	800	\$4,400.00	20%
<u>Nov</u>	529	672	\$3,696.00	27%
<u>Dec</u>	629	829	\$4,559.50	32%
<u>Jan</u>	594	757	\$4,163.50	27%
<u>Feb</u>	558	791	\$4,350.50	42%
<u>Mar</u>	733	970	\$5,335.00	32%
<u>Apr</u>	704	800	\$4,400.00	14%
<u>May</u>	730			
<u>Jun</u>	849			
Totals:	8,014	8,059	44,324.50	



Substance Abuse Prevention and Education

Initiative Highlights Needham NPHD and NCYSAP* ~ March 2016 and April 2016

I have been working simultaneously from October 1st through the end of April on the SAPC grant initiative with the towns of Dedham, Needham, Norwood and Westwood and the DFC grant program maintaining compliance requirements, coalition processes and strategic planning.

Needham NCYSAP: I have worked to share the financial and programmatic reporting requirements of the DFC program with Monica DeWinter and Karen Shannon, they have worked diligently to learn the SAMHSA program and are ready to support Catherine Delano the NCYSAP Director who started in the NPHD on May 4th.

We have integrated the qualitative data collected from Needham residents and stakeholders for the SAPC assessment into a strategic planning process for the NCYSAP. This data collected during November, December and January through 24 key informant interviews and six focus groups was combined with the quantitative data from the 2014 MWAHS and the 2015 Parent Survey into a Needham specific report by Rachel Massar, MPH. We conducted a NCYSAP strategic planning session on March 22nd at PSAB facilitated by Emily Bhargava Connections Lab, LLC. We recently created an online survey for Needham stakeholder members, active on the NCYSAP email distribution list, to participate in prioritizing the Needham risk factors identified in youth substance use through the assessment process. The survey feedback will inform the Leadership Team process to choose evidence-based prevention strategies to impact underage alcohol and marijuana use.

March 2016

SAPC grant- Town coalition meeting attendance: Dedham Coalition for Prevention, Needham Coalition for Youth Substance Abuse Prevention (NCYSAP), Westwood Cares and Impact Norwood.

Attend monthly coalition meetings and leadership meetings as requested to present SAPC program updates and provide technical assistance with coalition processes, prevention initiatives and related resources to support residents with substance abuse and mental health conditions.

Colony Care Behavioral Health, Wellesley- Monthly provider meeting presenter:

Presented data on substance use, mental health indicators for youth through the MWAHS and young adults and adults through various data resources. Reviewed community level prevention initiatives and evidence –based strategies shown to impact access and availability to substances. Presented resources for assessment, treatment and recovery as well as options to access outpatient therapy for substance abuse and mental health conditions. Overview of the NPHD services, programs and initiatives including traveling meals.

Youth Mental Health First Aid – Training and certification program Wednesday

March 2nd, 9th and 16th 6:00pm-8:30pm. Sponsored by Beth Israel Deaconess Hospital, South Shore Mental Health and The Walker School. *The Youth Mental Health First Aid training is an international certification course that focuses on educating the public to assist a youth experiencing an emotional crisis or mental disorder. The program focuses on the prevalence of mental health disorders in our community and demystifying beliefs and stereotypes associated with common childhood mental health disorders. Participants will learn how to differentiate between typical adolescent development from an emotional crisis or a youth developing a mental disorder. Through a five-step tool kit, participants will become more confident in helping and reaching out to youths ages 12-18.*

Strategic Planning meetings-

Needham NCYSAP Tuesday, March 22nd 42 attendees. Coordinated by NPHD substance prevention team, facilitated by Emily Bhargava, Connection Lab, LLC.

SAPC Regional Leader/Stakeholder Thursday, March 31st 22 attendees.

April 2016

CDC initiative- Program participant Web based collaboration on programs creation and participation as a public health representative in a panel presentation at the CADCA Mid- Year July 2016.

Overview: The Centers for Disease Control and Prevention has contracted with ChangeLab Solutions, who in turn has contracted with CADCA to disseminate the CDC's "Prevention Status Reports" on "Excessive Alcohol Use "(PSR's on EAU) to states, coalitions and communities across the country. The objectives of the dissemination effort are to empower and support coalitions to: raise awareness of the problem of Excessive Alcohol Use in communities, provide information to key stakeholders about the evidence-based strategies that can be used to address this problem, create a "readiness for action" among the stakeholders and provide resources for additional information.

AlcoholPolicy17 Conference- Evidence to Action translating alcohol policy research into public health practice, April 6th through 8th Arlington, VA. Coordinated by the US Alcohol Policy Conference, Co-chaired by: Dr. David Jernigan, John Hopkins Bloomberg School of Public Health, Center on Alcohol Marketing and Youth (CAMY) and Dianne Riibe, Chair of US alcohol Policy Alliance Link to power point presentations:

<http://www.alcoholpolicyconference.org/presentations>

Medication Take Back Day –DEA National Prescription Medication Take Back Day

Saturday, April 30, 2016, Needham Police Department driveway. 436 pounds of medication transported to the DEA drop off site in Newton. 436 pound total weight represents medication collected in the **MedReturn** disposal kiosk since the September 2015 the last DEA Take Back day through Saturday April 30th Average monthly return of 72.6 lbs. Collaboration with the NPHD and the NPD, Officer Vin Springer and Sargent Paul Droney Press release information and promotion through print, online and web sources coordinated by the NPHD.

*Initiatives, meetings, programs and work related to the SAPC grant program are documented in the BSAS-SAPC Q 3 report.

Needham Health Department

Karen Shannon and Monica De Winter, Program Support Assistants

March 2016 Monthly Report

Section 1: Summary

During the month of March we completed the DFC Semi-Annual Progress Report. We also completed a CADCA webinar called “Drugged Driving Data and How to Use It at the Community Level” and also prepared for a NCYSAP Coalition Team meeting (3/22/16).

Section 2: Activities

<i>Activity</i>	<i>Notes</i>
NCYSAP Coalition meeting: 3/22/16	Prepared for and attended the large group NCYSAP Coalition meeting facilitated by Emily Bhargava. 42 in attendance. Purpose: to begin logic model schematic. Preparations included email invitation correspondence and personal invites as well.
DFC Semi-Annual Progress Report	completed the DFC Semi-Annual Progress Report and awaiting permission to submit from DFC evaluators

Section 3: Meetings & Conferences

<i>Title</i>	<i>Description</i>	<i>Attendance</i>
CADCA Webinar “Drugged Driving Data and How to Use it at the Community Level”	•online discussion featuring experts on drugged driving, and evaluation strategies that have been developed to reduce impaired driving and differences between alcohol and other drugs, including THC (the active drug in marijuana) •the quantity and quality of drugged driving data can be increased to advance utilization at the community level.	2 (Karen and Monica online)

Norfolk County DA Prevention Coalition Meeting	Attended monthly meeting led by Jen Rowe, Asst. DA to Michael Morrissey	20
Interview team	Participated in preliminary round of interviews for DFC Senior Substance Use Prevention Program Coordinator position (3/28 and 3/30). 6 applicants interviewed.	5
SAPC Meeting	Attended SAPC strategic planning meeting at Westwood Public library. Assisted with meeting preparation.	20

Needham Health Department

Karen Shannon and Monica De Winter, Program Support Assistants

April 2016 Monthly Report

Section 1: Summary

During the month of April we *submitted* the DFC Semi-Annual Progress Report and conducted follow-up for the NCYSAP risk prioritization process, which included a Coalition Leadership Team meeting. We also scripted and taped the first in a three-series public service video, "Safe Celebrations for Prom and Grad Season."

Section 2: Activities

Activity	Notes
DFC Semi-Annual Progress Report	Reviewed DFCme system edits for report and submitted report on 4/20/16.
NCYSAP Coalition	• Sent two emails to the Coalition as follow-up from March 22 Coalition meeting (4/7 and 4/21/16) for next steps on developing a new logic model. The first step is the Risk Prioritization process that will be conducted via a Survey Monkey to the Coalition. • Prepared for NCYSAP large group Coalition meeting (5/3/16)
Public Service Videos	Collaborated with Karen Mullen in scripting and taping of "Safe Celebrations for Prom and Grad Season," the first of three PSAs. This video was a collaboration between Needham High School, NHS PTC, and NPHD. Guest panelists included: Dr. Joe Barnes, Principal of NHS, Marian Slavin, Co-President of NHS PTC and parent,

Public Service Videos cont.	Nicole Luka, Junior at NHS and student leader of SALSA.
Ephiphany Community Services	Set date for training overview of REACH system with Nick Dominique. (Update: training scheduled for 5/10/16 to be re-scheduled so Catherine Delano can participate)

Section 3: Meetings & Conferences

<i>Title</i>	<i>Description</i>	<i>Attendance</i>
NCYSAP Leadership Team Meeting	Bi-monthly leadership meeting	6 (4 NPHD Staff, 2 Volunteers)
Norfolk County DA Prevention Coalition Meeting	Attended monthly meeting led by Jen Rowe, Asst. DA to Michael Morrissey	20

Needham Public Health Department

March 2016

Substance Abuse Prevention & Education
Needham Coalition for Youth Substance Abuse Prevention ~ NCYSAP

Karen Mullen, Project Coordinator/Capacity Building

Section 1: Activities

Activity	Notes
SALSA Survey- <i>Students Advocating Life Without Substance Abuse</i>	Finalized SALSA Pre-Survey and Post Survey to be administered to all Pollard grade 8 Health classes before/after SALSA presentations to measure program effectiveness. Scott Formica consulted along with department input. Administered Pre & Post Surveys to 3 classes (approx. 60 students) in mid March before and after SALSA presentations in those classes on 3/14 and 3/15.
March SALSA at Pollard Presentations	3/15 & 3/15 Field Trips to Pollard Middle School- arranged logistics with Pollard Administration, busses, student volunteers, permission forms, lunch, collateral materials and rehearsals before each presentation with SALSA students at NHS.
NCYSAP March Meeting Preparation	Recruited community members to attend 3/22 NCYSAP meeting (School Committee member, School Admin, Parents and Students) to develop coalition goals & objectives, participated in meeting agenda development.
SALSA Survey – Data Input	Input pre/post survey data into template for analysis.

Section 3: Meetings, Events, and Trainings

Title	Type	Description/Highlights/Votes/Etc.	Attendance
SALSA March Pollard Presentation NHS Rehearsal	Mtg.	Rehearse presentation with 7 SALSA students for 3/14 event and 8 SALSA students for 3/15 event.	3/14 -7 3/15- 8
SALSA March Pollard Presentations	Mtg.	NHS SALSA students taught 3 Pollard grade 8 health classes (1 hour each) on 3/14 & 3/15.	3/14- 2 classes (40) 3/15- 1 class (20)
Merle Berman /SALSA Leadership Meeting	Mtg.	Met with Merle Berman and 6 SALSA student leaders regarding youth engagement in NCYSAP activities	KM, MB, 6 students
NCYSAP	Mtg.	Attended 3/22 NCYSAP meeting to discuss coalition goals & objectives	45

Needham Public Health Department

April 2016

Substance Abuse Prevention & Education
Needham Coalition for Youth Substance Abuse Prevention ~ NCYSAP

Karen Mullen, Project Coordinator/Capacity Building

Section 1: Activities

Activity	Notes
SALSA Survey- <i>Students Advocating Life Without Substance Abuse</i>	Prepared & administered SALSA Pre & Post Surveys to 4 Pollard grade 8 Health classes to measure program effectiveness. Scott Formica consulted along with department input. Administered Pre & Post Surveys to 4 classes (approx. 80 students) before and after SALSA presentations on 4/27 and 4/28.
April SALSA at Pollard Presentations	4/27 & 4/28 Field Trips to Pollard Middle School- arranged logistics with Pollard Administration, transportation, student volunteers, permission forms, lunch, collateral materials and rehearsals before each presentation with SALSA students at NHS.
SALSA Leadership Team participation in DA Morrissey's "Team Rival" event	Coordinated participation of 8 SALSA peer leaders in Norfolk County DA's "Team Rival" event on Sat. 4/30.
SALSA Survey – Data Input	Input March pre/post survey data into template for analysis.

Section 3: Meetings, Events, and Trainings

Title	Type	Description/Highlights/Votes/Etc.	Attendance
SALSA April Pollard Presentation Rehearsals	Mtg.	Rehearsed presentation with 8 SALSA students for 4/27 event and 5 SALSA students for 4/28 event.	4/27 -8 4/28- 5
SALSA April Pollard Presentations	Mtg.	NHS SALSA students taught refusal skills to 4 Pollard grade 8 health classes (1 hour each) on 4/27 & 4/28.	80 students 4/27- 2 classes (40) 4/28- 2 classes (40)
Merle Berman /NPH Dept.	Mtg.	Met with Merle Berman to discuss department initiatives & youth engagement in NCYSAP activities	KM, MB, Tim M. KS, MD, MD, Maureen D
DA Morrissey "Team Rival" event	Training	Coordinated Needham participation (of SALSA students) and chaperoned students to event- Franklin YMCA- 4/30	8 Needham SALSA student leaders

Needham Public Health Department – Nurses Report

Donna Carmichael RN & Alison Paquette RN

COMMUNICABLE DISEASES and Animal Bites NEEDHAM HEALTH DEPARTMENT FISCAL YEAR 2016

DISEASES:	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	Apr	MAY	JUN	T16	T15	T14
BABESIOSIS													0	3	1
Borrelia Miyamota				1									1	na	na
CAMPYLOBACTER	1	3	2	2		1							9	12	13
CHICKENPOX	3				2		1	2	1				9	6	6
CRYPTOSPORIDIUM													0	0	0
E-Coli													0	0	0
EHRLICHIOSIS/ HGA	1							1					2	2	2
Enterovirus			2	1									3	2	1
GIARDIASIS													0	5	2
HEPATITIS B						1			3				4	8	6
HEPATITIS C		2		1	1	2	1	3	1				11	13	13
Influenza							1	7	39				47	77	54
Legionellosis													0	2	0
Listeriosis							1						1	0	1
LYME	12	13	8	5	3	1	3		4				47	57	80
MEASLES													0	0	0
MENINGITIS													0	0	0
Meningitis(Aseptic)													0	0	0
Mumps									2				2	0	2
Noro Virus		1				1							2	0	0
PERTUSSIS								1					1	1	0
SALMONELLA		1			1		3						5	1	3
SHIGELLOSIS		1							1				2	2	1
STREP Group B		1	1										2	2	1
STREP (GAS)													0	2	0
STREP PNEUMONIAE													0	1	1
TUBERCULOSIS													0	1	0
Latent TB- High Risk									1				1	0	0
Vibrio		1											1	1	2
West Nile virus													0	0	1
TOTAL DISEASES	17	23	13	10	7	6	10	14	51				151	197	190
Revoked Diseases Investigated				1					1				2	7	NA
Contact Investigation													0		
Animal/Human Bites															
DOG			1	1	1			1					4	10	15
CAT													0	0	
BAT	1	4											5	5	9
SKUNK													0	0	
RACCOON													0	0	1
Fox													0	0	
TOTAL BITES	1	4	1	1	1	0	0	1					8	18	25

Immunizations	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	FY16	FY15	FY14
B12	2	2	2	3	0	4	1	1	1				16	22	26
Flu (Seasonal)	0	0	0	661	147	8	0	0	0				816	723	1137
Consult	18	24	39	50	75	57	51	58	52				424	390	301
Fire/Police	2	4	1	2	3	2	1	4	7				26	49	36
Schools	0	2	22	10	12	10	5	15	7				83	59	40
Town Agencies	12	8	14	26	32	25	30	22	20				189	125	84
Community Agencies	4	10	8	12	28	20	15	17	18				132	157	141

ASSISTANCE PROGRAMS													FY16	FY15	FY 14
Food Pantry	1	3	2	2	4	4	1	0	0				17	35	42
Food Stamps	0	0	0	1	1	1	2	0	0				5	4	10
Friends	0	0	0	0	0	0		0	1				1 - \$300.00	1- YTD \$25.00	4-YTD \$400.00
Gift of Warmth	0	2	2	2	1	2	1	0	2				YTD 12 \$3205.00	22- YTD \$6133.00	38 – YTD \$11,480
Good Neighbor	0	0	0	0	0	0	3	1	1				5 - \$1448 \$300/fam	6 -\$1650 \$275/Fam	12- \$250./Fam
Park & Rec	0	2	0	0	0	0	0	0	0				2	3	5
RTS	0	0	0	0	0	0	0	0	0				0	1	15
Salvation Army	0	0	0	0	0	0	0	0	0				0	0	YTD-4 \$293.00
Self Help	0	1	2	4	7	4	3	4	2				27	51	50
Water Abatement	0	0	0	0	0	1	0	0	0				1	2	4

Gift of Warmth – Donation - \$1000.00 – First Baptist Church

- \$300.00 – Friends of the Needham Board of Health and Traveling Meals Program

Gift Card Donation - 0

WELLNESS Programs

														FY16	FY15	FY14
Office Visits	22	35	34	19	39	51	62	44	33					339	287	528
Safte Visits	0	2	2	0	2	0	0	2	0					8	33	17
Clinics	3	5	0	0	1	2	1	3	0					15	34	17
Housing Visit	0	1	1	1	2	0	0	2	0					7	27	11
Housing Call	0	8	12	16	18	5	1	6	2					68	186	57
Camps-summer	15	5	20	0	0	0	0	4	2					46	63	29
Tanning Insp	0	0	0	0	0	0	0	0	0					0	2	5
Articles	1	0	1	0	0	0	0	0	0					2	8	3
Presentations	1	0	0	1	0	0	0	0	0					2	2	4
Cable	1	0	0	0	0	0	0	0	0					1	4	6

EMPLOYEE WELLNESS	July	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	FY16	FY15	FY14
BP/WELLNESS - DPW/RTS	9	0	12	12	15	14	16	15	17				110	137	147
FLU VACCINE	0	0	0	73	12	2	0	0	0				87	52	52
CPR/AED INSTRUCTION	0	0	10	7	0	0	0	0	9				26	29	23
SMOKING Education	1	0	0	1	2	1	2	2	1				8	8	9
HEALTH ED Tick Borne	20	20	0	10	7	0	0	0	0				57	102	94
HEALTH ED Mosquito Borne	20	20	0	0	0	0	25	12	5				70	90	29
HEALTH ED FLU	0	0	50	200	32	15	10	0	20				327	221	132
FIRST AIDE	5	3	4	6	5	2	2	3	3				33	29	66
GENERAL HEALTH EDUCATION	10	12	20	25	50	10	15	10	28				180	230	157
Police weights	0	0	0	0	10	7	0	1	1				19	34	31
TOTAL EMPLOYEE CONTACTS	85	75	96	334	136	51	70	43	84				974	981	825

EMERGENCY PLANNING

Nc7 Meeting

Region 4B meeting

Meetings, Events, and Trainings

<i>Title</i>	<i>Description/Highlights/Votes/Etc.</i>
DVAC Meeting	Monthly meeting and Minutes
Staff Meeting	PSAB
MAPHN Meeting	Weymouth - Melanoma
Infection Control	Infection Control Meeting at BID Needham General Overview
Sunscreen Dispensers	Meeting with Park & Rec and Parks & Forestry to review applying for grant for 6 Sunscreen Dispensers for the Town. Patty Carey and Ed Olsen agreed with the grant application and plan for maintenance and purchase of sunscreen.
Conference Call	Statewide Emergency Preparedness call on PHEP Funding
Student Nurse Meeting	Meeting with Student nurse soon to graduate from Laboure' College

Needham Public Health Department – Nurses Report

Donna Carmichael RN & Alison Paquette RN

COMMUNICABLE DISEASES and Animal Bites NEEDHAM HEALTH DEPARTMENT FISCAL YEAR 2016

DISEASES:	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	Apr	MAY	JUN	T16	T15	T14
BABESIOSIS													0	3	1
Borrelia Miyamota				1									1	na	na
CAMPYLOBACTER	1	3	2	2		1							9	12	13
CHICKENPOX	3				2		1	2	1				9	6	6
CRYPTOSPORIDIUM													0	0	0
E-Coli													0	0	0
EHRLICHIOSIS/ HGA	1							1					2	2	2
Enterovirus			2	1									3	2	1
GIARDIASIS													0	5	2
HEPATITIS B						1			3				4	8	6
HEPATITIS C		2		1	1	2	1	3	1				11	13	13
Influenza							1	7	39	45			92	77	54
Legionellosis													0	2	0
Listeriosis							1						1	0	1
LYME	12	13	8	5	3	1	3		4				47	57	80
MEASLES													0	0	0
MENINGITIS													0	0	0
Meningitis(Aseptic)													0	0	0
Mumps									2				2	0	2
Noro Virus		1				1							2	0	0
PERTUSSIS								1					1	1	0
SALMONELLA		1			1		3						5	1	3
SHIGELLOSIS		1							1	1			3	2	1
STREP Group B		1	1							1			3	2	1
STREP (GAS)										1			1	2	0
STREP PNEUMONIAE													0	1	1
TUBERCULOSIS													0	1	0
Latent TB- High Risk									1				1	0	0
Vibrio		1											1	1	2
West Nile virus													0	0	1
TOTAL DISEASES	17	23	13	10	7	6	10	14	51	48			199	197	190
Revoked Diseases Investigated				1					1	2			4	7	NA
Contact Investigation													0		
Animal/Human Bites															
DOG			1	1	1			1		1			5	10	15
CAT													0	0	
BAT	1	4											5	5	9
SKUNK													0	0	
RACCOON													0	0	1
Fox													0	0	
TOTAL BITES	1	4	1	1	1	0	0	1		1			10	18	25

Immunizations	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	FY16	FY15	FY14
B12	2	2	2	3	0	4	1	1	1	3			19	22	26
Flu (Seasonal)	0	0	0	661	147	8	0	0	0	0			816	723	1137
Consult	18	24	39	50	75	57	51	58	52	0			424	390	301
Fire/Police	2	4	1	2	3	2	1	4	7	0			26	49	36
Schools	0	2	22	10	12	10	5	15	7	0			83	59	40
Town Agencies	12	8	14	26	32	25	30	22	20	0			189	125	84
Community Agencies	4	10	8	12	28	20	15	17	18	0			132	157	141

ASSISTANCE PROGRAMS												FY16	FY15	FY 14
Food Pantry	1	3	2	2	4	4	1	0	0	1		18	35	42
Food Stamps	0	0	0	1	1	1	2	0	0	0		5	4	10
Friends	0	0	0	0	0	0		0	1	0		1 - \$300.00	1- YTD \$25.00	4-YTD \$400.00
Gift of Warmth	0	2	2	2	1	2	1	0	2	3		YTD 15 \$3966.00	22- YTD \$6133.00	38 – YTD \$11,480
Good Neighbor	0	0	0	0	0	0	3	1	1	0		5 - \$1448 \$300/fam	6 -\$1650 \$275/Fam	12- \$250./Fam
Park & Rec	0	2	0	0	0	0	0	0	0	0		2	3	5
RTS	0	0	0	0	0	0	0	0	0	0		0	1	15
Salvation Army	0	0	0	0	0	0	0	0	0	0		0	0	YTD-4 \$293.00
Self Help	0	1	2	4	7	4	3	4	2	0		27	51	50
Water Abatement	0	0	0	0	0	1	0	0	0	0		1	2	4

Gift of Warmth – 2 families \$625.00

Gift Card Donation - 0

WELLNESS Programs
FY16 FY15 FY14

Office Visits	22	35	34	19	39	51	62	44	33	51			390	287	528
Safte Visits	0	2	2	0	2	0	0	2	0	0			8	33	17
Clinics	3	5	0	0	1	2	1	3	0	2			17	34	17
Housing Visit	0	1	1	1	2	0	0	2	0	0			7	27	11
Housing Call	0	8	12	16	18	5	1	6	2	0			68	186	57
Camps-summer	15	5	20	0	0	0	0	4	2	3			49	63	29
Tanning Insp	0	0	0	0	0	0	0	0	0	0			0	2	5
Articles	1	0	1	0	0	0	0	0	0	0			2	8	3
Presentations	1	0	0	1	0	0	0	0	0	0			2	2	4
Cable	1	0	0	0	0	0	0	0	0	0			1	4	6

EMPLOYEE WELLNESS	July	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	FY16	FY15	FY14
BP/WELLNESS - DPW/RTS	9	0	12	12	15	14	16	15	17	0			110	137	147
FLU VACCINE	0	0	0	73	12	2	0	0	0	0			87	52	52
CPR/AED INSTRUCTION	0	0	10	7	0	0	0	0	9	0			26	29	23
SMOKING Education	1	0	0	1	2	1	2	2	1	0			8	8	9
HEALTH ED Tick Borne	20	20	0	10	7	0	0	0	0	0			57	102	94
HEALTH ED Mosquito Borne	20	20	0	0	0	0	25	12	5	0			70	90	29
HEALTH ED FLU	0	0	50	200	32	15	10	0	20	0			327	221	132
FIRST AIDE	5	3	4	6	5	2	2	3	3	0			33	29	66
GENERAL HEALTH EDUCATION	10	12	20	25	50	10	15	10	28	0			180	230	157
Police weights	0	0	0	0	10	7	0	1	1	0			19	34	31
TOTAL EMPLOYEE CONTACTS	85	75	96	334	136	51	70	43	84	0			974	981	825

Meetings, Events, and Trainings

<i>Title</i>	<i>Description/Highlights/Votes/Etc.</i>
Staff Meeting	Town Hall
MHOA	Community Sanitation Program – Spring Seminar – Radon in the Home; rope courses at recreational camps; recreational camps regulatory review; CSP updates, housing clarification; evaluating recreational water quality; preparing for climate change; evaluation/communication of environmental chemical exposure



Needham Public Health Department

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

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



May 2, 2016

Certified No: 70121640000212350361

Return Receipt Requested

Attn: Ghassan Mohammad
7-Eleven
173 Chestnut St.
Needham, MA 02492

Re: Violations of Board of Health REGULATION AFFECTING SMOKING AND THE SALE AND DISTRIBUTION OF TOBACCO AND NICOTINE DELIVERY PRODUCTS IN NEEDHAM - SECTION 1.6 RETAIL SALE OF TOBACCO PRODUCTS

Dear Mr. Mohammed:

It is alleged that the 7-Eleven store located at #173 Chestnut Street, Needham, MA has sold tobacco products to a minor during a routine compliance check conducted on Friday, April 29, 2016 at 4:43 PM. Under SECTION 1.12.4, after a violation and subsequent hearing, the Needham Board of Health may suspend, revoke or deny “the Tobacco Sales and Nicotine Delivery Products permit or license issued by the Board of Health.”

The Needham Board of Health hereby notifies you that it will hold a hearing to consider suspending or revoking 7-Eleven’s (@ #173 Chestnut St.) Permit to Sell Tobacco and Nicotine Delivery Products and may issue a fine to be determined at the hearing.

The hearing with the Board of Health is scheduled for **Friday, May 13, 2016, at 7:30 AM** in the Public Services Administration Building (PSAB), located at #500 Dedham Avenue, in the first floor Charles River Conference room. At this hearing, 7-Eleven will have an opportunity to be heard, and will be notified of the Board’s decision in writing.

Please feel free to contact this office if you have any questions at (781) 455-7500; Ext. 262.

Sincerely,

Tara E. Gurge, R.S., C.E.H.T, M.S.
Environmental Health Agent

cc: Timothy McDonald, Director



Board of Health

Edward Cosgrove, PhD
Chair

Stephen Epstein, MD, MPP
Member

Jane Fogg, MD, MPH
Vice Chair

ARTICLE 7

REGULATION FOR BODY ART ESTABLISHMENTS AND PRACTITIONERS

SECTION 7.1

PURPOSE

Whereas body art is becoming prevalent and popular throughout the Commonwealth; and whereas knowledge and practice of universal precautions, sanitation, personal hygiene, sterilization and aftercare requirements on the part of the practitioner should be demonstrated to prevent the transmission of disease or injury to the client and/or practitioner; now, therefore the Board of Health of the Town of Needham passes these rules and regulations for the practice of body art in the Town of Needham as part of our mission to protect the health, safety and welfare of the public.

SECTION 7.2

AUTHORITY

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

SECTION 7.3

DEFINITIONS

Aftercare means written instructions given to the client, specific to the body art procedure(s) rendered, about caring for the body art and surrounding area, including information about when to seek medical treatment, if necessary.

Applicant means any person who applies to the Board of Health for either a body art establishment permit or practitioner permit.

Autoclave means an apparatus for sterilization utilizing steam pressure at a specific temperature over a period of time.

Autoclaving means 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.

Bloodborne Pathogens Standard means OSHA Guidelines contained in 29 CFR 1910.1030, entitled "Occupational Exposure to Bloodborne Pathogens."

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

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

Body Art means the practice of physical body adornment by permitted establishments and practitioners using, but not limited to, the following techniques: body piercing, tattooing, cosmetic tattooing, branding, and scarification. This definition does not include practices that are considered medical procedures by the Board of Registration in Medicine, such as implants under the skin, which procedures are prohibited.

Body Art Establishment or Establishment means a location, place, or business that has been granted a permit by the Board, whether public or private, where the practices of body art are performed, whether or not for profit.

Body Art Practitioner or Practitioner means a specifically identified individual who has been granted a permit by the Board to perform body art in an establishment that has been granted a permit by the Board.

Body Piercing means puncturing or penetrating the skin of a client with pre-sterilized single-use needles and the insertion of pre-sterilized jewelry or other adornment into the opening. This definition excludes piercing of the earlobe with a pre-sterilized single-use stud-and-clasp system manufactured exclusively for ear-piercing.

Braiding means the cutting of strips of skin of a person, which strips are then to be intertwined with one another and placed onto such person so as to cause or allow the incised and interwoven strips of skin to heal in such intertwined condition.

Branding means inducing a pattern of scar tissue by use of a heated material (usually metal) to the skin, making a serious burn, which eventually becomes a scar.

Cleaning area means the area in a Body Art Establishment used in the sterilization, sanitation or other cleaning of instruments or other equipment used for the practice of body art.

Client means a member of the public who requests a body art procedure at a body art establishment.

Contaminated Waste means waste as defined in 105 CMR 480.000: Storage and Disposal of Infectious or Physically Dangerous Medical or Biological Waste, State Sanitary Code, Chapter VIII and/or 29 Code of Federal Regulation part 1910.1030. This includes any liquid or semi-liquid blood or other potentially infectious material; contaminated items that would release blood or other potentially infectious material in a liquid or semi-liquid state if compressed; items on which there is dried blood or other potentially infectious material and which are capable of releasing these materials during handling; sharps and any wastes containing blood or

other potentially infectious materials.

Cosmetic Tattooing, which may also be known as permanent cosmetics, micro pigment implantation, or dermal pigmentation, means the implantation of permanent pigment around the eyes, lips and cheeks of the face and hair imitation.

Director means the Director of Public Health.

Disinfectant means a product registered as a disinfectant by the U.S. Environmental Protection Agency (EPA).

Disinfection means the destruction of disease-causing microorganisms on inanimate objects or surfaces, thereby rendering these objects safe for use or handling.

Ear piercing means the puncturing of the lobe of the ear with a pre-sterilized single-use stud-and-clasp ear-piercing system following the manufacturer's instructions.

Equipment means all machinery, including fixtures, containers, vessels, tools, devices, implements, furniture, display and storage areas, sinks, and all other apparatus and appurtenances used in connection with the operation of a body art establishment.

Exposure means an event whereby there is an eye, mouth or other mucus membrane, non-intact skin or parental contact with the blood or bodily fluids of another person or contact of an eye, mouth or other mucous membrane, non-intact skin or parenteral contact with other potentially infectious matter.

Hand Sink means a lavatory equipped with hot and cold running water under pressure, used solely for washing hands, arms, or other portions of the body.

Hot water means water that attains and maintains a temperature 110°-130°F.

Instruments Used for Body Art means hand pieces, needles, needle bars, and other instruments that may come in contact with a client's body or may be exposed to bodily fluids during any body art procedure.

Invasive means entry into the client's body either by incision or insertion of any instruments into or through the skin or mucosa, or by any other means intended to puncture, break, or otherwise compromise the skin or mucosa.

Jewelry means any ornament inserted into a newly pierced area, which must be made of surgical implant-grade stainless steel; solid 14k or 18k white or yellow gold, niobium, titanium, or platinum; or a dense, low-porosity plastic, which is free of nicks, scratches, or irregular surfaces and has been properly sterilized prior to use.

Light colored means a light reflectance value of 70 percent or greater.

Microblading is a pulling or swiping motion with a set of slightly curved needles. It results in a fine line or scoring of the skin into which the temporary color is delivered by multiple needles being moved as they rotate through the skin in a slight curve.

Minor means any person under the age of eighteen (18) years.

Mobile Body Art Establishment means 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.

Operator means any person who individually, or jointly or severally with others, owns, or controls an establishment, but is not a body art practitioner.

Permit means Board approval in writing to either (1) operate a body art establishment or (2) operate as a body art practitioner within a body art establishment. Board approval shall be granted solely for the practice of body art pursuant to these regulations. Said permit is exclusive of the establishment's compliance with other licensing or permitting requirements that may exist within the Board's jurisdiction.

Person means an individual, any form of business or social organization or any other non-governmental legal entity, including but not limited to corporations, partnerships, limited-liability companies, associations, trusts or unincorporated organizations.

Physician means an individual licensed as a qualified physician by the Board of Registration in Medicine pursuant to M.G.L. c. 112 § 2.

Procedure surface means any surface of an inanimate object that contacts the client's unclothed body during a body art procedure, skin preparation of the area adjacent to and including the body art procedure, or any associated work area which may require sanitizing.

Sanitary means clean and free of agents of infection or disease.

Sanitize means the application of a U.S. EPA registered sanitizer on a cleaned surface in accordance with the label instructions.

Scarification means altering skin texture by cutting the skin and controlling the body's healing process in order to produce wounds, which result in permanently raised wheals or bumps known as keloids.

Sharps means any object, sterile or contaminated, that may intentionally or accidentally cut or penetrate the skin or mucosa, including, but not limited to, needle devices, lancets, scalpel blades, razor blades, and broken glass.

Sharps Container means a puncture-resistant, leak-proof container that can be closed for handling, storage, transportation, and disposal and that is labeled with the International Biohazard Symbol.

Single Use Items means products or items that are intended for one-time, one-person use and are disposed of after use on each client, including, but not limited to, cotton swabs or balls, tissues or paper products, paper or plastic cups, gauze and sanitary coverings, razors, piercing needles, scalpel blades, stencils, ink cups, and protective gloves.

Sterilize means the use of a physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.

Tattoo means the temporary or indelible mark, figure or decorative design introduced by insertion of dyes or pigments into or under the subcutaneous portion of the skin.

Tattooing means any method of placing ink or other pigment into or under the skin or mucosa by the aid of needles or any other instrument used to puncture the skin, resulting in either permanent or temporary coloration of the skin or mucosa. This term includes all forms of cosmetic tattooing.

Temporary Body Art Establishment means the same as Mobile Body Art Establishment.

Three dimensional "3D" Body Art or Beading or Implantation means the form of body art consisting of or requiring the placement, injection or insertion of an object, device or other thing made of matters such as steel, titanium, rubber, latex, plastic, glass or other inert materials, beneath the surface of the skin of a person. This term does not include Body Piercing.

Ultrasonic Cleaning Unit means a unit approved by the Board, physically large enough to fully submerge instruments in liquid, which removes all foreign matter from the instruments by means of high frequency oscillations transmitted through the contained liquid.

Universal Precautions means a set of guidelines and controls, published by the Centers for Disease Control and Prevention (CDC), as "Guidelines for Prevention of Transmission of Human Immunodeficiency Virus (HIV) and Hepatitis B Virus (HBV) to Health Care and Public Safety Workers" in Morbidity and Mortality Weekly Report) (MMWR), June 23, 1989, Vo1.38 No. S 6, and as "Recommendations for Preventing Transmission of Human Immunodeficiency Virus and Hepatitis B Virus to patients during Exposure Prone Invasive Procedures" in MMWR, July 12,1991, Vo1.40, No. RR 8. This method of infection control requires the employer and the employee to assume that all human blood and specified human body fluids are infectious for HIV, HBV, and other blood pathogens. Precautions include hand washing; gloving; personal protective equipment; injury prevention; and proper handling and disposal of needles, other sharp instruments, and blood and body fluid contaminated products.

SECTION 7.4

EXEMPTIONS

1. Physicians licensed in accordance with M.G.L. c. 112 § 2 who perform body art procedures as part of patient treatment are exempt from these regulations.
2. Individuals who pierce only the lobe of the ear with a pre-sterilized single-use stud-and-clasp ear-piercing system are exempt from these regulations.

SECTION 7.5

RESTRICTIONS

1. Tattooing, piercing of genitalia, branding or scarification may not be performed on a person under the age of 18.
2. Body piercing, other than piercing the genitalia, may be performed on a person under the age of 18 provided that the person is accompanied by a properly identified parent, legal custodial parent or legal guardian who has signed a form consenting to such procedure. Properly identified shall mean a valid photo identification of the adult and a birth certificate of the minor.

3. No body art shall be performed upon an animal.
4. The following body piercings are hereby prohibited: piercing of the uvula; piercing of the tracheal area; piercing of the neck; piercing of the ankle; piercing between the ribs or vertebrae; piercing of the web area of the hand or foot; piercing of the lingual frenulum (tongue web); piercing of the clitoris; any form of chest or deep muscle piercings, excluding the nipple; piercing of the anus; piercing of an eyelid, whether top or bottom; piercing of the gums; piercing or skewering of a testicle; so called “deep” piercing of the penis – meaning piercing through the shaft of the penis, or “trans-penis” piercing in any area from the corona glandis to the pubic bone; so called “deep” piercing of the scrotum – meaning piercing through the scrotum, or “transcrotal” piercing; so called “deep” piercing of the vagina.
5. The following practices hereby prohibited unless performed by a medical doctor licensed by the Commonwealth of Massachusetts: tongue splitting; braiding; three dimensional/beading/implementation tooth filing/fracturing/removal/tattooing; cartilage modification; amputation; genital modification; introduction of saline or other liquids.

SECTION 7.6

OPERATION OF BODY ART ESTABLISHMENTS

Unless otherwise ordered or approved by the Board, each body art establishment shall be constructed, operated and maintained to meet the following minimum requirements:

7.6.1

PHYSICAL PLANT

1. Walls, floors, ceilings, and procedure surfaces shall be smooth, durable, free of open holes or cracks, light colored, washable, and in good repair. Walls, floors, and ceilings shall be maintained in a clean condition. All procedure surfaces, including client chairs/benches, shall be of such construction as to be easily cleaned and sanitized after each client.
2. Solid partitions or walls extending from floor to ceiling shall separate the establishment’s space from any other room used for human habitation, any food establishment or room where food is prepared, any hair salon, any retail sales, or any other such activity that may cause potential contamination of work surfaces.
3. The establishment shall take all measures necessary to ensure against the presence or breeding of insects, vermin, and rodents within the establishment.
4. Each operator area shall have a minimum of 45 square feet of floor space for each practitioner. Each establishment shall have an area that may be screened from public view for clients requesting privacy. Multiple body art stations shall be separated by a dividers or partition at a minimum.
5. The establishment shall be well ventilated and provided with an artificial light source equivalent to at least 20 foot candles 3 feet off the floor, except that at least 100 foot candles shall be provided at the level where the body art procedure is being performed, and where instruments and sharps are assembled and all cleaning areas.
6. All electrical outlets in operator areas and cleaning areas shall be equipped with approved ground fault (GFCI) protected receptacles.
7. A separate, readily accessible hand sink with hot and cold running water under pressure, preferably equipped with wrist or foot operated controls and supplied with liquid soap, and disposable paper towels stored in fixed dispensers shall be readily accessible within the establishment. Each operator area shall have a hand sink.
8. There shall be a sharps container in each operator area and each cleaning area.

9. There shall be a minimum of one toilet room containing a toilet and sink. The toilet room shall be provided with toilet paper, liquid hand soap and paper towels stored in a fixed dispenser. A body art establishment permanently located within a retail shopping center, or similar setting housing multiple operations within one enclosed structure having shared entrance and exit points, shall not be required to provide a separate toilet room within such body art establishment if Board-approved toilet facilities are located in the retail shopping center within 300 feet of the body art establishment so as to be readily accessible to any client or practitioner.
10. The public water supply entering a body art establishment shall be protected by a testable, reduced pressure back flow preventer installed in accordance with 142 Code of Massachusetts Regulation 248, as amended from time to time.
11. At least one covered, foot operated waste receptacle shall be provided in each operator area and each toilet room. Receptacles in the operator area shall be emptied daily. Solid waste shall be stored in covered, leak-proof, rodent-resistant containers and shall be removed from the premises at least weekly.
12. At least one janitorial sink shall be provided in each body art establishment for use in cleaning the establishment and proper disposal of non-contaminated liquid wastes in accordance with all applicable Federal, state and local laws. Said sink shall be of adequate size equipped with hot and cold running water under pressure and permit the cleaning of the establishment and any equipment used for cleaning.
13. All instruments and supplies shall be stored in clean, dry, and covered containers. Containers shall be kept in a secure area specifically dedicated to the storage of all instruments and supplies.
14. The establishment shall have a cleaning area. Every cleaning area shall have an area for the placement of an autoclave or other sterilization unit located or positioned a minimum of 36 inches from the required ultrasonic cleaning unit.
15. The establishment shall have a customer waiting area, exclusive and separate from any workstation, instrument storage area, cleaning area or any other area in the body art establishment used for body art activity.
16. No animals of any kind shall be allowed in a body art establishment except service animals used by persons with disabilities (e.g., Seeing Eye dogs). Fish aquariums shall be allowed in waiting rooms and nonprocedural areas.
17. Smoking, eating, or drinking is prohibited in the area where body art is performed, with the exception of non-alcoholic fluids being offered to a client during or after a body art procedure.

7.6.2

REQUIREMENTS FOR SINGLE USE ITEMS INCLUDING INKS, DYES AND PIGMENTS

1. Single-use items shall not be used on more than one client for any reason. After use, all single-use sharps shall be immediately disposed of in approved sharps containers pursuant to 105 CMR 480.000.
2. All products applied to the skin, such as but not limited to body art stencils, applicators, gauze and razors, shall be single use and disposable.
3. Hollow bore needles or needles with cannula shall not be reused.
4. All inks, dyes, pigments, solid core needles, and equipment shall be specifically manufactured for performing body art procedures and shall be used according to manufacturer's instructions.
5. Inks, dyes or pigments may be mixed and may only be diluted with water from an approved potable source. Immediately before a tattoo is applied, the quantity of the dye to be used shall be transferred from the dye bottle and placed into single-use paper cups or plastic cups. Upon completion of the tattoo, these single-use cups or caps and their contents shall be discarded.

7.6.3

SANITATION AND STERILIZATION MEASURES AND PROCEDURES

1. All non-disposable instruments used for body art, including all reusable solid core needles, pins and stylets, shall be cleaned thoroughly after each use by scrubbing with an appropriate soap or disinfectant solution and hot water, (to remove blood and tissue residue), and shall be placed in an ultrasonic unit sold for cleaning purposes under approval of the U.S. Food and Drug Administration and operated in accordance with manufacturer's instructions.
2. After being cleaned, all non-disposable instruments used for body art shall be packed individually in sterilizer packs and subsequently sterilized in a steam autoclave sold for medical sterilization purposes under approval of the U.S. Food and Drug Administration. All sterilizer packs shall contain either a sterilizer indicator or internal temperature indicator. Sterilizer packs must be dated with an expiration date not to exceed six (6) months.
3. The autoclave shall be used, cleaned, and maintained according to manufacturer's instruction. A copy of the manufacturer's recommended procedures for the operation of the autoclave must be available for inspection by the Board. Autoclaves shall be located away from workstations or areas frequented by the public.
4. Each holder of a permit to operate a body art establishment shall demonstrate that the autoclave used is capable of attaining sterilization by monthly spore destruction tests. These tests shall be verified through an independent laboratory. The permit shall not be issued or renewed until documentation of the autoclave's ability to destroy spores is received by the Board. These test records shall be retained by the operator for a period of three (3) years and made available to the Board upon request.
5. All instruments used for body art procedures shall remain stored in sterile packages until just prior to the performance of a body art procedure. After sterilization, the instruments used in body art procedures shall be stored in a dry, clean cabinet or other tightly covered container reserved for the storage of such instruments.
6. Sterile instruments may not be used if the package has been breached or after the expiration date without first repackaging and re-sterilizing.
7. If the body art establishment uses only single-use, disposable instruments and products, and uses sterile supplies, an autoclave shall not be required.
8. When assembling instruments used for body art procedures, the operator shall wear sterile, disposable medical gloves and use medically recognized sterile techniques to ensure that the instruments and gloves are not contaminated.
9. Reusable cloth items shall be mechanically washed with detergent and mechanically dried after each use. The cloth items shall be stored in a dry, clean environment until used. Should such items become contaminated directly or indirectly with bodily fluids, the items shall be washed in accordance with standards applicable to hospitals and medical care facilities, at a temperature of 160°F or a temperature of 120°F with the use of chlorine disinfectant.

7.6.4

POSTING REQUIREMENTS

The following shall be prominently displayed:

1. A Disclosure Statement, a model of which shall be available from the Board. A Disclosure Statement shall also be given to each client, advising him/her of the risks and possible consequences of body art procedures.
2. The name, address and phone number of the Needham **Public Health Department**.
3. An Emergency Plan, including:

- a) a plan for the purpose of contacting police, fire or emergency medical services in the event of an emergency;
 - b) a telephone in good working order shall be easily available and accessible to all employees and clients during all hours of operation; and
 - c) a sign at or adjacent to the telephone indicating the correct emergency telephone numbers.
- 4. An occupancy and use permit as issued by the local building official.
 - 5. A current establishment permit.
 - 6. Each practitioner's permit.

7.6.5 ESTABLISHMENT RECORD KEEPING

The establishment shall maintain the following records in a secure place for a minimum of three (3) years, and such records shall be made available to the Board upon request:

- 1. Establishment information, which shall include:
 - a) establishment name;
 - b) hours of operation;
 - c) owner's name and address;
 - d) a complete description of all body art procedures performed; all procedures need written protocol reviewed and approved by the Board of Health;
 - e) an inventory of all instruments and body jewelry, all sharps, and all inks used for any and all body art procedures, including names of manufacturers and serial or lot numbers, if applicable. Invoices or packing slips shall satisfy this requirement;
 - f) A Material Safety Data Sheet, when available, for each ink and dye used by the establishment;
 - g) copies of waste hauler manifests;
 - h) copies of commercial biological monitoring tests;
 - i) Exposure Incident Report (kept permanently);
 - j) a copy of these regulations.
- 2. Employee information, which shall include:
 - a) full legal names and exact duties;
 - b) date of birth;
 - c) home address;
 - d) home /work phone numbers;
 - e) identification photograph;
 - f) dates of employment;
 - g) Hepatitis B vaccination status or declination notification; and
 - h) training records
- 3. Client Information, which shall include:
 - a) name;
 - b) age and valid photo identification;
 - c) address, work and home phone number of the client;
 - d) date of the procedure;
 - e) name of the practitioner who performed the procedure(s);
 - f) description of procedure(s) performed and the location on the body;
 - g) a signed consent form as specified by 7(D)(2); and,
 - h) if the client is a person under the age of 18, proof of parental or guardian identification,

presence and consent including a copy of the photographic identification of the parent or guardian.

- i) Client information shall be kept confidential at all times.

4. Exposure Control Plan:

Each establishment shall create, update, and comply with an Exposure Control Plan. The Plan shall be submitted to the Board for review so as to meet all of the requirements of OSHA regulations, to include, but not limited to, 29 Code of Federal Regulation 1910.1030 OSHA Bloodborne Pathogens Standards et seq, as amended from time to time. A copy of the Plan shall be maintained at the Body Art Establishment at all times and shall be made available to the Board upon request

5. No person shall establish or operate a Mobile or Temporary Body Art Establishment.

SECTION 7.7

STANDARDS OF PRACTICE

Practitioners are required to comply with the following minimum health standards:

1. A practitioner shall perform all body art procedures in accordance with Universal Precautions set forth by the U.S Centers for Disease Control and Prevention.
2. A practitioner shall refuse service to any person who may be under the influence of alcohol or drugs.
3. Practitioners who use ear-piercing systems must conform to the manufacturer's directions for use, and to applicable U.S. Food and Drug Administration requirements. No practitioner shall use an ear piercing system on any part of the client's body other than the lobe of the ear.
4. Health History and Client Informed Consent. Prior to performing a body art procedure on a client, the practitioner shall:
5. Inform the client, verbally and in writing that the following health conditions may increase health risks associated with receiving a body art procedure:
 - a) history of diabetes;
 - b) history of hemophilia (bleeding);
 - c) history of skin diseases, skin lesions, or skin sensitivities to soaps, disinfectants etc.;
 - d) history of allergies or adverse reactions to pigments, dyes, latex or other sensitivities;
 - e) history of epilepsy, seizures, fainting, or narcolepsy;
 - f) use of medications such as anticoagulants or low-dose aspirin regime, which thin the blood and/or interfere with blood clotting; and
 - g) any other conditions such as hepatitis or HIV.
6. Require that the client sign a form confirming that the above information was provided, that the client does not have a condition that prevents them from receiving body art, that the client consents to the performance of the body art procedure and that the client has been given the aftercare instructions as required by section 7(K).
7. A practitioner shall maintain the highest degree of personal cleanliness, conform to best standard hygienic practices, and wear clean clothes when performing body art procedures. Before performing body art procedures, the practitioner must thoroughly wash their hands in hot running water with liquid soap, then rinse hands and dry with disposable paper towels. This shall be done as often as

necessary to remove contaminants.

8. All practitioners should be properly immunized against hepatitis B virus (HBV).
9. All procedures performed at the establishment shall have a written protocol which is reviewed and approved by the Board of Health.
10. A practitioner shall wear disposable, single use medical gloves to prepare the body art site and sterile, disposable single-use gloves to perform the procedure. Gloves shall be changed if they become pierced, torn, or otherwise contaminated by contact with any unclean surfaces or objects or by contact with a third person.
11. The gloves shall be discarded, at a minimum, after the completion of each procedure on an individual client, and hands shall be washed in accordance with section (E) before the next set of gloves is put on.
12. Under no circumstances shall a single pair of gloves be used on more than one person. The use of disposable single-use gloves does not preclude or substitute for hand washing procedures as part of a good personal hygiene program.
13. The skin of the practitioner shall be free of rash or infection. No practitioner affected with boils, infected wounds, open sores, abrasions, weeping dermatological lesions or acute respiratory infection shall work in any area of a body art establishment in any capacity in which there is a likelihood that that person could contaminate body art equipment, supplies, or working surfaces with body substances or pathogenic organisms.
14. Any item or instrument used for body art that is contaminated during the procedure shall be discarded and replaced immediately with a new disposable item or a new sterilized instrument or item before the procedure resumes.
15. Preparation and care of a client's skin area must comply with the following:
 - a) Any skin or mucosa surface to receive a body art procedure shall be free of rash or any visible infection.
 - b) Before a body art procedure is performed, the immediate skin area and the areas of skin surrounding where body art procedure is to be placed shall be washed with soap and water or an approved surgical skin preparation.
 - c) If shaving is necessary, single-use disposable razors shall be used. Following shaving, the skin and surrounding area shall be washed with soap and water.
 - d) The washing pad shall be discarded after a single use.
 - e) In the event of bleeding, all products used to stop the bleeding or to absorb blood shall be single use, and discarded immediately after use in appropriate covered containers, and disposed of in accordance with 105 CMR 480.000.
16. Petroleum jellies, soaps, and other products used in the application of stencils shall be dispensed and applied on the area to receive a body art procedure with sterile gauze or other sterile applicator to prevent contamination of the original container and its contents. The applicator or gauze shall be used once and then discarded.
17. The practitioner shall provide each client with verbal and written instructions on the aftercare of the body art site. The written instructions shall advise the client:
 - a) on the proper cleansing of the area which received the body art;
 - b) to consult a health care provider for:
 1. unexpected redness, tenderness or swelling at the site of the body art procedure;
 2. any rash;
 3. unexpected drainage at or from the site of the body art procedure; or
 4. a fever within 24 hours of the body art procedure; and
 5. of the address, and phone number of the establishment.

6. A copy shall be provided to the client. A model set of aftercare instructions shall be made available by the Board.
18. Contaminated waste shall be stored, treated and disposed in accordance with 105 CMR 480.000: Storage and Disposal of Infectious or Physically Dangerous Medical or Biological Waster, State Sanitary Code, Chapter VIII.

SECTION 7.8

EXPOSURE INCIDENT REPORT

An Exposure Incident Report shall be completed by the close of the business day during which an exposure has or might have taken place by the involved or knowledgeable body art practitioner for every exposure incident occurring in the conduct of any body art activity. Each Exposure Incident Report shall contain:

1. A copy of the application and consent form for body art activity completed by any client or minor client involved in the exposure incident;
2. A full description of the exposure incident, including the portion of the body involved therein;
3. Instrument(s) or other equipment implicated;
4. A copy of body art practitioner license of the involved body art practitioner;
5. Date and time of exposure;
6. A copy of any medical history released to the body art establishment or body art practitioner; and
7. Information regarding any recommendation to refer to a physician or waiver to consult a physician by persons involved.

SECTION 7.9

INJURY AND/OR COMPLICATION REPORTS

A written report of any injury, infection complication or disease as a result of a body art procedure, or complaint of injury, infection complication or disease, shall be forwarded by the operator to the Board which issued the permit, with a copy to the injured client within five working days of its occurrence or knowledge thereof. The report shall include:

1. the name of the affected client;
2. the name and location of the body art establishment involved;
3. the nature of the injury, infection complication or disease;
4. the nature of the advice given to the client;
5. the name and address of the affected client's health care provider, if any;
6. any other information considered relevant to the situation.

SECTION 7.10

COMPLAINTS

1. The Board shall investigate complaints received about an establishment or practitioner's practices or acts, which may violate any provision of the Board's regulations.
2. If the Board finds that an investigation is not required because the alleged act or practice is not in violation of the Board's regulations, then the Board shall notify the complainant of this finding and the reasons on which it is based.
3. If the Board finds that an investigation is required, because the alleged act or practice may be in

violation of the Board's regulations, the Board shall investigate and if a finding is made that the act or practice is in violation of the Board's regulations, then the Board shall apply whatever enforcement action is appropriate to remedy the situation and shall notify the complainant of its action in this manner.

SECTION 7.11

APPLICATION FOR BODY ART ESTABLISHMENT PERMIT

1. No person may operate a body art establishment except with a valid permit from the Board.
2. Applications for a permit shall be made on forms prescribed by and available from the Board. An applicant shall submit all information required by the form and accompanying instructions. The term "application" as used herein shall include the original and renewal applications.
3. An establishment permit shall be valid from the date of issuance and for no longer than one year unless revoked sooner by the Board.
4. The Board shall require that the applicant provide, at a minimum, the following information in order to be issued an establishment permit:
 - a) Name, address, and telephone number of:
 1. the body art establishment;
 2. the operator of the establishment; and
 3. the body art practitioner(s) working at the establishment;
 - b) The manufacturer, model number, model year, and serial number, where applicable, of the autoclave used in the establishment;
 - c) A signed and dated acknowledgement that the applicant has received, read and understood
 - d) the requirements of the Board's body art regulations;
 - e) A drawing of the floor plan of the proposed establishment to scale for a plan review by the Board, as part of the permit application process; and,
 - f) Exposure Report Plan
 - g) Such additional information as the Board may reasonably require.
5. The annual fee for the Body Art Establishment Permit shall be \$200.
6. A permit for a body art establishment shall not be transferable from one place or person to another.

SECTION 7.12

APPLICATION FOR BODY ART PRACTITIONER PERMIT

1. No person shall practice body art or perform any body art procedure without first obtaining a practitioner permit from the Board. The Board shall set a reasonable fee for such permits.
2. A practitioner shall be a minimum of 18 years of age.
3. A practitioner permit shall be valid from the date of issuance and shall expire no later than one year from the date of issuance unless revoked sooner by the Board.
4. Application for a practitioner permit shall include:
 - a) name;
 - b) date of birth;
 - c) residence address;
 - d) mailing address;
 - e) phone number;
 - f) place(s) of employment as a practitioner; and
 - g) training and/or experience as set out in (E) below.

7.12.1

Practitioner Training and Experience

1. In reviewing an application for a practitioner permit, the Board may consider experience, training and/or certification acquired in other states that regulate body art.
 - a) Training for all practitioners shall be approved by the Board and, at a minimum, shall include the following:
 - b) bloodborne pathogen training program (or equivalent) which includes infectious disease control; waste disposal; hand washing techniques; sterilization equipment operation and methods;
 - c) and sanitization, disinfection and sterilization methods and techniques; and
 - d) Current certification in First Aid and cardiopulmonary resuscitation (CPR).
 - e) Examples of courses approved by the Board include "Preventing Disease Transmission" (American Red Cross) and "Bloodborne Pathogen Training" (U.S. OSHA). Training/courses provided by professional body art organizations or associations or by equipment manufacturers may also be submitted to the Board for approval.
2. The applicant for a body piercing practitioner permit shall provide documentation, acceptable to the Board, that s/he completed a course on anatomy and physiology with a grade of C or better at a college accredited by the New England Association of Schools and Colleges, or comparable accrediting entity. This course must include instruction on the system of the integumentary system (skin).
3. The applicant for a tattoo, branding or scarification practitioner permit shall provide documentation, acceptable to the Board, that s/he completed a course on anatomy and physiology with a grade of C or better at a college accredited by the New England Association of Schools and Colleges, or comparable accrediting entity. This course must include instruction on the system of the integumentary system (skin). Such other course or program as the Board shall deem appropriate and acceptable may be substituted for the anatomy course.
4. The applicant for all practitioners shall submit evidence satisfactory to the Board of at least two years actual experience in the practice of performing body art activities of the kind for which the applicant seeks a body art practitioner permit to perform, whether such experience was obtained within or outside of the Commonwealth.
5. A practitioner's permit shall be conditioned upon continued compliance with all applicable provisions of these rules and regulations.
6. The annual fee for the Body Art Practitioner Permit shall be set at the level determined by the Board of Health in its fee schedule, which shall be adjusted from time to time.

SECTION 7.13

GROUND FOR SUSPENSION, DENIAL, REVOCATION, OR REFUSAL TO RENEW PERMIT

1. The Board may suspend a permit, deny a permit, revoke a permit or refuse to renew a permit on the following grounds, each of which, in and of itself, shall constitute full and adequate grounds for suspension, denial, revocation or refusal to renew:
 - a) any actions which would indicate that the health or safety of the public would be at risk;
 - b) fraud, deceit or misrepresentation in obtaining a permit, or its renewal;
 - c) criminal conduct which the Board determines to be of such a nature as to render the establishment, practitioner or applicant unfit to practice body art as evidenced by criminal

proceedings resulting in a conviction, guilty plea, or plea of nolo contendere or an admission of sufficient facts;

- d) any present or past violation of the Board's regulations governing the practice of body art;
- e) practicing body art while the ability to practice is impaired by alcohol, drugs, physical disability or mental instability;
- f) being habitually drunk or being dependent on, or a habitual user of narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having similar effects;
- g) knowingly permitting, aiding or abetting an unauthorized person to perform activities requiring a permit;
- h) continuing to practice while his/her permit is lapsed, suspended, or revoked;
- i) having been disciplined in another jurisdiction in any way by the proper permitting authority for reasons substantially the same as those set forth in the Board's regulations; and
- j) other just and sufficient cause which the Board may determine would render the establishment, practitioner or applicant unfit to practice body art;

2. The Board shall notify an applicant, establishment or practitioner in writing of any violation of the Board's regulations, for which the Board intends to deny, revoke, or refuse to renew a permit. The applicant, establishment or practitioner shall have seven (7) days after receipt of such written notice in which to comply with the Board's regulations. The Board may deny, revoke or refuse to renew a permit, if the applicant, establishment or practitioner fails to comply after said seven (7) days subject to the procedure outlined in Section 15.
3. Applicants denied a permit may reapply at any time after denial.

SECTION 7.14 **GROUND FOR SUSPENSION OF PERMIT**

The Board may summarily suspend a permit pending a final hearing on the merits on the question of revocation if, based on the evidence before it, the Board determines that an establishment and/or a practitioner is an immediate and serious threat to the public health, safety or welfare. The suspension of a permit shall take effect immediately upon written notice of such suspension by the Board.

SECTION 7.15 **PROCEDURE FOR HEARINGS**

The owner of the establishment or practitioner shall be given written notice of the Board's intent to hold a hearing for the purpose of suspension, revocation, denial or refusal to renew a permit. This written notice shall be served through a certified letter sent return receipt requested or by constable. The notice shall include the date, time and place of the hearing and the owner of the establishment or practitioner's right to be heard. The Board shall hold the hearing no later than 21 days from the date the written notice is received.

In the case of a suspension of a permit as noted in Section 13, a hearing shall be scheduled no later than 21 days from the date of the suspension.

SECTION 7.16 **SEVERABILITY**

If any provision contained in the model regulations is deemed invalid for any reason, it shall be severed and

shall not affect the validity of the remaining provisions.

SECTION 7.17 **FINE FOR VIOLATION**

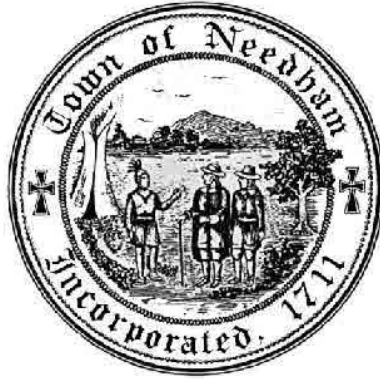
The fine for a violation of any provision of these Rules and Regulations shall be \$200 per offense for each body art establishment and \$100 per offense for each body art practitioner. Each day that a violation continues shall be deemed to be a separate offense.

SECTION 7.18 **NON-CRIMINAL DISPOSITION**

In accordance with MGL chapter 40, section 21D and Article 9 of the Town of Needham General By-Laws, whoever violates any provision of these Rules and Regulations may be penalized by non-criminal disposition.

SECTION 7.19 **EFFECTIVE DATE**

These rules and regulations became effective as of February 8, 2001. A revised definition section, along with minor content edits and format revisions, was approved by a [unanimous] vote of the Board of Health on June XY, 2016, and the amended regulation became effective on August 1, 2016.



Board of Health

Edward Cosgrove, PhD
Chair

Stephen Epstein, MD, MPP
Member

Jane Fogg, MD, MPH
Vice Chair

ARTICLE 22

REGULATION FOR RESTRICTION OF SYNTHETIC DRUGS

SECTION 22.1

AUTHORITY

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

SECTION 22.2

PURPOSE

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

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

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

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

SECTION 22.3

DEFINITIONS

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

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

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

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

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

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

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

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

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

Director means the Director of Public Health

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

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

SECTION 22.4

PROHIBITIONS

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

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

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

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

SECTION 22.5

DANGEROUS PRODUCT EXEMPTION

The following shall be exempt from section 22.4 herein.

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

SECTION 22.6

RIGHT OF ENTRY

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

SECTION 22.7

ENFORCEMENT

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

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

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

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

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

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

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

SECTION 22.7 **SEVERABILITY**

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

SECTION 22.8 **COMMUNITY PARTNERSHIP**

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

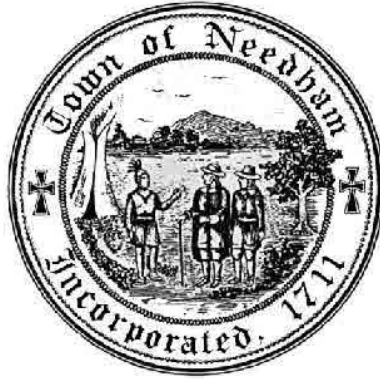
SECTION 22.9 **EFFECTIVE DATE**

This regulation shall take effect upon August 1, 2016. Public hearings and open meetings regarding this regulation were conducted on XYZ. This regulation was approved by a [unanimous] vote of the Board of Health on XYZ, 2016.

Exhibit A

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

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



Board of Health

Edward Cosgrove, PhD
Chair

Stephen Epstein, MD, MPP
Member

Jane Fogg, MD, MPH
Vice Chair

ARTICLE 23

REGULATION FOR THE RESTRICTION OF DRUG PARAPHERNALIA

SECTION 23.1 AUTHORITY

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

SECTION 23.2 PURPOSE

The Needham Board of Health has found that the availability and use of controlled substances are a threat to the public health and the community well-being of the Needham and that drug paraphernalia facilitates the use of controlled substances, chemical agents, and dangerous products in a manner that jeopardizes personal health. Therefore the Board of Health adopts this regulation for the purpose and with the intent to protect the public health and safety of the Town of Needham and its residents from the threat posed by the availability and use of drug paraphernalia by prohibiting persons from trafficking in, possessing, and using them within the town.

SECTION 22.3 DEFINITIONS

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

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

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

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

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

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

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

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

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

Director means the Director of Public Health.

Drug Paraphernalia means all equipment, products and materials of any kinds that are used to facilitate, or intended or designed to facilitate, violations of the Controlled Substances Act, including planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, and concealing dangerous products and injecting, ingesting, inhaling, or otherwise introducing dangerous products into the human body. "Drug paraphernalia" includes, but is not limited to, the following:

- A. Kits for planting, propagating, cultivating, growing, or harvesting any species of plant which is a controlled substance or from which a controlled substance can be derived;
- B. Kits for manufacturing, compounding, converting, producing, processing, or preparing dangerous products;
- C. Isomerization devices for increasing the potency of any species of plant which is a dangerous product;
- D. Testing equipment for identifying, or analyzing the strength, effectiveness, or purity of dangerous products;
- E. Scales and balances for weighing or measuring dangerous products;
- F. Diluents and adulterants, such as quinine, hydrochloride, mannitol, mannite, dextrose, and lactose for mixing with dangerous products;
- G. Separation gins and sifters for removing twigs and seeds from, or otherwise cleaning or refining, any species of plant which is a dangerous product;
- H. Blenders, bowls, containers, spoons, and mixing devices for compounding dangerous products;

- I. Capsules, balloons, envelopes and other containers for packaging small quantities of dangerous products;
- J. Containers and other objects for storing or concealing dangerous products;
- K. Objects for ingesting, inhaling, or otherwise introducing dangerous products into the body, such as:
 - i. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
 - ii. Water pipes;
 - iii. Carburetion tubes and devices;
 - iv. Smoking and carburetion masks;
 - v. Objects, commonly called roach clips, for holding burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;
 - vi. Miniature cocaine spoons and cocaine vials;
 - vii. Chamber pipes;
 - viii. Carburetor pipes;
 - ix. Electric pipes;
 - x. Air-driven pipes;
 - xi. Chillums;
 - xii. Bongs;
 - xiii. Ice pipes or chillers.

The following, along with all relevant evidence, may be considered in determining whether an object is drug paraphernalia:

- a) Statements by the owner or anyone in control of the object concerning its use;
- b) Prior convictions of the owner or other person in control of the object for violations of controlled substances law;
- c) The proximity of the object to a violation of the Controlled Substances Act;
- d) The proximity of the object to a dangerous product;
- e) The existence of any residue of a dangerous substance on the object;
- f) The proximity of the object to other drug paraphernalia;
- g) Instructions provided with the object concerning its use;
- h) Descriptive materials accompanying the object explaining or depicting its use;
- i) Advertising concerning its use;
- j) The manner in which the object is displayed for sale;
- k) Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a seller of tobacco products or agricultural supplies;
- l) Possible legitimate uses of the object in the community;
- m) Expert testimony concerning its use;
- n) The intent of the owner or other person in control of the object to deliver it to persons whom he knows or reasonably should know intend to use the object to facilitate violations of the Controlled Substances Act. (1981, c. 500, s. 1.)
- o) The sale of items, which singularly is lawful, but as a whole creates a legitimate hazard to the community by selling products that help the planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing,

preparing, testing, analyzing, packaging, repackaging, storing, containing, and concealing dangerous products and injecting, ingesting, inhaling, or otherwise introducing dangerous products into the human body.

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

Transfer: means to dispose of drug paraphernalia to another person without consideration and not in furtherance of commercial distribution.

SECTION 23.4 **POSSESSION OF DRUG PARAPHERNALIA**

It is unlawful for any person to knowingly use, or to possess with intent to use, drug paraphernalia.

SECTION 23.5 **MANUFACTURE, SALE, OR DELIVERY OF DRUG PARAPHERNALIA:**

It is unlawful for any person to sell, deliver, possess with intent to deliver, or manufacture with intent to deliver, drug paraphernalia. Sale, delivery, possession with intent to deliver, or manufacture with intent to deliver, of each separate and distinct item of drug paraphernalia shall be considered a separate offense.

SECTION 23.6 **ADVERTISEMENT OF DRUG PARAPHERNALIA:**

It is unlawful for any person to purchase or otherwise procure an advertisement in any newspaper, magazine, handbill, or other publication, or purchase or otherwise procure an advertisement on a billboard, sign, or other outdoor display, when he/she knows that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as drug paraphernalia.

SECTION 23.7 **DRUG PARAPHERNALIA EXEMPTION**

Any patient or caregiver that possesses drug paraphernalia for lawful use of Medical Marijuana (pursuant to Chapter 369 of the Acts of 2012 An Act for the Humanitarian Medical Use of Marijuana and Massachusetts Department of Public Health Regulations 105 CMR 725.000) shall be exempt from sections 23.4 and 23.5 herein.

SECTION 23.8 **RIGHT OF ENTRY**

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

SECTION 23.9 **ENFORCEMENT**

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

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

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

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

SECTION 23.10 **FINES FOR VIOLATIONS OF ORDERS AND SUSPENSIONS:**

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

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

SECTION 23.11 **SEVERABILITY**

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

SECTION 23.12 **COMMUNITY PARTNERSHIP**

Any resident, police officer, code enforcement officer, physician, nurse, or other concerned individual that has knowledge of the sale or possession of a drug paraphernalia within the Town of Needham may inform the Needham Police Department Business Line (781-455-7570) or the Public Health Department Main Line (781-455-7500 x511) of the location of the drug

paraphernalia. Nothing within this subsection shall be enforced herein, but considered goodwill toward the betterment of the community.

SECTION 23.13

EFFECTIVE DATE

This regulation shall take effect upon August 1, 2016. Public hearings and open meetings regarding this regulation were conducted on XYZ. This regulation was approved by a [unanimous] vote of the Board of Health on XYZ, 2016.

Letters to the Editor

Weekly Staff

Residents urge selectmen to avoid Highland Circle for dispensary

We went to the Selectmen's meeting last night to learn about the proposed location of the registered marijuana dispensary.

It was as always a comfort to witness democracy at work. There seemed to be at least 70 other town's people who came to listen and learn, among them many who wished to voice concerns.

We listened as three individual companies separately presented their business and operational models. We listened to the selectmen's follow up questions. And we listened as impacted

citizens expressed their legitimate concerns.

There seemed little doubt that the site proposed at Highland Circle would place undue hardship on the neighborhood. The other two sites seem far more reasonable and benign.

One site, Medical Marijuana of Massachusetts would be positioned deep into Wexford Street. The other, Sage Cannabis, would be off Wexford Street on Franklin Street; neither site a burden to its neighbors.

I began to rehash what I'd heard. Admittedly, I was impressed by the proposed safety controls, efficiency of delivery, and concerns for the patients and the well being of our town.

I admit I have never used marijuana and am, therefore, a novice to the discussion but a few points lead me to favor Medical Marijuana of Massachusetts as the company to operate our dispensary.

I like the idea that their plan includes delivery services for I can imagine circumstances when traveling to the dispensary would be most difficult. I also like their plan to remove substances each night. Thirdly, I like their plan to limit MIP (marijuana infused products) including candies and sodas.

I do thank the Selectmen and all others who prepared their presentations. Obviously, all are working in the best interest of Needham.

Lois and Ron Sockol

Favor Medical Marijuana of Massachusetts

We went to the selectmen's meeting March 22 to learn about the proposed locations of registered marijuana dispensaries. It was as always a comfort to witness democracy at work. There seemed to be at least 70 other town's people who came to listen and learn, among them many who wished to voice concerns. We listened as three individual companies separately presented their business and operational models. We listened to the selectmen's follow up questions. And we listened as impacted citizens expressed their legitimate concerns. There seemed little doubt that the site proposed at Highland Circle would place undue hardship on the neighborhood. The other two sites seem far more reasonable and benign. One site, Medical Marijuana of Massachusetts would be positioned deep into

Wexford Street. The other, Sage Cannabis, would be off Wexford Street on Franklin Street, neither site a burden to its neighbors.

I began to rehash what I'd heard. Admittedly, I was impressed by the proposed safety controls, efficiency of delivery, and concerns for the patients and the well-being of our town. I admit I have never used marijuana and am, therefore, a novice to the discussion but a few points lead me to favor Medical Marijuana of Massachusetts as the company to operate our dispensary. I like the idea that their plan includes delivery services for I can imagine circumstances when traveling to the dispensary would be most difficult. I also like their plan to remove substances each night. Thirdly, I like their plan to limit MIP (marijuana infused products) including candies and sodas. I do thank the Selectmen and all others who prepared their presentations. Obviously, all are working in the best interest of Needham.

travis 3/21/16

Three marijuana dispensaries state their cases for Needham sites

By Emma R. Murphy
emurphy@wickedlocal.com

On March 22, three medical marijuana dispensaries met with the Board of Selectmen to discuss applications to open dispensaries in Needham.

Sage Cannabis, Inc., Massachusetts Patient Foundation, Inc. and Medical Marijuana of Massachusetts, Inc. individually met with the board to request letters of support or non-opposition.

The meeting was the third step out of a multi-step application process. Before coming before the board, applicants must first be vetted by the Department of Public Health, and, if approved, can then submit a siting plan that lists where the business intends to open a dispensary.

This is followed by a public hearing like the one held on March 22.

If the board chooses not to write a letter of support or non-opposition, the applicant can't move further in the process, according to Selectman Dan Matthews.

Though three businesses requested letters, Matthews said he expects the board will only submit one letter.

All three dispensaries proposed locations in Needham's mixed-use zoning area before I-95.

Sage Cannabis, Inc. identified 37 and 29 Franklin Street as the proposed location for a dispensary. Massachusetts Patient Foundation, Inc. proposed a location at 33 Highland Circle, which is at the corner of Highland Circle and Highland Avenue, and Medical Marijuana of Massachusetts, Inc. seeks a location at 85 Wexford Street.

The hearing, which started with presentations by each business, was intended to allow for public comment by Needham community members, and for the board to determine whether or not to submit letters of support or non-opposition to the Department of Health, DPH.

In their presentation, Sage Cannabis, Inc. stressed that it aimed to establish a polished, and highly controlled dispensary.

With cultivation and one dispensary to be based out of Milford the company outlined a business plan that would accept licensed walk-ins under a surveillanced process, provide marijuana infused products, such as edibles, and support 40 to 80 patients per day.

Sage also had the support of a Needham resident who represented the company providing Sage with lending capital.

Massachusetts Patient Foundation, Inc. started off their presentation by submitting a petition with 150 Needham resident signatures supporting the dispensary and its location. Dispensary representatives stressed that Needham was their preferred location.

"It's been since day one our desire to work with

the town and in the town," said Joseph Lekach, son of Massachusetts Patient Foundation, Inc.'s Roma Lekach.

Joseph said that growing up he had spent a lot of time in Needham, which is why the company was so dedicated to a Needham site.

Massachusetts Patient Foundation, Inc.'s business plan included offsite cultivation, free delivery to Needham residents in a 10 mile radius and a policy requiring all patients to sign a form confirming that the businesses' employees had explained proper cannabis storage at home to keep it away from children.

Massachusetts Patient Foundation, Inc. representatives also said they would consider implementing an appointment-only system, if the board preferred.

Last to meet with the board was Medical Marijuana of Massachusetts, Inc. The business outlined its appointment-only model and free delivery to Needham residents service.

Unlike Sage Cannabis, Inc. and Massachusetts Patient Foundation, Inc., Medical Marijuana of Massachusetts, Inc. representatives said the dispensary would not sell edibles, but would sell other MIPs like honey oil and wax.

One element of Medical Marijuana of Massachusetts, Inc.'s presentation that raised questions for the selectmen was its protocol of taking money and leftover product from the dispensary at the end of the day, and transporting it back to its Plymouth base, which is where a full-time security team operates.

Selectman John Bulian was unsure of how realistic the protocol was.

Representatives said that the appointment-only model would allow them to determine how much product they would need each day so that by the day's end there would be little to no product left to transport back.

Medical Marijuana of Massachusetts, Inc. also outlined a community outreach position to be filled by a Needham resident in an effort to build community relations.

The dispensary's appointment only system, lack of edible products and community outreach position stood out to Selectman Vice Chairman Matt Borrelli.

"I do appreciate the appointment only, one ounce limit, no candy," he said. "That jumped out at me."

At the close of each presentation, Bulian and Borrelli asked questions predetermined by the board.

The questions focused on delivery services, child-proof packaging for MIPs, and willingness to work with the town on a host community agreement and any modifications the businesses might make to their services or establishment in the future.

All questions were informational as the board has yet to decide whether or not to write a letter of support or non-opposition for any of the dispensaries.

Before opening public comment, Needham Board of Selectmen Chairman Moe Handel stressed that the hearing was not a debate regarding the pros and cons of medical marijuana.

"What we want to hear about is the proposals presented this evening, the sites presented this evening, or any concerns you might have," Handel said.

Around 13 Needhamites spoke during the public comment portion.

Many spoke against Massachusetts Patient Foundation, Inc.'s proposed location at Highland Circle and Highland Avenue.

Business owners and residents expressed concern that the Highland Circle location would add to traffic already expected to worsen with roadwork project. According to some business

owners on Highland Circle parking is difficult on the small road and the back parking lot would be too small and unsafe to handle the dispensary's customers. "It's a nightmare, it's been a constant problem," said the employee of a 21 Highland Circle business.

Regarding Massachusetts Patient Foundation, Inc.'s petition, Needham resident Elizabeth Kaponya said that she knew a woman who was allegedly asked to sign the petition without being shown a map of the location or given any other information.

Massachusetts Patient Foundation, Inc. explained that it held a neighborhood meeting to discuss the dispensary with community members in the area.

Bulian said that he attended the community meeting and found it informative, but an area resident said that she only knew one resident who attended the meeting.

Other residents expressed concern over proximity to schools, parks and gathering points for children.

Needham resident Tony Sweet-McKee presented a petition with 70 Needham signatures against the 33 Highland Circle location stating that it was too close to areas like the Eliot school bus stop.

The DPH requires 1,000 ft or a buffer to extend between any dispensary and the above.

Based on the presenta

tions, the Massachusetts Patient Foundation, Inc. site is near gathering points such as a parking lot used by a local dance studio and the Newton Music Academy, as is Sage Cannabis, Inc.

The Massachusetts Patient Foundation, Inc. is located near a public trail, a school bus stop and Riverside Park. Though dispensary representatives explained that Highland Avenue acted as a buffer for the park, the public trail and bus stop remained a point of concern.

Further details on each dispensary can be found on the town website under Hot Topics.

EDITORIAL

You shouldn't notice a dispensary

Three medical marijuana dispensaries want to locate in Needham. They are Sage Cannabis, formerly known as Milford Medicinals Inc., Medical Marijuana of Massachusetts Inc., and Massachusetts Foundation Inc.

The sites they are considering are 29-37 Franklin St., 85 Wexford St., and 33 Highland Ave.

Although many are getting used to the idea of medical marijuana dispensaries, the thought of them anywhere in their town elicits anxiety for many, although locations near areas that children or teens might frequent are of particular concern. Will it send the wrong message to teens about the dangers of recreational marijuana use? Or worse, will children be exposed to people who abuse drugs right in their backyard? Will teen marijuana use go up?

In this case, some are particularly worried about 33 Highland Circle, saying it is too close to a residential neighborhood, a playground and a school bus stop.

Beyond locating where well thought-out town zoning bylaws allow, medical marijuana dispensaries should meet other criteria.

They should not be disruptive to the community.

Traffic and parking that would be associated with a dispensary should be

thoroughly studied just as it would for a business, a school, or any other establishment; and a dispensary should only be located at a particular spot if traffic and parking can be adequately managed.

Since this is a medical facility, the expectation should be that people won't spend time outside consuming the marijuana they have just acquired. Like any other medicine, it should be taken home and consumed in privacy.

A medical marijuana dispensary should be virtually "invisible." That is, it should not seek to draw attention to itself in any way. The only people who should notice it are those who have a prescription and a legitimate need to use it.

In an ideal world, a medical marijuana dispensary would be so "invisible" that it wouldn't even matter if it were close to a school, simply because no one would even notice that it was there. Since that may not always be possible, we hope that dispensaries will seek out - and that the town will steer them toward - discrete locations, that are, of course still accessible for those who need the dispensaries.

The goal of anyone involved in bringing a dispensary to town should simply be to do everything possible to minimize its impact.

MEDICAL DISPENSARIES

Marijuana shops seek town sites

Public hearing set for March 22

By Emma R. Murphy

emurphy@wickedlocal.com

On March 22, the Board of Selectmen will meet with representatives from three different medical marijuana dispensaries. All three dispensaries have expressed interest in setting up shop in Needham.

Sage Cannabis, formerly known as Milford Medicinals Inc., Medical Marijuana of Massachusetts Inc. and Massachusetts Patient Foundation Inc. will meet with the board during a public hearing. The purpose of the meeting is for the board and interested community members to ask questions and learn about the dispensaries according to Selectman John Bulian.

As part of the application process, all three have identified specific locations in Needham as their proposed sites.

The sites include 29-37 Franklin Street, 85 Wexford Street and 33 Highland Avenue.

According to Town Manager Kate Fitzpatrick any dispensary must list a site before meeting with the board.

When applying, dispensaries must go through a multi-step process that starts with the Department of Public Health and works its way down to the local town level.

Applicants must first submit an Application of Intent to the DPH, after

MARIJUANA

From Page A1

which they can be invited to submit a "management and operations profile."

The DPH then reviews the profile and decides whether or not to invite the applicant to submit a "siting profile." This is where the

dispensary can list a specific location.

This is also when the town becomes directly involved.

As part of the process, the Board of Selectmen must vote to decide whether to submit a letter of support, non-opposition, no action or take any other action deemed fit.

LETTERS

Family yogurt shop becomes marijuana shop?

As a property-tax paying resident, I recognize the importance of continuously looking to increase the tax revenue base in our town. I also recognize that over time even traditionally more conservative towns will implement more progressive policies (we're no longer a dry town and marijuana distribution appears to our next endeavor). But as a mother of two young children, I cannot comprehend why 33 Highland Avenue, a prime retail location that was a family yogurt destination just a few months ago, is within 750 feet of a children's playground - Riverside Park, steps from the entrance to the Charles River Reservation trail and directly across the street from an Eliot Elementary School bus stop needs to be where we launch marijuana distribution in our town.

If, and that is a big if, our town is actually ready for a marijuana dispensary location and the potential ramifications that come with this, why wouldn't this be in a more discrete location or even a medical building as it attempts to represent itself as? I recognize that my family's neighborhood may not be your neighborhood, but I would feel the same way if it was close to your park,

your children, or your bus stop.

Please support another mother's effort and our children and voice your concerns by attending the Board of Selectmen meeting at Power's Hall on March 22, emailing the board at selectmen@needhamma.gov or signing the petition at Change.org.

Tonya McKee

Highview Street, Needham

No to dispensary near residences

On Tuesday March 22, at Powers Hall, selectmen will hear the proposals of three marijuana dispensaries that want to set up shop here in Needham. Two of them want to do business in the industrial zone - and I am fine with that, as it will not affect residences.

However I and the residential neighbors do not want a marijuana shop to occupy what used to be until recently a yogurt shop (33 Highland Ave.) that is in walking distance to all the neighboring houses, the Riverside Park playground, a Charles River Conservation walkway, and a school bus stop for the Eliot Elementary School. Also, it is an undesirable location because of the thrice daily gridlock of that section of Highland Avenue, as it is precisely at the little bridge that leads to Newton. This type of

business is high volume, like having a CVS there, and if marijuana is legalized in the fall, the volume will increase exponentially. Already when the yogurt shop was open, the parking was deemed unsafe in front. There are only eight available spots in the front, and the 12 spots in the back are already shared by other businesses and their employees. Upcoming road improvement projects will also lead to the loss of a lot of this space in front of the building to make room for an additional lane of traffic. This non-conforming parking will be truly chaotic as customers back out onto Highland Avenue to leave. Common sense dictates that this is not the type of business we need at that location. Please make your opinions heard by emailing or calling your selectmen and attend the Selectmen's meeting on Tuesday, March 22, at Powers Hall.

Elizabeth Kaponya

Town Meeting Member - Precinct J
Highland Terrace

times 3/11/16
MENTAL HEALTH ACCESS FOR ALL

Figuring out Mental Health Referral services can be a daunting task. The Needham Public Health Department and the Needham Coalition for Suicide Prevention, through the generous support of the Kyle W. Shapiro Foundation and Beth Israel Deaconess-Needham Hospital, are pleased to announce a completely free service that will help users navigate the mental health system in Massachusetts, to know what services are available locally, and will help them find doctors that accept their insurance and have openings for appointments. William James College's Interface Referral Service works to increase awareness of mental health issues impacting children, families and adults and to facilitate access to appropriate services. Call 888-244-6843, ext. 1411 for resource information and/or provider referrals from a mental health professional or visit the web site at msppinter-face.org/Needham.

REACH holding presentation on sexual assault on college campuses

Weekly 3/17/16

By JOSH PERRY

Hometown Weekly Staff

REACH (beyond domestic violence), an organization dedicated to providing safety and support to victims of domestic and sexual violence, is holding a presentation for parents, grandparents and other adults who play a significant role in a student's life on preventing sexual assault on college campuses.

The presentation will be held on Monday, March 21 from 7-8 p.m. at Needham High.

The day after the presentation by REACH, the Needham High Take Back the Night Club will hold an assembly on the subject for students.

For more information about REACH (beyond domestic violence), visit reachma.org.

Weekly 3/17/16

Letters to the Editor

Resident questions proposed location for marijuana dispensary

I recognize the importance of continuously looking to increase the tax revenue base in our town as a property tax-paying Needham resident. I also recognize that over time even traditionally more conservative towns will implement more progressive policies (we're no longer a dry town and Marijuana distribution appears to our next endeavor).

But as a mother of two young children, I cannot comprehend why 33 Highland Ave., a prime retail location that was a family

yogurt destination just a few months ago, is within 750 feet of a children's playground (Riverside Park), steps from the entrance to the Charles River Reservation trail and directly across the street from an Eliot Elementary School bus stop needs to be where we launch marijuana distribution in our Town.

If, and that is a big if, our town is actually ready for a marijuana dispensary location and the potential ramifications that come with this, why wouldn't this be in a more discrete location or even a medical building as it attempts to represent itself as?

I recognize that my family's neighborhood may not be your neighborhood, but I would feel the same way if it was close to your park, your children, or your bus stop.

Please support another mother's effort and our children and voice your concerns by attending the Board of Selectmen meeting at Power's Hall on March 22, emailing the Board at selectmen@needhamma.gov, or signing the petition "Deny a Medical Marijuana Dispensary at 33 Highland Avenue in Needham" at Change.org.

Tonya McKee

Community Council hosting *Weekly 4/15/16* fourth annual Fashion Show

The Needham Community Council will host its fourth annual Fashion Show on Sunday, April 10 from 4:15-5:30 p.m. in Powers Hall, on the second floor of Needham

Town Hall, 1471 Highland Ave.

The event is sponsored by the Needham Community Council's CAP (Child Assault Prevention) Program and Needham DVAC

(Domestic Violence Action Committee).

Men's, women's and children's clothing along with accessories will be strutted down the runway. Local models include members of the Needham community who are members of local groups, including the Needham Garden Club, League of Women Voters of Needham, 100 Women of

FASHION SHOW
continued on page 11

FASHION SHOW

continued from front page

Needham, Needham Rotary Club, Parent Talk, Needham High G.A.L.S., Needham High dance team, Needham High Best Buddies, Needham Golf Club, and more.

Tickets are \$20 for one, \$30 for two and \$45 for three. Tickets can

be purchased online at www.needhamcommunitycouncil.org.

All items come from the Needham Community Council Thrift Shop and are in great shape. Following the fashion show, the Council's annual Spring Boutique Sale will be held on Wednesday, April 13 from 10 a.m. - 7 p.m. and Friday, April 15 from 10 a.m. - 2 p.m.

According to a press release from the Community Council, "You might see your favorite designer or the perfect outfit for your upcoming spring and summer events. All thrift shop sales support the no-fee programs of the Council."

For more information and to purchase tickets, visit www.needhamcommunitycouncil.org or call 781-444-2415

BY GEENA MATUSON
Hometown Weekly Staff

Weekly 4/28/16
On Sunday, April 10, a fashion show was held at Needham Town Hall, but this was

no ordinary fashion show.

Now in its fourth year, the Needham

FASHION SHOW
continued on page 2

FASHION SHOW

continued from front page

Community Council held its annual fashion show with the theme "Needham Organizations."

All of the models represented different community groups, such as Needham Garden Club, League of Women Voters of Needham, 100 Women of Needham, Needham Rotary Club, Parent Talk, NHS G.A.L.S., NHS Dance Team, NHS Best Buddies, Needham Golf Club, and more.

The Master of Ceremonies was nationally recognized wardrobe and image consultant Mary Lou Andre of Dressing Well, a Needham resident whose work has been profiled on CNN, ABC, NPR and in publications such as Real Simple, InStyle, Esquire, The New York Times, The Boston Globe, Marie Claire and Parenting.

The show was a great success and a fun time, full of laughs and

support for all involved. All items come from the Needham Community Council Thrift Shop, and are in great shape.

Community-minded, the goal of the Needham Community Council annual fashion show is to bring awareness to the council's community outreach programs, to highlight the clothing available in the NCC thrift shop, and to raise funds to support free, community-based programming.

All funds and proceeds from the show are put back into the free programming offered by NCC, and also split between both Needham Town Council's program DVAC (Domestic Violence Action Committee), and CAP, Child Assault Prevention, a creation of the NCC.

The Needham Community Council is a private non-profit organization with a grassroots beginning; what started as a food

pantry to support Needham residents during the depression in 1930, the NCC has grown into the hub of community outreach.

With its network of over 250 volunteers ranging from middle schoolers to those in their nineties, NCC now offers weekly programming with fundraisers, food drives, their thrift shop, transportation, ESL programs, and more.

The NCC will host its "Postal Workers Food Drive" this May to stock Needham's sole food pantry, a program on gun safety with children, and the September "Ride for Food" will open registration on May 1.

Learn more about Needham Community Council at needhamcommunitycouncil.org, and connect with them on Facebook at facebook.com/NeedhamCommunityCouncil.

To watch a video from the fashion show, visit hometownweekly.net.

Selectmen narrow down dispensary candidates

By Emma R. Murphy
emurphy@wichedlocal.com

of Massachusetts Inc. in the running.

On April 26 the Board of Selectmen voted to eliminate medical marijuana dispensary Massachusetts Patient Foundation Inc. from the pool of candidates. This narrows the candidate pool from three to two, leaving Sage Cannabis and Medical Marijuana

allowing a dispensary at that site would negatively impact traffic in the area.

The main concern for the board was Massachusetts Patient Foundation Inc.'s proposed location at the corner of Highland Circle and Highland Avenue. During a public hearing held on March 22, several residents and business owners in the area expressed concern that

location is very difficult for I think all of us familiar with the area," said Selectman Dan Matthews.

In their discussion on April 26, multiple selectmen expressed similar views that the area was not well suited for a dispensary. Selectman John Bulian cited traffic, parking capacity and visibility as points of concern.

town where they proposed to operate.

"The Highland Avenue concern."

or non-opposition, meaning another candidate will be eliminated.

The discussion is set to continue on May 10, when the board will meet with the remaining two candidates, though it will not be a public hearing. Further details on each dispensary can be found on the town website under Hot Topics.

↑
times 4128114

**NATIONAL PRESCRIPTION
DRUG TAKE BACK DAY:** 10
a.m. to 2 p.m. April 30 at the
Needham Police Department.

99 School St., Needham.
Dispose of expired, un-used
and unwanted medications.
Check the expiration date on
all medications in one's home,
over the counter including:
cough, cold and allergy and
prescription medications;
check for unused over the
counter and prescription
medications from a previous
illness or condition. Contact
the Needham Public Health
Department for additional
information: 781-455-7500,
ext. 259 or email at cread@needhamma.gov.

Tweet Share

40

Subscribe
Starting at 99 cents

Members
Sign In

Mass. ^{Comments} may raise tobacco age to 21 from 18



GETTY IMAGES/FILE

The state Senate is poised Thursday to pass a bill that would raise the minimum legal sales age for tobacco products from 18 to 21.

By Joshua Miller | GLOBE STAFF APRIL 28, 2016

1 of 5 free articles. Subscribe now

The state Senate is poised Thursday to pass a bill that would raise the minimum legal sales age for tobacco products from 18 to 21, potentially catapulting Massachusetts to the forefront of national efforts to crack down on underage smoking. Only one state, Hawaii, has passed such a law.

The Beacon Hill push has reignited a philosophical battle about how far the government should go in preventing young adults — who can serve in the military, get married, drive a car, and vote — from buying certain products, even ones harmful to their health.

Backers say the bill would reduce youth tobacco use by removing legal access to cigarettes and other tobacco products from high school social networks, subsequently lowering rates of addiction and saving lives.

“Ninety-five percent of adult smokers started before they were age 21, so if we can get you to 21 without being a smoker, you’re almost certainly not going to become one,” said John Schachter, a spokesman for the Washington-based Campaign for Tobacco-Free Kids. “It’s just the right thing to do to help another generation from becoming addicted to tobacco.”

Governor Charlie Baker supports the concept of raising the legal age for tobacco sales to 21, but wants to see a final bill before taking a position on it, his spokeswoman said. An aide to Speaker Robert A. DeLeo said the House will review the bill when it arrives from the Senate.

A top Senate official said the legislation will almost certainly pass Thursday and is set to garner robust support.

1 of 5 free articles. **Subscribe now**

Tobacco use at any age isn't generally prohibited; rather state law limits sales of tobacco products to people 18 or older. But more than 100 Massachusetts towns and cities, including Boston, have raised the legal sales age, according to the Campaign for Tobacco-Free Kids. The Senate measure would change the age statewide.

Hawaii is the only state in the country to have a minimum legal sales age of 21, although a bill doing so in California awaits Governor Jerry Brown's signature.

The Massachusetts bill would also ban the use of electronic cigarettes where smoking is already prohibited, such as workplaces, bars, and restaurants. And it would prohibit the sale of tobacco products in health care facilities such as retail pharmacies. Some pharmacies have already phased out the sale of cigarettes.

The Retailers Association of Massachusetts, one of several local industry groups that opposes the bill, called the Beacon Hill push "anti-local business and anti-consumer" for banning licensed stores from selling a legal product to adult consumers.

In an interview, association president Jon B. Hurst looked pained contemplating the idea of it becoming law.

"We don't believe government should be picking winners and losers on a legal product," he said. "So you can sell it at one location, but not another one next door because that location happens to sell pharmaceuticals? We feel that is not fair."

1 of 5 free articles. **Subscribe now**

On a personal level, Hurst, who has a son in the Navy, said he struggles with the idea of military service members risking their lives overseas and not being able to buy a tobacco product — say, a cigar — when they return home to Massachusetts.

Altria Group Inc., the parent company of tobacco giants such as Philip Morris USA, supports a minimum age of 18 for the sale of tobacco products. The company believes states and localities should defer to a federal process examining the issue and give the US Food and Drug Administration and Congress “the opportunity to evaluate this issue before enacting different minimum age laws,” David Sutton with Altria Media Relations said in an e-mail to the Globe.

Harvey A. Silverglate, a civil rights lawyer in Cambridge and a noted civil libertarian, questioned the wisdom of the creating a law that would push 18-, 19-, and 20-year-olds to procure tobacco under the table.

“Adults have a lot of illusions about how much authority and ability they have to deal with young people. I think this is one of them,” he said. “Smoking, just like drinking, that is done above the horizon, rather than below the horizon, is a better way to stop addictive behavior.”

But Senator Jason M. Lewis, a leader of the Legislature’s public health committee, said the data shows that raising the age works.

He pointed to a study of the Town of Needham, which raised the minimum legal sales age for tobacco to 21 a decade ago. The study, in the peer-reviewed journal Tobacco Control, found survey data showed a decrease in youth smoking there. The authors said the results suggest that raising the age contributes to a greater decline in youth smoking compared to communities that leave it at 18.

1 of 5 free articles. Subscribe now

Lewis said 21-year-olds don't generally hang out with high-schoolers, which means it would be "much more difficult" for younger kids to get access to tobacco products should the bill become law.

Pressed on rights the Legislature would be abridging — say, the ability of an 18-year-old to purchase a celebratory smoke when graduating from high school — Lewis said he is cognizant that laws must strike a balance.

The Winchester Democrat noted that the bill grandfathers in legal users at the time of passage, so no one would have their right to buy tobacco taken away.

But he emphasized what he sees as the extremely high stakes.

"Tobacco is still the leading cause of preventable illness and premature death in Massachusetts," he said. "It takes a very heavy toll — in terms of people's health and lives and healthcare costs."

Senators expect support for the bill to be bipartisan.

Senator Donald F. Humason Jr., Republican of Westfield, said he will probably vote in favor of the legislation, but is working to balance the arguments for and against.

"That is the trick," he said, "the balance between nanny-statism and preventing people from getting hooked on cigarettes."

State House insiders expect a passionate discussion about the bill Thursday, and it wouldn't be without precedent.

In 1886, according to a Globe story at the time, a state representative from Shelburne opined on the dangers of the commonly used product as the House was debating forbidding the sale of it to kids under 16.

“We don’t need to go outside this State House,” he said, “to see what an abomination the use of tobacco is.”

Joshua Miller can be reached at joshua.miller@globe.com.

Get Today's Headlines from the Globe in your inbox:

Enter your email address

SIGN UP

[Privacy Policy](#)

SHOW 40 COMMENTS

Stay updated, right in your news feed.

Like 348K

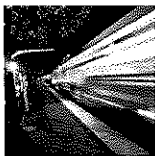
Recommended for you



SPOTLIGHT REPORT

Private schools, painful secrets

More than 200 victims. At least 90 legal claims. At least 67 private schools in New England. This is the story of hundreds of students sexually abused by staffers, and emerging from decades of silence today. [MORE...](#)



State to move forward with scaled-down Green Line extension

Officials could still cancel the less-ambitious \$2.3 billion version of the project if the state runs into more trouble financing it. [MORE...](#)

1 of 5 free articles. [Subscribe now](#)



Comments

Subscribe
Starting at 99 cents

Members
Sign In

Mass. may raise tobacco age to 21 from 18



GETTY IMAGES/FILE

The state Senate is poised Thursday to pass a bill that would raise the minimum legal sales age for tobacco products from 18 to 21.

By Joshua Miller | GLOBE STAFF APRIL 28, 2016

The state Senate is poised Thursday to pass a bill that would raise the minimum legal sales age for tobacco products from 18 to 21, potentially catapulting Massachusetts to the forefront of national efforts to crack down on underage smoking. Only one state, Hawaii, has passed such a law.

The Beacon Hill push has reignited a philosophical battle about how far the government should go in preventing young adults — who can serve in the military, get married, drive a car, and vote — from buying certain products, even ones harmful to their health.

Backers say the bill would reduce youth tobacco use by removing legal access to cigarettes and other tobacco products from high school social networks, subsequently lowering rates of addiction and saving lives.

“Ninety-five percent of adult smokers started before they were age 21, so if we can get you to 21 without being a smoker, you’re almost certainly not going to become one,” said John Schachter, a spokesman for the

Stay updated, right in your news feed.

Like 348K

© 2016 BOSTON GLOBE MEDIA PARTNERS, LLC

LOCAL / L.A. Now

Massachusetts town set example for California by raising smoking age



Singer Linda Evans blows vapor from an electronic cigarette to calm her nerves before performing with her chorus made up of singers from skid row in a gala at the City Club in 2014. (Gina Ferazzi / Los Angeles Times)



By Jason Song · Contact Reporter

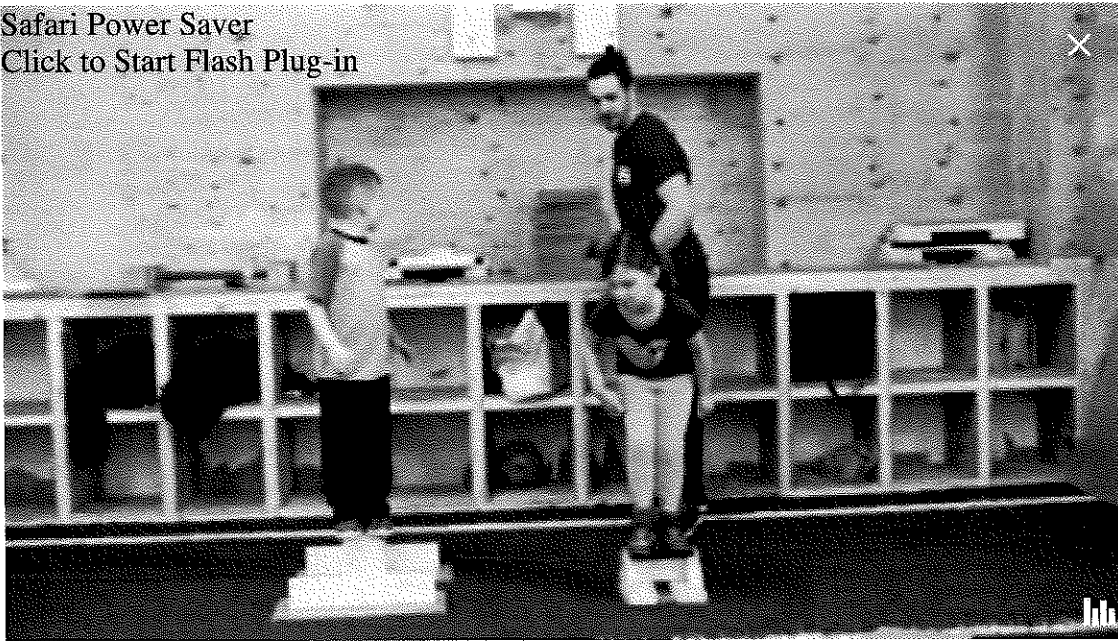
MAY 5, 2016, 5:35 PM

The roots of California's new law that raises the smoking age to 21 are in a small town west of Boston.

In 2005, Needham became the first municipality in the United States to ban tobacco sales to anyone under drinking age.

ADVERTISING

Safari Power Saver
Click to Start Flash Plug-in



While some public health officials had long advocated such a move, Stanton Glantz, the director of the Center for Tobacco Control Research and Education at UC San Francisco, was skeptical it would have any effect.

Glantz and others thought that young adults in Needham, a 12-square-mile city, could get cigarettes from older peers or go to neighboring cities for their tobacco.

“I started out thinking it was a waste of time,” Glantz admitted.

But the results were dramatic. Between 2006 and 2010, teen smoking rates in the 30,000-person city fell from 13% to 7%, according to a study published last year in Tobacco Control.

During the same time, the smoking rate in 16 neighboring communities where 18-year-olds could buy tobacco fell from 15% to 12%, according to the study.

The smoking rate for adults in Needham is 8%, nearly 10 percentage points less than for the rest of the state, according to the Massachusetts Department of Public Health.

“I changed my mind,” Glantz said. “I now think [raising the smoking age] is good public policy.”

Join the conversation on Facebook >>

Many others, including Gov. Jerry Brown, agree. Since 2005, the state of Hawaii, New York City and dozens

of towns in Massachusetts, New Jersey and Ohio have also raised the smoking age.

Micah Berman, a professor of public health and law at Ohio State University, said he doubts so many municipalities would have changed their laws if Needham's smoking rates had not changed so dramatically.

"It really was the numbers that came out of Needham that were the spark that led to so much change," he said.

Glantz said he underestimated the effect the age limit would have. Nearly 90% of people who give cigarettes to minors are also underage themselves, according to the Tobacco Control study, so raising the minimum smoking age would make it more difficult for teenagers to find a source for tobacco, Glantz said.

"While lots of high-schoolers hang out with students that are 18, they don't hang out with people who are 21," he said.

See the most-read stories this hour >>

Timothy McDonald, Needham's director of public health, said that the law has led to long-term changes in the city.

"Not smoking now is becoming more the norm," he said.

The town conducts compliance checks at stores that sell tobacco. So far this year, the town has issued only one citation for illegal sales, down from four in 2015 and seven the year before.

And, perhaps more important, McDonald said, more neighboring towns have also raised their smoking ages.

"That's when you get a real public health effect, when more and more communities change their laws," McDonald said.

Follow @byjsong on Twitter

ALSO

Grim Sleeper verdicts bring justice to forgotten victims of serial killer, families say

California Supreme Court seems likely to allow parole ballot measure to move ahead

LAPD hacked into iPhone of slain wife of 'Shield' actor, documents show

Copyright © 2016, Los Angeles Times

This article is related to: The Ohio State University