



NEEDHAM PUBLIC HEALTH DIVISION



Board of Health Meeting Minutes

Date: April 27, 2022

Location: 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
Tejel K. Gandhi, MD
Edward Cosgrove, PhD
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; Diana Acosta, Shared Services Manager; Ally Littlefield, Environmental Health Agent; Monica Pancare, Environmental Health Agent; Mary Fountaine, Public Health Nurse; Carol Read; Elisa Dockstader; Lynn Schoeff; Michael Lethin; Karen Shannon; and Rebecca Hall

Call to Order

Dr. Partridge called the meeting to order at 6:00PM and initiated roll call. Present were Dr. Partridge-Y, Dr. Brown-Y, Dr. Gandhi-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.

Introduction of New Member

Dr. Partridge introduced the new member, Dr. Tejal K. Gandhi, and asked her to give a brief bio. Dr. Gandhi started her career as a physician in internal medicine at Brigham and Women's Hospital. She transitioned to the area of quality and safety at the Brigham and was the Quality and Safety Director at Partners Healthcare. Dr. Gandhi left Partners to run a non-profit, the National Patient Safety Foundation, and has worked with a number of communities to advance diversity, equity and inclusion. She has been a resident of Needham since 2004 and has raised two children.

Members of the Board and staff introduced themselves to Dr. Gandhi.

Approval of Minutes of March 29, 2022

Upon motion duly made by Dr. Cosgrove and seconded by Dr. Brown, it was voted to approve the above minutes. Dr. Partridge-Y, Dr. Brown-Y, Dr. Cosgrove, Dr. Epstein-Y and Dr. Gandhi-A. Motion passed with 4 votes and with Dr. Gandhi abstaining.



NEEDHAM PUBLIC HEALTH DIVISION



Public Hearing: Proposed Revision to Article 20: Regulation to Ensure the Sanitary and Safe Operations of Marijuana Treatment Centers

Mr. McDonald stated that Sira Naturals has requested that the hearing be continued to the May meeting. Mr. McDonald said that the hearing must start today but the Board can choose to extend the hearing until the May meeting. Robert Smart, attorney for Sira Naturals, was present at the meeting.

Dr. Partridge opened the hearing. Ms. Zike summarized the company's requests of the Board. The Public Health Division received a letter last September with certain requests followed by an appearance before the Board at its October meeting. After review by the staff, the following recommendations were made:

1. Continue to disallow discounts beyond low-income persons.
2. Continue to disallow the use of the Sira Naturals logo on promotional items.
3. Continue policy of reviewing packaging for edible products and add reviews of non-edible products.
4. Sira Naturals does not have to submit CORI reports to Needham Public Health but should continue to submit them to the Cannabis Control Commission. However, Sira Naturals should have copies of CORI reports onsite to produce to Health Division staff if requested.
5. Allow posting prices of products inside only with no signs on windows or exterior.
6. Update language in the regulation to reflect current state regulation – marijuana treatment center in place of medical marijuana dispensary.

Based on work completed by staff, a redlined draft of the policy was submitted to Sira Naturals and made available to the public for comment. No comments have been received to date.

Mr. Smart stated that he was asked to represent Sira Naturals in addition to its primary counsel, John Hernandez. Mr. Smart stated that Sira had not received proper notification of the hearing and asked that the hearing remain open until the May Board of Health meeting to give them time to review the redlined draft, and to provide witnesses and documentation as evidence. Mr. McDonald stated that the notice was posted two weeks in advance of the meeting, but that he had not been able to make contact with Sira Naturals until last Friday.

Upon motion duly made by Dr. Epstein and seconded by Dr. Cosgrove, it was unanimously voted to continue the hearing until the next meeting in May. Dr. Partridge-Y, Dr. Brown-Y, Dr. Cosgrove, Dr. Epstein-Y and Dr. Gandhi-Y. Motion passed 5-0.

Following discussion, the meeting was set for Tuesday, May 24, 2022 @ 6:00PM.

Follow-up from The Rice Barn Hearing on April 25th and Continued Discussion of Restaurant Compliance

Mr. McDonald stated that Ms. Gurge had followed up Tuesday afternoon with an official order letter to The Rice Barn of the Board's decision to sustain the suspension. The suspension remains in effect. Mr. McDonald stated that the Board has the discretion to consider a range of options in light of the series



NEEDHAM PUBLIC HEALTH DIVISION



of violations, consistent pattern of not correcting the violations, and the question of whether this management has the capacity to operate a restaurant safely. Despite the Public Health staff working diligently to assist management to reach compliance, and documentation of those Public Health efforts in hundreds of pages, the restaurant is still not in compliance. The Environmental Health staff has seen best efforts fail in the past, and is doubtful of success in the future.

Discussion ensued. Dr. Gandhi questioned the management team's practice of bringing on new hires. Ms. Gurge stated that the issue of not being able to sustain full-time trained staff began in 2019. When a good employee left, Mr. Intha did not step up in to prevent the operation from going downhill. Additional staff members have subsequently been added. The challenge of maintaining sufficiently trained staff has been exacerbated by Mr. Intha's failing to maintain an active role in leadership and his placing blame on his employees.

Ms. Gurge stated that after repeated attempts to assist Mr. Intha, she does not feel that he has the authority and managerial experience to maintain a safe and sanitary food establishment and that he has an overdependence on his staff to run the operation.

Mr. McDonald began a discussion about involving the Board at an earlier stage when addressing serious restaurant violations. Presently, he and Ms. Gurge conduct administrative hearings. The presence of the Chair or Vice Chair of the Board at these hearings would convey the gravity of the situation. Generally, the Health Division's practice of providing technical assistance to restaurants to get them into compliance has worked for most restaurants. But in some egregious situations like the present one, all attempts have failed. Mr. McDonald suggested a public process of engagement with restaurants requiring them to appear before a regular meeting of the Board and explain what their intentions are to reach compliance. In this way, the seriousness of the situation will be conveyed with progressive discipline as a goal.

Discussion ensued. Dr. Partridge was in favor of an arrangement that would require owners and managers to appear before the Board to understand the consequences for their continued non-compliance. Dr. Cosgrove noted that staff has gone well beyond reasonable forbearance in the present case. Dr. Epstein stated that a proactive stance of the Board will result in a clear path of progressive discipline. While "hand-holding" of establishments may be reasonable at the start for minor violations, serious violations require a formal process of accountability. Dr. Gandhi agreed that escalation of the matter by the entire Board is needed to prevent long-standing issues from continuing.

Dr. Brown noted that pest control is a major issue. Mr. McDonald stated that pest control had ceased because Mr. Intha had stopped paying the company. Mr. Intha also stopped paying the trash company. Baiting and trapping is needed at the foundation as well as filling cracks in parts of the wall and floor to seal points of entry.

Mr. McDonald noted that Ms. Gurge had researched the state regulations which were clear that the Board of Health had the right to issue an emergency order to close for serious violations. If the restaurant owner has remedied all violations upon reinspection, the permit may be re-issued. Mr. Intha's violations are so significant and complicated that Mr. McDonald is doubtful they can be remedied over a weekend.



NEEDHAM PUBLIC HEALTH DIVISION



Discussion ensued on the process for reissuing a permit for a short period of time followed by a reasonably quick re-inspection. In that instance, if the restaurant passes inspection, there is no charge for the re-inspections to grant a longer operating permit. Ms. Gurge noted that the original permit was extended for one month in January followed by two more months to March. Mr. McDonald will ask Mr. Intha if he is ready for a re-inspection on Saturday, or if he needs more time. If the restaurant is in compliance, the permit will be issued for a forty-five-day period followed by an inspection in two or three weeks.

Dr. Epstein suggested that the staff draft a policy based on discussions today. Mr. McDonald noted that with regard to accreditation and standardization of work and continuity of staff, a number of policies can be looked at. The highest priority will be to draft a strict food code enforcement protocol which will be presented to the Board at an upcoming meeting.

Needham Housing Authority Modernization and Redevelopment Initiative with Reg Foster, Chair of the Needham Housing Authority

Reg Foster, Chair of the Needham Housing Authority (NHA), and Steve Merritt, recently hired as Interim Director of the Housing Authority, appeared before the Board. Mr. Foster reviewed the PowerPoint presentation on the Housing Authority's Modernization and Redevelopment Initiative including the following highlights:

- Background executive summary
 - 2019 NHA facilities master plan
- The problem
- Summary of projects
- Overall timeline
- NHA development partner: Cambridge Housing Authority

Mr. Foster was pleased to report that the Finance Committee had voted last Wednesday to recommend approval of the project.

Discussion ensued. Mr. Foster reported that the architects and engineers will be assessing what can be done in phases at the Chambers Street site and in consideration of zoning changes, geo-tech boring, utilities, tenant relocation and Conservation Commission restrictions. Consideration also is being given to constructing a building in between the two sites of Seabeds and Chambers.

Mr. Foster reported that the NHS plans to use any combination of engineering and funding to make the plan possible, and that the Housing Authority is the elected board to determine policy. The NHA is following the model of the Cambridge Housing Authority which has been successful in renovation and improvement.

Mr. Foster reported that there are currently 296 units that need immediate attention. Relocation of residents will be a high concern, and the Housing Authority is watching redevelopment efforts in Needham, e.g., the Avery redevelopment, for consideration in the relocation plan.



NEEDHAM PUBLIC HEALTH DIVISION



Mr. Foster reported that the Militia Heights property is federally owned land that is being offered for sale at fair market value by special legislation passed in 2018. The complex has 12 three-bedroom units and the Housing Authority did consider purchase, with a fix-up cost of approximately \$1M. It is appraised at \$1.8M and for a total price of approximately \$3M, units cannot be built for that price. The proposal was withdrawn because Charles River Center and its supportive day programs had escalated its intention to purchase the property in March.

Mr. Foster stated that 152 units must be kept as deeply affordable, and although serving that demographic is the mission of the NHA, mixed-use development may be considered to make the financials work.

Mr. Foster recognized the current environmental problems in public housing units and stated that they are addressing the current mildew problems by power washing and cutting back on plant and tree overgrowth.

Mr. Foster asked for the support of the Board and spreading the word to Town Meeting members of the value of the Modernization and Redevelopment Initiative.

Continued Discussion of Synthetic Field Turf Testing and Results

Ms. Gurge reported that Wendy Tram of Fuss & O'Neill had responded to the Board's concerns as follows: a) blank testing can be added for future testing; and b) recommendation for the next test as a dry test for September or October. Ms. Gurge added that Mike Retzky of DPW had confirmed that the drainage from the field does not go into the groundwater but is tied to the stormwater drainage system.

Staff Reports

Emergency Management – Michael Lethin

Mr. Lethin reported that he attended the basic shelter operations training hosted by MEMA in March. This will be followed up with shelter operations training for the Medical Reserve Corp sponsored by the American Red Cross. If unavailable, MEMA can also conduct training. Mr. Lethin also reported that the hazard vulnerability tool has been finalized, and the list of hazards, hazard definitions and grading scale has been completed. The hazard vulnerability assessment will be officially completed at the May 9th Local Emergency Planning Committee meeting.

Emergency Management Support – Taleb Abdelrahim

In Mr. Abdelrahim's absence, Ms. Zike reported that he had assisted Ms. Fountaine and herself to conduct CPR training for Medical Reserve Corps volunteers. Mr. Abdelrahim is also continuing to work on the Covid Drive-thru PCR testing action plan and OSHA training.

Substance Use Prevention – Karen Shannon

Ms. Shannon reported that SPAN held a virtual event on March 14th with over twenty-eight attendees at which former N.H. Supreme Court Justice John Broderick presented his personal story of drug addiction in his family. This event was advertised as a way to share with young people that the intersection of mental health and substance abuse can be debilitating for the family. The presentation also provided steps to gain awareness around identifying mental health issues in a family member.



NEEDHAM PUBLIC HEALTH DIVISION



“We Card” calendars were distributed to thirty Needham alcohol licensees with day-to-day reminders of the minimum age for the safe sales and purchase of alcohol.

A Mental Health First Aid training was conducted for nine participants of the High Rock Metro West Church. Drug Take-Back Day is planned for April 30th in partnership with the Needham Police Department. The 2022 Parent Survey for parents of students in grades 6-12 launched in April. The survey collects parent perspectives on youth substance use.

Ms. Shannon reported that an alcohol compliance check on April 6th resulted in five sales-to-minor violations, three in carry-out stores and two in restaurants. One business failed both December and April compliance checks. Of those businesses that attended TIPS training in January, six businesses passed the compliance checks. However, two of the businesses that had attended TIPS training in January had violations in April.

Discussion ensued. Ms. Shannon stated that she has forwarded the information about the alcohol compliance failures to the Town Manager’s office for sharing with the Select Board. Of those that failed in December, the Select Board required businesses to appear at a hearing before them. A progressive course of discipline for first, second and subsequent violations is established.

Covid Update – Tiffany Zike for Julie McCarthy

In Ms. McCarthy’s absence, Ms. Zike updated the Board. Ms. McCarthy is working on updating the website to be more user-friendly. Ms. McCarthy is preparing to attend the three-day ArcGIS training in April. This will enable her to work with IT to install the license and gain access to the Needham ArcGIS online tools to better track data. Ms. McCarthy is also working with the contact tracer to compile historical data from MetroWest Adolescent Health Survey. The goal is to compare local data on mental health, alcohol, marijuana, cigarette and vaping use with data from state, regional, and federal sources.

Ms. Zike reviewed the PowerPoint presentation on Covid data including the following highlights:

- Incidence rate, percent positivity, vaccination rates
- Needham daily cases 11/15/21-4/18/22
- Cases by age – Marc
- Cases by age – April
- Cases by vaccination status
- Needham vaccination and booster rate
- State trends in cases and hospitalizations
- New Omicron sub-lineage
- MA new confirmed cases by age
- MWRA wastewater monitoring
- Hospitalization rates (per 100K)
- Total Covid patient in hospital vs hospitalized primarily due to Covid



NEEDHAM PUBLIC HEALTH DIVISION



Public Health Nursing – Mary Fountaine

Ms. Fountaine reported that the Needham Public Schools mask policy change took effect on March 7th. This prompted an increase in calls and confusion on mask usage as it related to Covid isolation and quarantine. There was a higher proportion of Covid cases in daycares than had been seen in previous months. Ms. Fountaine is currently assisting two residents to be seen for potential TB diagnoses, and notes there were over 12,000 cases of latent tuberculosis diagnosed in Massachusetts in 2020. Ms. Burnett has completed a training session for *au pairs* on household poison control and is teaching a series of classes on fall prevention (Matter of Balance).

Traveling Meals Program – Rebecca Hall

Ms. Hall reported that 918 meals were delivered in March to 46 consumers by 28 volunteers. 38 of those were Springwell consumers and 8 were private-pay consumers. There were no 911 calls initiated. Two new clients joined in March, one private pay and one Springwell. March meals delivered represented a 2% increase over last year's delivered meals. The meals are being packaged by Beth Israel Deaconess staff, but Ms. Hall is meeting this week to discuss Traveling Meals resuming the packaging. She will be in contact with former volunteers to assess their availability for the task. The summer program starts on June 20th.

Accreditation Team Report – Lynn Schoeff

Ms. Schoeff reported that her team now includes two part-time staff members, Cindi Melanson and Jessica Kent. In addition, two staff members from the shared services grant will be working on accreditation as well. Today Ms. Schoeff met with folks from Aging Services and the Needham Community Council to discuss the focus of the senior survey to be administered in June. Rather than look again on transportation and housing, the new survey will focus on the ongoing psycho-social effects of Covid, such as isolation and food insecurity.

Dr. Gandhi asked about the inclusion of race and ethnicity in the survey. Ms. Schoeff stated that the question about gender identity will be expanded, but there has been no discussion about adding race and ethnicity. Dr. Gandhi offered assistance in the design of the survey based on best practices to include gender identity as well as race and ethnicity. Ms. Schoeff was grateful for the offer of support and perspective.

Environmental Health – Tara Gurge and Ally Littlefield

Ms. Gurge reported that Ally Littlefield started as the full-time Health Agent on April 4th. Thaleia Stampoulidou-Rocha started a part-time position working Fridays and weekends on April 19th.

There were two extreme hoarding cases this month. The occupant of one of the locations has vacated the unit and it is being professionally cleaned and disinfected and prepared for follow-up inspection. Resources are being offered to the occupants and occupants' families for setting up timeframes for compliance.

Ms. Littlefield reported that she had applied for a National Environmental Health Association intern on March 31st to assist on continuing work on the FDA Retail Program Standards and other projects including, the Nutritionally Needham healthy eating initiative.



NEEDHAM PUBLIC HEALTH DIVISION



Permitting of food vendors has begun for the Needham Farmers Market to take place on Greene's Field due to Town Common renovations. Ms. Littlefield asked for the Board's input on vendors' offering food samples this year. Discussion ensued. With proper food safety, the Board agreed that food samples can be allowed. While pre-packaged food could also be allowed with proper cold holding processes, cooking is not allowed on the premises of the market. The YMCA will be open for use of the facilities for hand washing stations and rest rooms.

Shared Services Grants – Diana Acosta

Ms. Acosta reported that she is managing the Public Health Excellence Grant and the Contact Tracing Grant with Dover and Medfield. On February 28th Roland Abuntori began as a part-time Environmental Health Agent. Best practices are being developed to share the public services grants with the other towns. Dover has one full-time staff members and Medfield one public health nurse.

Ten PurpleAir sensors have been received from the Department of Environmental Protection. Ms. Acosta is working with Dr. Brown to plan out where to set up the sensors at different locations in town.

Continued Discussion of Entheogenic Plants and their Impacts

Dr. McDonald suggested moving this item to the next meeting.

Other:

Board of Health Reorganization at May 2022 Meeting

Mr. McDonald stated that because the Chair of the Board is a de facto member of Town Meeting, reorganization cannot be conducted within ten days of Town Meeting.

Next meeting

Tuesday, May 24th from 6:00-8:00PM

June meeting – To be determined

Mr. McDonald suggested that the Board return to a set date and time for each month's meeting. He also stated that the Select Board suggested inviting public comment at the beginning of each meeting.

Adjournment

Upon motion duly made by Dr. Epstein and seconded by Dr. Cosgrove, it was unanimously voted to adjourn. Dr. Partridge-Y, Dr. Brown-Y, Dr. Gandhi-Y and Dr. Epstein-Y. The meeting adjourned at 8:16PM.

Attachment:

April 27th Meeting Packet