



NEEDHAM PUBLIC HEALTH DIVISION



Board of Health Meeting Minutes

Date: February 10, 2022

Location: Hybrid in-person and remote via Zoom per Governor Charles Baker's COVID-19 Executive Order 3/12/2020 and amended as of 6/15/2021

Members: Robert A. Partridge, MD, MPH, Chair
Christina S. Mathews, MPH, Vice Chair
Edward Cosgrove, PhD, Member
Stephen Epstein, MD, MPP, Member
Kathleen Ward Brown, ScD, Member

Staff Present: Timothy Muir McDonald, Health and Human Services Director; Tara Gurge, Assistant Director of the Public Health Division; Tiffany Zike, Assistant Director of Public Health; Maryanne Dinell; Karen Shannon; Carol Read; Mary Fountaine; Lynn Schoeff; Julie McCarthy; and Diana Acosta

Call to Order

Dr. Partridge called the meeting to order at 5:00PM and initiated roll call. Present were Dr. Partridge-Y, Dr. Brown-Y, Ms. Mathews-Y, Dr. Cosgrove-Y and Dr. Epstein-Y.

The meeting is being conducted remotely using Zoom consistent with Governor Baker's March 12, 2021 executive order and as amended on June 15, 2021, regarding COVID-19. The materials for this meeting were circulated previously and are available on the Town website. This meeting is being recorded.

Approval of Minutes of January 20, 2022

Upon motion duly made by Dr. Epstein and seconded by Dr. Cosgrove, it was unanimously voted to approve the above minutes as amended. Dr. Partridge-Y, Ms. Mathews-Y, Dr. Brown-Y, Dr. Cosgrove-Y and Dr. Epstein-Y. Motion passed 5-0.

Staff Reports

Emergency Management – Michael Lethin

Mr. Lethin reported that the Emergency Operations Center had a pre-incident meeting on Thursday and made the decision to close Town buildings and postpone the Covid clinic scheduled for Saturday, January 29th. The decrease in road traffic was a boon to the DPW in its cleanup efforts. The high snowfall rates created challenges to snowfall removal and some roads were impassible in the late afternoon. Recovery efforts Saturday night resulted in clear roads on Sunday, and the snow was hauled away on Monday. The light and fluffy nature of the snow caused only sporadic and short-term power



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outages, and the opening of a warming center was not needed. The heavy storm during the following week presented challenges along with a fire at the Harvey establishment.

The hazard assessment contract was awarded to Coll Consulting, which will lead the hazard and vulnerability assessment. This assessment will be supported by the emergency management performance grant of \$8,500. The Town has recently been awarded \$3,000, which will fund hazmat tabletop exercises for Town departments, the hospital and other partners.

MEMA confirmed that personal protective equipment is available for any municipal facility that requires supplies to continue and maintain services. Although Mr. Lethin has not yet received requests, this equipment (KN95 and surgical masks) is available to the Library, Center at the Heights, and Parks and Recreation. The Police Department has also stockpiled equipment that is readily available.

Emergency Management – Ms. Zike for Taleb Abdelrahim

Ms. Zike reported that Mr. Abdelrahim is assisting the nurses with the Covid child vaccine clinics. He is setting up Medical Reserve Corps (MRC) trainings for next year, and next week will be coordinating training with the Brookline Police Department on active threat and situational awareness. The NC-8 MRC activation questionnaire has been submitted, and a \$50,000 grant has been awarded for Covid response from Metro-West Health Foundation. Plans for setting up outdoor testing are underway. The Abbott testing machine will be rented for one year with the requirement of at least 300 tests/per year. The cost of each test is \$45 and takes twelve minutes to obtain results. The machine can also test for flu. A decision will be made about the purchase of a machine by February 2023.

Travelling Meals Program – Maryanne Dinell

Ms. Dinell reported that 711 meals had been delivered in January. A 911 call was initiated for a consumer in need of medical attention. Ms. Dinell reminded the Board that she is retiring in a few weeks and she said was grateful for the opportunity to have served the Town.

Ms. Gurge reported that interviews for Ms. Dinell's replacement had been conducted and final interviews were scheduled for next week.

Environmental Health – Tara Gurge and Diana Acosta

Ms. Gurge reported that a sixty-day permit had been issued to The Rice Barn. Follow-up inspections by Ms. Acosta and Ms. Pancare revealed the same routine violations week after week. A revised agreement signed by the owner included additional food safety requirements. Also, the owner is required to hire and work with a food consultant to have additional training for his existing and new staff, and unannounced inspections will be conducted. Copies of food consulting reports will determine an extension of the food permit beyond sixty days. An assessment will be done at the end of March.

Discussion ensued about the problems created by a possible language barrier. Mr. McDonald stated that it is the responsibility of the owner to request translation services. The owner of the Rice Barn has hired a food consultant he has worked with previously who speaks the Chinese dialect. An employee on site also has offered to translate in Thai for employees who need it. Dr. Epstein noted that it is also the owner's responsibility to establish his or her authority with staff and the rules of operation. Mr.



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McDonald stated that the Public Health Division is considering a process whereby written materials of memoranda of agreement are provided in the owner's native language.

Ms. Acosta reported that she is awaiting the delivery of the ten PurpleAir sensors awarded by the state. The sensors must be deployed within sixty days of receipt. She has reached out to the superintendent of schools and school principals and has received a favorable response from the Pollard Middle School science department. She has clarified their use as being outdoor and not indoor. Collaboration with the schools will enable Wi-Fi access of the sensors. Dr. Brown noted that Town buildings would also provide access. Dr. Brown will work with Ms. Acosta in identifying suitable locations.

Ms. Acosta reported that an emergency approval of demolition of the Muzi Ford buildings was approved by the Building Department on January 28th due to an impending Nor'easter storm. All documents were submitted for the demolition health review. The contractor has arranged for follow-up of two pest control companies.

A dog-on-dog bite incident occurred on December 9, 2021 at a dog daycare in Dedham. On January 24, 2022, Ms. Acosta was contacted by the Rabies Program Coordinator from the MA Department of Agricultural Resources because she is the backup Animal Control. (The current Animal Control Officer is on leave and the backup in the Police Department was out of the office with Covid.) There was a delay in the daycare providing the state with the biting animal's information, and they were found to be living in Needham. Ms. Acosta was instructed to contact the owner in order to verify the dog was still alive. Diana contacted the owner and verified through a visual inspection that the dog was alive. Diana was instructed to issue, and immediately release, a ten-day quarantine of the dog as the quarantine period had already passed. The quarantine slip was given to the owner and a copy was sent to the MA Rabies Program in the Division of Animal Health.

Accreditation Report - Lynn Schoeff

Ms. Schoeff reported that the Public Health Accreditation Board (PHAB) Pathways Program had requested the submittal of a crisis communication plan. Ms. Schoeff worked with several plans that already existed and worked them into one plan to submit to PHAB. A review and feedback on the plan and other documents submitted is expected by the end of February. As part of the pilot program, Ms. Schoeff will also review and provide feedback to another community. She will update the Board in March.

MassCall3 Cluster – Carol Read

Ms. Read introduced Ellisa Dockstader as the MassCall3 Coordinator. With a background in nursing for five years, Ms. Dockstader is in her last semester at the Boston University School of Public Health and will be receiving a certificate in human rights, social justice and health policy law. She is excited to be working with Ms. Read on the project through a diversity, equity and inclusion lens.

Ms. Read reported that she had facilitated two in-person TIPS trainings, along with Sgt. Jay Sullivan of Dedham Police and Needham Chief John Schlittler, at both Dedham Town Hall and Needham Town Hall. Ms. Read is working with Ms. Dockstader on the year-one strategic plan for the tri-town grant that services Dedham, Walpole and Westwood.



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Dr. Epstein noted that of the eleven sales-to-minors violations, six establishments did not send employees for training. Mr. McDonald noted that the Select Board had voted on suspensions which took into account whether the establishment had attended TIPs training.

Dr. Brown noted that she has been following a local podcast (The Weekend Sober Podcast) conducted by two local women. Residents discuss their struggle to maintain sobriety during the pandemic.

Ms. Read encourages any opportunity to discuss the components and realities of alcoholism. She offered several resources to support the Board's efforts to raise public awareness. Dr. Brown stated that this particular impact of the pandemic will be unravelling for a long time.

Substance Use Prevention – Karen Shannon

Ms. Shannon reported the Parent Action Team had launched a new initiative called T.A.L.K., "Talk About Life with Your Kids." Biweekly messages posted on the Substance Prevention Alliance of Needham (SPAN) social media pages provide middle and high school parents with conversation starters and tips for engaging between parent and child. Children of parents who talk with them about the dangers of substance use early and often are fifty percent less likely to use drugs than those who do not receive these critical messages at home. The campaign, which has reached 1,500-1,800 parents on SPAN's social media pages, is ongoing with plans to continue through the end of May.

Ms. Shannon also reported that on January 10th the STOP grant (STOPping Underage Access and Use of Alcohol) team organized a TIPS training for Needham alcohol licensees. Twenty-one people attended the in-person training facilitated by Carol Read and Officer Jay Sullivan of the Dedham Police Department. There were nine alcohol-licensed businesses represented at the session. Of the eleven businesses which received sales-to-minor violations during the December 1st compliance checks, six sent employees to the training. At the January 31st training, six employees from Needham businesses attended the training, two businesses of which had sales-to-minor violations. Three business out of the eleven with violations were not represented at either training.

Ms. Shannon also reported that there are now two hundred members in the Needham High School SALSA program (Students Advocating Life without Substance Abuse). During January, thirty-six SALSA students contributed over one hundred and seventeen hours of service. Seventeen students returned to the Pollard Middle School eighth-grade wellness classes for the first in-person presentation in two years. They shared healthy decision-making skills to avoid risky behaviors and practiced refusal skills in skits. Very favorable feedback was received from this peer-to-peer outreach.

Ms. Shannon reported that SPAN posted information on their social media pages about "Dry January," a public health initiative that was begun in 2012 by Alcohol Change UK, a British charity. Dry January is an opportunity for adults to reflect on their own alcohol consumption and choose to stop drinking alcohol for the month. SPAN's post included resources about alcohol abstinence including "The Weekend Sober" podcast hosted by local community members.



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Public Health Nursing – Mary Fountaine

Ms. Fountaine reported that Ms. Burnett had conducted eleven Covid vaccination clinics in January. The case investigation team was able to provide outreach to almost 98% of pediatric cases, totaling close to 600 cases. Both Ms. Fountaine and Ms. Burnett were recertified in CPR and were in the process of achieving certification as CPR Instructors. Two new Boston College nursing students started in January.

Dr. Epstein expressed concern that hepatitis cases are running ahead of average with eight cases in 2020, six cases in 2021 and nine cases thus far in 2022. Ms. Fountaine advised that hepatitis-c cases do not require follow-up, and no reason for the numbers was readily available. Dr. Epstein requested follow-up be done, which Ms. Fountaine agreed to perform. Dr. Brown asked for information on a case of legionellosis, which had been lost to follow-up.

Discussion followed on the January Covid report attached hereto. Dr. Epstein commented on the positivity rate of 7.8%, far above the comfort level of 2.5% or below, and discussed establishing a standard for releasing the mask mandate in municipal buildings.

Mr. McDonald noted that the Department of Elementary and Secondary Education (DESE) is adopting a “mask-friendly” policy in the schools as of February 28th. Schools may reduce mask wearing if 80% of the children are vaccinated. The Health and Safety Committee decided to extend that deadline to March 7th, one week after February vacation with its increased risk of exposure to due travel.

Discussion ensued on the mask mandate which is now under local, rather than state, control. Dr. Epstein suggested that since vaccinations are due to be posted for the school-age group in the spring, that Needham adopt the policy that requires students to be fully up-to-date on vaccinations in order to go maskless. While DESE requires 80% of population “fully vaccinated,” this policy would be in line with the CDC policy requirement of up-to-date vaccination. He noted that the high school has an up-to-date vaccination rate closer to 60% which is not sufficient. The school should notify students that they are due to have a booster, and if they have not received it, they would be required to wear masks. Ms. Zike noted that it would be difficult for schools to enforce this policy.

Dr. Epstein stated that the hospital in Needham was overwhelmed during the recent outbreak of Omicron cases, and he noted the existence of the German variant now in progress. His main concern is to do everything possible to maintain a vaccination policy that will ensure the reduction in hospitalizations in the event of an outbreak of another variant.

Ms. Zike noted that clinics were busy during the Omicron outbreak but have significantly trailed off. Discussion ensued on enlisting the schools to get the message about the importance of vaccinating and boosting children out to vaccine-reluctant parents. Ms. Burnett and Ms. Fountaine will reach out to Susannah Hann in school health services on enlisting the cooperation of parents in vaccinating their children, and Dr. Partridge will take the matter to the school Health and Safety Committee.



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Discussion ensued on the need for effective outreach. The Board suggested that a letter from the Superintendent be sent to families notifying them that the Board of Health strongly recommends, for the health and safety of the school community and community at large, that all children be vaccinated and boosted on the spring timeline. Staff members are available to answer parents' questions about the vaccination in general or refer them to their pediatrician for specific concerns.

Mr. McDonald agreed to discuss the Board's concerns and suggestions with the Health and Safety Committee.

1688 Central Avenue and Licensed Site Professional Scope of Work

Mr. McDonald reported that, pursuant to a meeting with Town Counsel, a request for proposal was sent to seventeen state-approved companies in the MetroWest region, excluding any companies that had worked with the developer and any companies that had records of any license or financial violations. The cost would be funded by a special warrant article that had been passed to allow for funding technical expert consultation contracts.

The scope of the project would be two-pronged: the opinion of the expert on the project without knowing what is proposed by the developer; and a separate opinion of the project comparing and contrasting what is proposed with an opinion on the specific aspects of the proposals. The developer and its counsel have the right to set the terms of the site professional's access to the site and the Board of Health does not have authority to override. However, the Board's report to the Planning Board will reflect those facts if they have interfered with a full assessment.

Residents Holly Cooke and Maggie Abbruzzese appeared before the Board. Ms. Cooke wanted to be assured that not only would all official municipal departmental files be made available to the site professional, but all other files and documents from concerned residents including emails, etc. Ms. Abbruzzese asked for clarification of the Board of Health's role in advising the Planning Board of its opinion based on the assessment.

Dr. Epstein noted that the Board will provide an opinion to the Planning Board based on the report by the site professional. If the site professional is not able to provide a full assessment due to inaccessibility to the site, that will be included in the Board's report. A building permit would require the Board of Health to sign off prior to issuance.

Mr. McDonald noted that the Board has the authority under Chapter 111 of the M.G.L. to safeguard the health and safety of the community. If a building presents a potential environmental hazard, the Board can issue an emergency order and require that remediation efforts be done before the issuance of a building permit.

Mr. McDonald will update the Director of Planning and Community Development by email and cc members of the Board.



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Synthetic Field Turf Testing and Results

The report revealed the presence of acetone. Discussion ensued. Ms. Gurge noted that the engineer at Fuss and O'Neill had stated that acetone is widely used as a solvent in laboratories and cannot be removed from the lab.

Following discussion, it was agreed that Ms. Gurge would contact Fuss and O'Neill to inquire whether it would be feasible to conduct a retest in the summer or fall along with a field blank. Mr. McDonald noted that there were two other elevated compounds found. Ms. Gurge will research previous reports, and Dr. Brown will follow up with the engineering firm for further clarification.

Pesticide Reduction PSA and Brochure Drafts

Mr. McDonald stated that a pesticide reduction campaign was launched in response to health concerns from a resident, as well as the general widespread use of pesticides on residential lawns. An informative public service announcement and brochure warns residents that pesticides are harmful and should be eliminated if possible. Mr. McDonald reported that the resident is not satisfied with the efforts made thus far and continues to express frustration that the Town is not going far enough to encourage the reduction of chemicals.

Discussion ensued. Dr. Epstein noted the resident did not have the support of the Town, and the warrant article banning the use of all chemicals was defeated at the last Town Meeting. Mr. McDonald noted that the Town participates in the state-generated integrated pest management at all school and town buildings. He also cited that on the upcoming Town Meeting a warrant article asks for funding of \$360,000 to remove the buildup of nitrogen at Walker Pond and advocates for less use of fertilizers.

Discussion ensued on the format and content of the brochure and materials with suggestions for clarification. A moderate approach was suggested to encourage better practices and reduction wherever possible. It was noted that some chemicals are needed to eliminate toxic growth like poison ivy, so the entire banning of chemicals would not be appropriate.

Ms. Gurge will work with Ms. Ally Littlefield in revising the materials incorporating the suggestions of the Board and will present at a later meeting.

Hungry Coyote Restaurant Compliance Issues

Mr. McDonald updated the Board on the Hungry Coyote Restaurant compliance issues. He stated that the restaurant has made progress, has been granted a conditional six-month permit, and will be subject to increased scrutiny going forward.

Mr. McDonald stated that his goal is to develop protocols for a more consistent process for the Health Division in cases of food code violations and would include translated memoranda of understanding when there is a language barrier. Dr. Epstein suggested a single sheet with multiple languages stating that a translated copy of the document is available on request.



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Mr. McDonald went on to say that no one anticipated Hungry Coyote's defiance of the closure order. He noted that typically restaurant owners appear before himself and Ms. Gurge who act as administrative hearing officers. He suggested changing this practice so that the owner appears before the entire Board at one of its scheduled meetings. The recorded meeting may then be reviewed for clarification of what was discussed and required. It must be absolutely clear that once a closure order is issued, the court process will immediately be instituted if the restaurant continues to operate in defiance of the order. Mr. McDonald suggested that specific guidelines should be in place to ensure that an established process is followed.

Discussion also ensued on the assessment of fines. Defiance of closure orders should definitely carry consequences of fines. However, if the owner cooperates, the assessed fines could be held in suspension pending six months of continued compliance. If problems continued, however, the fines would be levied. While the fines are nominal, the real cost to the restaurant is loss of revenue during closure. Ms. Gurge clarified the difference between fines and fees for inspection.

Dr. Epstein stated that the restaurant must be held accountable for remaining in operation for three days in blatant violation of the closure order until it was clear that the Board was going forward with the injunction. Dr. Epstein said that holding fines in suspension in this case would create a poor precedent. Dr. Cosgrove agreed with Dr. Epstein that on the first day of defiance of the closure order, the Health Division should have filed a court injunction to padlock the premises. The Board must set a clear precedent that defiance will not be tolerated.

Mr. McDonald noted that the restaurant's liquor license has been suspended with the possibility of revocation. The Select Board was very concerned that the alcohol manager was absent from the premises, a direct violation of the license. Dr. Epstein pointed out that the Select Board may view the Board's action in suspending fines as an interpretation of a "slap on the wrist" in light of its serious consideration to revoke the liquor license.

Mr. McDonald stated that the Board had adopted the state standard that fines should go directly to the Town. Ms. Gurge noted that violation of the Federal Code contains criminal and non-criminal assessment of fines.

Mr. McDonald will reach out to Town Counsel for further clarification and report back to the Board at its next meeting.

Next Meetings

March and April – to be determined.

Adjournment

Upon motion duly made by Dr. Epstein and seconded by Dr. Brown, it was unanimously voted to adjourn. Dr. Partridge-Y, Dr. Brown-Y, Ms. Mathews-Y, Dr. Cosgrove-Y and Dr. Epstein-Y. The meeting adjourned at 7:24PM.

Attachment: February, 2022 Meeting Packet