

Needham Board of Health Minutes
February 15, 2019, 7:00 a.m. to 9:00 a.m.

Board: Kathleen Ward Brown, ScD, Member
Edward Cosgrove, PhD, Vice Chair
Stephen Epstein, MD, MPP, Chair

Staff Present: Timothy Muir McDonald, Director; Tara Gurge, Assistant Director; Maryanne Dinelli; Carol Read; Diana Acosta; Tiffany Zike; Dawn Stiller; Catherine Delano

Convene: Rosemary Recreation Complex | 178 Rosemary Street | Multi-Purpose Room

Dr. Stephen Epstein, Chair of the Board of Health, called the meeting to order at 7:06 a.m.

Minutes

Dr. Kathleen Ward Brown had edits to the discussion about synthetic turf on page 6, noting that the write-up did not fully reflect the discussion. She indicated that she had said “the consultant report didn’t find an issue. She had questions about some of the methods employed in the testing, and wants to have additional discussion with the consultant (Fuss & O’Neil) before deciding whether or not testing is still required or will still be required in the future.”

Dr. Epstein clarified his remarks on page 5. He requested that the minutes more accurately reflect his comments about the National Academy of Science report, and about the consensus of public feedback received by the Board of Health in response to the proposed tobacco regulation amendments.

Dr. Epstein noted that the conclusion of the National Academy of Science was trying to understand the balance of vaping as an exit strategy for adults versus the increased risk of youth addiction and that the National Academy of Science report concluded that the risk of youth addiction was concluded to be the higher priority.

He also clarified that he said “the town residents, from which the Board received written comments or public testimony at its two hearings, were universally in favor of the mint and menthol ban unless they are involved with the sales or use of the affected products.”

With those edits incorporated, Dr. Cosgrove indicated that he believed the minutes were accurate. **Dr. Cosgrove made a motion to approve the minutes with the edits previously specified. Dr. Brown seconded the motion. The vote to approve the meeting minutes with the edits incorporated was unanimous.**

Mr. McDonald made the edits to the meeting minutes from January 11, 2019.

STAFF REPORTS

Substance Abuse Coordinator Report | Ms. Catherine Delano

Ms. Catherine Delano reported that the event at the high school went very well. SPAN with the help of Needham High School screened the film *If They Had Known* four times to youth and one screening for parents and community members. In addition to these screenings, SPAN supported Needham High School to put on the first "Life Skills" Conference for graduating seniors. The prevention team is now focused on bringing an educational event about youth vaping to the Needham community. They are also continuing to provide Youth Mental Health First Aid Trainings to the community with one coming up the end of February and one in March. Ms. Delano reported that surveys for the Needham Housing Authority Needs Assessment were sent out via mail. In conjunction with the surveys that were hand delivered, there are now enough responses to have valid data for the needs assessment.

Traveling Meals Coordinator Report | Ms. Maryanne Dinell

Ms. Maryanne Dinell reported that while preparing for the annual report it was noted that the program has served 80 residents for the Town of Needham.

Ms. Dinell has distributed brochures to the library and due to the government shutdown Ms. Dinell included a flyer in the brochures stating that anyone who is part of the Traveling Meals program who needs extra food or assistance to please contact Ms. Dinell. As a result of this one person has called and the Traveling Meals program has provided extra food.

Dr. Stephen Epstein presented a paper about a program in Massachusetts called Community Servings works with people who have food insecurity and people who have special needs for a special diet. Dr. Epstein suggested that we contact this program to see if there is a potential for a partnership with this program. Ms. Dinell stated that she will look in the program further.

Dr. Cosgrove suggested another population to reach out to is those who eat lunch at the Center at the Heights every day and might have friends in the community. Ms. Dinell stated that the one criterion for the Traveling Meals program is that participants be homebound.

Environmental Health Report | Ms. Tara Gurge and Ms. Diana Acosta

Ms. Tara Gurge reported that the Gyro and Kabab House Greek Cuisine located at #1056 Great Plain Ave. opened and will be doing a scheduled inspection there to check their grease trap as the Town of Needham is very adamant about grease control. All new restaurants are made well aware of the regulations around grease control.

Ms. Diana Acosta reported that they did a routine inspection at SIRA Naturals with Lt. Mike Schlittler and Detective O'Brien. They have a new manager. They did a routine tour and the police were there to review proper security measures. The one thing that was noted they need to change is the type of film on the garage windows. These windows are one way however at night when the light is on inside you can see in. Ms. Acosta also reported that they introduced new products. The manager gave Ms. Acosta and Ms. Gurge the labeling for these products.

SIRA had a question about infused honey products and whether or not they needed to be refrigerated. Ms. Acosta reached out to her contact in Colorado who stated that if it cannot be proven that the honey has a low enough pH or the proper moisture content to inhibit the growth of bacteria (i.e. Clostridium botulinum), specifically, less than .85 water activity level, than it has to be in the fridge. SIRA took their product off of the shelf because of quality not safety; the honey oxidized in the fridge. Ms. Gurge reminded the new manager that any new product and/or label must be sent to the Needham Public Health Division.

Ms. Acosta stated the regulation of medical marijuana is no longer under the auspices of the Massachusetts Department of Public Health; it is now overseen by the Cannabis Control Commission, a separate state agency. Therefore all of the regulation numbers have changed and some of the content of the regulations has also changed, therefore Needham will need to make the corresponding changes in Needham's local BOH RMD regulation.

Dr. Cosgrove asked about the demolition on Riverside Street. Ms. Gurge stated that Ms. Acosta has reviewed and issued Health Department approval for demolition on all of those properties.

Dr. Cosgrove also asked about regulations on containing beards when serving and working with food. Both Ms. Gurge and Ms. Acosta stated that the code states that hair has to be restrained or tied together. They are looking further into what this means and check for guidance from the state.

Public Health Nurse Report | Ms. Tiffany Zike

Ms. Tiffany Zike reported that they had one campylobacter but do not know where it came from. The person works from home and did not leave their home or go out of the state. Ms. Zike reported that it could have been something that they ate. Ms. Zike stated that there were 19 influenza cases reported and that the first influenza B Case was reported, which is good because it could mean that we will start to see less influenza cases. There was one case of noro virus reported in a nine-year-old child. This was not caught until the youth was taken to the hospital for another reason. The youth was out-of-state in NH during the incubation period. Ms. Zike reported that the level of flu activity has stayed about the same in February. It may be a little higher by the end of the month, but the amount of activity will still be a lot less than past two years.

Ms. Zike reported that she and Ms. Donna Carmichael added a new line at the bottom of the Public Health Nurse Report for "Contact Investigation". This was done because the public health nurses spend time with contact investigation and case follow-up where some cases get revoked or are not confirmed, but a substantial amount of time and effort is still committed to each case.

Ms. Zike stated that there was a report from Pollard Middle School, on the 15th of January that the school sent home 90 kids (70 seventh graders and 20 eighth graders) due to a virus. There was only one diagnosable report but the school stated they were being extra cautious. Ms. Zike reported that she did contact the state.

Ms. Zike reported about the Safety at Home project. She stated that Ms. Rachael Cain held a focus group and a tabletop exercise to help people understand what the project was about. One common misunderstanding was that people think that if we go in their house that we are going to tell them that they cannot stay in their home. We worked on dispelling this myth amongst the population that we are trying to serve. We had four sign-ups from the focus groups and tabletop exercise. We also spoke with Beth Israel Deaconess Needham about this project during our quarterly Community Crisis Intervention Team meeting. They stated that they will inform the social workers at the hospital to spread the word.

Mr. McDonald reported that the town budget includes money to assist seniors with staying in their home. There are many details to still be worked out.

Director's Report | Mr. Timothy McDonald

Mr. Timothy Muir McDonald reported that in regards to Public Health Accreditation the Division is still working on policies as well as collaborating with Beth Israel Deaconess Needham on their Community Assessment.

Mr. McDonald reported that the Public Health Division received a grant for climate resiliency in older adults. The intent of the application is advance equity and increase protection of vulnerable populations with respect to climate change. The proposed project will focus on the impact of extreme weather (including extreme heat) on older adults. The project will build capacity within NPHD and its partners to address these aspects of climate change while providing comprehensive education and outreach to Needham's older adults.

The Division also submitted a grant called A Million Hearts. The focus of this grant application was a strategy for tobacco cessation for Needham Housing residents. There was a hearing about Accessory Dwelling Units which was fairly well attended. Mr. McDonald reported that he re-emphasized that the Division did a study with over 120 hours of interviews with Planning Boards and Community Development Directors of Towns that implemented Accessory Dwelling Units. This study contains reports of "best practices" as well as "Do's and Don'ts" in regards to implementing Accessory Dwelling Units.

Mr. McDonald reported that the Finance Committee had a preliminary vote that approved the full funding for Emergency Management. The only addition for Public Health is that the cost will be incorporated into IT in order to support the electronic inspections. There is funding in this year and next year's budget to hire Ms. Dawn Stiller as the Financial Coordinator for all of Health and Human Services as well as to hire a shared person for the front desk at the Rosemary Recreation Complex. There is nothing in the budget for a full-time Public Health Director.

Mr. McDonald reported that the Town Manager stated that she was happy to come to March meeting to discuss priorities and the Board of Health agrees that this is important to host her at the meeting to discuss concerns and updates.

Regional Substance Abuse Coordinator Report | Ms. Carol Read:

Ms. Carol Read reported that she continues to work with the Police Chiefs and the Directors of Public Health in Norwood, Dedham, Westwood, and Needham in order to continue regional alcohol compliance checks. The third meeting between these groups took place on January 14th and they discussed that next steps will be to define penalties and protocols used in order to create a standard action plan to carry out the operative compliance checks. Ms. Read reported that it was also discussed that these towns have an interest in having more TIPS trainings, specifically around the upcoming compliance checks. The goal is to have these trainings become financially sustainable; this group has discussed using the “train the trainer” model to do this.

Ms. Read reported that the data from the alcohol compliance checks has been a real catalyst to the leadership in the towns to look more seriously at retail access to alcohol. One goal of this group is to have developed common consequences because some towns have very serious consequences for establishments that sell to minors and others do not have any consequences.

Ms. Read reported that she continues to work with DJ Wilson and MasSTAPP to create an alcohol policy tool kit and to make compliance checks for alcohol a more standard procedure.

Ms. Read helped put on a TIPS training in January for Needham establishments. Of the 29 licensees, 12 establishments attended for a total of 47 people attended.

Ms. Read attended the Newton-Wellesley Hospital substance use monthly meetings where they discussed their Emergency Room protocol to offer services for Medication Assisted Treatment for people who come in with Substance Use Disorders. Ms. Read stated that she asked Beth Israel Deaconess Needham at the quarterly Community Crisis Intervention Team meeting if they had a protocol. They stated that they did not but that they were committed to working on one.

RISK BASED FOOD INSPECTIONS and the NEW FDA GRANTS

Ms. Gurge reported that as part of the FDA grant they were able to do the standard nine. The first part is splitting up establishments into risk based categories. According to new definition some of Needham’s establishments are exempt from consideration as food service establishments, mainly those that do not use refrigeration and which only have prepackaged foods such as candy or bottled soda. Ms. Gurge reported that they do not have to inspect them but they will need to call every six months to check that nothing has changed. Ms. Gurge gave the Board of Health a list of which establishments fall into which category. Ms. Gurge and Ms. Acosta stated that the more risky establishments will be inspected more often and those that are not as risky will be inspected less often.

Ms. Gurge stated that they applied for two more grants. One grant was the category two grant for \$18,500 and it would help finish implementing the standard nine and do the intervention piece which will address the top food borne illness risk factors found in the assessment conducted in 2018. This grant was awarded to Needham. The other \$3000 grant that was

awarded will be used as funding to attend the AFDO Annual Educational Conference in Atlanta, GA and the FDA Northeast Annual Food Protection Seminar in Portsmouth, NH.

Ms. Gurge reported that they did tobacco compliance checks last night and that one established failed because they sold juul pods. This establishment did not ask for an ID and stated that this was because the buyer “looked older”. The seller asked for the buyer’s birthday and the buyer stated their real birthday.

DEMONSTRATION OF FOOD CODE PRO, ELECTRONIC FOOD INSPECTION SYSTEM

Ms. Acosta provided the Board of Health with a demonstration of the “Food code pro” electronic system. The presentation went through step by step examples of how the environmental health inspectors use this program.

FY2020 PUBLIC HEALTH DIVISION and HHS Dept. BUDGETS

See section “Directors Report” under “Staff Reports”.

TIMELINE FOR IMPLEMENTATION OF AMENDED TOBACCO REGULATIONS AND STATUS UPDATE ON LEGAL LANDSCAPE

Ms. Gurge stated that they are getting memos prepared to send out. The memos will remind establishments of the changing regulations. Ms. Gurge stated that they will also call the individual establishments and respond to any feedback that they get from vendors in terms of what they might need.

ALCOHOL COMPLIANCE CHECKS (Section 12 and Section 15 license holders) AND PENALTIES FOR UNDERAGE ALCOHOL SERVICE

Mr. McDonald reported that in their last two agendas, the Select Board included penalties for underage sales for the November compliance check. There were eight sales out of about 23 establishments; six were first time offenders and two were repeat offenders. The first six offenders received a warning and the two repeat offenders received a one day suspension. Mr. McDonald noted that during the tobacco hearings, the tobacco permit holders argued quite strongly that they have high levels of compliance and that the town does not spend as much time and effort to prevent underage service of alcohol. The Board of Health discussed this challenge and its interest in having a discussion with the Select Board about substance use prevention and responsible service of alcohol, tobacco, and medical marijuana.

CBD-INFUSED FOOD PRODUCTS IN NEEDHAM

Ms. Gurge noted that Needham was selling CBD infused products so Ms. Acosta spoke with the Cannabis Control Commission who referred her to the Department of Agriculture. The Department of Agriculture stated that they do not take a position on this as they are waiting for the FDA to come out with a statement as to whether or not CBD is a safe additive to food.

Ms. Gurge stated that both Needham establishments that were selling CBD infused products did not know that they were not allowed in Needham and graciously took them off the shelves. Brookline Public Health put out an advisory to their establishments saying that they are not

allowing food or anything else to be infused with CBD and that it is not allowed to be sold unless they have the proper certification from the Town. The state of Maine has a similar stance as Brookline and is also restricting it. Dr. Epstein suggested that the Board of Health issue a similar advisory to Needham Establishments. Mr. McDonald committed to work on such an advisory with Ms. Gurge and Ms. Acosta.

DISCUSSION OF TECHNICAL EDITS TO MEDICAL MARIJUANA REGULATION

Ms. Acosta reported that the Cannabis Control Commission has taken over the role of the Massachusetts Department of Public Health and has made some changes to the regulations. There are some definition changes and the document went from 35 pages of regulations to 95 pages. Ms. Gurge provided the Board of Health with a printed overview of the changes.

OTHER ITEMS (Conflict of Interest Training Certificate and Acknowledgement)

Mr. McDonald reported that an acknowledgement of completion of the Conflict of Interest Training Certificate needs to go to Town Clerk and that all staff need to do it.

Mr. McDonald reported that Framingham Public Health sent a letter to Framingham residents regarding gas leaks. Mr. McDonald gave a copy of the letter to the Board of Health. Dr. Cosgrove stated that the letter does not refer to the issue of indoor exposure of gas stoves and suggested the Needham Board of Health send out something similar to what Framingham Public Health sent. Dr. Ward Brown and Dr. Epstein both stated areas where they would change the letter. The Board of Health decided that they will have further discussion about how to approach potential leaks at the next meeting.

NEXT MEETING is scheduled for March 8th from 7:00 a.m. - 9:00 a.m.

Dr. Brown made a motion to adjourn the meeting at 9:05 a.m. Dr. Cosgrove seconded. Upon motion duly made and seconded, the meeting was adjourned at 9:05 a.m.

Minutes submitted by Catherine Delano, Senior Program Coordinator Public Health.