

AGENDA

Tuesday July 19, 2022

5:00 p.m. to 7:00 p.m.

Public Services Administration Building
500 Dedham Avenue, Needham MA 02492

Or via Zoom

To listen/view this meeting, download the "Zoom Cloud Meeting" app in any app store or at www.zoom.us. At the above date and time, click on "Join a Meeting" and enter the meeting ID **885 6169 9795** and passcode **274396** or click the link below to register: <https://us02web.zoom.us/j/88561699795?pwd=OHNiL2xhcXc3Y1ZV0RzZHB3U3dldz09>

- **5:00 to 5:05 – Welcome & Review of Minutes (June 23rd)**
- **5:05 to 5:25 – Rice Barn Discussion to permanently revoke permit**

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Possible Board of Health Vote

- **5:25 to 5:45 – Proposed Revisions to Article 20: Regulation to Ensure the Sanitary and Safe Operations of Marijuana Treatment Centers**

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- **5:45 to 5:55 – COVID-19 Response Phase 2 After-Action Report & Improvement Plan**
- **5:55 to 6:35 – Monthly Staff Reports/Priority Violations/COVID Update & Discussion**
- **6:35 to 6:40 – New Needham Senior Survey**
- **6:40 to 7:00 – Other Items**
 - **Community Water Fluoridation 50 Year Award**
 - **MA DEP Water Quality Letter to Boards of Health**
 - **Massachusetts Drought Status**
 - **Needham Remote Participation Policy for Board Members**
- **Topics for Upcoming BOH Meetings**
 - **Food Inspection Policy**
- **Next BOH meetings**

○ Regular Monthly Meeting	Sept TBD, 2022	TBD
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- **Adjournment**

(Please note that all times are approximate)



Board of Health
Town of Needham
AGENDA FACT SHEET



MEETING DATE: July 19, 2022

Agenda Item	Review of Minutes (June 23, 2022)
Presenter(s)	Timothy McDonald, Director of Health & Human Services

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED Continued discussion on permanent revocation of The Rice Barn food establishment permit.
2.	VOTE REQUIRED BY BOARD OF HEALTH Vote is expected. <i>"I move to approve the minutes of the June 23, 2022 Board of Health meeting as presented."</i> Or <i>"I move to approve the minutes of the June 23, 2022 Board of Health meeting as presented, with the following changes...X, Y, Z."</i>
3.	BACK UP INFORMATION: - Draft Board of Health June 23, 2022 Meeting Minutes



Needham Public Health Division



Board of Health Meeting Minutes DRAFT

Date: June 23, 2022

Location: Rosemary Recreation Complex, 178 Rosemary St., Needham, MA 02492, OR via Zoom

Members: Edward Cosgrove, PhD, Chair; Stephen Epstein, MD, MPP, Member; Kathleen Ward Brown, ScD, Member; Tejal K. Gandhi, MD, MPH, Member; Robert A. Partridge, MD, MPH, Member

Staff Present: Tara Gurge, Assistant Director of Public Health; Tiffany Zike, Assistant Director of Public Health; Mary Fountaine; Julie McCarthy; Lynn Schoeff; Rebecca Hall; Ally Littlefield; Carol Read; Michael Lethin; and Karen Shannon.

Call to Order

Dr. Cosgrove called the meeting to order at 7:00PM and initiated a roll call. Present were Dr. Partridge - Y, Dr. Brown-Y, Dr. Cosgrove-Y, Dr. Epstein – Y, and Dr. Gandhi- Y.

The meeting is being conducted in-person and remotely using Zoom consistent with Governor Baker's March 12th 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 – May 24, 2022

Upon motion duly made by Dr. Partridge and seconded by Dr. Epstein, it was voted to approve the minutes of May 24, 2022. Dr. Partridge -Y, Dr. Epstein – Y, Dr. Cosgrove - Y, Dr. Brown – Y, and Dr. Gandhi-Y. Motion passed 5-0.

Rice Barn Discussion – to permanently revoke permit

Tara Gurge explained that, at its meeting on May 24, 2022, the Board set a strict two-week deadline to ensure the items that were previously noted on the Rice Barn food inspection reports would be properly remedied and a follow-up inspection would be conducted. Notice was given to Mr. Charles Intha and his lawyer immediately after the Board of Health meeting the morning of May 25. No correspondence was received from either Mr. Intha or his lawyer, prior to the deadline of June 7, 2022. On June 9, 2022 a request was sent to Mr. Intha and his lawyer to see if he would like an extension for the follow-up inspection to Saturday, June 11. No reply was



Needham Public Health Division



received. No correspondence was received until a reminder email was sent on Monday to Mr. Intha and his lawyer regarding tonight's meeting discussing the revocation of his permit. At that time, four emails were received from Mr. Intha with some information.

Dr. Partridge stated that he is unclear how the Board could decide not to revoke Mr. Intha's permit at this time, due to the number of violations. He does not have the confidence that there will be safe food preparation at the Rice Barn.

In response to a question from Dr. Epstein, Ms. Gurge explained that, as of Wednesday, Mr. Intha has not pulled a permit through the DPW, as he was required to do to pass inspection. Since he has no permit, the restaurant would fail if it was inspected today.

In response to a question from Dr. Brown, Ms. Gurge stated that the sink was previously witnessed being used without being properly permitted.

Town Counsel, Christopher Heep, explained that the Rice Barn is already subject to a suspension order. Thus, it's closed until it passes inspection. If the Board were to issue a new order to revoke the permit entirely, that would require allowing Mr. Intha an ability to call for another hearing, to occur within 10 days after issuance of this new order. The State regulations on the subject provide that a revocation is good for one year, unless the Board of Health indicates otherwise.

Mr. Heep explained that the preliminary injunction ordered by the Superior Court will remain in place until either the Court lifts it, or the Rice Barn passes inspection to the satisfaction of the Health Division.

In response to a question from Dr. Brown, Mr. Heep explained that the restaurant cannot currently operate. That would change, however, if the restaurant were to call for an inspection and pass. Once that occurs, the Board's order and the preliminary injunction effectively go away, and the restaurant can go back to operating. The distinction between that relief and a revocation, is that a revocation for a year or some other term would effectively remove the opportunity for the restaurant to fix things, call for an inspection, pass it, and then reopen.

Dr. Cosgrove stated that the Board requires trained staff to be working in the restaurant. He is concerned that there may not still be any staff left to run this restaurant. Dr. Epstein noted that, even a revocation for a shorter period of time than one year would require the owner to go through the permitting process again and make sure everything is in place for safe operation.

Mr. Intha's attorney tried connecting into the meeting but had technical difficulties. Dr. Cosgrove stated that the Board will suspend discussion of this item for now, and may return to it later in the meeting, if time is available.



Needham Public Health Division



Hungry Coyote Review of 6-month permit extension

Ms. Gurge explained that last fall, the Board allowed a six-month permit for the Hungry Coyote, under the condition that the owner work with a food consultant company throughout the six-month timeframe. The owner worked with Berger Food Safety, who provided onsite bilingual staff trainings, and multiple unannounced inspection audits. While some improvements have been noted, there are still ongoing cleaning issues. There are also dumpster containment issues, via a dumpster shared with other nearby facilities. Ms. Gurge suggested that the Board extend the permit if the owner agrees to continue with once-a-month oversight by a food consultant.

Upon motion duly made by Dr. Cosgrove and seconded by Dr. Gandhi, it was voted to extend the Hungry Coyote permit for six months, with a once-a-month inspection by a food consultant. Dr. Partridge -Y, Dr. Cosgrove - Y, Dr. Brown – Y, Dr. Epstein – Y, and Dr. Gandhi-Y. Motion passed 5-0.

The Board continued the discussion on the Rice Barn at this time.

Fred Tanis, Mr. Intha's attorney, stated that his client has been working to repair all of the items at the Rice Barn. Mr. Intha has stated that he is ready for an inspection and requests one from the Board, prior to a revocation of his permit.

Dr. Epstein noted that Mr. Intha has not yet pulled the necessary sink permits to pass inspection. Thus, an inspection today would fail based on that item alone.

Mr. Tanis asked if the Board would continue this item for a week or two, so that he could contact Mr. Intha regarding this item. Ms. Gurge explained that she checked with the Building Department Chair yesterday and this permit has still not been pulled. This request has been pending since March to Mr. Intha.

Mr. Intha stated that he does not need the three-compartment sink in the basement. If the Board wishes for the sink to be installed, he will seek a permit for it. Ms. Gurge stated that equipment which is not being used for the business should be removed. Mr. Intha stated that the sink is currently in storage, and he is ready for an inspection.

In response to a question from Ms. Gurge regarding if Mr. Intha was allowed to enter the building to make these improvements during the injunction order, Mr. Heep stated that the preliminary injunction from the Superior Court requires that nobody be in the restaurant other than to be working to fix the violations and that the Health Division must be informed anytime someone is in the building.



Needham Public Health Division



Ms. Gurge noted that the memorandum of understanding required weekly service by pest control. The inspection report received on May 16, 2022, and the one received this week, showed a three-week gap in service. Mr. Intha explained that there was a two-week period in which the new pest control company had to monitor the premises before making a report.

Dr. Partridge pointed out that the Rice Barn continued to operate after the suspension order was issued and forced the Health Division to get a court injunction. That is a very serious offense and a significant food safety issue.

Ms. Gurge stated that the Rice Barn's ongoing issue has been a drain on the Environmental Health staff. There are indications that 3-4 pest control companies were previously not paid by the owner, which is why he had to contract with new ones. The inspection staff do not feel that this is a sustainable situation.

Dr. Epstein suggested that one final inspection be performed, as Mr. Intha has indicated that he is prepared at this time. If the inspection passes, a remediation plan of some sort could be put in place. If the inspection fails this time, he recommends Mr. Intha's permit be revoked for at least three months.

Upon motion duly made by Dr. Epstein and seconded by Dr. Cosgrove, it was voted that the Board of Health provide an inspection to the Rice Barn to occur within the next week, but as soon as possible. Should this result in any type of violation, new or old, at that point in time the permit for the Rice Barn will be revoked for a period of three months.

Dr. Partridge -Y, Dr. Cosgrove - Y, Dr. Brown – Y, Dr. Epstein – Y, and Dr. Gandhi-Y. Motion passed 5-0.

Review of Draft Food Policy

Ally Littlefield explained that the Food Code Policy's purpose is to strengthen the Food Safety Inspection Program and will also help to meet Standard 6 in the FDA Voluntary National Food Regulatory Program Standards. She noted that ticketing is included in this policy as part of a third reinspection process.

The Board discussed edits to the policy.

Select Board Goals

The Board discussed including goals regarding healthy eating, playground space, and exercise programs. The Board of Health would also like to be included among those boards that meet regularly with the Select Board.

Mosquito Control Spray



Needham Public Health Division



The Board discussed correspondence from Dave Lawson, the Norfolk County Mosquito Control District contact, regarding switching the time for mosquito control spraying in Town from 10pm to sunset. The Board agreed to keep the spraying scheduled for 10pm at this time.

Staff Reports/COVID Update

COVID Update – Julie McCarthy

Ms. McCarthy stated that the most updated State data shows Needham's percent positivity reduced to 4.99%. The seven-day average peaked around mid-May and has continued to decrease since then. In May there were 612 cases, with an average age of approximately 37 years. For the first half of June, as of June 16, there have been 129 cases, with an average age of 41 years old. Hospitalization rates are also starting to decrease again but are still higher than they were a year ago.

Accreditation – Lynn Schoeff

Ms. Schoeff stated that the senior survey has been finalized. It's going online on Monday, and the printed copies will be available in the middle of next week. Focus groups will be conducted, and the key informant interviews are being scheduled now.

Emergency Management – Michael Lethin

Mr. Lethin stated that the request for public assistance from FEMA has been ongoing. The Town has until August 15, 2022 to complete the documentation process for reimbursement from the January blizzard. The Hazard and Vulnerability Assessment has been completed and shows that focusing efforts on emergency sheltering in Town needs to be prioritized at this time. This report will help to inform the Comprehensive Emergency Management Plan and thus enable every department to prioritize trainings, capital budgets, and identify which equipment is needed for the Town.

Ms. Zike added that the final Drive-Through Testing Clinic Plan has been delivered.

Public Health Nursing

Ms. Fountaine stated that she taught a CPR course to Town staff on May 12, with the intention of holding more classes in the coming months. She and Ms. Burnett attended the MAPHN conference, May 18-19. Ms. Fountaine noted that Needham has seen a late influenza season this year, with cases still popping up in June.

There was a discussion regarding tuberculosis cases in Needham. There are some beginning concerns that people post-COVID might have a higher likelihood to contract TB. Ms. Fountaine stated that she plans to follow-up further on this item.

Environmental Health – Tara Gurge



Needham Public Health Division



Ms. Gurge stated that the staff will be meeting with Steve Merritt, Interim Director of Needham Housing Authority. This discussion will include a strategy to collaborate regarding Needham housing unit complaints.

Ms. Gurge noted that staff is working with the State and with Forklift Catering regarding eliminating harborage on the Forklift property and hiring a pest service.

Ms. Littlefield stated that all of the pool permitting has been completed for the summer. She noted that permitting checks include inspecting for lifeguard equipment, lifeguard staffing, lifeguard trainings, certifications for main drains, pool chemistry, and emergency communication methods. Staff are also beginning to renew animal permits.

Traveling Meals Program – Rebecca Hall

Ms. Hall stated that 896 meals were delivered in May to 51 consumers: 41 of those were Springwell consumers and 10 of them were private-pay consumers. 14 COVID test kits were distributed to 14 different clients. There were no 911 calls. Four drivers and two substitutes were hired for the summer program.

Substance Use Prevention – Karen Shannon

Ms. Shannon stated that the Substance Prevention Alliance of Needham (SPAN) wrapped up its programming in May with a quarterly meeting. Pastor Ryan Marshall from the High Rock Metro West church was the guest speaker. SPAN partnered with the Park and Recreation Department to offer a new social event for seventh and eighth graders at the Pollard Middle School, the Spring Fest event. The event ran for three hours on an early release afternoon in May, and over 100 students participated in the program.

Ms. Shannon noted that, following an alcohol compliance check in April, the Select Board met with four of the five establishments with sales-to-minor violations. Four have received written warnings. One is an on-premise business and the other three are off-premise businesses. The fifth establishment will have a public hearing with the Select Board in late June. The next alcohol compliance check will likely be in September.

Shared Services Grants – Diana Acosta

This item was not updated on at this time.

MassCall3 Cluster – Carol Read

Ms. Read explained that the Massachusetts Department of Public Health was able to use ARPA funds to double its allocation for FY23 from \$125,000 to \$250,000. The extra funding will be used to post a position for another FTE, and help Westwood and Walpole fund their Metro West Adolescent Survey.



Needham Public Health Division



Topics for Upcoming BOH Meetings

There was discussion regarding what will be on the next meeting agenda.

Next BOH Meetings

The Board will discuss and determine its next meeting dates.

Adjournment

Upon motion duly made by Dr. Partridge and seconded by Dr. Gandhi, it was voted to adjourn. Dr. Partridge -Y, Dr. Cosgrove - Y, Dr. Brown – Y, Dr. Epstein – Y, and Dr. Gandhi-Y. Motion passed 5-0. The meeting was adjourned at 9:05 p.m.

Attachment:

June 23, 2022 meeting packet



Board of Health
Town of Needham
AGENDA FACT SHEET



MEETING DATE: July 19, 2022

Agenda Item	Rice Barn Discussion to permanently revoke food establishment permit.
Presenter(s)	Tara Gurge, Assistant Public Health Director Ally Littlefield, Environmental Health Agent

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	Continued discussion on permanent revocation of The Rice Barn food establishment permit.
2.	VOTE REQUIRED BY BOARD OF HEALTH
	Vote is required. "I move to permanently revoke The Rice Barn food establishment permit."
3.	BACK UP INFORMATION:
	- The Rice Barn food inspection report and supplemental report from July 1 st inspection.



Needham Public Health
178 Rosemary Street
Needham, MA 02494
(781) 455-7940 ext. 504

FOOD ESTABLISHMENT INSPECTION REPORT

R-10

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number	Date	Time In/Out	Inspection Type	Client Type	Inspector			
97DE4	7/1/22	1:41 PM 5:05 PM	Pre-Opening	Food Service	M.Pancare			
Permit Number	Risk	Variance	Violation Summary:		Priority	Pf	Core	Repeat
					2	1	7	3

Violation Summary:

Foodborne Illness Risk Factors and Public Health Interventions

IN = in compliance OUT = out of compliance N/O = not observed N/A = not applicable COS = corrected on-site during inspection Repeat Violations Highlighted in Yellow

Supervision	IN	OUT	NA	NO	COS	Protection from Contamination (Cont'd)	IN	OUT	NA	NO	COS
1. PIC present, demonstrates knowledge, and performs duties	✓					15. Food separated and protected	2	✓			
2. Certified Food Protection Manager	✓					16. Food-contact surfaces; cleaned & sanitized	1	✓			
Employee Health	IN	OUT	NA	NO	COS	17. Proper disposition of returned, previously served,		✓			
3. Management, food employee and conditional employee knowledge, responsibilities and reporting	✓					Time/Temperature Control for Safety	IN	OUT	NA	NO	COS
4. Proper use of restriction and exclusion	✓					18. Proper cooking time & temperatures	✓				
5. Procedures for responding to vomiting and diarrheal events	✓					19. Proper reheating procedures for hot holding	✓				
Good Hygienic Practices	IN	OUT	NA	NO	COS	20. Proper cooling time and temperature	✓				
6. Proper eating, tasting, drinking, or tobacco use	✓					21. Proper hot holding temperatures	✓				
7. No discharge from eyes, nose, and mouth	✓					22. Proper cold holding temperatures	✓				
Preventing Contamination by Hands	IN	OUT	NA	NO	COS	23. Proper date marking and disposition	✓				
8. Hands clean & properly washed	✓					24. Time as a Public Health Control; procedures & records	✓				
9. No bare hand contact with RTE food or a pre-approved	✓					Consumer Advisory	IN	OUT	NA	NO	COS
10. Adequate handwashing sinks supplied and accessible	✓					25. Consumer advisory provided for raw/undercooked food	✓				
Approved Source	IN	OUT	NA	NO	COS	Highly Susceptible Populations	IN	OUT	NA	NO	COS
11. Food obtained from approved source	✓					26. Pasteurized foods used; prohibited foods not offered	✓				
12. Food received at proper temperature	✓					Food/Color Additives and Toxic Substances	IN	OUT	NA	NO	COS
13. Food in good condition, safe & unadulterated	✓					27. Food additives: approved & properly used	✓				
14. Required records available: shellstock tags, parasite	✓					28. Toxic substances properly identified, stored & used	✓				
Repeat Violations Highlighted in Yellow	IN	OUT	NA	NO	COS	Conformance with Approved Procedures	IN	OUT	NA	NO	COS
						29. Compliance with variance/specialized process/HACCP	✓				

Good Retail Practices

Safe Food and Water	IN	OUT	NA	NO	COS	Proper Use of Utensils	IN	OUT	NA	NO	COS
30. Pasteurized eggs used where required	✓					43. In-use utensils: properly stored					
31. Water & ice from approved source						44. Utensils, equip. & linens: properly stored, dried & handled					
32. Variance obtained for specialized processing methods	✓					45. Single-use/single-service articles: properly stored & used					
Food Temperature Control	IN	OUT	NA	NO	COS	46. Gloves used properly					
33. Proper cooling methods used; adequate equip. for temp.	✓					Utensils, Equipment and Vending	IN	OUT	NA	NO	COS
34. Plant food properly cooked for hot holding						47. All contact surfaces cleanable, properly designed,					
35. Approved thawing methods used						48. Warewashing facilities: installed, maintained & used; test					
36. Thermometers provided & accurate						49. Non-food contact surfaces clean	1	✓			
Food Identification	IN	OUT	NA	NO	COS	Physical Facilities	IN	OUT	NA	NO	COS
37. Food properly labeled; original container						50. Hot & cold water available; adequate pressure					
Prevention of Food Contamination	IN	OUT	NA	NO	COS	51. Plumbing installed; proper backflow devices	1	✓			✓
38. Insects, rodents & animals not present	2	✓				52. Sewage & waste water properly disposed					
39. Contamination prevented in prep, storage & display						53. Toilet facilities: properly constructed, supplied, & cleaned		✓			
40. Personal cleanliness						54. Garbage & refuse properly disposed; facilities maintained					
41. Wiping cloths; properly used & stored						55. Physical facilities installed, maintained & clean	1				
42. Washing fruits & vegetables						56. Adequate ventilation & lighting; designated areas use	1	✓			
						60. 105 CMR 590 violations / local regulations		✓			

Official Order for Correction: Based on an inspection today, the items marked "OUT" indicated violations of 105 CMR 590.000 and applicable sections of the 2013 FDA Food Code. This report, when signed below by a Board of Health member or its agent constitutes an order of the Board of Health. Failure to correct violations cited in this report may result in suspension or revocation of the food establishment permit and cessation of food establishment operations. If you are subject to a notice of suspension, revocation, or non-renewal

M.Pancare

Chalermpol Intha - Expires
Certificate #:

Follow Up Required: ☐ Y Follow Up Date: _____

FOOD SAFETY INSPECTION REPORT

Page Number

2

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number
97DE4

Date
7/1/22

Time In/Out
1:41 PM
5:05 PM

Inspector
M.Pancare

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

88

- -

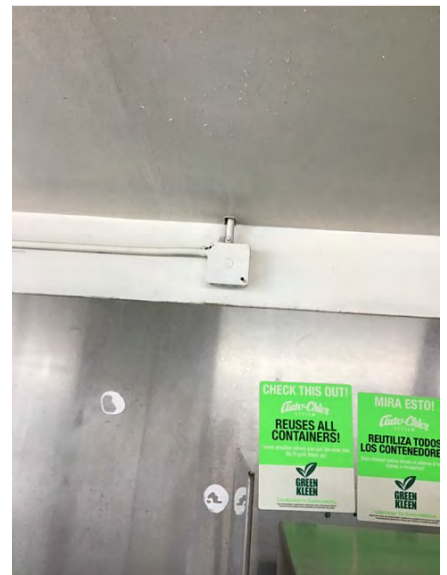
Exterior upon arrival -



88

- -

Open holes noted. -



FOOD SAFETY INSPECTION REPORT

Page Number

3

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number
97DE4

Date
7/1/22

Time In/Out
1:41 PM
5:05 PM

Inspector
M.Pancare

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

88

- Kitchen -

Ice at bar service area noted. -



88

- -

Service storage area~ miscellaneous equipment noted.
Discussion to organize better. -



FOOD SAFETY INSPECTION REPORT

Page Number

4

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number
97DE4

Date
7/1/22

Time In/Out
1:41 PM
5:05 PM

Inspector
M.Pancare

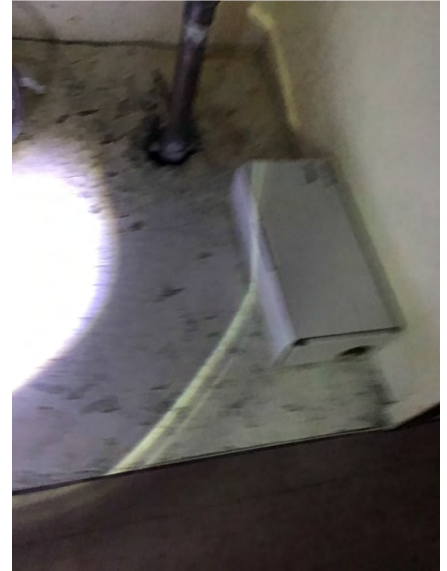
Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

88

- -

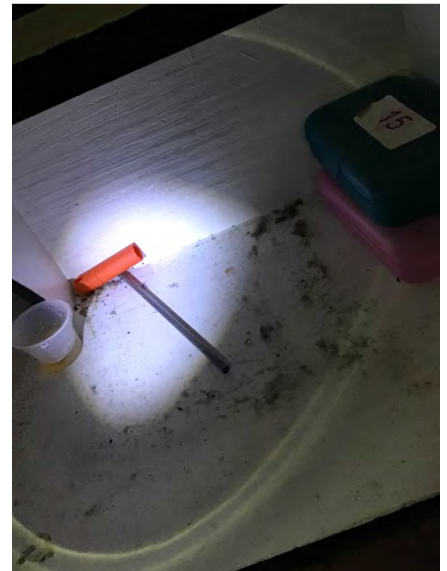
Mice feces noted -



88

- -

Mice feces dust and debris noted on shelf near cashier -



FOOD SAFETY INSPECTION REPORT

Page Number

5

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number
97DE4

Date
7/1/22

Time In/Out
1:41 PM
5:05 PM

Inspector
M.Pancare

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

88

- -

Soil and debris noted under grill. -



88

- -

New gaskets noted on refrigerators -



FOOD SAFETY INSPECTION REPORT

Page Number

6

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number
97DE4

Date
7/1/22

Time In/Out
1:41 PM
5:05 PM

Inspector
M.Pancare

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

88

- -

New gaskets on refrigerators -



88

- -

Inside of refrigerator was clean -



FOOD SAFETY INSPECTION REPORT

Page Number

7

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number
97DE4

Date
7/1/22

Time In/Out
1:41 PM
5:05 PM

Inspector
M.Pancare

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

88

- -

Datemarking system noted -



88

- -

Open holes cracks and crevices. -



FOOD SAFETY INSPECTION REPORT

Page Number

8

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number
97DE4

Date
7/1/22

Time In/Out
1:41 PM
5:05 PM

Inspector
M.Pancare

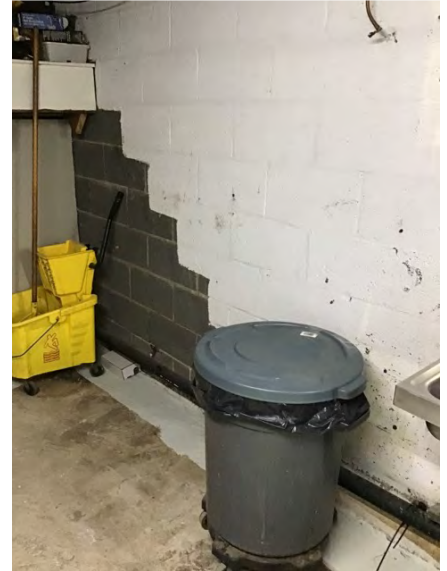
Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

88

- -

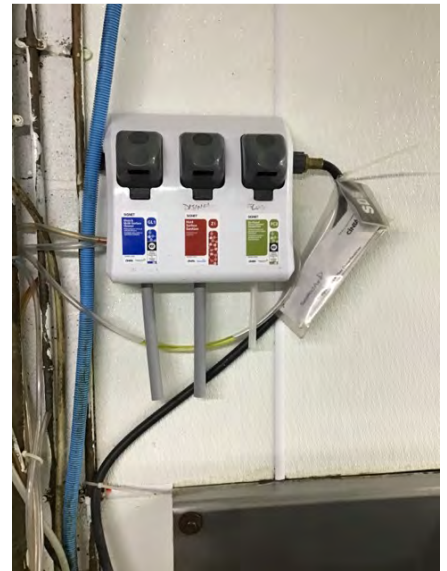
3 compartment sink removed in basement. Owner stated he has not got a plumbing permit yet. -



88

- -

Chemical system removed during inspection in basement above prep sink. Toxic chemicals should not be around a prep sink, and this was removed. There were no chemicals at the time. -



FOOD SAFETY INSPECTION REPORT

Page Number

9

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number
97DE4

Date
7/1/22

Time In/Out
1:41 PM
5:05 PM

Inspector
M.Pancare

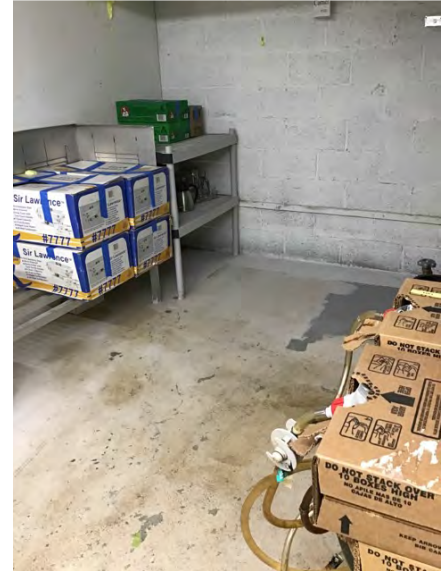
Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

88

- -

Basement clutter removed -



88

- -

Openings not protected under stairwell in basement near sink -



FOOD SAFETY INSPECTION REPORT

Page Number

10

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number
97DE4

Date
7/1/22

Time In/Out
1:41 PM
5:05 PM

Inspector
M.Pancare

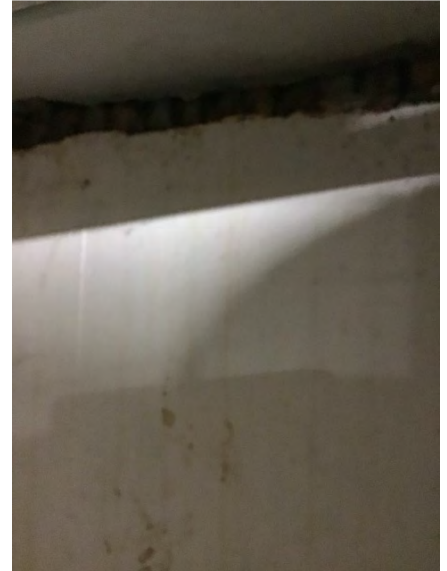
Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

88

- -

Cracks and crevices not sealed -



88

- -

Corners and cracks not sealed -



FOOD SAFETY INSPECTION REPORT

Page Number

11

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number
97DE4

Date
7/1/22

Time In/Out
1:41 PM
5:05 PM

Inspector
M.Pancare

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

88

- -

Laundry area clutter and debris -



88

- -

Food products noted in walk-in -



FOOD SAFETY INSPECTION REPORT

Page Number

12

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number
97DE4

Date
7/1/22

Time In/Out
1:41 PM
5:05 PM

Inspector
M.Pancare

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

88

- -

Open holes in pipe. -



88

- -

Burgess pest control noted -

BURGESS PEST MANAGEMENT
177 SOUTH MAIN STREET
W. BOSTON, MA 02127
800-698-2847

INVOICE # 768721
DATE: 07/01/22

Bill To: THE RICE BARN
CHARLES INTINA
1037 GREAT PLAIN AVE
NEEDHAM, MA 02492-2111
Phone: 617-286-1187

Location: THE RICE BARN
CHARLES INTINA
1037 GREAT PLAIN AVE
NEEDHAM, MA 02492-2111
Phone: 617-286-1187

Time In: 02/10/22 01:41 PM
Time Out: 02/10/22 05:05 PM
Customer Signature: [Signature]

Customer Representative: [Signature]
LORAL PESTY
License #: MA 28877 (E 5907)

Purchase Order	Item	Service Description	Quantity
None	1037	General Inspection	1.00

GENERAL COMMENTS / INSTRUCTIONS
On-site service and inspection. A follow-up service will be provided within 30 days. All interior mechanical systems (vents and exhaust fans) should be inspected for signs of infestation or general pest activity. Recommended cleaning in certain areas and along baseboards. No infestation was found. This will allow us to focus on other areas of the facility. The location of service points of the pest service, we would expect to have some updates in our service. If you have any questions, please contact us. It is a positive sign to have an auditor conduct pest inspection services. We will return to complete pest control services. Thank you for choosing Burgess Pest Management.

CONDITIONS / OBSERVATIONS	Reported	Severity	Responsibility	Reviewed
None noted				

PRODUCTS APPLICATION SUMMARY
None noted

PEST ACTIVITY	# Areas	# Devices	Pest Totals
None noted			

DEVICE INSPECTION SUMMARY

AREA COMMENTS
None noted

DEVICE INSPECTION EXCEPTIONS
None noted

Protection From Contamination

FOOD SAFETY INSPECTION REPORT

Page Number

13

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number
97DE4

Date
7/1/22

Time In/Out
1:41 PM
5:05 PM

Inspector
M.Pancare

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

Food separated and protected

15 3-304.11 Food Contact with Soiled Items - Basement -

Pr Stored Knives on wall in basement were soiled and not clean to sight and clean to touch *Code: Food shall only contact surfaces of: equipment and utensils that are cleaned and sanitized; single-service and single-use articles; or linens, such as cloth napkins that are used to line a container for the service of foods AND are replaced each time the container is refilled for a new consumer.*



15 3-304.11 Food Contact with Soiled Items - Basement -

Pr Stored silverware in the laundry room not protected properly *Code: Food shall only contact surfaces of: equipment and utensils that are cleaned and sanitized; single-service and single-use articles; or linens, such as cloth napkins that are used to line a container for the service of foods AND are replaced each time the container is refilled for a new consumer.*



FOOD SAFETY INSPECTION REPORT

Page Number

14

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number
97DE4

Date
7/1/22

Time In/Out
1:41 PM
5:05 PM

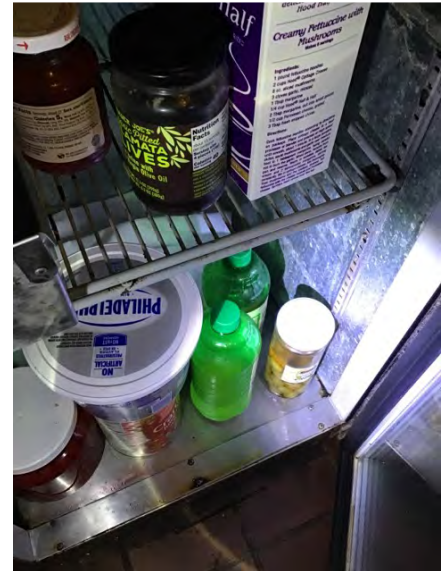
Inspector
M.Pancare

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

16 4-601.11 (A) Equip, Food-Contact Surfaces - Bar -

Pf Inside of refrigerators at bar area had soil, spills and debris *Code: Equipment food-contact surfaces and utensils shall be clean to sight and touch.*

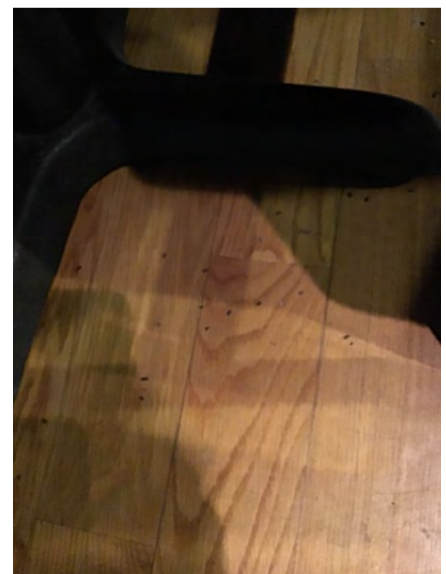


Prevention of Food Contamination

Insect, rodents & animals not present

38 6-501.111 (A)(B)(D) Controlling Pests - Basement -

C Mice feces noted beside refrigerator next to the bar
Code: The premises shall be maintained free of insects, rodents, and other pests. The presence of insects, rodents, and other pests shall be controlled to eliminate their presence on the premises by: routinely inspecting incoming shipments of food and supplies; routinely inspecting the premises for evidence of pests; and eliminating harborage conditions.



FOOD SAFETY INSPECTION REPORT

Page Number

15

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number
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Date
7/1/22

Time In/Out
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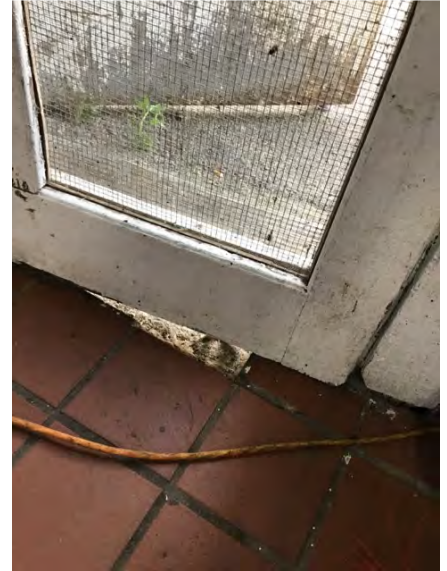
Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

38

6-202.15 (A) Outer Openings, Protected - Storefront -

- C** The screen door leading into the kitchen area is not adequate to protect pests. *Code: Outer openings of a food establishment shall be protected against the entry of insects and rodents by: filling or closing holes and other gaps along floors, walls, and ceilings; closed, tight-fitting windows; and solid, self-closing, tight fitting doors.*



Utensils, Equipment and Vending

Nonfood contact surfaces clean

49

4-602.13 Nonfood -Contact Surfaces - Kitchen -

- C** Windowsill above prep sink had debris *Code: Nonfood contact surfaces of equipment shall be cleaned at a frequency necessary to preclude accumulation of soil residues.*



FOOD SAFETY INSPECTION REPORT

Page Number

16

The Rice Barn
1037 Great Plain Ave
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Inspection Number
97DE4

Date
7/1/22

Time In/Out
1:41 PM
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Inspector
M.Pancare

Inspection Report (Continued)

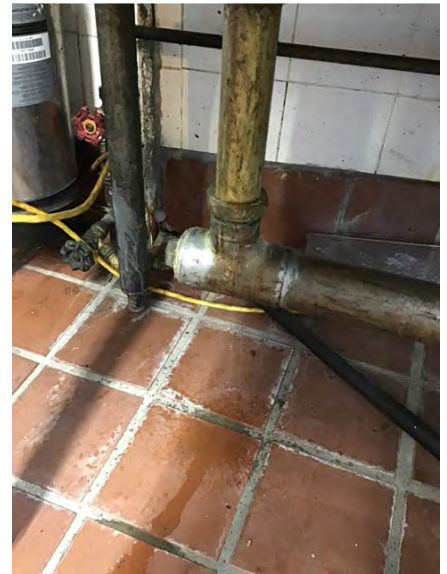
Repeat Violations Highlighted in Yellow

Physical Facilities

Plumbing installed; proper backflow devices

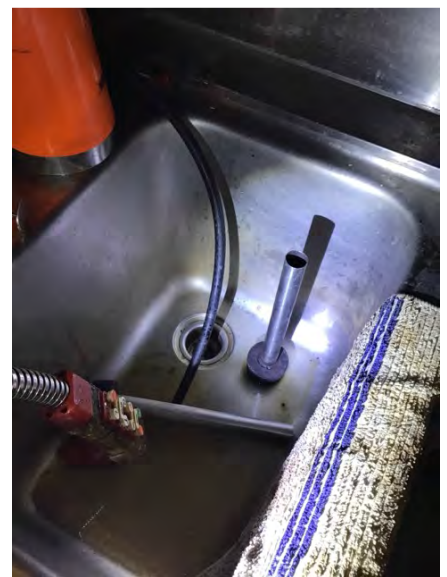
51 5-205.15 (B) System Maintained/Repair - Kitchen -

- COS** **C** 3 comp.sink was leaking.
Corrected on site Code: *A plumbing system shall be maintained in good repair.*



53 6-501.18 Cleaning of Plumbing Fixtures - Bar -

- C** Sinks and basins inside and around the service bar were very soiled Code: *Plumbing fixtures such as handwashing sinks, toilets, and urinals shall be cleaned as often as necessary to keep them clean.*



FOOD SAFETY INSPECTION REPORT

Page Number

17

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number
97DE4

Date
7/1/22

Time In/Out
1:41 PM
5:05 PM

Inspector
M.Pancare

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

55

6-501.11 Repairing - Basement -

- C** Laundry and storage area unsanitary. Debris coming from exterior. A lot of clutter in this room, and HVAC is leaking condensation water

Outer openings not protected.

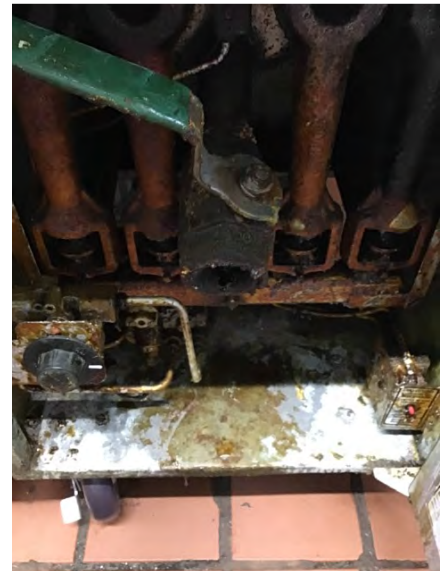
See #38 Code: *The physical facilities shall be maintained in good repair.*



56

4-204.11 Ventilation Hoods Drip Prevention - -

- C** Significant Grease inside fryer area Code: *Exhaust ventilation hood systems in food preparation and warewashing areas including components such as hoods, fans, guards, and ducting shall be designed to prevent grease or condensation from draining or dripping onto food, equipment, utensils, linens, and single-service and single-use articles.*



List 1

IN= In Compliance

OUT = Out of Compliance

NA = Not Applicable

NO= Not Observed

FOOD SAFETY INSPECTION REPORT

Page Number

18

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number
97DE4

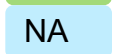
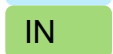
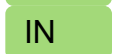
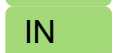
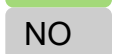
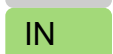
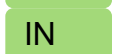
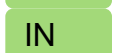
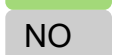
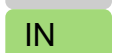
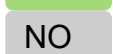
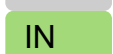
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Time In/Out
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5:05 PM

Inspector
M.Pancare

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

	Permit. up to date and posted?	
	Pest control record available?	
	Written Menus /signs present (allergen)?	
	Allergen Certificate Posted?	
	Certified Food Protection Managers Certificate posted?	
	Food allergy awareness poster visible for employees?	
	Staff trained in choke-save for every shift.	
	Ventilation Hood Inspections stickers up to date?	
	Consumer Advisory Present if needed?	
	Grease log up to date?	
	Food Employee Reporting Agreement available?	
	Procedures outlines for vomit/diarreal event?	
	No trans fat?	
	"Most recent food inspection" sign posted?	

Temperatures

Area	Equipment	Product	Notes	Temps
Kitchen	Amana white cooler	Ambient		10 °F
Kitchen	- Kenmore white	Ambient		10 °F
Service Station FOH		Whirlpool FOH		40 °F
Kitchen	Magic Chef white	Ambient		15 °F
Kitchen	- Kenmore white	Ambient		15 °F
Kitchen	Flip top near curry	Ambient		29 °F
Basement	Walk in cooler	Ambient		32 °F

Temperatures in **RED** identify items in the temperature danger zone. See the report notes for specific details.

FOOD SAFETY INSPECTION REPORT

Page Number

19

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number
97DE4

Date
7/1/22

Time In/Out
1:41 PM
5:05 PM

Inspector
M.Pancare

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

Notes

During the inspection today, two employees were present in addition to the owner- one was a dishwasher and one was a server/ host. No food was prepared on the service at this time

Improvements noted- several areas still need holes cracks and crevices to be sealed.

HVAC in basement a lot of water on floor- clean

Owner is replacing thermostats in 3 refrigerators. All refrigerators were working, but some could not be verified accurately at this time.

Dishmachine 50ppm chlorine.

Ice machine clean no issues

Public restroom stocked.

Handsinks stocked properly.

Color coded cutting boards noted.

Greasetrap in kitchen near handsink has been replaced.



Needham Public Health
178 Rosemary Street
Needham, MA 02494
(781) 455-7940 ext. 504

FOOD ESTABLISHMENT INSPECTION REPORT

R-10

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

<u>Inspection Number</u>	<u>Date</u>	<u>Time In/Out</u>	<u>Inspection Type</u>	<u>Client Type</u>	<u>Inspector</u>			
635BA	7/1/22	1:46 PM 5:05 PM	Routine	Food Service	A.Littlefield			
<u>Permit Number</u>	<u>Risk</u>	<u>Variance</u>			<u>Priority</u>	<u>Pf</u>	<u>Core</u>	<u>Repeat</u>
Violation Summary:					0	0	6	6

Foodborne Illness Risk Factors and Public Health Interventions

IN = in compliance OUT = out of compliance N/O = not observed N/A = not applicable COS = corrected on-site during inspection Repeat Violations Highlighted in Yellow

Supervision	IN	OUT	NA	NO	COS	Protection from Contamination (Cont'd)	IN	OUT	NA	NO	COS
1. PIC present, demonstrates knowledge, and performs duties	✓					15. Food separated and protected	✓				
2. Certified Food Protection Manager	✓					16. Food-contact surfaces; cleaned & sanitized	✓				
Employee Health	IN	OUT	NA	NO	COS	17. Proper disposition of returned, previously served,	✓				
3. Management, food employee and conditional employee knowledge, responsibilities and reporting	✓					Time/Temperature Control for Safety	IN	OUT	NA	NO	COS
4. Proper use of restriction and exclusion	✓					18. Proper cooking time & temperatures	✓				
5. Procedures for responding to vomiting and diarrheal events	✓					19. Proper reheating procedures for hot holding	✓				
Good Hygienic Practices	IN	OUT	NA	NO	COS	20. Proper cooling time and temperature	✓				
6. Proper eating, tasting, drinking, or tobacco use	✓					21. Proper hot holding temperatures	✓				
7. No discharge from eyes, nose, and mouth	✓					22. Proper cold holding temperatures	✓				
Preventing Contamination by Hands	IN	OUT	NA	NO	COS	23. Proper date marking and disposition	✓				
8. Hands clean & properly washed	✓					24. Time as a Public Health Control; procedures & records	✓				
9. No bare hand contact with RTE food or a pre-approved	✓					Consumer Advisory	IN	OUT	NA	NO	COS
10. Adequate handwashing sinks supplied and accessible	✓					25. Consumer advisory provided for raw/undercooked food	✓				
Approved Source	IN	OUT	NA	NO	COS	Highly Susceptible Populations	IN	OUT	NA	NO	COS
11. Food obtained from approved source	✓					26. Pasteurized foods used; prohibited foods not offered	✓				
12. Food received at proper temperature	✓					Food/Color Additives and Toxic Substances	IN	OUT	NA	NO	COS
13. Food in good condition, safe & unadulterated	✓					27. Food additives: approved & properly used	✓				
14. Required records available: shellstock tags, parasite	✓					28. Toxic substances properly identified, stored & used	✓				
Repeat Violations Highlighted in Yellow						Conformance with Approved Procedures	IN	OUT	NA	NO	COS
						29. Compliance with variance/specialized process/HACCP	✓				

Good Retail Practices

Safe Food and Water	IN	OUT	NA	NO	COS	Proper Use of Utensils	IN	OUT	NA	NO	COS
30. Pasteurized eggs used where required	✓					43. In-use utensils: properly stored					
31. Water & ice from approved source						44. Utensils, equip. & linens: properly stored, dried & handled					
32. Variance obtained for specialized processing methods	✓					45. Single-use/single-service articles: properly stored & used					
Food Temperature Control	IN	OUT	NA	NO	COS	46. Gloves used properly					
33. Proper cooling methods used; adequate equip. for temp.	✓					Utensils, Equipment and Vending	IN	OUT	NA	NO	COS
34. Plant food properly cooked for hot holding						47. All contact surfaces cleanable, properly designed,		✓			
35. Approved thawing methods used						48. Warewashing facilities: installed, maintained & used; test					
36. Thermometers provided & accurate						49. Non-food contact surfaces clean		1			
Food Identification	IN	OUT	NA	NO	COS	Physical Facilities	IN	OUT	NA	NO	COS
37. Food properly labeled; original container						50. Hot & cold water available; adequate pressure					
Prevention of Food Contamination	IN	OUT	NA	NO	COS	51. Plumbing installed; proper backflow devices					
38. Insects, rodents & animals not present		2	✓			52. Sewage & waste water properly disposed					
39. Contamination prevented in prep, storage & display						53. Toilet facilities: properly constructed, supplied, & cleaned					
40. Personal cleanliness						54. Garbage & refuse properly disposed; facilities maintained					
41. Wiping cloths; properly used & stored						55. Physical facilities installed, maintained & clean		3	✓		
42. Washing fruits & vegetables						56. Adequate ventilation & lighting; designated areas use					
						60. 105 CMR 590 violations / local regulations	✓				

Official Order for Correction: Based on an inspection today, the items marked "OUT" indicated violations of 105 CMR 590.000 and applicable sections of the 2013 FDA Food Code. This report, when signed below by a Board of Health member or its agent constitutes an order of the Board of Health. Failure to correct violations cited in this report may result in suspension or revocation of the food establishment permit and cessation of food establishment operations. If you are subject to a notice of suspension, revocation, or non-renewal

A.Littlefield

A.Littlefield

Chalernpol Intha

Chalernpol Intha - Expires
Certificate #:

Follow Up Required: ☐ Y Follow Up Date: _____

FOOD SAFETY INSPECTION REPORT

Page Number

2

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number
635BA

Date
7/1/22

Time In/Out
1:46 PM
5:05 PM

Inspector
A.Littlefield

Inspection Report (Continued)

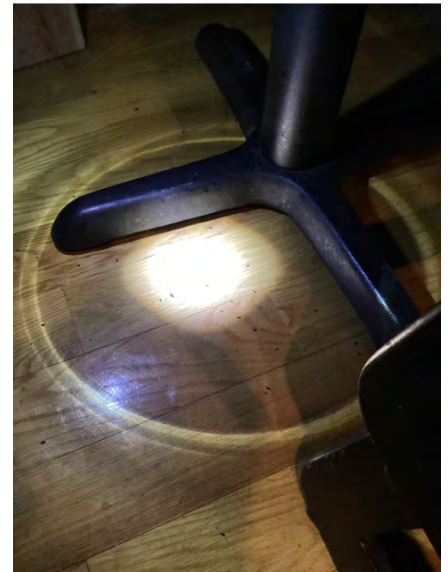
Repeat Violations Highlighted in Yellow

Prevention of Food Contamination

Insect, rodents & animals not present

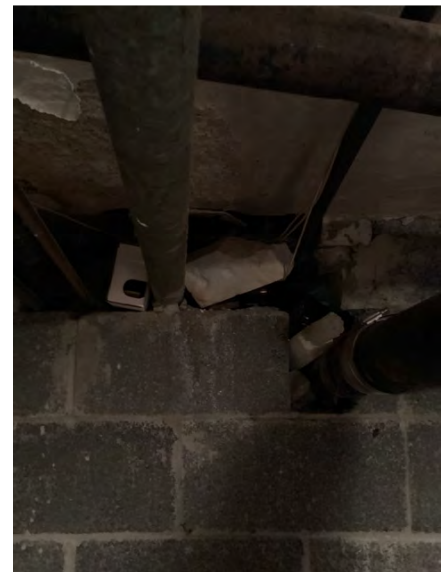
38 6-501.111 (A)(B)(D) Controlling Pests - Storefront -

- C** Numerous mice dropping found near fridge next to bar
Code: The premises shall be maintained free of insects, rodents, and other pests. The presence of insects, rodents, and other pests shall be controlled to eliminate their presence on the premises by: routinely inspecting incoming shipments of food and supplies; routinely inspecting the premises for evidence of pests; and eliminating harborage conditions.



38 6-202.15 (A) Outer Openings, Protected - Basement

- C** *Code: Outer openings of a food establishment shall be protected against the entry of insects and rodents by: filling or closing holes and other gaps along floors, walls, and ceilings; closed, tight-fitting windows; and solid, self-closing, tight fitting doors.*



FOOD SAFETY INSPECTION REPORT

Page Number

3

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Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

Utensils, Equipment and Vending

Nonfood contact surfaces clean

49

4-601.11 (B) Non- Food Contact Surfaces and Utensils Clean - Kitchen -

- C Soiled surfaces on grill. Code: *The food contact surfaces of cooking equipment and pans shall be kept free of encrusted grease deposits and other soil accumulations.*



Physical Facilities

FOOD SAFETY INSPECTION REPORT

Page Number

4

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5:05 PM

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A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

Physical Facilities installed, maintained & cleaned

55

6-501.114 Unnecessary Items and Litter - Service Station FOH -

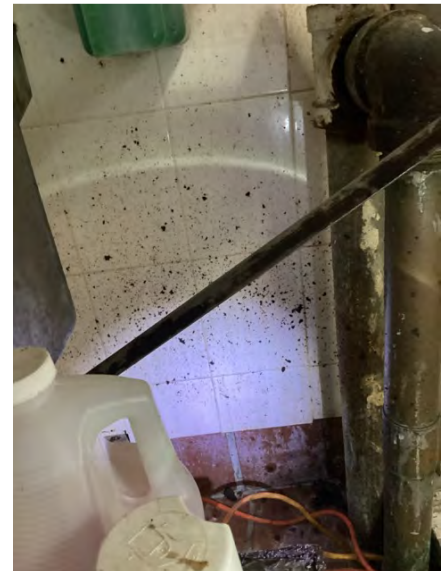
- C Unnecessary clutter found near back door. Code: *The premises shall be free of items that are unnecessary to the operation or maintenance of the establishment that is nonfunctional or no longer used and litter.*



55

6-501.12 Cleaning. Frequency/Restrictions - Kitchen -

- C Soiled back wall behind three bay sink Code: *The physical facilities shall be cleaned as often as necessary to keep them clean. Except for cleaning that is necessary due to a spill or other accident, cleaning shall be done during periods when the least amount of food is exposed such as after closing.*



FOOD SAFETY INSPECTION REPORT

Page Number

5

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Inspection Number
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7/1/22

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Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

55

6-101.11 (A) Indoors. Surface Characteristics - Basement

- C** Rusty racks found in walk-in. Needs to be replaced.
Code: Materials shall be smooth, durable, and easily cleanable for areas where food establishment operations are conducted, closely woven and easily cleanable carpet for carpeted areas, and nonabsorbent for areas subject to moisture such as food preparation area, walk-in refrigerators, warewashing areas, and areas subject to flushing or spray cleaning methods.



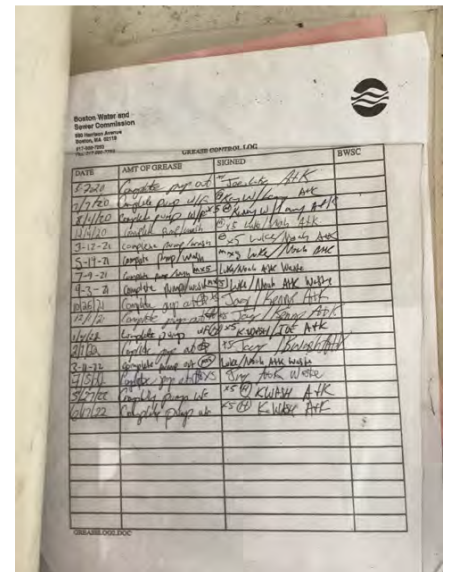
Notes

Notes

88

Notes - Kitchen -

- N** Grease trap, last serviced 6/17 - General Notes.



FOOD SAFETY INSPECTION REPORT

Page Number

6

The Rice Barn
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5:05 PM

Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

88

Notes - Storefront -

N Dining area clean - General Notes.



88

Notes - Storefront -

N Evidence pest control - General Notes.



FOOD SAFETY INSPECTION REPORT

Page Number

7

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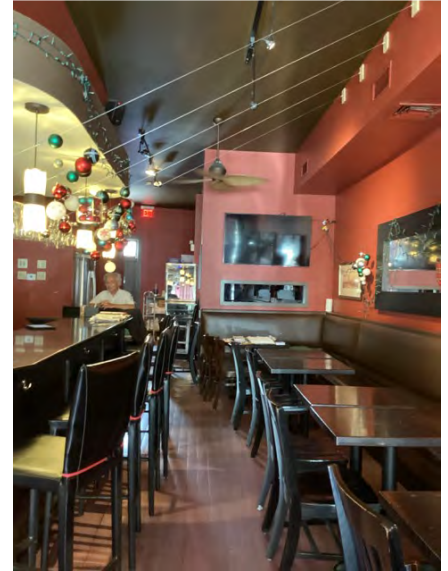
Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

88 Notes - Storefront -

N Bar area - General Notes.



88 Notes - Storefront -

N 5/3 receipt - General Notes.



FOOD SAFETY INSPECTION REPORT

Page Number

8

The Rice Barn
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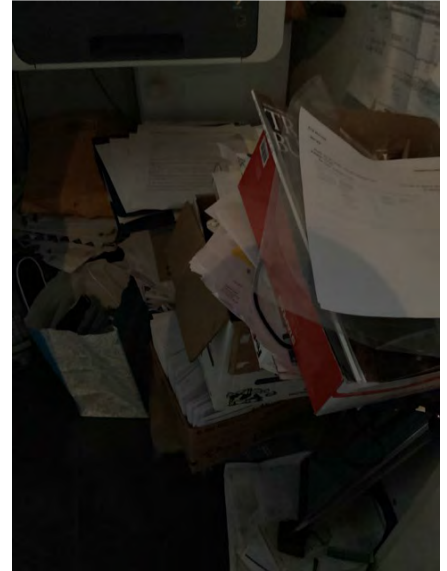
Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

88 Notes - Service Station FOH -

N Charles office, unnecessary clutter - General Notes.



88 Notes - Service Station FOH -

N Unknown substance found on shelf - General Notes.



FOOD SAFETY INSPECTION REPORT

Page Number

9

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7/1/22

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Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

88

Notes - Kitchen -

N New grease trap - General Notes.



88

Notes - Kitchen -

N Hood last serviced May 2022 - General Notes.



FOOD SAFETY INSPECTION REPORT

Page Number

10

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Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

88 Notes - Kitchen -

N Cutting boards re-surfaced. - General Notes.



Temperatures

Area	Equipment	Product	Notes	Temps
------	-----------	---------	-------	-------

Temperatures in **RED** identify items in the temperature danger zone. See the report notes for specific details.

Notes

Supplemental notes and observations

Upon entry, smelt gas. Ventilation hood turned on to reduce.
2-3 hours refrigeration units been on.
Charles knowledgeable danger zone of food.

Todd Tarasuic - Dishwasher present
Jackie Pierce - Server/host/dishwasher present

FOOD SAFETY INSPECTION REPORT

Page Number

11

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

Inspection Number
635BA

Date
7/1/22

Time In/Out
1:46 PM
5:05 PM

Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

Andy Zheng- chef, not present

Prep sink labeled.

Needs to replace thermostat in all refrigeration units.

Dishwasher sanitizer solution in good range and temperature.

Ice machine last cleaned 6 months ago, looks clean.

SOPs needed for colored knives and cutting boards required.

During conversation, owner stated that he is in the establishment every day, but has not been informing the health department when he accesses his building.

Electrical cord running through kitchen was removed off of the floor, please send confirmation of licensed electrician service receipt .

Please send us a list of establishment names previously used as GHOST KITCHEN, for Uber eats, Grubhub and chow now.

The Rice Barn
1037 Great Plain Ave
Needham, MA 02492

July 1, 2022

Needham Public Health Division
178 Rosemary Street
Needham, MA 02492

Dear Sirs and Madame:

RE: Three compartment sink in basement

I understand that The Board of Health requires the installation or removal to be done under a Massachusetts licensed plumber. Because of the time limitation we would like to ask for a flexibility. The Rice Barn may apply for an installation permit at a later date.

At the moment the subject has been removed from the premise per your request.

We put the subject in place at one time, just to test of its appropriateness. We did not connect running water or drains to the subject. We did not involve existing plumbing. We request that the Board waive the removal permit requirement.

Your consideration is greatly appreciated.

Very truly yours,
THE RICE BARN



Chalernpol Intha



Background of the three compartment sink:

When we bought The Rice Barn in September 2013, the sink has been here in the storage (the deep end of the basement). We believe that it has been here since 2007 (when The Rice Barn's former owner started the business) or before (when it was a Chinese restaurant called Joy Luck). One day Monica Pancare (the health inspector) saw the subject and suggested that we throw it away. We evaluated and find that it still has a useful life. We believe that at one time or another it must have been installed for use in this restaurant.

Chalernpol Intha



Board of Health
Town of Needham
AGENDA FACT SHEET



MEETING DATE:
Tuesday July 19, 2022

Agenda Item	Proposed Revisions to Article 20: Regulation to Ensure the Sanitary and Safe Operations of Marijuana Treatment Centers
Presenter(s)	Tiffany Zike, Assistant Director of Public Health

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	Discussion about the changes made to the MTC regulations. The Board of Health will need to discuss whether to allow discounts for certain medical conditions, seniors, veterans, and staff members of MTCs.
2.	VOTE REQUIRED BY BOARD OF HEALTH
	Potential vote needed if agreement is made with the Board Members. "I move to approve Article 20, as proposed and amended by the Board of Health."
3.	BACK UP INFORMATION:
	Article 20 revised draft- changes made to the Marijuana Treatment Center regulations



Board of Health

Kathleen Ward Brown, ScD

Edward Cosgrove, PhD

Stephen Epstein, MD, MPP

Tejal K. Gandhi, MD, MPH Robert Partridge, MD, MPH

ARTICLE 20 REGULATION TO ENSURE THE SANITARY AND SAFE OPERATIONS OF MARIJUANA TREATMENT CENTERSMARIJUANA TREATMENT CENTERS AND THE SALE OF MARIJUANA TO PERSONS WITH DOCUMENTED MEDICAL NEEDS

SECTION 20.1 – 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," and pursuant to Chapter 369 of the Acts of 2012 An Act for the Humanitarian Medical Use of Marijuana ("The Act") and the Cannabis Control Commission Regulation, [regulation, 935 CMR 501.000](#) : MEDICAL USE OF MARIJUANA. The primary purpose of 935 CMR 501.000 is to implement St. 2017, c. 55: An Act to Ensure Safe Access to Marijuana; M.G.L. c.94G and M.G.L. c. 941

SECTION 20.2 – PURPOSE

The primary purpose of this regulation is to provide for local oversight and inspection of Marijuana Treatment Centers (MTC) and hardship cultivation sites within the town; oversight and inspections will be provided by the Needham Board of Health and its agents to ensure the safe and sanitary operation of any such MTC or hardship cultivation site consistent with public health and safety.

The regulation is intended to ensure that only people with a documented medical need will acquire medical marijuana or marijuana-infused products pursuant to the Act, and that marijuana will not be diverted to individuals without a documented medical need. Since the existence of an MTC or hardship cultivation site present a risk of improper diversion

and other collateral consequences within the community, it is necessary to regulate this activity at the local level.

SECTION 20.3 – DEFINITIONS

Unless otherwise indicated, terms used throughout this regulation shall be defined as they are in [935 CMR 501.000](#).

Board of Health: Town of Needham Board of Health and its designated agents.

Board of Health Agent: The Director of Health and Human Services and any town employee designated by the Director, which may include Public Health Department staff, law enforcement officers, fire officials, and code enforcement officials.

Business Agent: A Treatment Center Agent, as also defined in [935 CMR 501.000](#), who has been designated by the MTC Permit Holder to be a manager in charge of the MTC facility and its operations.

Card Holder: A registered qualifying patient, a personal caregiver, or a Treatment Center agent of an MTC who has been issued and possess a valid registration card.

Director: The Director of Health and Human Services.

Treatment Center Agent: A Treatment Center Agent, as also defined in [935 CMR 501.000](#), is a board member, director, employee, executive, manager, or volunteer of a MTC, who is at least 21 years of age. Employee includes a consultant or contractor who provides on-site services to an MTC related to the cultivation, harvesting, preparation, packaging, storage, testing, or dispensing of marijuana.

Home Permit: Issued by the Board of Health, to be renewed annually, to the holder of a hardship cultivation registration issued by the Cannabis Control Commission (CCC) in [935 CMR 501.000](#), which registration is for a specific location within the town.

Marijuana Treatment Center (MTC): A Marijuana Treatment Center is an entity registered under 935 CMR 501.000, that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. The term MTC may also refer, in context, to the site of dispensing, cultivation, and preparation of marijuana by an MTC entity.

MTC Permit: A Marijuana Treatment Center Permit, to be renewed annually, which may be issued by the Board of Health to a corporation holding a Certificate of Registration issued by

the Cannabis Control Commission (CCC) pursuant to 935 CMR 501.000, which permits a MTC to operate within the town.

Non-Residential Roll-Your-Own (RYO) Machine: A mechanical device made available for use (including to an individual who produces rolled marijuana products solely for the individual's own personal consumption or use) that is capable of making rolled marijuana products. RYO machines located in private homes used for solely personal consumption are *not* Non-Residential RYO machines.

Period of Performance: The time period for which violations of an MTC or Home Permit are counted. For example, a violation that occurs in July 2022 will no longer weigh on the MTC or Home Permit holder's record with the Board of Health after the passage of 36 months from the date of the discipline imposed for that violation. If the Board of Health hearing on the violation occurred on July 31, 2022, then the violation will be outside the period of performance and no longer counted on August 1, 2023.

Self-Service Display: Any display from which customers may select marijuana or a marijuana-infused product without assistance from a Treatment Center.

Town: The Town of Needham, Massachusetts.

Vending Machine: Any automated or mechanical self-service device, which upon insertion of money, tokens, or any other form of payment, dispenses or makes marijuana products.

Verified Financial Hardship: Is an individual's status as a recipient of MassHealth or Supplemental Security Income, or else a determination that an individual's income does not exceed 300% of the federal poverty level when adjusted for family size.

Violation: A failure to comply with an operational requirement outlined in this regulation. For this regulation, a MINOR violation is a failure to comply with specific regulatory requirements which, while important, does not jeopardize the primary purposes of this regulation. A MAJOR violation is one that has the potential to jeopardize the primary purposes of this regulation, meaning that non-compliance in this area may divert marijuana to individuals without a documented medical need and/or which may produce significant collateral consequences to community health and safety.

Commented [LS1]: There was some discussion about changing this to a higher threshold.

Commented [TZ2R1]: That is the same as what CCC has. I would leave it unless the board wants to change it. I can add it to the questions at the next meeting.

SECTION 20.4 – PERMIT TO OPERATE A REGISTERED MARIJUANA TREATMENT CENTER

20.4.1 – Permits for a Marijuana Treatment Centers

- A. No person or organization shall sell or otherwise distribute marijuana or marijuana-infused products within the Town of Needham without first obtaining an MTC Permit. An MTC Permit may only be issued to a corporation which:

- (i) has a current Certificate of Registration issued by the Cannabis Control Commission (CCC) pursuant to 935 CMR 501.000; and
- (ii) has a permanent, non-mobile location in Needham approved by the CCC for use as an MTC; and
- (iii) complies with all applicable zoning requirements.

And which provides satisfactory documentation of compliance with those requirements to the Board of Health.

- B. The applicant shall also submit to the Board of Health a copy of the operating policies and procedures for the MTC which was submitted to CCC pursuant to 935 CMR 501.000 and any other relevant CCC directives, memoranda, or notifications.
- C. The applicant shall sign a statement declaring that the applicant understands that, under this local regulation:
 - (i) all Treatment Center Agents are responsible for complying with all local and state regulations pertaining to the operation of the MTC. Specifically, a violation of any provision of 935 CMR 501.000 or other applicable state regulations constitutes a violation of this regulation, which may be enforced by the Board of Health; and
 - (ii) the applicant is responsible for providing instruction and training for Treatment Center Agents in all applicable local and state regulations; and
 - (iii) the fact that a Treatment Center Agent, vendor, or other person associated with the MTC is unaware of a regulation or lacks understanding of its content, shall not be a defense to any violation; and
 - (iv) the Board of Health and its designated agents may conduct periodic, unannounced inspections of the MTC premises.
- D. The fee for an MTC Permit shall be at the level determined in the Needham Board of Health's Fee Schedule. All MTC Permits expire on June 30 annually, regardless of the year or day and month on which they were issued.
- E. The initial plan review for marijuana-infused product production facilities (see section 20.5.1) shall result in a fee at the level determined in the Needham Board of Health's Fee Schedule. The initial plan review for the safe and sanitary storage of marijuana-infused products in a MTC (see section 20.5.2) shall result in a fee at the level determined in the Needham Board of Health's Fee Schedule. The initial plan review for trash collection and the safe and sanitary disposal of waste (see section 20.5.3) shall result in a fee at the level determined in the Needham Board of Health's Fee Schedule. The plan reviews for emergencies and continuity of operations (see section 20.5.4) and for safety and security (see section 20.5.5) shall result in a fee at the level determined in the Needham Board of Health's Fee Schedule.
- F. MTC Permits in good standing may be renewed annually by the Board of Health, at the Board's discretion, based on a complete and satisfactory application, in a form required

by the Board, filed by the MTC and payment by the MTC of the annual fee according to the fee schedule.

- (i) Any material changes from the most recent approved operating policies and procedures, or from the plans described in Section E above shall be disclosed in the renewal application, and MTC shall pay the applicable fees for any reviews which the Board deems necessary as a condition of renewal.
 - (ii) If a permit has been modified by the Board, the MTC shall demonstrate compliance with any requirements of that modification, to the satisfaction of the Board, as a condition of renewal and shall pay the applicable fees for any reviews which the Board deems necessary as a condition of renewal.
 - (iii) If a permit has been suspended by the Board, prior to reinstatement of the permit, the MTC shall provide evidence satisfactory to the Board that it will comply with all requirements of the Board and these regulations, and shall pay the applicable fees for any reviews which the Board deems necessary as a condition of renewal
 - (iv) If a permit has been revoked by the Board, the MTC permit may be reissued based on a new application, all necessary fees, and a public hearing.
- G. A separate MTC Permit is required for each MTC retail establishment selling marijuana or marijuana-infused products within the Town. A violation of this provision constitutes a MINOR violation of these regulations.
- H. Each MTC Permit shall be displayed at the MTC retail establishment in a conspicuous place. A violation of this provision constitutes a MINOR violation of these regulations.
- I. An MTC Permit is non-transferable. A violation of this provision constitutes a MINOR violation of these regulations.
- J. An MTC Permit will not be renewed if the MTC Permit Holder has failed to pay any outstanding fines or fees or failed to satisfy any other penalties or conditions lawfully imposed by the Town.
- K. An MTC may not open for business before 8:00 A.M. and shall close no later than 8:00 P.M., on each day the MTC is open. Deliveries from, or on behalf of, the MTC that are made to patients must adhere to the same hours. The hours and days of MTC operation must be posted conspicuously on the front entrance door. A violation of this provision constitutes a MINOR violation of these regulations.
- L. Acceptance of an MTC Permit constitutes an agreement by the MTC that it will adhere to the practices, policies, and procedures described or submitted with its application, as well as the relevant laws, state and local regulations, and conditions imposed by the

Board of Health as part of the permit process.

20.4.2 – Inspections and Compliance of Marijuana Treatment Centers

- A. Treatment Center Agents must present their Registration Card on request by any Board of Health agent. A violation of this provision constitutes a MINOR violation of these regulations.
- B. Issuance and maintaining an MTC Permit shall be conditioned on the MTC Permit Holder's ongoing consent to periodic, unannounced inspections of the MTC premises by the Board of Health and its designated agents. The applicant also consents to abide by the provisions relating to inspections found in 935 CMR 501.000 and related sections including, but not limited to, "deficiency statements" and "plans of correction." A violation of this provision constitutes a MINOR violation of these regulations.
- C. There must be a designated Business Agent on the premises at all times that the MTC is open for business. A violation of this provision constitutes a MINOR violation of these regulations.
- D. The Board of Health and its designated agents, as well as the Needham Police Department, shall be provided with an updated phone list through which a Business Agent may be reached on a 24-hour basis. A violation of this provision constitutes a MINOR violation of these regulations.
- E. Issuance and maintaining an MTC Permit shall be conditioned on the MTC Permit Holder's ongoing consent to provide the Board of Health with copies of the Registration Cards for all Treatment Center Agents working at the MTC, and the names of all Business Agents of the MTC, and to submit any changes in staffing and registration information within five (5) business days. The notification and information about changes in staffing and registration shall be submitted in either paper copy via courier or certified mail or else electronically in a verified e-signed PDF format. A violation of this provision constitutes a MINOR violation of these regulations.
- F. As per, 935 CMR 501.030 (3), the MTC Permit Holder shall submit to the Cannabis Control Commission the Criminal Offender Record Information (CORI) and a Sex Offender Registry Information (SORI) on all applicants for the positions of Treatment Center Agent and for Business Agents. The results of those inquiries shall be submitted to the Needham Public Health Division upon request. A violation of this provision constitutes a MINOR violation of these regulations.
- G. Issuance and maintaining an MTC Permit shall be conditioned on the MTC Permit Holder's ongoing consent to provide the Board of Health with updated copies of all MTC documents including copies of staffing plans, training protocols, audit results, security assessments (subject to appropriate redaction), and all other documents.

Updated submissions shall be sent to the Board of Health monthly electronically in a verified e-signed PDF format. A violation of this provision constitutes a MINOR violation of these regulations.

- H. No MTC Permit Holder shall permit any disorder, disturbance, or illegality of any kind to take place in or on the licensed premises. The term “illegality” includes, but is not limited to, any violation of 935 CMR 501.000 and related directives, memoranda or notifications; and any violation of these regulations promulgated by the Board of Health. The Permit Holder shall be responsible for any disorder, disturbance or illegality of any kind whether present or not. A violation of this provision shall be considered may be considered either a MINOR or a MAJOR violation depending upon the severity of the illegality identified.
- I. Failure or refusal of an MTC or Home Permit holder to cooperate with the Board of Health or its agent shall be considered a MAJOR violation of these regulations.

20.4.3 – Records Retention of Marijuana Treatment Centers

- A. An MTC Permit Holder shall notify the Needham Public Health Division and the Board of Health verbally and in writing within 24 hours of a visit to the premises or request for information by any representative of CCC acting in an official capacity. The MTC Permit Holder shall provide the Board with any reports, correspondence, emails, or other information from CCC on demand or, in any case, within five (5) business days after receipt by the MTC. A violation of this provision constitutes a MINOR violation of these regulations.
- B. Video surveillance shall conform to the requirements of 935 CMR 501.110 (5) and any other related regulations, directives, memoranda, or notifications from CCC. In addition, as conditions of issuing or maintaining its MTC Permit, the Board of Health may require other, reasonable surveillance operations and security (e.g., an off-site backup system). Furthermore, the MTC must allow for immediate viewing of video surveillance by the Board of Health or its designated agents, upon request. A copy of a requested recording shall be provided as soon as practicable to these officials. All video recordings shall be retained for a minimum of 90 days. Furthermore, as soon as the MTC is aware of any recording that might relate to a criminal, civil or administrative investigation or legal proceeding of any kind, the MTC shall not alter or destroy the recording without the written permission of both the Director and the Chief of Police for the Town of Needham. A violation of this provision constitutes a MAJOR violation of these regulations.
- C. Issuance and maintaining an MTC Permit is conditioned on maintaining all records outlined in 935 CMR 501.105 (9) and other CCC regulations, directives, memoranda, and notifications, along with any other documents reasonably required by the

Board of Health in writing. Following closure of an MTC, all records must be kept for at least two (2) years at the expense of the MTC and in a form and location acceptable to the Board of Health. Moreover, as a condition of issuing and maintaining an MTC Permit, the Board of Health may reasonably require that the new owner of a MTC retain records generated by the previous MTC at the expense of the new MTC. A violation of this provision constitutes a MINOR violation of these regulations.

20.4.4 – Other Restrictions for Marijuana Treatment Centers

- A. For MTCs that cultivate marijuana, the cultivation and processing facility shall not adversely affect the health or safety of the nearby residents or businesses by creating dust, glare, heat, noise, nuisance odors, noxious gases, materials, processes, products, or wastes. Growing areas shall be within a self-contained, locked structure, with a one-hour firewall assembly made of green board or other construction specifically approved by the Town's building inspector, well ventilated with odor control, and shall not create humidity or mold issues within the establishment. A violation of this provision constitutes a MAJOR violation of these regulations.
- B. No MTC is permitted to sell or distribute alcoholic beverages or tobacco products and may not hold either a tobacco sales permit or a liquor license. A violation of this provision constitutes a MAJOR violation of these regulations.
- C. No MTC is permitted to hold a Common Victualler license for on-premises food consumption. A violation of this provision constitutes a MAJOR violation of these regulations.
- D. No MTC is permitted to be a Massachusetts lottery dealer or to engage in any gaming activities. A violation of this provision constitutes a MAJOR violation of these regulations.

SECTION 20.5 – PLAN REVIEWS OF MARIJUANA TREATMENT CENTERS

20.5.1 – Off-Site Cultivation and Marijuana-Infused Product Preparation Plan Review

An applicant who wishes to sell edible marijuana-infused products at an MTC must, prior to beginning operations, undergo a plan review of any marijuana-infused product processing and preparation facilities, regardless of their location, for any marijuana-infused products that will, at some point, be delivered, distributed, produced, sold, or stored within the Town. The Board of Health and its designated agents will conduct the plan review, which may include a facilities inspection, to ensure sanitary handling and processing conditions and practices.

20.5.2 – Plan Review for Marijuana-Infused Product Storage, Handling, and Labeling at MTC Retail Location

An applicant who wishes to sell edible marijuana-infused products at an MTC must, prior to beginning operations, undergo a plan review of all marijuana-infused products storage, handling, and sale locations within the MTC. The Board of Health and its designated agents will conduct the plan review, which may include a facilities inspection, to ensure sanitary handling and storage conditions and practices in line with the requirements outlined in the [105 CMR 590.000](#), the State Sanitary Code.

The requirements of 105 CMR 590 include specific actions to prevent the growth of bacteria. *Clostridium botulinum* is a bacterium whose spores are present on plant material and in soil. Spores are present in many plant material extractions and can survive cooking and pasteurization temperatures. These spores can spontaneously germinate (grow into bacteria) given the right conditions or substrate. The bacteria can produce a powerful toxin which can cause severe illness or death. Specific actions required of an MTC selling marijuana-infused products are:

- A. Except during preparation, cooking, or cooling, time and temperature control for safety items shall be maintained at 5°C (41°F) or less to prevent the growth of bacteria. This shall apply, unless specifically permitted by the Board of Health or its agents, to all:
 - (i) marijuana extractions and concentrates intended for non-smoking oral consumption (i.e., eating, drinking);
 - (ii) infusions made from those extractions, such as infused oils, butters, honey, etc.; and
 - (iii) foods that have such infusions or extractions as an ingredient.
- B. If a marijuana extraction, concentrate, or infusion has been continuously refrigerated and is then added as an ingredient into baked goods that have a low water activity, such as most cookies and brownies, these baked products may be considered shelf-stable if explicitly reviewed and permitted by the Board of Health or its agents.
- C. If the extracted marijuana concentrate is immediately infused into a 190/200 proof alcohol with no additional ingredients (including flavorings or other additives) and the tincture is homogenous, then the growth of *C. botulinum* spores may have been prevented. Homogenous 190/200 proof alcohol tinctures may be safe to store outside of refrigerated temperatures if explicitly reviewed and permitted by the Board of Health or its agents.
- D. Approvals for any variance from the safe and sanitary storage requirements outlined above will be based upon:
 - (i) a review of written procedures that are followed to make the product;
 - (ii) the use of control measures described above; and
 - (iii) any other scientific evidence submitted by the manufacturer from a certified laboratory or process authority that demonstrates the safety of the product in question. For example:
 - a) pH and/or water activity testing must be conducted by an accredited

- laboratory;
- b) three samples from separate batches must be tested; and
 - c) all samples must meet the criteria for a non-potentially hazardous food as described in Tables A and B of the 2013 *FDA Food Code*.
- E. At any time, the Board of Health or its agents may require a Hazard Analysis and Critical Control Points plan before approving the distribution of marijuana-infused products.
- F. Photos or images of food are not allowed on marijuana-infused product labels.
- G. All marijuana-infused products must be contained in an opaque package.
- H. If the marijuana-infused product is identified on the label using a common food name (i.e., brownie, honey, chocolate, chocolate chip cookie, or green tea), the phrase “MEDICAL MARIJUANA” must be written before the common food name. This phrase must be as easy to read as the common food name (i.e., same font size).
- I. As per 935 CMR 501.105 (6) (b), packaging is explicitly prohibited from:
- a. Imitating or having a semblance to any existing branded consumer products, including foods and beverages, that do not contain marijuana;
 - b. Featuring cartoons;
 - c. Featuring a design, brand or name that resembles a non-cannabis consumer product of the type that is typically marketed to minors;
 - d. Featuring symbols or celebrities that are commonly used to market products to minors;
 - e. Featuring images of minors;
 - f. Featuring words that refer to products that are commonly associated with minors or marketed to minors;
- J. Only generic food names may be used to describe the marijuana-infused products. As an example, using “Snickerdoodle” to describe a cinnamon cookie is prohibited.
- K. All marijuana-infused product labels must state the following:
- (i) A batch number, sequential serial number, and bar code when used, to identify the batch associated with manufacturing and processing;
 - (ii) A statement that the product has been tested for contaminants, that there were no adverse findings, and the date of testing in accordance with 935 CMR 501.105 (5);
 - (iii) The manufacture date as well as a “Best by” or “Use by” or expiration date;
 - (iv) Net weight of Medical Marijuana and the THC level in the marijuana-infused product, and the net weight of Medical Marijuana and the THC level contained **per dose or serving** (if the marijuana-infused product is not a single serving or dose);
 - (v) A list of ingredients as well as the cannabinoid profile of the marijuana contained within the marijuana-infused product;

- (vi) A warning if nuts or other known allergens are contained in the product;
- (vii) Directions for use of the product if relevant;
- (viii) The statement "For Medical Use Only"; and
- (ix) The statement, including capitalization: "This product has not been analyzed or approved by the FDA. There is limited information on the side effects of using this product, and there may be associated health risks. Do not drive or operate machinery when under the influence of this product. KEEP THIS PRODUCT AWAY FROM CHILDREN."

- L. Labels and packaging of edible and non-edible products may be reviewed by a Board of Health agent for compliance with all requirements stated above.

A violation of any of the provisions of 20.5.2 (A) through (J) shall constitute a MINOR violation of these regulations.

20.5.3 – Plan Review for Safe and Secure Disposal of Waste, Refuse, or Damaged Product

An applicant for an MTC Permit shall develop a plan for the safe and secure storage and disposal of any waste, refuse, or damaged marijuana, marijuana-infused products, and related products. Such a plan will be based on the requirements outlined in 935 CMR 501.105 (12) and will be subject to review and approval by the Board of Health and its designated agents prior to the MTC beginning operations.

20.5.4 – Plan Review for Emergencies and Continuity of Operations

In accordance with emergency planning requirements specified in 935 CMR 105 (1) (j) and similar to the responsibilities outlined in the Risk Management and Continuous Quality Improvement section of the *Guidelines for the Accreditation of Opioid Treatment Programs* which are authorized in [42 CFR 8.12\(c\)](#), an applicant for an MTC Permit shall develop an emergency management program to ensure the safety of its staff and customers and a mechanism by which to ensure the continuity of its operations in response to inclement weather, man-made emergencies, supply chain disruptions, or discipline (including permit suspension) which result in the MTC being unable to provide medical marijuana and marijuana-infused products to patients with a documented medical need. Such a program shall include:

- A. A detailed emergency operations plan and a process by which staff will be trained on that plan and their knowledge of it tested via drills and exercises. The emergency operations plan will:
 - (i) Include a set of contact procedures for staff, customers, and community partners in the event of an emergency;
 - (ii) Specify a process for contacting Treatment Center Agents on a 24-hour, 7-day-a-week basis through a telephone answering service or a similar service provider; and
 - (iii) Include protocols for the maintenance of life safety equipment (fire extinguishers and automated external defibrillators-AEDs, for example) and the training of staff on the proper use of the same;

- B. A detailed continuity of operations plan for the emergency administration of medication in response to inclement weather, human-caused emergencies, supply chain disruptions, or discipline (including permit suspension under these regulations) which result in the MTC being unable to provide medical marijuana and marijuana-infused products to patients with a documented medical need. This continuity of operations plan will:
- (i) Include provisions for the notification of patients in the event that inclement weather, man-made emergencies, supply chain disruptions, or discipline under these regulations might result in a temporary disruption to medication supply; and
 - (ii) Include formal contractual arrangements to fulfill patient orders for medical marijuana and marijuana-infused products in the face of service disruption; these plans will specify order fulfillment and delivery arrangements with at least two (2) MTCs that are not otherwise affiliated with the applicant for a Needham MTC Permit.

Such a plan will be subject to review and approval by the Board of Health or its designated agents prior to the MTC beginning operations, and at least annually thereafter.

20.5.5 – Safety and Security Plan Review

In accordance with the criteria specified in 935 CMR 105.110—the Security Requirements for Marijuana Treatment Centers—an applicant for an MTC Permit shall develop a comprehensive security plan. Such a plan will be subject to review and approval by the Director, the Chief of Police, and the Fire Chief prior to the MTC beginning operations, and at least semi-annually thereafter.

SECTION 20.6 – MARIJUANA SALES BY MARIJUANA TREATMENT CENTER

20.6.1 – No person or organization shall sell marijuana or marijuana-infused products from any location other than at an MTC that possesses a valid MTC Permit. A violation of this provision constitutes a MAJOR violation.

20.6.2 – A sign shall be conspicuously posted on the exterior of the establishment at each entrance to the MTC, indicating that the entry to persons who do not possess either a valid Registration Card or a Personal Caregiver Registration Card is prohibited. The sign shall remain unobstructed, secured to the building at a height of no less than four (4) feet or greater than seven (7) feet from the ground, and maintained in good condition. A violation of this provision shall be considered a MAJOR violation.

20.6.3 – Treatment Center Agents or organizations shall verify the Registration Card or Personal Caregiver Registration Card of the Card Holder in accordance with the procedures outlined in 935 CMR 105.000 and any other directives, memoranda, or notifications from DPH. In addition, the Registration Card shall be verified for each and every Card Holder or Personal

Caregiver, on each and every occasion that he or she enters the MTC, without exception. The failure to verify, regardless of the prior history of the Card Holder at the MTC, constitutes a MAJOR violation of this regulation.

20.6.4 – All retail sales of marijuana and marijuana-infused products must be face-to-face between the Treatment Center Agent and the Card Holder or Personal Caregiver on the premises of the MTC, unless the Card Holder or Personal Caregiver is the proper recipient of home delivery in accordance with all applicable CCC regulations. A violation of this provision constitutes a MAJOR violation of these regulations.

20.6.5 – No person shall:

- A. Distribute, or cause to be distributed, any free samples of marijuana or marijuana-infused products; or
- B. Accept or redeem, offer to accept or redeem, or cause or hire any person to accept or redeem, or offer to accept or redeem, through any coupon or other method, any marijuana or marijuana-infused product for less than the listed or non-discounted price; or
- C. Sell marijuana or a marijuana-infused product through any discounts (e.g., “buy-two-get-one-free”) or otherwise provide any marijuana or marijuana-infused product for less than the listed or non-discounted price in exchange for the purchase of any other product unless offered to all medical marijuana patients at the same discounted price regardless of reason for the medical card.
- D. The provisions of 20.6.5 shall not prohibit dispensing of free or discounted marijuana or marijuana-infused products to card holders whose ability to pay for a product deemed medically necessary is limited by demonstrable financial hardship.
- E. A violation of any of the provisions of 20.6.5(A) through 20.6.5(D) shall constitute a MAJOR violation of these regulations.

Commented [TZ3]: Added per comments from Board of Health. There were differing opinions about veterans, seniors, and staff member discounts.

20.6.6 – MTCs are prohibited from using self-service displays. A violation of this provision shall be considered a MINOR violation.

20.6.7 – MTCs are prohibited from using vending machines. A violation of this provision shall be considered a MINOR violation.

20.6.8 – MTCs are prohibited from using Non-Residential Roll-Your-Own machines. A violation of this provision shall be considered a MINOR violation.

20.6.9 – An MTC and its agents are prohibited, in accordance with restrictions outlined in 935 CMR 501.105 (4) and (6), from providing:

- A. Any statement, design, representation, picture, or illustration that encourages or represents the use of marijuana for any purpose other than to treat debilitating medical condition or related symptoms;
- B. Any statement, design, representation, picture, or illustration that encourages or represents the recreational use of marijuana;
- C. Any statement, design, representation, picture, or illustration related to the safety or efficacy of marijuana unless supported by substantial evidence or substantial clinical data with reasonable scientific rigor as determined by the Board of Health or its agents;
or
- D. Any statement, design, representation, picture, or illustration portraying anyone under 18 years of age.
- E. A violation of any of the provisions of 20.6.9(A) through 20.6.9(D) shall constitute a MINOR violation of these regulations.

20.6.10 – An MTC, in accordance with restrictions outlined in 935 CMR 501.105 (4) and (6), must adhere to the following Marketing and Advertising Requirements:

- A. An MTC may develop and use a logo for labeling, signage, and other materials, but that logo may not contain medical symbols, images of marijuana and marijuana-related paraphernalia, or colloquial references to cannabis and marijuana. Likewise, an MTC may not offer for sale or as a promotional gift any items which contain symbol of or references to marijuana or marijuana-infused products, including the logo of the MTC.
- B. An MTC may only identify the MTC building and MTC location by the registered name and shall not display advertisements for marijuana or any brand name nor utilize graphics related to marijuana or paraphernalia on the building.
- C. MTC external signage shall not be illuminated except for a period of 30 minutes before sundown until closing and shall comply with Article 5 of the Town of Needham By-Laws which regulates signage advertising. Neon signage is prohibited at all times.
- D. No marijuana, marijuana-infused products, and other related products shall be visible or displayed in such a way as to be seen from the exterior of an MTC. Within the MTC, one sample of each marijuana strain and each infused product may be displayed in a transparent and locked case.
- E. Inside the MTC, all marijuana which is not displayed in accordance with state and local restrictions (as outlined in 935 CMR 501.105(4) (a) (4) and in Section 20.6.10(D) above) shall be stored in a locked, access-controlled space in a limited access area during non-

business hours. This access-controlled space shall be inaccessible to any persons other than Treatment Center agents.

- F. An MTC shall provide a catalog or a printed list of the prices and strains of marijuana available at the MTC to registered qualifying patients and personal caregivers upon request; may display a list of product prices within the MTC as long as it is not visible from outside the MTC; and may list product prices on the MTC website; but shall not advertise product prices.
- G. A violation of any of the provisions of 20.6.10(A) through 20.6.10(F) shall constitute a MINOR violation.
- H. If, during the course of an inspection or compliance check at the MTC Cultivation or Production Site, mold, infestation, or other diseases affecting marijuana plants is observed, then the Board of Health or its Agents may order the segregation and/or destruction of all such plants (as well as surrounding plants) to prevent a threat to the public's health.

SECTION 20.7 – HOME CULTIVATION

20.7.1 – Marijuana cultivation or processing of any kind is prohibited within the Town of Needham without an MTC Permit or Home Permit issued by the Needham Board of Health.

20.7.2 – Prior to any home cultivation taking place within the town, even by a qualifying patient or caregiver under 935 CMR 501.000, the respective individual must obtain a Home Permit. Cultivation that takes place without a permit is outside the coverage of the medical marijuana program under Massachusetts General Laws, Chapter 94C.

20.7.3 – A Home Permit shall be granted if the Board of Health determines that:

- A. The applicant does not have access to an MTC by any of:
 - (i) public or private transportation, or
 - (ii) a caregiver with transportation, or
 - (iii) an MTC that will deliver to the applicant or the applicant's caregiver's primary address.

Or that:

- B. The applicant has a verified financial hardship (as defined in 935 CMR 501.002 as enrollment in either MassHealth or Supplemental Security Income, or else that an individual's income does not exceed 300% of the federal poverty level, adjusted for family size) and does not have access to an MTC willing to provide the applicant marijuana at no or an affordable cost.

Commented [LS4]: There was some talk at the last Board meeting about increasing this amount.

Applicants who fail to meet the above-described hardship standard will not receive a Home Permit and will be informed, in a written statement, that marijuana cultivation is prohibited in Needham without an MTC Permit or Home Permit, and that any such cultivation is outside the coverage of the medical marijuana program and is subject to prosecution as a crime under Massachusetts General Laws, Chapter 94C.

20.7.4 – Subject to the provisions of Section 20.7.3, the Board of Health may issue a Home Permit authorizing cultivation activities at a specified address within the town, provided that the applicant:

- A. Submits to a pre-approval inspection by the Board of Health or its designated agents, which may include law enforcement officers and fire officials and building inspectors, to ensure that the location specified in the application meets all of the requirements of this regulation; and
- B. Meets all the requirements for home cultivation contained in 935 CMR 501.000 and any related directives, memorandums, or notifications. These include, but are not limited to, an enclosed, locked space, not viewable from a public location, in which cultivation and storage takes place in accordance with public health and safety requirements as determined by the Board; and
- C. Meets all applicable local regulations within the town including, but not limited, fire safety and building code provisions; and
- D. If not the property owner, the applicant has notified the public or private property owner of the specified address, and obtained from that owner consent to any alteration the property's fixtures or structure, including agreement concerning any increased utility costs likely to result from cultivation activities; and
- E. As per MGL Chapter 94I §2, grows only enough marijuana to maintain a sixty (60) day supply, which has been determined by the CCC to be up to 12 flowering plants and up to 12 vegetative plants by CCC; and
- F. Submits to reasonable inspections by the Board of Health or its designated agents, which may include law enforcement officers, to ensure compliance with all of the requirements in this regulation; and
- G. Agrees that a Home Permit only allows for the cultivation and processing of marijuana without the use of any fire, heat source, or gas, except for cooking on a conventional stove originally supplied with the dwelling; and
- H. Agrees that a Home Permit does not allow any method for processing marijuana that presents a risk of explosion or other property damage by any means; and

- I. All Home Permits expire on June 30 annually, regardless of the year or day and month on which there were issued.
- J. If the Board of Health determines that the conditions to achieve the hardship standard permitting a Home Permit for marijuana cultivation no longer exist, the Board of Health may, after notice and opportunity to be heard, revoke the Home Permit and disallow cultivation of marijuana in the home setting of the affected person or persons.
- K. A violation of provision 20.7.4 (B), (C), or (D) shall constitute a MINOR violation of these regulations. A violation of provision 20.7.4 (A), (E), (F), (G), or (H) shall constitute a MAJOR violation of these regulations.
- L. If, during the course of an inspection or compliance check at the Home Permit Site, mold, infestation, or other diseases affecting marijuana plants is observed, then the Board of Health or its Agents may order the segregation and/or destruction of all such plants (as well as surrounding plants) to prevent a threat to the public's health.

SECTION 20.8 – VIOLATIONS

20.8.1 – The period of performance for violations of these regulations is three (3) years. MINOR violations shall be rectified within 72 hours of the violation and shall be subject to re-inspection following that period. MAJOR violations shall be rectified within 24 hours, and shall be subject to re-inspection following that period.

20.8.2 – In addition to any penalty that may be imposed under the non-criminal method of disposition as provided in General Laws, Chapter 40, Section 21D and Town of Needham By Laws, the Board of Health may, after a duly noticed hearing at which the MTC or Home Permit holder has had an opportunity to be heard, suspend, modify, or revoke the MTC Permit or Home Permit. The minimum suspension schedule shall be as follows:

- A. In the case of either five (5) or more MINOR violations or in the case of a MAJOR violation the MTC Permit or Home Permit shall be suspended for seven (7) consecutive business days.
- B. In the case of a second MAJOR violation or in the case of ten (10) or more MINOR violations, the MTC Permit or Home Permit shall be suspended for one (1) month.
- C. In the case of a third MAJOR violation or in the case of fifteen (15) or more MINOR violations, the MTC Permit or Home Permit shall be suspended for six (6) months.
- D. In the case of a fourth MAJOR violation or in the case of twenty (20) or more MINOR violations, the MTC Permit or Home Permit shall be suspended for twelve (12) months

and may, at the Board of Health's discretion, be permanently revoked.

- E. Refusal to cooperate with the Board of Health or its designated agents is considered a separate violation of these regulations and shall result in the suspension of the MTC Permit or Home Permit for a minimum of ninety (90) consecutive business days. This shall be in addition to any other penalty imposed for other violations observed.
- F. Any MTC Permit Holder or Home Permit Holder who engages in or allows the sale, distribution or cultivation of marijuana or marijuana-infused products while his or her permit is suspended shall be subject to permanent revocation.

20.8.3 – The penalties mentioned in 20.8.2 represent the guidelines for action to be taken by the Board of Health for violations, and do not preclude the licensing authority from taking additional action after a duly noticed hearing at which the MTC Permit or Home Permit holder has an opportunity to be heard.

20.8.4 – If during an inspection or a compliance check, a Board of Health Agent determines a MAJOR violation of these regulations exists or has occurred, the Director may temporarily suspend the MTC Permit or Home Permit for a period not to exceed 96 hours while public notice of a scheduled Board of Health hearing is posted in accordance with the provisions of the Massachusetts Open Meeting Law (M.G.L. c. 30A, §§ 18-25).

20.8.5 – If an MTC permit is suspended, the permit holder shall cease sale and distribution of marijuana or marijuana-infused products, and close and secure the MTC premises to the satisfaction of the Director or his/her agents for the period of the suspension. Additionally, notice of the suspension must be publicly posted on the MTC to the satisfaction of the Director or his/her agents.

20.8.6 – If an MTC permit is revoked, the permit holder shall cease all sale, distribution or cultivation of marijuana or marijuana-infused products, and shall close and secure the MTC premises to the satisfaction of the Director or the Director's agents, and the MTC shall submit subject to the approval of the Board or its designated agents, or the Board may order, implementation of a plan for the removal of marijuana and marijuana-infused products and related implements and equipment from the MTC retail establishment. Additionally, notice of the revocation must be publicly posted on the MTC to the satisfaction of the Director or the Director's agents.

20.8.7 – In the case of a suspension or revocation of a Home permit, the Board may order that marijuana or marijuana-infused products and related implements and equipment be removed from the specified Home permit location. The method for removal and storage, and the deadline for compliance, may be specified in the Board's order. In the case of a Home permit, the Board may authorize immediate confiscation of all the items previously mentioned prior to, or after, the hearing, provided that any removed items are not damaged prior to the conclusion of all administrative actions and appeals. Removal and storage of live marijuana plants does not

obligate the Board to assure the maintenance of the plants during the period of suspension or confiscation.

20.8.8 – In the event that an MTC permit or Home permit is suspended or modified, the Permit holder may be ordered to submit a remediation plan addressing all causes for the suspension or modification and all appropriate changes to business practices and operations. That remediation plan is subject to review and approval by the Board of Health prior to reinstating the permit.

SECTION 20.9 – ENFORCEMENT

20.9.1 – Enforcement of this Regulation shall be by the Board of Health and its designated agents.

20.9.2 – Whoever violates any provision of this regulation may be penalized by the non-criminal method of disposition as provided in General Laws, Chapter 40, Section 21D and Town of Needham By Laws, or by filing a criminal complaint.

20.9.3 – Each day any violation exists shall be deemed to be a separate offense.

20.9.4 – 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 20.10 – SEVERABILITY

If any provision of these regulations is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.

SECTION 20.11 – EFFECTIVE DATE

This regulation shall take effect upon **March 31, 2016**. Public hearings and open meetings regarding this regulation were conducted on **November 20, 2015, December 16, 2015, January 8, 2016, and February 12, 2016**. This regulation was approved by a unanimous vote of the Board of Health on **February 12, 2016**.



Board of Health
Town of Needham
AGENDA FACT SHEET



MEETING DATE: July 19, 2022

Agenda Item	COVID-19 Response Phase 2 After-Action Report & Improvement Plan
Presenter(s)	Timothy McDonald, Director of Health & Human Services Tiffany Zike, Assistant Public Health Director

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	The Town of Needham has completed an after-action report and an improvement plan about the Town's response to Phase 2 of the COVID pandemic (we define that as October 2021 through the end of June 2022). The Board of Health will review and discuss the Town's response, specifically focusing upon the strengths and areas for improvement identified for the Public Health Division and Town government as a whole.
2.	VOTE REQUIRED BY BOARD OF HEALTH
	No vote is required, nor is one expected.
3.	BACK UP INFORMATION:
	- COVID-19 Response Phase 2 After-Action Report & Improvement Plan



Town of Needham

**2019 Novel Coronavirus (SARS-CoV-2)
Phase 2 Response: 10/1/2020-6/30/2021**

After Action Report/Improvement Plan

This After-Action Report/Improvement Plan (AAR/IP) aligns real world response objectives with preparedness doctrine to include the National Preparedness Goal and related frameworks and guidance.

EVENT OVERVIEW

Overview

The 2019 novel coronavirus, which was later identified as SARS-CoV-2, emerged in December 2019. SARS-CoV-2, the virus that causes the coronavirus disease 2019 (COVID-19), subsequently spread to all countries in the world causing a global pandemic.

On December 31, 2019, the Wuhan Municipal Health Commission in China first reported a cluster of cases of pneumonia in Wuhan to the World Health Organization (WHO). On January 21, 2020, the Centers for Disease Control and Prevention (CDC) confirmed what, at the time, was believed to be the first case of COVID-19 in the United States in Washington State. On January 30, the WHO declared a global health emergency in response to COVID-19, and on the following day, January 31, the U.S. Department of Health and Human Services (DHHS) declared a Public Health Emergency for the United States. Over the following month, confirmed cases began to spread throughout the United States. On March 11, 2020, the World Health Organization (WHO) declared the COVID-19 outbreak a pandemic and on March 13, 2020, former President Donald Trump proclaimed a nationwide emergency pursuant to Sec. 501(b) of Stafford Act.

The Town of Needham mounted a comprehensive response throughout this COVID-19 pandemic. The initial response (March 6, 2020-September 30, 2020) was documented in the “Phase 1” After Action Report/Improvement Plan. This “Phase 2” After Action Report-Improvement Plan captures activities between October 1, 2020 through June 30, 2021, and identifies strengths, challenges, and recommendations to improve future response activities.

COVID-19 Response Priorities and Core Capabilities

Town of Needham reported the following response priorities for Phase 2:

1. Public education and enforcement
2. Case investigations and contact tracing
3. Vaccine planning and administration
4. Communication
5. Transitioning the Town of Needham workforce back

The following Federal Emergency Management Agency (FEMA) Core Capabilities provided an overarching framework for the response capabilities of Needham:

- Operational Coordination
- Operational Communication
- Public Information and Warning
- Public Health, Healthcare, and Emergency Medical Services
- Environmental Response/Health and Safety
- Community Resilience

Debriefing Methodology

In order to gather documents and first-hand accounts of the Town of Needham response, a series of debriefings were conducted with the following groups:

- EOC Staff
- Needham Policy Group
- Case Investigation and Contact Tracing team
- Vaccine planning team
- Town of Needham Health and Safety Committee

In addition to the debriefing sessions, a thorough review and assessment of ICS documents, press releases, and formal documentation throughout the response has been used to inform this document.

Significant Strengths Demonstrated

- Town of Needham leaned forward to evaluate initial COVID-19 response activities in a “Phase 1” After Action Report and implemented process improvements based on the recommendations. Many of these items were noted as strengths for Phase 2 response. Town of Needham demonstrated interest in continuous improvement and strived to provide the most comprehensive and effective response to COVID-19 for the community.
- Needham Public Health made incredible contributions to epidemiological surveillance, case investigation, and contact tracing. Staff worked tirelessly to mitigate the spread of COVID-19.
- Despite stringent criteria and barriers implemented by the State, Needham vaccinated as many eligible persons as possible.

Significant Areas for Improvement Identified

- Needham’s response to COVID-19 was impacted by some municipal challenges such as personnel functions, hiring, and procurement. Evaluate how these may be expedited during emergency events.
- Needham experienced barriers in the ability to make decisions and execute critical public health functions as a result of State requirements and/or lack of communication. Share AAR lessons learned with MDPH with the goal of improved coordination and aligned expectations for public health emergency response.
- Continue to build relationship with BID-Needham and align emergency preparedness, mitigation, response, and recovery efforts.

Next Steps

Town of Needham, with great partnership from community response organizations, dedicated immense time and effort to respond to the COVID-19 pandemic and prioritized the health and well-being of the community.

Throughout the duration of the response, Needham implemented many process changes, revised plans or created new guidance documents, and enacted improvements as identified to

support incident objectives. Additional recommendations documented in this report will be addressed through the corrective action cycle.

Needham recognizes the pandemic persists beyond the timeframe of this report, and continues to provide mitigation, response, and recovery activities for the ongoing COVID-19 pandemic. Additional activities may be documented in future analysis.

Core Capability 1: Operational Communication

FEMA Definition: ensure the capacity for timely communications in support of security, situational awareness, and operations by any and all means available, among and between affected communities in the impact area and all response forces.

Review of Related Phase 2 Activities:

Activity 1: Communication from Town Leadership to staff

Analysis: In Phase 2, Town of Needham leadership strived to provide clear and frequent communications to staff, including from Human Resources, Town Manager, and/or Public Health. In a non-emergency situation, communications typically flow from Town Manager to Department Managers, and then down to staff. During Phase 1 debriefings, participants noted that there was not always clear, consistent messaging from Department Managers to staff. A virtual “Coffee Talk” on the Zoom platform was established to directly answer employee questions. This was noted to be a successful practice. Leadership was mindful during communications with staff that there was likely to be anxiety and/or questions. The Public Information Officer also monitored messaging to ensure uniform information was being shared with all.

Recommendation:

1. Consider querying department managers to gather additional feedback on communications during COVID-19.

Activity 2: Communication and Information Sharing with external partners

Analysis: Throughout Phase 2, Town of Needham continued to communicate and coordinate with external partners.

- Needham continued to conduct Local Emergency Planning Committee (LEPC) meetings to share information with key internal and external stakeholders.
- Massachusetts Department of Public Health (MDPH) hosted informational webinars, but Needham noted this was primarily one way communication for Health Directors. There was typically not a questions & answers portion for the sessions. Needham did note that MDPH also hosted calls for MAVEN, which allowed for questions and answers and was noted to be open and communicative. There was also an MDPH liaison that was reachable to support enforcement activities.
- Massachusetts Emergency Management Agency (MEMA) was available to be contacted for questions. The Regional representative also attends Needham LEPC meetings and provided monthly updates on resources, programs (e.g., non-congregate sheltering, isolation hotels), and provided assistance in coordinating supplies.
- Metropolitan Area Planning Council (MAPC) is the regional planning agency serving the people who live and work in the 101 cities and towns of Metropolitan Boston. MAPC conducted regular calls that often included Lieutenant Governor Polito and MDPH, and covered topics on Access and Functional Needs, economic development, and current information. This was a helpful forum for municipalities to voice feedback and to

support neighboring Town Managers. MAPC also gave the opportunity for communities to serve as thought partners and discuss when decisions were pushed down from the State or if Federal and State guidance conflicted.

- Needham noted additional opportunity to communicate with Beth Israel Deaconess Needham. Public Health communicated with the Infection Control Nurse as needed, but there was not a regular established time to share information. Recommendation to discuss with Needham Town Manager Kate Fitzpatrick if there are other meetings with BID-Needham and how to ensure information flow is occurring.
- Communications from the EOC to the Needham Public School system were coordinated through a Health & Safety Committee, which was established to serve in an advisory role to the Needham Public School Superintendent related to COVID-19 health and safety guidance.
- The EOC established generic email addresses for inquiries, including Public Health Nursing, Vaccine, and EOC (for response partners) to ensure redundancy and oversight of incoming questions.
- The EOC developed and shared Frequently Asked Questions (FAQ) and other guidance for external response partners.

Recommendation:

1. Connect with BID-Needham to evaluate optimal cadence and mechanism for sharing information during an emergency event.

Core Capability 2: Operational Coordination

FEMA Definition: Establish and maintain a unified and coordinated operational structure and process that appropriately integrates all critical stakeholders and supports the execution of core capabilities.

Review of Related Phase 2 Activities:

Activity 1: Use of the Emergency Operations Center (EOC)

Analysis: The Town of Needham demobilized the EOC to partial activation in September 2020, prompting the transition to “Phase 2” of the COVID-19 response. Based on recommendations from the Phase 1 After Action Report, Needham modified the EOC structure to include Operations, Logistics, and Planning “co-Section Chiefs.” This two-person depth in the organization allowed for redundancy and also ability for staff to take much needed time off. Additional EOC restructure efforts added administrative and organizational capacity and leadership. The EOC maintained a virtual posture for Phase 2 and completed ICS 201 weekly.

EOC staff and Policy Group each convened once per week and were able to modify activities to work in a virtual work environment. The Planning Section leaned forward to identify upcoming holidays (e.g., Veteran’s Day, Memorial Day) and events, and to provide guidance weeks in advance. For big planning considerations, Planning worked with the Policy Group to convene decision-makers and discuss what would be best for the Town and how to communicate the information. The Team reported being on the “same page” much of the time and having open, professional discourse. The Planning Section referred to other advance planning discussions around contact tracing and COVID-19 vaccine booster shots. The Safety Officer role was noted to be a continued challenge, as the function was primarily performed virtually.

Continue to evaluate the organizational structure for the Town of Needham EOC for various hazards and events. Consider using the Hazard Vulnerability Analysis to prioritize focus. Identify multiple staff per role and provide Incident Command System and EOC training to prepare for assigned duties.

Recommendations:

1. Continue to evaluate optimal structure and staffing for the Town of Needham EOC for various hazards and events.
2. Evaluate the role of the Safety Officer and develop position guidance.

Activity 2: Process Improvements and Continued Use of the Needham Policy Group

Analysis: The Needham Policy Group continued to meet through Phase 2 to consult on major policy, strategic, or resource guidance. During debriefing discussions, municipal leadership agreed that “Policy Group was a meeting of the minds. We talked through strategic decisions and our end result was better.”

Policy Group noted the following successes during debriefing sessions. Many of these items were identified as recommendations during Phase 1 After Action debriefings that were subsequently resolved and became strengths during Phase 2.

- Administrative coordination of the Policy Groups helped to keep the group on track, including reminders, agenda coordination, and meeting documentation. This role also ensured follow up on identified action items. “These minor changes made us more focused and efficient.”
- The Policy Group tracked decisions made, which helped as a reference when making similar decisions to see what was decided previously for consistency and precedence.
- Human Resources was added to the response organization and Policy Group.
- There were fewer urgent decisions to be made. If needed, pressing issues were able to be addressed, but in Phase 2, items were able to be added to the agenda and addressed during scheduled meetings.
- Needham noted strong consistency with State Orders. “Every action we’ve taken has been in line with the State, which has been helpful in setting expectations both with workforce and in the community.”

The Policy Group worked closely to make the best public health decisions and best policy decisions for the community. Some of the more challenging discussions or significant decisions discussed included:

- Masking. Needham was a voluntary masking employer. Many neighboring communities were not. There were lengthy, thoughtful discussions, and Needham recognized a freedom to not worry about what other communities were/weren’t doing.
- Ending COVID-19 sick leave policy.
- October 2020-July 2021, Needham instituted a COVID-19 remote work policy, but after July 2021, the Town needed an official remote work policy. The Town allowed employees and supervisors to agree upon remote schedules with terms and boundaries and implemented an official policy.
- Opening vaccine PODs to the public, including to eligible populations that did not reside in Needham. This decision enabled Needham to receive larger allocations from the State. The Policy Group also discussed that this was an equitable decision; those most at risk are not always those that live in your community boundaries. This decision created much controversy within the Town. Shortly after, Massachusetts shifted to a State-administered mass vaccination site model which eliminated the ability of Needham (and other local jurisdictions) to vaccinate. Needham pushed back through all options available (e.g., emails, letters, DPH discussions) to continue serving as a dispensing site but did not find success in conveying local feedback to the State on the vaccine dispensing model.
- The Policy Group experienced frustration on the “lack of levers to make behavioral change.” The Policy Group felt barriers to speak honestly with

decision-makers on making behavioral changes in the community and noted poor coordination, balance, and calibration between the different Town Boards.

- Needham spent much time waiting for guidance or clarification from the State. A problem would be identified, Public Health would ask for clarification, and weeks would go by with no response. After asking for guidance on reopening public pools, clarification was finally received on the day pools were scheduled to reopen. “One day we were planning on six feet distance, and then all of a sudden, all restrictions were lifted.” Identify how MDPH can better include local jurisdictions in planning discussions and/or provide notice in decisions to allow for congruence in local decision-making.
- Leadership struggled with the ability to step back and think strategically about bigger picture items, and to put smaller, day-to-day issues into context.

As Needham looks to transition “out of COVID-19, and into a new normal,” the State has a big role to play in guiding open meeting laws, outdoor dining, etc. Inclusion in discussions and advance notice would be highly beneficial.

Recommendations:

1. Identify how MDPH can better include local jurisdictions in planning discussions and/or provide notice in decisions to allow for congruence in local decision-making.
2. Assess how to modify/expedite municipal procedures for personnel overtime, hiring, and other procurement processes during an emergency event.
3. Continue to convene pre-identified Policy Group team on a regular basis to maintain open communication and strategic decision-making through the remainder of the COVID-19 response and recovery and for future emergency events.
4. Continue to assess COVID-19 demobilization and recovery plans.

Activity 3: Incident Resources and Logistics

Analysis: Resources ranging from staff, personal protective equipment, and other supplies were critical in responding to the COVID-19 pandemic. Needham maintained KN95s and surgical masks and noted storage space was available in the basement although recommended developing a supply rotation and use plan. During Phase 2, Needham continued to field PPE requests from Needham Police Department and Needham Fire Department, which were elevated to MEMA for fulfillment. Towards the end of Phase 2, MEMA was asking jurisdictions to demonstrate they had exhausted all other procurement options, which Needham was able to demonstrate. MEMA outreached directly to NPD and NFD on these questions or issues.

Municipal hiring and procurement processes were not nimble to meet the needs of the emergency event. “There were unavoidable choke points. It’s hard for government to rapidly increase staff or purchase things.” Human Resources and Information Technology accommodated hiring throughout the pandemic, but there were still challenges noted. There was also no ability to pay overtime for staff throughout this response. Evaluate how to improve these processes so future emergency response and recovery are not impeded.

Recommendations:

1. Assess how to modify/expedite municipal procedures for personnel overtime, hiring, and other procurement processes during an emergency event.
2. Consider developing a supply rotation and use plan to prevent expiry and efficiently use storage space.

Activity 4: Finance and reimbursement during COVID-19

Analysis: The role of Finance during Phase 2 focused on continued tracking of time and costs related to the event and preparing for reimbursement. Town of Needham got several small grants passed through the State.

Reimbursement was noted to be a challenge for Finance, due to factors outside the control of Needham. FEMA frequently changed rules about what was covered for reimbursement, and did not provide guidelines for record-keeping, submission, or backup documentation until several months into the event. Backtracking to fulfill the federal grant documentation requirements was at times chaotic, confusing, and time-consuming. For example, some costs were initially not covered and then became eligible for reimbursement, so the Finance Team would have to go back through documentation and analyze what items were now eligible and whether the appropriate documentation was available for reimbursement. Delays in guidance from FEMA also delayed guidance and technical assistance from the State as they awaited information from FEMA. Needham maintained hundreds of cost lines, each one with a cost classification, that were submitted to either FEMA or CARES. It was challenging and time intensive to monitor and stay abreast of current, updated guidelines.

Ensure strong record keeping and attention to detail. Create training redundancy and staff depth in the Finance Section.

Recommendations:

1. Evaluate record-keeping practices and match to outlined guidance for reimbursement if available.
2. Create training redundancy and staff depth in the Finance Section.

Activity 5: Remote Work for Town Staff

Analysis: On 3/17/20 as a result of the COVID-pandemic, Town buildings were closed, and employees were sent home to work remotely. Most town staff continued virtual work throughout Phase 1 and Phase 2. The Policy Group recognized frustrations from staff that some divisions were operating differently. Some positions don't have the flexibility to not be at seat and to work remotely. Inherent difference between some departments caused questions/concerns among staff that Leadership tried to address.

Needham municipal government, in coordination with Human Resources, planned to reopen buildings and return staff to in-person work the first week of July 2021. While working toward this goal, the Baker-Polito Administration then announced that as part

of the “Reopening Massachusetts” plans, all restrictions would be lifted, and Massachusetts would be “fully reopened” effective May 29, 2021.

This announcement caught Policy Group and municipal leadership by surprise and forced the group to expedite planning timeline for staff return to work. The Policy Group established a framework to be understanding and flexible with staff and told department managers and employees that return in July was acceptable based on scheduled caregiving responsibilities. An official Remote Work policy was instituted in July 2021.

Some discussed process implementations as a result of virtual work included:

- Use of DocuSign versus “wet signatures”
- Remote 1-on-1 meetings
- Use of Microsoft Teams Platform
- Virtual first round interviews with candidates, which helped to get a larger applicant pool
- More frequent/ease of meeting with other towns

Debriefing participants did note that there is a need to find balance, include person to person meetings when safe, and to build breaks into calendars rather than overfill with virtual meetings.

Recommendation:

1. Work with Human Resources to provide options for staff to continue remote work and/or safe return to office.

Activity 6: Continuity of Operation Planning

Analysis: Continuity of Operations was noted to be a concern during Phase 1 in the identification and prioritization of essential services and on the ability of staff to balancing day to day work and COVID-19 response duties.

Multiple improvements were made to the structure of the EOC (see Activity 1). Additionally, the Town of Needham formalized and implemented the remote work policy that is intended to remain in place beyond COVID-19 to provide staff flexibility.

Needham maintained essential services for the Town throughout Phase 2, at which point, the Town buildings were fully reopened, and staff transitioned back to in person. Some recommendations were noted during debriefing discussions:

- Identify, document, and prioritize Town projects that have been delayed or tabled due to the pandemic
- Evaluate pandemic impacts to supply chain and assess how to become more resilient
- Evaluate pandemic impacts to the labor market; there is a lot of hiring to do and candidate pools are not as desired
- FY23 budget process should include/incorporate learned business practices; identify technology asset needs and incorporate into budgets

- Assess traditional capital plan and work with Boards, Finance Committee, and stakeholders to identify and prioritize how to use funds
- Communicate and coordinate with residents and the community to ensure aligned expectations as the Town transitions out of COVID-19 response

The Emergency Management program recommended reviewing department COOP Plans, ensuring the plans are completed and updated where needed to reflect COVID-19 lessons learned, and that staff receive education on the plans.

Recommendations:

1. Ensure every department has a COOP Plan.
2. Include outlined recommendations into future planning.

Activity 7: Town department support for vaccine efforts

Analysis: The response to COVID-19 hinged on whole community support and coordination. As Needham activated staff and resources to support vaccination efforts (further described in Core Capability 4: Public Health, Healthcare, and Emergency Medical Services), support from departments and programs throughout the Town contributed towards the successful response.

During debriefing discussions, staff reported that Town Management was responsive and helpful. Department of Public Works stepped in to provide signage for vaccination events and other supplies as needed. Needham Police provided security support during vaccine clinics, and Needham Fire/EMS provided health safety support. Information Technology fielded remote worker requests and provided technology assets. Debriefing participants noted that IT support was invaluable at clinics as well, providing Chromebooks, wi-fi, and tablets. Requests were completed quickly and enabled Town of Needham to vaccinate the population.

Recommendation:

1. Continue to engage Town departments in emergency preparedness and mitigation planning, ICS and EOC training, and other emergency management activities.

Activity 8: Volunteer Management

Analysis: Town of Needham had a robust and active Medical Reserve Corps (MRC) prior to COVID-19 pandemic. These volunteers were activated and utilized in Phase 1 response. In Phase 2, MRC volunteers were integral to support vaccination clinics. The Needham MRC Coordinator provided resources (e.g., volunteer handbook) and trainings (e.g., personal preparedness, donning and doffing PPE, ICS 100). Several MRC Zoom meetings were conducted to update volunteers on the COVID-19 response.

As the clinics were activated, the MRC Coordinator provided volunteers with just in time training to safety work in the clinics. Volunteers were sorted by medical and non-medical and provided with appropriate roles matched to licensure and skill sets. Non-medical roles included traffic control, administrative support, and signing up second dose appointments. MRC volunteers supported more than 50 vaccination clinics and the

administration of 6,928 COVID-19 vaccine doses. These trained volunteers were also used to support seasonal influenza clinics during the 2020-2021 flu season. Needham Public Health with support from MRC volunteers administered 1,225 vaccines during the 2020-2021 flu season, up 155% from the 787 doses administered during 2019-2020 flu season.

Volunteers were also used in food delivery and helping eligible residents sign up for vaccination appointments. Needham staff were also used as volunteers to register appointments.

Prior to COVID-19, the MRC had about 30 volunteers. During Phase 2 debriefing discussions, the MRC Coordinator celebrated having 161 current MRC volunteers.

Recommendation:

1. Maintain the Needham Medical Reserve Corps to provide volunteer support during emergency events.

Core Capability 3: Public Information and Warning

FEMA Definition: deliver coordinated, prompt, reliable, and actionable information to the whole community through the use of clear, consistent, accessible, and culturally and linguistically appropriate methods to effectively relay information regarding any threat or hazard and, as appropriate, the actions being taken and the assistance being made available.

Review of Related Phase 2 Activities:

Activity 1: Town of Needham Public Information Officer (PIO) activities

Analysis: Town of Needham has a dedicated Public Information Officer staffed prior to COVID-19 that maintained ongoing internal communications and public information throughout the response. The PIO worked closely with Public Health on content for messages and strived to be creative and current in messages. Public information was developed with the goal of being transparent and accessible. The PIO worked to get the message out to as many people as possible, and to identify any populations that were hard to reach or message mechanisms that had not been explored.

Some of the key activities during this time frame included:

- Use of town website, Facebook, and Needham Channel to share information
- Development/use of targeted public information videos, banners, and message boards
- Needham COVID-19 website; decision was made to maintain this separate site and continue to update
- Information campaigns including one focused on students and mask wearing and another community-wide public information campaign focused on mask wearing and physical distancing
- Communications and support to business community. Needham provided a decal to put on windows of businesses promoting safety and requiring proper precautions.

The PIO reported a little struggle with credibility early on but felt confident that the perception and credibility of the Town was widely accepted as a result of the COVID-19 response. The PIO noted a continuous challenge in residents pushing different messages and in conflicts between the proper Public Health message, public perception, and at times disinformation on masks and vaccine.

The PIO also noted working to ensure additional non-COVID-19 messaging was shared through all existing channels.

Recommendation:

1. Continue to support the Public Information Officer role.

Core Capability 4: Public Health, Healthcare, and Emergency Medical Services

FEMA Definition: Provide lifesaving medical treatment via Emergency Medical Services and related operations and avoid additional disease and injury by providing targeted public health, medical, and behavioral health support, and products to all affected populations.

Review of Related Phase 2 Activities:

Activity 1: Epidemiological surveillance and data reporting

Analysis: Town of Needham Public Health tracked COVID-19 cases and data to monitor the spread of the virus. A new .5 FTE epidemiologist was hired in December 2020 to focus on reporting, weekly graphs, monthly Board of Health COVID-19 updates and presentations. This role also developed and maintained a data dashboard on a weekly basis, including the back-end data management. Monthly reports were coordinated with the Lead Contact Tracer to document clusters.

The creation of the dashboard by the new part-time epidemiologist enabled a great expansion of the data shared on the website, as well as ability to visualize trends over time and by demographics. Prior to the new epidemiologist, Needham specific case data was dependent on State systems and reports. In March 2021, the State changed/reduced some data collection, and Needham began to collect and share local data independent of the State. The Dashboard was also used to share data on vaccine (first and second doses, demographics).

The epidemiologist also developed a weekly report for School Health and Safety Committee, which was also used for Policy Group and Board Monthly meetings. Monthly reports were coordinated with the Lead Contact Tracer to document and identify clusters (e.g., household, long term care, schools, etc.). The epidemiologist was a critical role to manage outbreaks and to track and maintain data. This position would have been helpful earlier in the response. Secure necessary funding to maintain the epidemiologist position in Needham.

Recommendation:

1. Secure funding to maintain epidemiologist position.

Activity 2: Contact tracing and case investigations

Analysis: As described in the Phase 1 AAR, Public Health was responsible for identifying positive cases, tracking and conducting case investigations, and performing contact tracing to notify close contacts that have been exposed to positive cases. These efforts document and track confirmed cases, provide opportunity for public health education and interventions, and slow the spread of additional cases. Needham utilizes the Massachusetts Department of Public Health *Massachusetts Virtual Epidemiologic Network* (MAVEN), which contains epidemiological, clinical, laboratory, and case management data utilized for case investigation and surveillance purposes.

Needham worked to manage the volume of cases through multiple surges and was able to hire new staff. Surges were observed in November 2020 and again with the most cases recorded to date in January 2021. A full-time Public Health Nurse was hired in October of 2020 to lead the contact tracing team, support by the Assistant Director of Public Health and the part-time Epidemiologist. Needham was subsequently able to bring on three part-time grant funded staff (total 40 hours per week) through June 30, 2021. In anticipation of COVID-19 vaccination efforts, Needham also hired per diem nurses in October 2020. 3-4 of these per diem nurses were used to support contact tracing, but reportedly did not like the tasks and/or struggled to use the necessary technology. Needham experienced delays in procuring phones and computers for contact tracing staff, attributable to global supply chain issues.

Additional staffing enabled more detailed and comprehensive case investigation and contact tracing, and more specific data entry in MAVEN. Debriefing participants did note that delays in hiring and training impacted work; by the time staff were hired and ready, peaks were already subsiding. Needham Public Schools was also able to hire a contact tracer, but again, by the time the position was in place, cases were reduced. These hiring delays were attributed to town processes. Needham should evaluate emergency procedures for hiring and onboarding of staff during an emergency. The MDPH process to approve and train users in MAVEN was also very slow (reportedly 5-6 weeks to gain access) and contributed to lengthy time to onboard new staff.

Debriefing participants noted that it was difficult to manage the volume of tasks in house. Staff worked extra time, comp hours, and rotated weekends through January 2021 to take care of urgent cases, before hitting a “breaking point.” Staff had been handling case investigations in house since October 2020, but in January 2021, resumed use of the state Contact Tracing Collaborative (CTC), a program established by MDPH to provide local health departments with contact tracing support. The Needham Public Health team reported that CTC was extremely helpful, especially with coordinating college cases and also supporting cross-jurisdictional investigations for those that live in Needham but work, play, or go to school elsewhere. Needham reported a best practice in meeting weekly with the CTC liaison to ensure clear communications and close working relationship with the CTC.

The Assistant Director of Public Health also assumed a role of Occupational Health, contact tracing employees and working with Human Resources on return to work. Needham Fire supported by testing town employees that had workplace exposures. This management and tracking of town cases added to the workload of Needham Public Health. Assess how to staff and manage in the future.

Recommendations:

1. Evaluate emergency procedures for hiring and onboarding of staff during an emergency.
2. Discuss challenges with MAVEN onboarding, training, and other system-level issues with MDPH.

3. Evaluate how to manage town employee illness, tracking, and return to work during a public health emergency. Document in plans.

Activity 3: Vaccine planning and administration

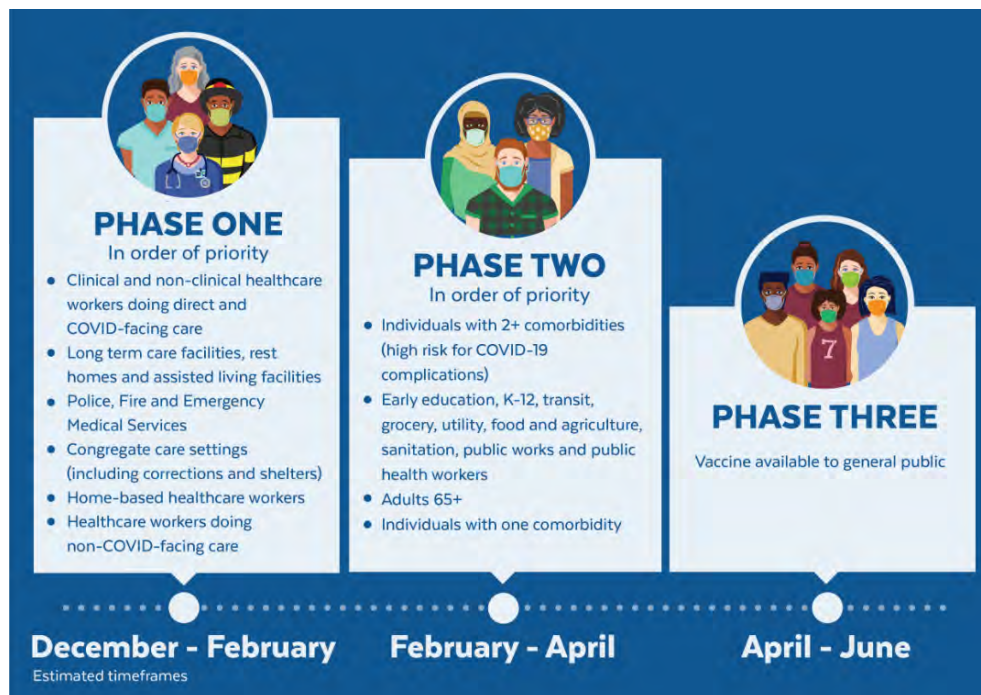
Analysis: Needham Public Health started early monitoring of vaccine development and information to prepare for the anticipated effort in July-August 2020. Needham had worked on Emergency Dispensing Site (EDS) planning for years and modified existing plans to meet the specific needs of this pandemic. In August 2020, Needham Public Health also ordered an ultra-cold freezer to prepare for anticipated storage requirements.

Planning meetings in mid December 2020 focused on operationalizing vaccine clinics, including:

- Receiving and storing COVID-19 vaccines
- Setting up and running EDS
- Transportation of vaccines to the EDS

Needham reactivated an EOC structure with recommended changes from the Phase 1 After Action Report to support vaccine planning. 2020 seasonal influenza vaccine clinics served as a beneficial planning exercise for COVID-19; MRC volunteers were used in the flu clinics which later served as a training model for COVID-19 vaccine clinics.

MDPH released the following priority eligibility tiers with stringent accompanying requirements for communities to receive vaccine allocations. Healthcare workers and first responders were among the first eligible individuals to be vaccinated.



To conduct first responder vaccination clinics, a community was required to have a minimum of 200 eligible first responders or partner with neighboring communities to meet the requirement. On December 22, 2020, Needham partnered with Norfolk County-8 (NC-8), a local public health coalition comprised of the Boards of Health/Health Departments in Canton, Dedham, Milton, Needham, Norwood, Walpole, Wellesley, and Westwood, to conduct first responder vaccination clinics. Vaccine was received on January 5, 2021, and the first vaccine clinic was held on January 11, 2021.

Beth Israel Deaconess Hospital-Needham vaccinated their own eligible healthcare worker staff. Town of Needham partnered with Dover and Medfield to vaccinate first responders, following outlined State requirements. Needham started vaccinating first responders at the Rosemary Recreation Complex, and then shifted to the Center at The Heights (CATH). The CATH building was already closed from providing services and had available parking. Needham staff noted and worked around some layout issues in the building but were able to space out chairs to support physical distancing, designated areas for wheelchairs, and celebrated the unique space by finding a musician to play the piano. Vaccine clinic staff signed individuals up for second dose appointments after administering the first dose during the 15-30 minute required waiting period post-vaccination.

Needham followed the State's ordering process: a link was received via email every Monday, the Town's request was approved by that Friday, then Needham received a inventory slip from McKesson on the following Monday and received the vaccine allocation on Tuesday/Wednesday. The process took time to figure out, but after the first few weeks, debriefing participants reported that Needham was able to more strategically order anticipated quantities and figure out the corresponding number of appointments per day and week. Needham Public Health conducted weekly Vaccine Operations meetings through March 2021 to address clinic needs.

As eligibility tiers expanded, Needham leaned forward to vaccinate as many eligible persons as possible. The criteria MDPH required for community vaccine providers was prohibitive to smaller communities, but Needham met the criteria to ensure ability to vaccinate the community.

- Have capacity to vaccinate a minimum of 750 individuals per day, 5 days per week (subject to vaccine availability);
- Meet an administration rate threshold of 85% and report doses within 24 hours;
- Utilize entire allocation within 10 days
- Be open to all residents of the Commonwealth (collaborations may focus outreach efforts towards those who live or work in the area, but must be open to all Massachusetts residents)
- Provide public links for vaccine appointments on www.mass.gov/COVIDVaccine.
- Needham made the decision to open vaccine sites to serve eligible individuals from all communities. This enabled Needham to order larger quantities of vaccine, and to vaccinate as many people as possible. The Needham Public Information Officer shared information about eligibility and appointment dates on social media, and appointments

were scheduled in the State-required PrepMod system. Needham used PrepMod through April 2021, and then switched to a new regional platform.

Medical and non-medical MRC volunteers supported vaccine clinics. Volunteers received personal protective equipment training and training on the clinic operations. There were many repeat volunteers. “Everyone wanted to be part of the solution.” Needham identified process improvements along the way, including better screening of MRC volunteers to identify strengths and match individuals with the optimal volunteer role. The electronic system was challenging to use for some of the volunteers.

In April 2021, the State announced that the vaccine model would shift to large mass vaccination sites and away from community-based dispensing models. This “felt like a betrayal” for Needham staff that had spent much time preparing to vaccinate their community, only to have the plan changed without their consent or feedback. Residents were angry and didn’t understand that Needham Public Health had no choice in the matter. Residents subsequently had to travel out of community, and this disregarded the years of trust build in a local public health model.

Needham vaccinated 30 homebound residents in March-April 2021 that met the following State criteria:

- Have considerable difficulty and/or require significant support to leave the home for medical appointments
- Require an ambulance or two-person assistance to leave the home
- Unable to leave home for medical appointments under normal circumstances

A few other challenges noted during the debriefing session included:

- Town leadership found difficulty in identifying the most equitable way to dispense vaccines and prioritize the most vulnerable, particularly when the demand within eligible groups greatly exceeded the supply. Burden to dispense quickly sometimes overshadowed taking time to think through how to address health disparities.
- Town residents had unrealistic expectations of vaccine dispensing.
- Some individuals were trying to “skip the line” to be vaccinated, which put Town staff and MRC volunteers in compromising position.
- There were no Town funds allocated for food for the volunteers. Some donations were received.
- MRC volunteers had to wash their own vests.
- Town staff worked long days and nights and did not have auxiliary/back up support.
- There was poor internet connectivity at CATH; the staff needed portable mi-fi cards to connect to internet.
- Recommended plan updates include: Incorporate plans for feeding, washing, and disinfecting vaccination/emergency dispensing sites. Plan for additional space to accommodate companions/care givers with individuals getting vaccinated.

Needham debriefing participants remarked on how rewarding it was to put vaccine planning into practice. The biggest source of frustration was when MDPH stopped supporting the Needham vaccination site in favor of large mass vaccination sites. Needham Public Health spent years developing trust and relationships through local public health services. Many bonds were created during COVID-19, especially through contact tracing and case investigation. Town residents did not understand why they were unable to get vaccinated locally. Throughout this COVID-19 vaccination initiative, Needham did not receive clear guidance or communication from MDPH on vaccines.

The Needham Public Health staff and vaccination team demonstrated incredible success in the number of people vaccinated, and without a single adverse event. Needham held over 50 vaccination clinics and oversaw the administration of 6,928 COVID-19 vaccine doses during this time period.

Recommendations:

1. Update vaccination/emergency dispensing plans to reflect lessons learned during COVID-19.
2. Consider debriefing with MDPH on recommendations related to local vaccinations versus mass vaccination sites, and the stringent vaccination criteria enacted during COVID-19.
3. Include recommendations in plans to address/mitigate health disparities in future medical countermeasure dispensing and public health emergency response.

Core Capability 5: Environmental Response/Health and Safety

FEMA Definition: Conduct appropriate measures to ensure the protection of the health and safety of the public and workers, as well as the environment, from all-hazards in support of responder operations and the affected communities.

Review of Related Phase 2 Activities:

Activity 1: Support for staff wellness

Analysis: As described in the Phase 1 After Action Report, the Town of Needham took efforts to ensure the safety of staff, such as providing cleaning supplies to disinfect workstations and public areas, providing personal protective equipment, and providing PPE training. Debriefing participants did suggest that the EOC should develop plans to formally address staff health and well-being.

In Phase 2 debriefings, participants reported that staff social/emotional support was primarily coordinated through Human Resources. Virtual staff meetings with the Town Manager “Coffee with Kate” also addressed overarching staff support including social/emotional resources. Department Managers reported holding weekly meetings to coordinate work efforts but also to check in with staff. Town of Needham contracted with a new Employee Assistance Program (EAP) vendor in 2021, which included improved marketing materials. HR advised that the most impact will come from supervisors and department managers to promote EAP and wellness initiatives.

Additional planning is needed around how to support staff in the EOC and in the primary responding department (i.e., Public Health). These staff spent significant time and effort throughout the response and were at greater risk for impacts to health and well-being.

Recommendations:

1. Supervisors should continue to promote EAP and share available wellness resources for staff.
2. Develop supervisor packets/education so they have information for referral to give to staff.
3. Develop specific strategies to support staff activated in the EOC and/or primary responding department during an emergency event.

Activity 2: Enforcement of public health ordinances

Analysis: The Environmental Health team described enforcement of public health ordinances to ensure the protection of the health and safety of the community. Environmental Health participated in State COVID-19 calls, as frequently as twice per week, to ensure current information. Environmental Health enforced Local Board of Health ordinances and coordinated consistent enforcement with the State orders. The team worked with restaurants to develop outdoor seating plans and COVID-19 protocols, provided public education, and developed signage. The team also fielded complaints; many of these were complaints of non-compliance in mask wearing (i.e., by

restaurant staff or patrons, residents, sports teams). Environmental Health reiterated local and state ordinances and passed out mask wearing signage.

Environmental Health was able to get additional staffing and establish a separate hotline to manage the volume of complaints. During this time, Environmental Health also maintained regular permitting and inspection duties.

Recommendation:

1. Continue to support Environmental Health staff in the enforcement of public health ordinances with resources and support as needed.

Core Capability 6: Community Resilience

FEMA Definition: Enable the recognition, understanding, communication of, and planning for risk and empower individuals and communities to make informed risk management decisions necessary to adapt to, withstand, and quickly recover from future incidents.

Review of Related Phase 2 Activities:

Activity 1: Health and Safety Committee

Analysis: Needham established the Health and Safety Committee which was composed of Town of Needham staff, community partners, Needham Education Association, and Needham Public Schools. The Committee developed guidelines to safely open schools for students and staff in Fall 2020 and continued to meet throughout Phase 2. This Committee served in an advisory role to the Needham Public School Superintendent with the goal to gather information from schools and problem solve. The Committee strived to be transparent, candid, and clear, and to conduct continual assessment and improvement. The Health and Safety Committee would discuss issues, develop recommendations, and share with school-based Health and Safety Committees. Meetings were not public, but all documents were publicly available online.

Some of the activities and interventions from the Health and Safety Committee included:

- The Health and Safety Committee ratified the Health & Safety Memorandum of Agreement.
- The Health and Safety Committee negotiated volumes of guidelines that were then communicated to staff by the Needham Public School Superintendent, the Needham Education Association. Question and answer sessions were available for staff.
- Needham Public Schools updated ventilation systems in school buildings.
- Needham Public Schools instituted surveillance testing for staff.
- Needham Public Schools developed and implemented an attestation form for students and staffs.
- Sanitation teams were implemented between September 2020-June 2021.

The Health and Safety Committee recognized the wide representation and subject matter expertise by membership. There was consistency in meeting participation and members recognized the importance of using data and science to back the decisions. The Health and Safety Committee established trust with the community, school staff, and stakeholders. Public health is intertwined with education, and the Committee allowed both disciplines to be proactive. Identify how this group can continue to inform public health and to ensure healthy schools, healthy practices, and the health and safety of staff and students.

Recommendation:

1. Continue to support the Health and Safety Committee and drive data-based decisions for the health and safety of Needham Public School staff and students.

APPENDIX A: IMPROVEMENT PLAN

This Improvement Plan (IP) has been developed specifically for the Town of Needham as a result of the 2019 Novel Coronavirus real world event, specifically focusing on the response activities during “Phase 2” from 10/1/2020-6/30/2021.

Core Capability	Issue/Area for Improvement	Corrective Action	Capability Element ¹	Primary Responsible	Target Date	Status
Operational Communication	Activity 1: Communication from Town Leadership to staff	1. Consider querying department managers to gather additional feedback on communications during COVID-19.	Organization	Town Leadership	12/31/2022	
	Activity 2: Communication and Information Sharing with external partners	1. Connect with BID-Needham to evaluate optimal cadence and mechanism for sharing information during an emergency event.	Planning	Emergency Management Administrator, BID-Needham	12/31/2022	
Operational Coordination	Activity 1: Use of the Emergency Operations Center (EOC)	1. Continue to evaluate optimal structure and staffing for the Town of Needham EOC for various hazards and events.	Planning	Emergency Management Administrator	12/31/2022	
		2. Evaluate the role of the Safety Officer and develop position guidance.	Planning	Emergency Management Administrator	12/31/2022	

¹ Capability Elements are: Planning, Organization, Equipment, Training, or Exercise.

Core Capability	Issue/Area for Improvement	Corrective Action	Capability Element ¹	Primary Responsible	Target Date	Status
Operational Coordination (continued)	Activity 2: Process Improvements and Continued Use of the Needham Policy Group	1. Identify how MDPH can better include local jurisdictions in planning discussions and/or provide notice in decisions to allow for congruence in local decision-making.	Planning	Public Health Director	Ongoing	
		2. Continue to convene pre-identified Policy Group team on a regular basis to maintain open communication and strategic decision-making through the remainder of the COVID-19 response and recovery and for future emergency events.	Organization	Emergency Management Administrator	12/31/22	
		3. Continue to assess COVID-19 demobilization and recovery plans.	Planning	Town Leadership	12/31/22	
	Activity 3: Incident Resources and Logistics	1. Assess how to modify/expedite municipal procedures for personnel overtime, hiring, and other procurement processes during an emergency event.	Planning, Organization	Town Leadership	12/31/22	

Core Capability	Issue/Area for Improvement	Corrective Action	Capability Element ¹	Primary Responsible	Target Date	Status
Operational Coordination (continued)		2. Consider developing a supply rotation and use plan to prevent expiry and efficiently use storage space.	Planning, Equipment	Emergency Management Administrator	12/31/22	
	Activity 4: Finance and reimbursement during COVID-19	1. Evaluate record-keeping practices and match to outlined guidance for reimbursement if available.	Planning	Finance Department	12/31/22	
		2. Create training redundancy and staff depth in the Finance Section.	Training	Finance Department	Ongoing	
	Activity 5: Remote Work for Town Staff	1. Work with Human Resources to provide options for staff to continue remote work and/or safe return to office.	Planning	Town Leadership	12/31/22	
	Activity 6: Continuity of Operation Planning	1. Ensure every department has a COOP Plan.	Planning	Emergency Management Administrator	12/31/22	
		2. Include outlined recommendations into future planning.	Planning	Emergency Management Administrator	12/31/22	

Core Capability	Issue/Area for Improvement	Corrective Action	Capability Element ¹	Primary Responsible	Target Date	Status
Operational Coordination (continued)	Activity 7: Town department support for vaccine efforts	1. Continue to engage Town departments in emergency preparedness and mitigation planning, ICS and EOC training, and other emergency management activities.	Planning, Organization, Equipment, Training, Exercise	Emergency Management Administrator	Ongoing	
	Activity 8: Volunteer Management	1. Maintain the Needham Medical Reserve Corps to provide volunteer support during emergency events.	Planning, Organization, Equipment, Training, Exercise	Town Leadership	Ongoing	
Public Information and Warning	Activity 1: Town of Needham Public Information Officer (PIO) activities	1. Continue to support the Public Information Officer role.	Planning, Organization, Equipment, Training, Exercise	Town Leadership	Ongoing	
Public Health, Healthcare, and Emergency Medical Services	Activity 1: Epidemiological surveillance and data reporting	1. Secure funding to maintain epidemiologist position.	Organization	Public Health Director	6/30/23	
	Activity 2: Contact tracing and case investigations	1. Discuss challenges with MAVEN onboarding, training, and other system-level issues with MDPH.	Equipment, Training	Public Health, MDPH	6/30/23	

Core Capability	Issue/Area for Improvement	Corrective Action	Capability Element ¹	Primary Responsible	Target Date	Status
Public Health, Healthcare, and Emergency Medical Services (continued)		2. Evaluate how to manage town employee illness, tracking, and return to work during a public health emergency. Document in plans.	Planning	Public Health, Town leadership	6/30/23	
	Activity 3: Vaccine planning and administration	1. Update vaccination/emergency dispensing plans to reflect lessons learned during COVID-19.	Planning	Public Health	6/30/23	
		2. Consider debriefing with MDPH on recommendations related to local vaccinations versus mass vaccination sites, and the stringent vaccination criteria enacted during COVID-19.	Planning	Public Health, MDPH	6/30/23	
		3. Include recommendations in plans to address/mitigate health disparities in future medical countermeasure dispensing and public health emergency response.	Planning	Public Health	6/30/23	

Core Capability	Issue/Area for Improvement	Corrective Action	Capability Element ¹	Primary Responsible	Target Date	Status
Environmental Response/Health and Safety	Activity 1: Support for staff wellness	1. Supervisors should continue to promote EAP and share available wellness resources for staff.	Planning, Organization	Town leadership, Human Resources	6/30/23	
		1. Develop supervisor packets/education so they have information for referral to give to staff.	Planning	Town leadership, Human Resources	6/30/23	
		2. Develop specific strategies to support staff activated in the EOC and/or primary responding department during an emergency event.	Planning	Town leadership	6/30/23	
	Activity 2: Enforcement of public health ordinances	1. Continue to support Environmental Health staff in the enforcement of public health ordinances with resources and support as needed.	Planning, Organization	Town leadership	6/30/23	
Community Resilience	Activity 1: Health and Safety Committee	1. Continue to support the Health and Safety Committee and drive data-based decisions for the health and safety of Needham Public School staff and students.	Planning, Organization	Town leadership	6/30/23	

APPENDIX B: TIMELINE OF MAJOR EVENTS

The following events occurred throughout “Phase 2” from 10/1/2020-6/30/2021. Note additional significant events may have occurred that are not reflected here.

Date	Action
11/2/20	Governor's COVID-19 Order #54 : Reduced gathering size limit for gatherings at private residences: indoor gatherings at private residences are limited to 10 people and outdoor gatherings at private residences are limited to 25 people. The limit on gatherings held in public spaces and at event venues remains the same. Requires that all gatherings (regardless of size or location) must end and disperse by 9:30 PM. Also requires that organizers of gatherings report known positive COVID-19 cases to the local health department in that community and requires organizers to cooperate with contact tracing. The gatherings order authorizes continued enforcement by local health and police departments and specifies that fines for violating the gathering order will be \$500 for each person above the limit at a particular gathering. (superseded and rescinded by Order #57 effective Dec. 13, 2020).
11/2/20	Governor's COVID-19 Order #55 : Revised order requiring all persons to wear face-coverings in all public places, even where they can maintain 6 feet of distance from others. Allows for an exception for residents who cannot wear a face-covering due to a medical or disabling condition but allows employers to require employees to provide proof of such a condition. Allows schools to require that students participating in in-person learning provide proof of such a medical or disabling condition. (rescinded by Order #67 effective 4/30, 12:01 AM).
12/1/20	First meeting to discuss vaccine distribution plan
12/8/20	Governor's COVID-19 Order #57 : Reduced the limit on outdoor gatherings statewide from 100 persons to 50 persons. Sustained other gathering limits from Order #54. (adjusted by Order #59. Further adjustments were made by Order #62 which rescinded section 4).
12/22/20	Governor's COVID-19 Order #59 : Applied limit of 10 persons for indoor gatherings, 25 persons for outdoor gatherings to both private homes and event venues and public spaces.
1/5/21	First allocation of COVID-19 vaccine received
1/7/21	Governor's COVID-19 Order #60 : Extended the provisions of COVID-19 Order #59 until noon on January 24, 2021 unless further extended by a subsequent Order.
1/11/21	First Needham COVID-19 vaccine clinic
1/21/21	Governor's COVID-19 Order #62 : Extended the limits on gatherings in COVID-19 Order #59 until 5:00AM on February 8, 2021 unless further extended by a subsequent Order.

2/4/21	<u>Governor's COVID-19 Order #63</u> Rescinded COVID-19 Order #57, established gathering limits of 10 people indoors; 25 people outdoors (rescinded by Order #69).
2/23/21	Letter to Governor Baker to urge continued allocation of COVID vaccines to municipal boards of health throughout the Commonwealth. <u>https://www.needhamma.gov/DocumentCenter/View/23017/SB-BOH-Governor-Baker-Vaccine-final-2232021-002?bidId&fbclid=IwAR1_NiYM43aSeBVbedD4gGL59eynNVFXRyV6J_HXszTp5_PQrktFiZ0GsKg</u>
3/18/21	<u>March 22 Appendix to COVID-19 Order #63</u> Superseded gathering limits from above order and amended them as follows: • Gatherings at private residences: 10 people indoors, 25 people outdoors • Gatherings at event venues and in public settings: 100 people indoors, 150 people outdoors
3/22/21	“Reopening Massachusetts:” transition from Phase III (Vigilant) to Phase IV (“New Normal”) , with indoor and outdoor stadiums, arenas, and ballparks permitted to open at 12 percent capacity, and exhibition and convention halls also beginning to operate.
4/30/21	<u>Governor's COVID-19 Order #67</u> Revised order requiring all persons to wear face-coverings when in indoor public places and when attending events and gatherings in public locations. Face-coverings required in public outdoor places when unable to maintain 6 feet of distance, or as otherwise specified by Sector-Specific COVID-19 Safety Rules. Rescinded by Order #69. The CDC today also announced that masks are no longer necessary outdoors for fully vaccinated people when distance can be maintained. Face coverings will still be required at all times in indoor public spaces in Massachusetts. Face coverings will also continue to be required at all times at events, whether held indoors or outdoors and whether held in a public space or private home, except for when eating or drinking.
5/1/21	Outdoor “Special Town Meeting” hosted
5/6/21	Needham enters “green” risk category for the first time since November 2020
5/6/21	Needham Employee Resource Group “Stronger Together” hosted an informative and interesting discussion about the impact of Covid-19 on communities of color, including a presentation from Dr. Olutoyin Fayemi, a member of Needham Unite Against Racism.
5/10/21	“Reopening Massachusetts:” Additional industries such as amusement parks, theme parks, and outdoor water parks opened on May 10, along with road races and other large, outdoor organized amateur or professional group athletic events.

5/12/21	Moderna vaccination clinic held at RRC, following State-run vaccination model.
5/18/21	Moderna vaccination clinics held at RRC: walk ins Monday through Thursday from 5 pm – 7 pm and scheduled appointments Friday, May 21st between the hours of 9 am and 1 pm.
5/29/21	“Reopening Massachusetts:” fully reopened. All industries were permitted to open. With the exception of remaining face-covering requirements for public and private transportation systems and facilities housing vulnerable populations, all industry restrictions were also lifted, and capacity increased to 100% for all industries. All industries were encouraged to follow CDC guidance for cleaning and hygiene protocols.
5/29/21	Needham Board of Health rescinded its mask order to align with the Commonwealth of Massachusetts’ revised mask requirement https://www.needhamma.gov/DocumentCenter/View/23859/Public-Health-Advisory-re-Masks-52821_finalCRG?bidId= Following state requirements, all residents and visitors, regardless of their vaccination status, must continue to wear masks in certain facilities and places of work. These included: • Public/private transportation systems (MBTA, Uber/Lyft, etc.); • Healthcare facilities and providers, congregate care settings, homecare workers, and health and rehabilitative day services; and • Indoors for staff and students of K-12 schools and early education providers.
6/1/21	The Town of Needham re-opened Town Buildings to the public June 1, 2021 without appointments and followed the state’s guidelines in lifting Covid-19 restrictions, including face covering requirements for fully vaccinated individuals. Town offices had been open to the public by appointment since June 1, 2020. All buildings, including the Needham Free Public Library, were opened to the public during regular business hours effective June 1, 2021. The Center at the Heights (CATH) had been utilized by the Needham Public Schools to provide additional spacing for administrative staff and remained closed to the public for the time being. CATH will re-open to the public during summer 2021.
6/9/21	Moderna vaccination clinic held at RRC
6/11/21	Pools at RRC re-opened with online registration process
6/15/21	The Governor’s Covid-19 Emergency Order expired Tuesday morning, June 15, 2021 at 12:01 am. The order had allowed municipalities to hold entirely remote public meetings via Zoom during the pandemic. Beginning Tuesday,

	June 15th, all Town Boards and Committees will be required to meet in person and will be required to allow members of the public to attend in person.
6/22/21	Select Board resumed in person meetings, also available via The Needham Channel

APPENDIX C: ICS 201

The Needham EOC developed weekly ICS 201 to maintain standard include documentation. Below is an example from 11/16/2020.

INCIDENT BRIEFING (ICS 201)

1. Incident Name: COVID-19	2. Incident Number: (EON num. if applicable)	3. Date/Time Initiated: Date: 11/16/2020 Time: 1030
4. Map/Sketch (include sketch, showing the total area of operations, the incident site/area, impacted and threatened areas, overflight results, trajectories, impacted shorelines, or other graphics depicting situational status and resource assignment):		
5. Situation Summary and Health and Safety Briefing (for briefings or transfer of command): Recognize potential incident Health and Safety Hazards and develop necessary measures (remove hazard, provide personal protective equipment, warn people of the hazard) to protect responders from those hazards.		
Maintain a calm and safe environment focusing on staff safety and personal well-being. Follow guidance on social distancing, hand washing, and proper sanitation. Report suspect COVID-19 cases through appropriate channels. - Town buildings closed: Appointment only to the public - Need medical PPE for 1st responders and need other appropriate PPE for the essential workers and healthcare workers. - Messaging to the public about social distancing and wearing of face coverings - Messaging to the public regarding reopening town facilities		
6. Prepared by: Name: Kristin Scoble _____ Position/Title: Administrative Assistant _____		
ICS 201, Page 1 _____ Date/Time: 11/9/2020 - 1300		

Updated by FDA 2/2011

INCIDENT BRIEFING (ICS 201)

1. Incident Name: COVID-19	2. Incident Number: (EON num. if applicable)	3. Date/Time Initiated: Date: 11/16/2020 Time: 1030
7. Current and Planned Objectives: 1. Provide protection of life, public health, safety, and welfare to the community. 2. Provide timely, relevant information to the community to reduce the spread of the disease, with a focus on populations at increased risk and limit the spread of COVID-19 through effective public health communication and interventions - Establish and maintain communications internally. - Establish and maintain communications externally. 3. Maintain situational awareness on health impacts and provide updates to the public, staff, and stakeholders. 4. Work closely with partners to ensure an effective and well-coordinated response. 5. Monitor local, regional, state, national, international activity. 6. Plan for and activate continuity of operations as needed. 7. Update healthcare guidance & public guidance according to CDC & MDPH changes. 8. Prepare healthcare entities to gear up for medical surge. 9. Utilize control measures to minimize contact/risks to all staff. 10. Plan for recovery. *Daily goals and objectives in section 10.		
8. Current and Planned Actions, Strategies, and Tactics:		
Time:	Actions:	
11/13/2020	DCU Field Hospital will back up and running in December	
11/16/2020	Revised SOP will be sent to staff: Face Coverings / Medical Confidentiality	
11/19/2020	Meeting w. Boards RE: Public Messaging	

1. Incident Name: COVID-19	2. Incident Number: (EON num. if applicable)	3. Date/Time Initiated: Date: 11/16/2020 Time: 1030
6. Prepared by: Name: Kristin Scoble _____ Position/Title: Administrative Assistant _____		
ICS 201, Page 2		Date/Time: 11/9/2020 – 1030

Updated by FDA 2/2011

INCIDENT BRIEFING (ICS 201)

1. Incident Name: COVID-19	2. Incident Number: (EON num. if applicable)	3. Date/Time Initiated: Date: 11/16/2020 Time: 1030
9. Current Organization (fill in additional organization as appropriate):		
Policy Group Kate Fitzpatrick, Dave Davison, Katie King, Dan Gutekanst, Rachel Glisper, Cyndi Roy Gonzalez, Tim McDonald, Michael Lethin EOC Manager Michael Lethin Incident Commander Tim McDonald Public Information Officer Cyndi Roy Gonzalez Safety Officer Tiffany Zike Liaison Officer Michael Lethin Operations Section Chief Katie King, John McGrath Logistics Section Chief Chuck Murphy-Romboletti, John Reagan Finance Section Chief Tatiana Swanson Planning Section Chief Roger MacDonald, Sandy Cincotta Public Health Unit Leader Tiffany Zike Documentation Unit Leader Kristin Scoble EMS Unit Leader Eddie Sullivan		
6. Prepared by: Name: Kristin Scoble Position/Title: Administrative Assistant		
ICS 201, Page 3		Date/Time: 11/16/2020 - 1030

Updated by FDA 2/2011

INCIDENT BRIEFING (ICS 201)

10. ICS Organization Updates (fill in additional organization as appropriate):

Incident Commander Update: (Timothy McDonald)

Command Staff Update:

- COVID-19 Cases are increasing dramatically nationally and in Massachusetts
- Colleges are sending students home as planned after Thanksgiving until 2021 and some colleges unplanned
 - Locally – Olin College has had zero cases
- Local high schools have had to close due to cases
- Needham has had teachers that have tested positive. Some have become relaxed within school during lunch and break time. Need to stress social distancing and mask wearing.
- No in school transmission
- Needham is seeing cases within social and family transmissions
 - Car pooling
 - Sports
 - Social gathers
- Messaging the importance of staying healthy within a home and how to eliminate exposure

EOC Manager: (Michael Lethin)

- MEMA will rebuild a field hospital / DCU Center – Running by December
- Worcester was chosen as a centralized site
- Transport COVID patients to field hospital to have the ability to keep hospital open for non-covid patients
- Travel advisory has been updated by the state, more restrictions in place

Public Information Officer: (Cyndi Roy Gonzalez)

- Working on community materials to have around town and visible

Safety Officer: (Tiffany Zike)

- SALSA group looking to help and support messaging to the public

6. Prepared by: Name: Kristin Scoble _____ Position/Title: Administrative Assistant _____

ICS 201, Page 4

Date/Time: 11/9/2020- 1300

INCIDENT BRIEFING (ICS 201)

10. ICS Organization Updates (fill in additional organization as appropriate):

Operations Section: (Katie King & John McGrath)

- No update

Planning Section: (Sandy Cincotta & Roger MacDonald)

- Working on employee training opportunities
- Survey to staff

Logistics: (Chuck Murphy-Romboletti & John Regan)

- Sanitizing wipes order for PD have been delivered

Finance: (Tatiana Swanson)

- 2nd round of CARES Act (7/1/2020 – 9/30/2020) reporting was submitted 11/13/2020

Total Reported	Eligible
\$ 359,410	\$ 89,852
\$ 664,076	\$ 264,448
\$ 1,023,486	\$ 354,301

- Working on FEMA request for detailed payroll sheets and proof of paying employees

Policy Group:

- Revised SOP regarding face coverings and medical confidentiality will be sent to all employees today 11/16/2020

New Objectives:

- Meeting with boards to discuss how to expand and assist with public messaging regarding COVID. Meeting 11/19/2020 @ 4pm

6. Prepared by: Name: Kristin Scoble _____ Position/Title: Administrative Assistant _____

ICS 201, Page 5 Date/Time: 11/16/2020 - 1030

INCIDENT BRIEFING (ICS 201)

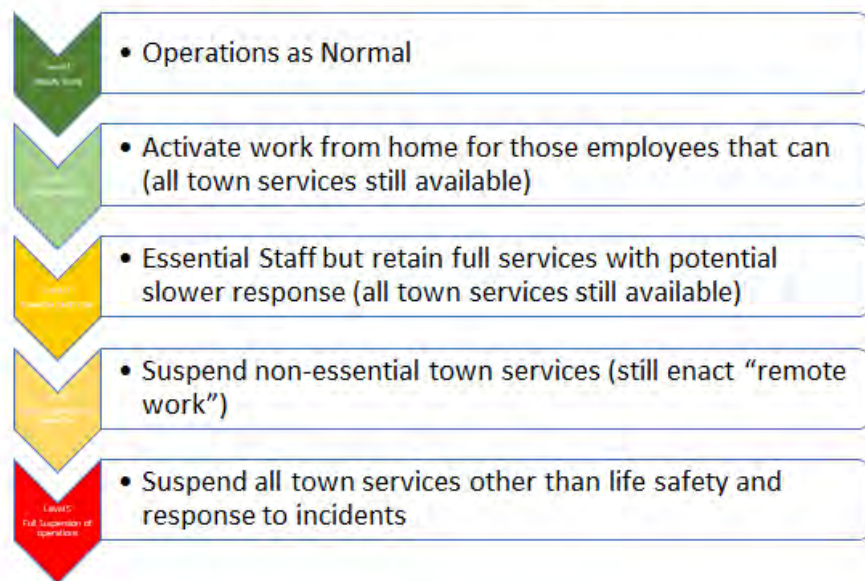
1. Incident Name: COVID-19		2. Incident Number: (EON num. if applicable)		3. Date/Time Initiated: Date: 11/16/2020 Time: 1030	
11. Resource Summary:					
Resource	Resource Identifier	Date/Time Ordered	ETA	Arrived	Notes (location/assignment/status)
				☐	
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6. Prepared by: Name: Kristin Scoble _____ Position/Title: Administrative Assistant _____					
ICS 201, Page 6			Date/Time: 11/16/2020 – 1030		

Updated by FDA 2/2011

APPENDIX D: ADDITIONAL INCIDENT DOCUMENTATION

I. Town of Needham Staff Continuation of Operations Activation Levels

Town of Needham Staff Continuation of Operations Activation Levels



II. Town of Needham Employee COVID-19 Attestation Form

Note this form was provided in English, Spanish, and Portuguese



**Town of Needham
Employee Covid-19 Attestation Form**

Upon arrival to work every day, all employees must sign a form to acknowledge:

- (1) the employee is not experiencing any symptoms of COVID-19 and
- (2) the employee has complied with the Massachusetts Travel Order.

If you have any symptoms, please leave and call your supervisor.

The Town is piloting having employees complete this form online. You can access it by the QR code below. Open the camera app on your smart phone, position your phone so the QR code appears on the screen, then click on the prompt to launch the code.



If you do not have a smart phone or are having trouble accessing the form, you can also find it online at tinyurl.com/y382z33j.

III. Town of Needham Event Checklist Packet, Spring 2021



COVID-19 Health & Safety Standards

For your event/gathering/program, in addition to the normal requirements like an application for the use of an indoor space or a field, or the arrangement of a Police detail or traffic monitors, you must now submit a brief (2 to 3 pages) written plan which outlines how your event will be organized and managed.

Your plan will be reviewed by staff members from the Needham Public Health Division against the checklist on the following page, as well as the current state and local guidance. If your plan runs contrary to existing state guidance, it will not be approved. If your plan meets the existing state guidance but does not contain sufficient details and does not demonstrate a thoughtful and deliberate approach to protect the health and safety concerns of all attendees and the larger community, it will not be approved. Therefore, please consider the following questions when developing your written plan.

1. When and where will this event/gathering/program occur?
2. Is there a sponsoring organization or group for this event/gathering/program?
3. How many people will attend?
4. Who will monitor attendance during the event? How will that person maintain the correct event size? What steps will this person take if the event exceeds the permitted limit?
5. What type of activities will occur? Please describe in detail.
6. Who will manage the event? What experience does this person have overseeing programs or events? What other staff or volunteers will assist and support this person? Please be specific.
7. How will attendees register for the event/program/etc.? For contact tracing purposes, please be sure to collect names, email addresses, phone numbers, and place of residence from all attendees. If a large event where attendees are segmented into smaller groups, please also have a method to track in which group or area the different people were engaged.
8. Who will monitor mask compliance during the event? What steps will this person take if any individual or a group refuses to adhere to the mask mandate?
9. What measures will be taken to ensure distancing between persons or between family groups?
10. What COVID-19 safety signage will be posted at the event? What, if any, instructions will be included for people during registration? Some suggested signs are included as attachments to this form.
11. Will there be food present in any form? If so, what safety measures are in place to ensure food is safe for consumption and is consumed in a manner so as not to expose others to higher risk COVID activities?

- The page which contains the overarching state guidance is available at:
<https://www.mass.gov/lists/covid-19-regulations-guidance>
- Sector specific protocols and best practices for various types of businesses is available at:
<https://www.mass.gov/resource/reopening-sector-specific-protocols-and-best-practices>
- The guidance for outdoor recreational events and many sports activities is available at:
<https://www.mass.gov/info-details/executive-office-of-energy-and-environmental-affairs-eea-covid-19-guidance-documents>
- Safety standards and checklists for both indoor and outdoor events are available at:
<https://www.mass.gov/info-details/safety-standards-and-checklist-indoor-and-outdoor-events>

FOR INTERNAL USE

Town of Needham

COVID-19 Health and Safety Standards

Must Follow the [Indoor & Outdoor Events Safety Standards](#)
And any subsequent [Standards Specific to the Sector/Industry](#)

HEALTH & SAFETY STANDARDS		
GROUP NAME:		ADDRESS OF ACTIVITY:
OWNER/OPERATOR:		MAILING ADDRESS:
CURRENT MA PHASE :		DATE/TIME OF ACTIVITY:
PHONE #:		
TYPE OF ACTIVITY:	CAPACITY:	REVIEWED BY:
		TODAYS DATE:
STANDARD	GUIDANCE	NOTES:
Facial coverings	All participants, spectators, staff must wear masks at all times unless they fall into an exempt category	
Distancing	At least 6ft between all participants required. Building/space must be large enough to accommodate this	
Hand Hygiene	Must have access to washing stations or hand sanitizer (at least 60% alcohol)	
Cleaning/Sanitizing	Guidance requires use of disinfectants from the list linked here. https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2	
Attendees List	For most events, except some types of gatherings or those without pre-registration	
Food/ Concessions	Must follow Restaurant Standards	
COVID-19 Education	Posters/information to be displayed at event	
Plan for Crowd Control	Must have a back-up plan if crowd becomes too large	

The Town of Needham and Needham Public Health reserve the right to inspect any event. Fining and cancellation of any current and future events can happen if protocols and standards are not being followed.



Stop the Spread of COVID-19



Wear a mask or face covering

Always wear a mask or face covering when you're in public – even outdoors. You could have COVID-19, have no symptoms, and still infect other people. Masks can help prevent the spread of the virus. Masks protect other people.



Wash your hands before putting your mask on and after taking it off.
Don't touch the front of the mask. Handle it only by the ear loops or ties.



Cover your nose and mouth with the mask. Pull the bottom down under your chin. Adjust it until it fits snugly against the sides of your face. Your mask should not restrict breathing.



Remember, your mask must cover your nose and mouth at all times.

For more, visit: mass.gov/MaskUp

 Massachusetts Department of Public Health

7/30/2020

Stop the Spread of Germs

Help prevent the spread of respiratory diseases like the flu and COVID-19:



Wash your hands often with soap and warm water, or use an alcohol-based hand sanitizer.



Avoid touching your eyes, nose and mouth.



Clean things that are frequently touched (like doorknobs and countertops) with household cleaning spray or wipes.



Cover your mouth when you cough or sneeze. Use a tissue or your inner elbow, not your hands.



Stay home if you are sick and avoid close contact with others.



Think ahead about how to take care of yourself and your loved ones. Visit [mass.gov/KnowPlanPrepare](https://www.mass.gov/KnowPlanPrepare) for preparedness tips.

For more, visit: www.mass.gov/2019coronavirus

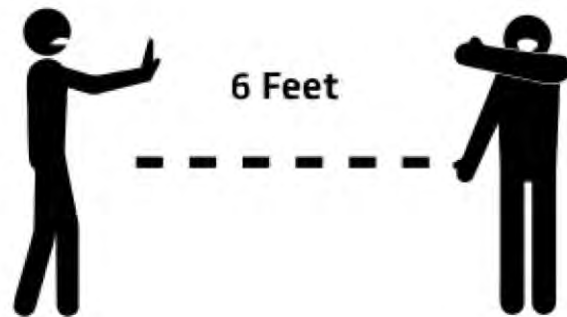
 Massachusetts Department of Public Health

3/9/2020



SOCIAL DISTANCING

Please help us
by being mindful
of social distancing
practices in our
facility.



For more information visit: www.needhamma.gov/coronavirus



Board of Health
Town of Needham
AGENDA FACT SHEET



MEETING DATE: July 19, 2022

Agenda Item	Monthly Staff Reports/COVID Update
Presenter(s)	Public Health Division staff

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Review monthly highlights for June, including discussion of current levels of COVID in the community and which metrics/measures the Board and the Public Health Division will closely monitor.	
2.	VOTE REQUIRED BY BOARD OF HEALTH
No vote is required or expected by the Board of Health.	
3.	BACK UP INFORMATION:
- See enclosed staff reports.	



NEEDHAM PUBLIC HEALTH DIVISION



Unit: Emergency Management

Date: June 2022

Staff member: Michael Lethin

Activities and Accomplishments

Activity	Notes
HazMat Tabletop Exercise	The Local Emergency Planning Committee conducted a tabletop exercise for a scenario involving a release of a hazardous material at the RTS. There was a lot of good discussion and an After-Action Report will follow.
FEMA Public Assistance	Three meetings were held between FEMA and Needham officials in June regarding reimbursement for snow removal from the January 29, 2022 Blizzard. We are making good progress ahead of our August 15, 2022 deadline to submit all documentation.
Active Shooter Training and Exercises	Begun the process of planning for an active shooter response training and exercise in the Summer of 2022, that will be the first step in a progressively more complex exercise schedule over the next 2-3 years.



Emergency Management Support Monthly Report June 2022

Prepared by: Taleb Abdelrahim

This monthly report is to provide an update on what I have been doing under supervision of Tiffany Zike.

Summary of work:

- Based on Needham 2022 Hazard and Vulnerability Assessment result, we're working on shelter trainings plan for MRC to understand what an emergency shelter or a warming/cooling center is, what they involve in shelter, etc.
- We're continuing working on documentations for accreditation (Domain 2, Standard 2.2. Emergency Preparedness and response)



NEEDHAM PUBLIC HEALTH DIVISION



Unit: Traveling Meals Program

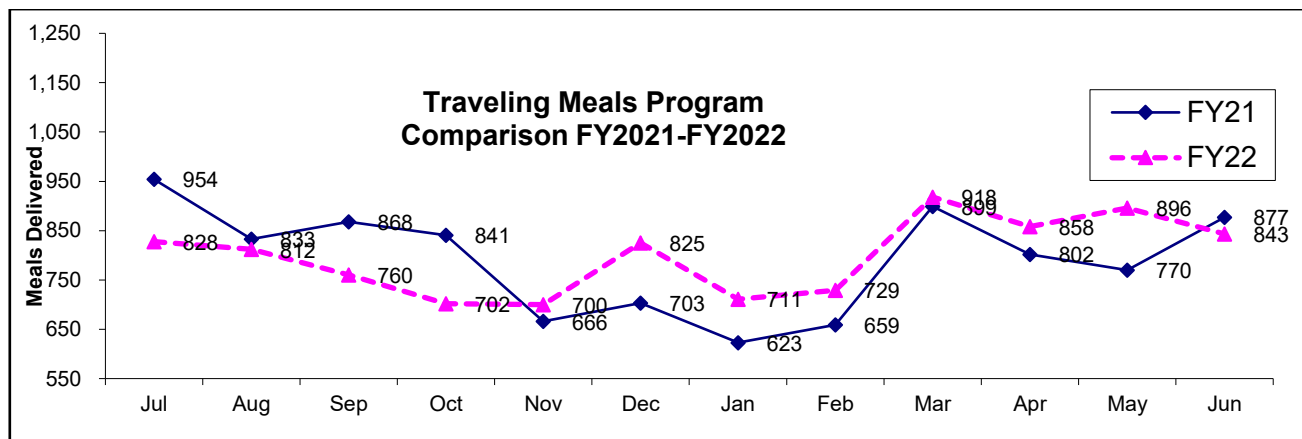
Monthly Report for June, 2022

Staff member: **Rebecca Hall, Program Coordinator**

Activities

Activity	Notes
COVID 19 –precautions continue by volunteers as they deliver meals to homebound Needham residents in need of food.	Covid precaution in place Meal delivery for month completed by 28 volunteers first 3 weeks and Seasonal drivers last 2 weeks
843 Meals delivered in June, 2022 47 Consumers currently 39 Springwell Consumers 8 Private Pay Consumers 4 New clients (3 Springwell, 1 private)	Two 911 calls initiated (one client had been admitted to ER; one client answered door ok)
1% Increase in Meal Delivery from 2021	2021: 9,495 Meals Delivered 2022: 9,582 Meals Delivered

Summary overview for the month: **Graph of Meal Deliveries for the month June, 2022**





NEEDHAM PUBLIC HEALTH DIVISION



Unit: Accreditation Team report

Date: June 2022

Staff: Lynn Schoeff, Jessica Kent, Cindi Melanson

Activities and Accomplishments

Activity	Notes
First Accreditation Steering Committee meeting	First meeting on June 16, 2022. Members include T. McDonald, T. Zike, T. Gurge, J. Hurley, C. Melanson, J. Kent, L. Schoeff
Focus on performance management and quality improvement	Two staff members attended Public Health Improvement Conference, June 6-8, 2022, focused sessions were related to accreditation, performance management, quality improvement, workforce development . Continued reviewing NPHD programs as possible areas of focus and draft measures (to be continued further in July) Modified original PH WINS survey to administer to new NPHD staff who did not participate in the project. The data will be used to identify training needs.
Assessment of Healthy Aging in Needham	Finalized survey, focus group guide, and individual interview content. Interviews conducted: Jess Moss, Sandy Robinson, Rebecca Hall, Aicha Kelley, Tara Gurge, Tiffany Zike. Scheduled two focus groups.
BID-N Community Benefits	Attended annual meeting and reviewed data from Community Health Needs Assessment to be incorporated into PHAB Community Health Assessment.
Policies and procedures	Finalized and reviewed policies with Tim McDonald NPHD - After-Action Report



NEEDHAM PUBLIC HEALTH DIVISION



	- New Staff Orientation - Orientation for new BOH members - PH Staff Continuing Education - BOH Minutes - Evidence of Authenticity HHS - Confidentiality - Policy on Policies - Duty to Warn - Whistleblower, Racial and Health Equity - Payroll - Monthly Expense Report - Purchase Order Requests - Professional Staff Licensure - Recommendation to Hire
Board of Health regulations	Continued work on Marijuana Treatment Center regulation and on Food Code Enforcement regulation.

Other work:

Massachusetts Office on Disability grant-funded Self-Evaluation and Transition Plan with the Institute for Human Centered Design and the Needham Disability Commission.

- Kick-off with department heads (5/31/22)
- Meeting with Disability Commission to launch program (6/21/22)



Needham Public Health Division

June 2022

Assist. Health Director - Tara Gurge

Health Agents – Ally Littlefield, Monica Pancare and Thaleia Stampoulidou-Rocha



Unit: Environmental Health

Date: 7/19/2022

Staff members: Tara Gurge, Ally Littlefield, Monica Pancare and Thaleia Stampoulidou-Rocha

Interns – D'Andra Linden and Ecom Lu

Activities and Accomplishments

Activity	Notes
Staff Trainings	Diana and Ally attended the Association of Food and Drug (AFDO) Annual Educational Conference in Glendale, Arizona from June 10th- June 16th to explore trends in food, drug, and medical products from leaders in those fields. Tara attended the National Environmental Health Association's (NEHA) Annual Educational Conference, virtually. It was held in Spokane, WA this year. It was held from June 28th – July 1st. Very informative conference where current trends in food safety were covered, including information on restaurant grading. Tara also attended the LEPC Hazardous Material Incident Tabletop Exercise/RTS Drill at the new Emergency Operations Center located at the Public Safety Building at #88 Chestnut St. All new inspection staff has begun hands-on training with food safety expert- Diane Legere, with Berger Food Safety, to learn about how to conduct effective, risk-based food safety inspections. These weekly trainings will continue to take place on Friday mornings throughout the month of July.
Hungry Coyote Extension of Food Permit/Monthly food consultant oversight required	The Hungry Coyote food establishment was given a six-month permit back in January, due to ongoing food safety violations. As a condition of his six-month temporary food permit renewal, we had required him to work with a food safety consultant. The owner worked with Berger Food Safety and they conducted on-site bilingual trainings (x3) and also unannounced audit inspections each month with the last audit conducted the end of May. UPDATE - At our last Board of Health meeting, after all the information was presented, a decision was made to extend The Hungry Coyote's food establishment permit for another six months, under the condition that they will continue to contract with a food safety consultant to work with the owner and his staff on a monthly basis. A signed contract was received and we extended their food permit until Dec. 31, 2022. We will need to receive copies of their monthly audit checks conducted by the food consultant, and we will again reassess their food safety knowledge, and determine whether an annual permit can be issued for next year.
The Rice Barn – Permanent revocation of Food Permit - <u>Now Required</u>	UPDATE - At our Needham Board of Health meeting that was held on June 23, 2022, the Board had decided to give The Rice Barn a one-week final extension <u>or on or before Friday July 1, 2022</u>, to have <u>all</u> Food Code items and violations previously noted fully addressed, and that includes the unpermitted 3-Bay sink in the basement (noted on 4/16/22 inspection report), along with all the other code violations noted on the previous inspection reports. As stated by the Board at the June meeting, if <u>any</u> violations were observed during our inspection, whether they are current or previous violations, that will trigger the need to reconvene, where a decision will be made on whether to <u>revoke The Rice Barn's food establishment permit</u>. This correspondence was immediately sent out to Charles Intha, the owner, along with a copy sent to his lawyer, following the meeting.

Mr. Intha stated that all items had been corrected and he requested that an inspection be conducted by our staff on Friday, July 1st. An inspection was conducted on 7/1 at 1:30 PM by Monica and Ally, and as you can see by the enclosed food establishment inspection reports, many violations were noted, including repeat violations with pest droppings noted in the Bar Area. Other items observed during the inspection are noted below:

- Outer openings not protected in basement, including cracks, crevices, and holes (where pests are entering.)
- Non-food contact surfaces including equipment in the kitchen, soiled and in need of cleaning.
- Food-contact surfaces soiled including knives stored in basement near prep areas.
- Excess clutter found in the exterior of the establishment and in the interior, near the back door, including a seat of a car (contributing to rodent harborage.)
- Miscellaneous equipment and excess debris noted in bar area.
- Food-contact surfaces in the bar mini-fridge soiled.

PLEASE NOTE: We would like it to be put on record stating that the Needham Public Health Division, along with the Env. Health Team, does not support the re-opening of The Rice Barn food establishment due to months of ongoing FDA Food Code violations observed on site and due to the ongoing lack of food safety knowledge demonstrated along with lack of properly trained staff, ongoing cleaning and sanitation issues, etc., which continue to contribute to on-going non-compliance.

After months of trainings and increase in inspections/oversight, and hours and hours of staff time spent, in order to help allow this restaurant to operate in a safe and sanitary manner, we all agree that these efforts have been exhausted and we believe at this point that the risk of foodborne illness is too high and do not support putting the public's health at risk in allowing this food establishment to reopen to the public.

As stated by Town Counsel, Chris Heep- The legal standard for a new revocation order is:

- a. Serious or repeated violation of any of the requirements of 105 CMR 590.000;
- b. Any grounds stated in 105 CMR 590.014(B)(1)(b) through (h) which in the discretion of the board of health of the Department are sufficiently serious to require revocation. These are:

(b) Denial of entry to agents of the board of health or the Department or attempts to impede the work of a duly authorized agent of the board of health or the Department;

(c) Providing false or misleading statements or documents to the board of health or the Department or agents thereof, or keeping any misleading or false records or documents intended to satisfy the requirements of 105 CMR 590.000;

(d) The permit holder or owner, or if the permit holder or owner is a corporation, a corporate officer, of the facility, has been convicted of, pled guilty or *no lo contendere* to, or has, in a judicial proceeding, admitted facts sufficient to find that he or she is guilty of a crime relating to the operation of a food establishment;

(e) The permit holder or owner, or if the permit holder or owner is a corporation, a corporate officer, of the facility has engaged in conduct that endangers the public health;

(f) Failure to pay any federal, state, or local taxes as required by law, pursuant to M.G.L. c. 62C, § 49A;

(g) Failure to comply with local regulations/ordinances related to the operation of the facility; or

(h) Such other reasons not stated in 105 CMR 590.014(B)(1)(a) through (g) which pose a risk to public health and safety.

(TO DISCUSS)

Meeting with the Needham Housing Authority (NHA)	Tim McDonald, Tara Gurge and Ally Littlefield, will be meeting with Needham Housing Authority staff Steve Merritt (Director) and Gary Kuphal (Director of Maintenance) to review ongoing NHA housing cases on July 14 th . The goal of this meeting is to discuss any barriers that the NHA may be facing regarding these on-going cases, and to figure out how the Public Health Department and NHA can better collaborate with each other.
Certificate of Excellence Program for Food Establishments	Needham seeks to implement a Certificate of Excellence Program for Food Establishments, which is a modified version of food establishment grading. This program incentivizes restaurants to follow proper food safety practices, and rewards those who receive excellent food safety reports at routine food safety inspections. After thorough research of what is working and not working in other cities/towns, we feel this program will improve food safety in Needham, without negatively impacting Needham businesses. Those who receive a certificate of excellence will be posted on our Needham Public Health website and can post their certificate in the window. Community education and promotion of this program will also be a key element to make this program a success. Our intern, Ecom Lu, has been working on developing a toolkit that we would like to present to the board in the near future to receive your permission to begin a pilot program.
Micro-markets/ Unattended Food Establishments	Someone reached out to us to ask what the requirements were for micro-markets and unattended food establishments. Unattended Food Establishment means an operation that provides packaged foods or whole fruit using an automated payment system; and has controlled entry not accessible by the general public. The vendor requested that they prepare food offsite in another town and sell them at a Needham “micro-market” location. Micro-markets are a new and emerging food trend that we need to discuss with the BOH and implement regulations on what we will allow in Needham.
Needham Farmers Market – Opening Day on June 12th	Tara and Ecom conducted pre-operation inspections of this seasons Farmers Market which is in a new location at Greene’s Field this year, while renovations are taking place on the Town Common. Ecom will continue to conduct weekly inspections of the permitted market food vendors to ensure they comply with Food Code requirements.
Standard 6 FDA Voluntary National Retail Food Regulatory Program Standards	To standardize our inspection process and procedure, Needham has worked with Lynn Schoeff on a revitalized food code enforcement policy. The policy will allow us to meet Standard 6 of the FDA National Voluntary Retail Program Standards and strengthen our food safety inspection program. Included within the policy is a defined process for re-inspections, ticketing, fees, administrative hearings, order letters, Board of Health meetings, suspension orders, and more. (TO DISCUSS.)
Policy Reviews/Domain 6 for Public Health Division Accreditation	The Environmental Team is continuing to work with Lynn on reviewing and updating our existing environmental policies. Tara has joined an Accreditation Team Committee, as requested by Lynn and her staff, to assist with accomplishing the goals to enable the Public Health Division to work towards becoming fully accredited. Ecom, our intern, has started assisting us in conducting a policy review to assess our current policies in order to work towards accomplishing the requirements for the Public Health Accreditation Board Standards, specifically, Domain 6 – Enforce Public Health Laws.

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

Activities

<i>Activity</i>	<i>Notes</i>
Animals	4 – Animal Permits
Biotec Plan Review/Permit issued	1 – New Biotec Company Plan Review conducted/Permit issued for: - <u>Candel Therapeutics</u> – Located at #117 Kendrick St.
Body Work Practitioner Permits/Plan reviews	0 – Body Work Permits issued. 1 – Body Work Plan Review conducted for Blue Lotus. (They have since decided to not pursue their establishment and practitioner permits at this time.)

Demo Reviews/ Approvals	5 - Demolition signoffs: -59 Dartmouth Ave -188 Washington Ave -47 Scott RD -920 South St -83 Audrey Ave
Medical Treatment Center (former Dispensary) Permits/Inspections	1 - Medical Treatment Center (MTC) (aka former Dispensary) Permit/Inspections- - <u>Sira Naturals</u> - Conducted both inspections, one at the Needham MTC site and one at the Milford, MA grow and food production site. Permit issued.
Food - Plan reviews	2 – Food Permit Plan Reviews conducted for: - <u>North Hill Bistro</u> – Change in kitchen layout. (Plan review ongoing.) - <u>Zdorovie</u> – Will be changing locations (35 Highland Circle), and needs a full plan review with a brand-new permitted kitchen. (Plan review ongoing.)
Food – Permits issued - Temp. Event Permits, etc.	4 - Food permits issued to: -Race Amity Day (Temporary) -Superstar Ice Cream (Mobile) -RRC Ice-cream Stand (Seasonal) -Fourth of July Event at Memorial Park (Temporary)
Foodborne Illness Complaint Follow-up	1/1 – Foodborne Illness/Follow-up: <u>Sweet Tomato's</u> - One case of Salmonella was recorded on MAVEN, and an Arugula Salad (no chicken) was consumed. There was no other salmonella case recorded. The arugula and pre-made salads were stored properly and are made in the morning before any raw meat products are repaired. However, multiple violations were found on inspection- the most concerning being a soiled interior of the dishwasher, and two-door roll-top over 41 degrees. Items temped indicated food was not properly being cold held, and items were discarded. After indication of fixing the unit, a second re-inspection was conducted. The unit was colder, but food items were still over 41 degrees. The roll-top must be held at 36-37 to keep the quantity of food held in this unit cold. A third re-inspection was conducted on Thursday to verify the second repairs are adequate. If violations are not corrected, an administrative hearing may be needed. (On-going)
Housing Complaints/Follow- ups	2/6 – New Housing Complaints/Follow-ups conducted at: – <u>Gage St. (0/1)</u> – An emergency call was received by Public Health from Police asking for assistance with a housing hoarding case. Housing Order letter sent. Owner took a leave from work and has been working with professional trash and cleaning/disinfection companies. Making progress. Continuing to receive weekly check-ins from CATH social worker. UPDATE – Received a call from Professional Cleaning Comp. who stated that the occupant is making significant progress and they reported that they have removed everything from the home. Will continue to work with CATH social worker to ensure that the occupant has a long-term trash removal plan in place, which will need to be confirmed, along with a follow-up re-inspection, prior to our final sign off. (On-going.) – <u>Clyde St. (0/1)</u> – An occupant called reporting a broken bulkhead, which they believe has caused an interior pest issue. An order letter was sent out to the landlord which requires that the bulkhead is fixed, and a 3rd party pest control company is hired to investigate and exterminate remaining pest issues. Once the bulkhead is fixed, Tara, Ally and the building commissioner will re-inspect the basement to ensure the repair is adequate and structurally sound. UPDATE: The landlord is currently working on applying for a building permit; however, they have been non-compliant in sending us pest-control reports. If the landlord does not meet our deadline to apply for a building permit, further action (administrative hearing) will need to take place. (On-going) – <u>Seabeds Way (0/1)</u> - An occupant living at Seabed's Way, Apartment 26 reported excess moisture and mold, which they believe to be negatively impacting their health. Chronic dampness was observed upon inspection in the bathroom molding, and an order letter was sent out to Needham Housing Authority on May 11th. J. Brian Day was hired to investigate and found minimal and trace amounts of mold in the unit. UPDATE - It was brought to our attention that repairs are still not complete, which was verified by both

	Tara and Ally. It has been communicated that repair are to be completed ASAP. (On-going.) – <u>Linden St. (0/1)</u> - Received a concern from a NHA occupant’s physician about a concern about excessive moisture/mold in her unit. The Dr. called us to advocate for his patient, due to her on-going asthma issues that are reportedly directly related to her moldy living environment. NHA has been non-responsive to the occupant’s concerns to date. When she called and spoke to NHA Office Admin. About her concern, they reportedly did not submit a work order to investigate the on-going issue but told her to buy her own air purifier. Working with Gary (NHA Maintenance) and Steve (Interim NHA Director) on issue. Will be setting up an in-person meeting to discuss these on-going housing issues. <u>UPDATE</u> – Occupant reported that it’s been over a month and she has not seen any progress. She reported that NHA maintenance came by to put tape over a broken soap dish in her shower area a month ago to prevent ongoing water seepage from getting into her walls of her bathroom area, but the issue continues. She reportedly has severe asthma due to the ongoing air quality issues in her unit. Will be one of the ongoing cases to be discussed at the scheduled meeting with NHA which will be held with Tim, Tara and Ally. We will request that alternative living arrangements need to be made for this occupant while NHA permanently remediates this urgent excessive moisture concern. – <u>Chambers St (1/1)</u> - An occupant complained about a prolonged sewer smell, coming from her toilet. It was recently repaired by a plumber to eliminate the smell, but the occupant reported it was still there. Ally followed up and was unable to smell the sewer smell during inspection, however, she observed a broken fan in the bathroom. Both Roland and Ally followed up the following day to see if we could catch the odor and were unable to. The Needham Housing Authority is working on replacing the vent. (On-going) – <u>Hamilton Highlands (former Webster Green Apts.) (1/1)</u> - Tara has continued her monthly check-in meetings with Hamilton Corp. staff, and has been receiving positive feedback, up until this past month. An occupant reported that she observed an increase in pests compared to last month. She also reported an overflow of trash receptacles and storage of items from recent occupant move-outs in trash chute areas. She also reported that there is an abutting occupant smoking on her balcony, and the smoke is migrating into her unit. Reported concerns to Hamilton and they said they would follow-up on complaints. Spot check site visits will be conducted to confirm. (On-going.)
Nuisance – Complaints/ Follow-ups	2/3 – New Nuisance Complaints/Follow-ups: - <u>Forklift (0/1)</u> – Received a message from NW Pests about concerns with multiplying rat burrows behind the fence of Forklift Catering. The rat infestation is localized on the side of the highway, which is state land. We have reached out to Michael McQueen District 6 Highway Director, to involve the state in eliminating the pest issue. <u>UPDATE</u> – The state is collaborating with NW Pests to remove trash behind the highway and cut the grass, so NW can fully treat the area. (On-going) - <u>Seven-Eleven (1/1)</u> - It was brought to our attention by a resident that he has seen an increased rodent activity at Seven-Eleven. After investigating, Tara and Ally found a lot of rat burrows and excess harborage near the dumpster and behind the abutting fence. The owner is working on removing the harborage which is contributing to this pest issue. Our inspectors have been following up every week to monitor their progress. No progress has been made so far, which was reported by the owner due to the holiday. He will ensure items are removed and will continue to submit ongoing pest reports for our review. (On-going) - <u>Highland Ave. (Area along tracks behind Sudbury Farms, Hungry Coyote, Subway and Dunkin Donuts) (1/1)</u> - Hungry Coyote reported increase in pests along tracks. Pest harborage areas were identified after a site visit was conducted by Tara and Ally, along with a rep from MBTA/Keolis. The rep. agreed to work on having their pest control company treat the identified rat burrows with CO gas in the areas abutting the tracks, and the food establishments have agreed to work together to cover the shared cost of the pest control service to treat the areas on the restaurant/retail store side of the fence, and other grassy areas. An increase in exterior baited traps will also be placed all along the track areas to get on top of this increase in pest population in this area. Hungry Coyotes trash and recycling pick up schedules have also been placed on a more frequent schedule. (On-going)

Pool permit renewal reviews/Permits issued	2 - Public/Semi-public pool permit renewal reviews conducted for: - <u>Rosemary Recreation Complex</u> - (For 2 pools – Family pool and Lap pool.) Permits issued.
Pool Inspections	2 - Public/Semi-public pool Inspections - <u>Rosemary Recreation Complex</u> - (For Family and Lap pools.)
Planning Board site plan reviews/Off-Street Drainage request	1 - Planning Board reviews conducted for: - <u>Hutter Ridge Rd.</u> - Request received for off-street drainage bonds to be released for a completed subdivision. Memo sent to builder with next steps. <u>UPDATE</u> – Still working with builder on steps that need to be taken to release the bonds. Heard back from one abutter so far who reports concerns with water drainage. (Still ongoing.)
Septic Certificate of Compliance (COC)	0 – Septic Certificate of Compliance signoffs issued.
Septic – Construction permits	0 – Septic Construction Permits issued.
Septic Installation inspections	2 – Septic installation inspections conducted at: - <u>#185 Charles River St.</u> - Final grade check, along with verifying grass. (As-built plan pending.) - <u>#1607 Central Ave.</u> - Confirmed septic tank installation, with stone under tank. (On-going.)
Septic Installer Permits/Exams issued	0 – Septic installer permits/exams issued to:
Septic Addition/Reno. to a Home on a Septic reviews	1 – Addition/Reno. to a Home on a Septic reviews conducted for: - <u>#74 Brookside Rd.</u> - Comment Memo sent.
Septic Plan Reviews	1 – Septic Plan reviews conducted for: - <u>#40 White Pine Rd.</u> - Comment letter sent.
Septic – Soil/Perc Tests	1 – Septic Soil/Perc Tests conducted at: - <u>#311 Charles River St.</u>
Septic Trench permits	2 – Septic Trench permits issued for: - <u>#299 Charles River St.</u> - <u>#311 Charles River St.</u>
State Pre-Housing Sanitary Inspection	1- State Pre-Housing Inspection -<u>The Kendrick</u> (Unit 1021) - Unit was approved for occupancy.
Trash Hauler permits issued	0 – Waste Trash and Recycling Hauler permit renewal reviews conducted.
Well Permit Online permit review/Final sign off	1 – Well permit plan review/final sign off conducted for: - <u>#34 Wilson Lane</u> – Final inspection conducted by Water and Sewer for new geothermal well.

Zoning Board of Appeals plan reviews	2 – Zoning Board of Appeals plan reviews conducted for: - <u>#68 Wilshire Park</u> - <u>#35 Highland Circle</u>
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FY 21 Priority FBI Risk Violations Chart (By Date)

Hungry Coyote	6/11/22	3-501.18 Ready-to-Eat Food Disposition A TCS/RTE food as specified in paragraph 3-501.17 (A)(B) shall be discarded if it: exceeds 7 days at 41°F or lower (except for the time that the product is frozen) or is in a container or package that does not bear a date or day or is appropriately marked with a date or day that exceeds a temperature and time combination as specified in 3-501.17(A). Refrigerated, RTE/TCS food prepared in a food establishment and dispensed through a vending machine with an automatic shutoff control shall be discarded if it exceeds 7 days at 41°F or lower.	Front of House- Product in Burrito refrigerator past expiration date. Product discarded
		3-304.11 Food Contact with Soiled Items COS Food shall only contact surfaces of: equipment and utensils that are cleaned and sanitized; single-service and single-use articles; or linens, such as cloth napkins that are used to line a container for the service of foods AND are replaced each time the container is refilled for a new consumer.	Front of House- The Zummo machine was not clean or sanitary The storage compartment had remnants of dried limes and pulp inside. Clean after use.
Mandarin Cuisine	6/17/22	3-202.11 (A)(C)(D) Temperature TCS food shall be at a temperature of 41°F or below when received. Raw eggs shall be received in refrigerated equipment that maintains an ambient air temperature of 45°F or less. TCS food that is cooked to a proper temperature and received hot shall be at a temperature of 135°F or above.	Kitchen- Raw shrimp showing high temperature. Discarded.
		3-202.11 (A)(C)(D) Temperature TCS food shall be at a temperature of 41°F or below when received.	Kitchen - Underneath refrigerator shown to have high temperature. Must be under 41 degrees. Because doors are close to grill

		<i>Raw eggs shall be received in refrigerated equipment that maintains an ambient air temperature of 45°F or less. TCS food that is cooked to a proper temperature and received hot shall be at a temperature of 135°F or above.</i>	and are constantly being opened, you must lower the refrigerator temperature.
Cappella's	6/17/22	3-202.11 (A)(C)(D) Temperature <i>TCS food shall be at a temperature of 41°F or below when received. Raw eggs shall be received in refrigerated equipment that maintains an ambient air temperature of 45°F or less. TCS food that is cooked to a proper temperature and received hot shall be at a temperature of 135°F or above.</i>	Kitchen - Chicken and seafood in the middle compartment refrigerators are showing high temperatures of 49 and up.
		3-202.11 (A)(C)(D) Temperature <i>TCS food shall be at a temperature of 41°F or below when received. Raw eggs shall be received in refrigerated equipment that maintains an ambient air temperature of 45°F or less. TCS food that is cooked to a proper temperature and received hot shall be at a temperature of 135°F or above.</i>	Kitchen - Showing high temperatures on seafood.
Nicholas' Pizza	6/18/22	3-202.11 (A)(C)(D) Temperature <i>TCS food shall be at a temperature of 41°F or below when received. Raw eggs shall be received in refrigerated equipment that maintains an ambient air temperature of 45°F or less. TCS food that is cooked to a proper temperature and received hot shall be at a temperature of 135°F or above.</i>	Kitchen- Pepperoni in roll-top at 45 degrees.
Mandarin Cuisine RE-inspection	6/26/22	4-201.12 Food Temperature Measuring Devices <i>Food temperature measuring devices may not have sensors or stems constructed of glass, except that thermometers with glass sensors or stems that are encased in a shatterproof coating such as candy thermometers may be used.</i>	Kitchen- Internal temp measuring device not available/not working, must get new one.

Sweet Tomatoes' Pizza	6/28/22	3-302.11 (A)(1) Raw Animal Foods Separated from RTE COS <i>Food shall be protected from cross-contamination by: (1) Separating raw animal foods during storage preparation, holding and display from: (a) Raw RTE food including other raw animal food such as fish for sushi or molluscan shellfish or other raw RTE food such as fruits and vegetables, and (b) cooked RTE food.</i>	Kitchen- Eggs used for employee purposes stored above ready to eat foods, tomatoes and potatoes. Moved to bottom shelf.
		4-602.11 (A) Food-Contact Surfaces and Utensils Equipment <i>food-contact surfaces and utensils shall be cleaned: before each use with a different type of raw animal food such as beef, fish, lamb, pork, or poultry; each time there is a change from working with raw foods to working with RTE foods; between uses with raw fruits and vegetables and with TCS food; before using or storing a food temperature measuring device; and any time during the operation when contamination may have occurred.</i>	Kitchen - Knives stored in-between use found soiled. Must Run through dishwasher and clean out knife holder.
		3-501.16 (A)(2) (B) Proper Cold Holding Temps <i>Except During preparation, cooking, or cooling, or when time is used as the public health control as specified under section 3-501.19, and except as specified under paragraph (B) and in paragraph (C) of this section, TCS food shall be maintained at 41°F or less. Eggs that have not been treated to destroy all viable Salmonellae shall be stored in refrigerated equipment that maintains an ambient air temperature of 45°F or less.</i>	Kitchen - The temperature of the Ambient in the True Bev unit salads was 43 degrees. Temp gauge reading 60, additional thermometer reading 48. Must be fixed ASAP.
		3-501.16 (A)(2) (B) Proper Cold Holding Temps <i>Except during preparation, cooking, or cooling, or when time is used as the public health control as specified under section 3-501.19, and except as specified under paragraph (B) and in paragraph (C) of this section, TCS food shall be maintained at 41°F or less. Eggs that have not been treated to destroy all viable Salmonellae shall be stored in refrigerated equipment that maintains an ambient air temperature of 45°F or less.</i>	Kitchen - The temperature of the Internal cooked chicken in the True Bev unit salads was 45 degrees. Discarded along with tuna.

Category	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	FY'22	FY'21	FY '20	FY' 19	FY' 18
Biotech registrations/Plan rev.	0	0	0	1	0	0	0	0	0	0	1	1	3	0	1	1	1
Bodywork Estab. Insp.	0	0	0	0	0	5	0	0	0	0	0	0	5	6	7	14	11
Bodywork Estab. Permits	0	0	0	0	0	5	0	0	0	0	0	0	5	13	9	9	6
Bodywork Pract. Permits	0	0	0	0	0	5	1	0	0	1	1	0	8	12	23	21	22
COVID 19 Complaints	0	1	1	0	0	1	0	0	0	0	0	0	3	123	0	0	0
COVID 19 Follow Ups	0	1	1	0	0	1	0	0	0	0	0	0	3	122	0	0	0
Demo reviews	8	8	11	9	0	3	11	8	9	6	11	5	89	76	73	104	105
Domestic Animal permits	3	1	0	1	0	0	0	0	0	0	6	4	15	29	1	21	19
Domestic Animal Inspections	0	3	3	2	0	0	1	0	0	0	0	1	10	8	3	22	3
Food Service Routine insp.	16	24	14	10	16	17	7	15	31	9	22	13	194	134	149	200	225
Food Service Pre-oper. Insp.	5	0	5	4	0	0	0	1	1	0	6	0	22	16	48	12	32
Retail Food Routine insp. Or 6 month check in	0	0	1	2	2	2	1	2	1	0	0	0	11	12	33	46	60
Residential Kitchen Routine insp.	0	2	1	0	0	0	0	1	0	1	0	0	5	5	3	6	8
Mobile Routine insp.	0	0	1	0	0	0	0	0	1	3	3	2	10	10	4	17	13
Food Service Re-insp.	0	0	0	2	2	5	3	0	0	3	10	2	27	7	21	28	53
Food Establishment Annual/Seasonal Permits	4	1	0	1	62	56	7	0	4	1	0	2	138	134	155	140	171
Temp. food permits	1	2	10	5	0	0	0	0	5	4	8	2	37	9	67	134	163
Temp. food inspections	1	1	3	1	0	0	0	0	1	0	0	2	9	3	10	37	29
Farmers Market permits	3	1	0	0	0	0	0	0	0	0	11	1	16	15	14	14	14
Farmers Market insp.	31	24	33	45	0	0	0	0	0	0	1	15	149	124	158	229	127
Food Complaints	2	0	1	2	2	1	1	1	0	1	1	1	13	7	49	18	20
Follow-ups food complaints	2	0	1	2	2	1	1	1	0	1	1	3	15	8	48	21	21
Food Service Plan Reviews	2	2	1	1	0	0	1	0	1	1	2	2	13	12	14	20	42
Food Service Admin. Hearings	0	0	0	0	1	0	0	1	0	0	0	0	2	1	3	0	0
Grease/ Septage Hauler Permits	0	0	1	0	7	9	4	0	0	1	0	0	22	13	20	21	24
Housing (Chap II Housing) Annual routine inspection	0	0	0	7	0	0	0	0	0	0	3	0	10	7	7	0	14
Housing Follow-up insp.	1	0	0	0	0	0	0	0	0	2	0	0	3	2	0	0	5
Housing New Complaint	3	1	6	5	1	4	5	4	4	0	6	2	41	40	41	22	22
Housing Follow-ups	9	3	6	8	3	4	5	4	5	4	8	6	65	63	56	28	24
Hotel Annual inspection	0	0	0	0	0	3	0	0	0	0	0	0	3	3	3	3	3
Hotel Follow-ups	0	0	0	0	0	0	0	0	0	0	0	0	0	1	15	0	0
Nuisance Complaints	8	6	5	3	0	2	2	1	4	0	2	2	35	45	34	55	42
Nuisance Follow-ups	7	8	6	3	2	2	2	1	4	1	2	3	41	60	55	69	42
Pool inspections	0	1	0	0	0	6	1	0	0	0	5	2	15	15	13	20	12
Pool Follow up inspections	0	1	0	0	0	1	0	0	0	0	1	1	4	5	3	12	7
Pool permits	0	1	0	0	0	5	2	0	0	0	5	2	15	17	11	19	12
Pool plan reviews	0	0	0	0	0	0	0	0	0	0	0	0	0	5	0	3	44
Pool variances	0	1	0	0	0	4	0	0	0	0	1	0	6	5	6	5	7
Septic Abandonment	1	1	1	2	0	0	1	2	0	0	1	0	9	17	21	9	5

Category	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	FY'22	FY'21	FY '20	FY' 19	FY' 18
Addition to a home on a septic plan rev/approval	0	3	2	1	3	0	1	1	3	0	0	1	15	5	5	2	2
Septic Install. Insp.	0	2	2	4	0	4	2	0	0	1	2	2	19	11	13	21	28
Septic COC for repairs	0	1	0	0	0	0	0	0	0	2	0	0	3	2	5	3	1
Septic COC for complete septic system	0	0	0	1	1	1	0	0	0	1	0	0	4	1	3	4	3
Septic Info. requests	5	4	3	6	5	6	4	5	10	3	7	6	64	86	61	62	51
Septic Soil/Perc Test.	1	0	0	0	0	1	0	0	0	2	0	1	5	8	1	1	2
Septic Const. permits	0	0	2	0	0	1	0	0	1	2	0	0	6	6	6	6	5
Septic Installer permits	0	0	1	0	0	4	1	0	2	1	2	0	11	8	6	8	9
Septic Installer Tests	0	0	1	0	0	1	1	0	0	1	0	0	4	3	2	5	3
Septic Deed Restrict.	0	0	0	0	0	0	0	0	0	0	0	0	0	4	1	1	3
Septic Plan reviews	1	3	3	4	2	1	1	1	0	2	2	1	21	14	8	9	23
Septic Trench permits	0	1	1	2	0	1	0	0	2	3	0	2	12				
Disposal of Sharps permits	0	0	0	0	2	4	1	0	0	0	0	0	7	8	7	7	9
Disposal of Sharps Inspections	0	0	0	1	2	4	1	0	0	0	0	0	8	8	7	7	7
Planning Board Subdivision Sp Permit Plan reviews/Insp. of lots	0	1	1	1	1	1	2	6	4	0	3	1	21	20	4	1	1
Subdivision Bond Releases	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0
Special Permit/Zoning	2	1	0	1	3	1	1	2	2	3	3	2	21	18	17	34	15
Tobacco permits	0	0	0	0	2	4	0	0	0	0	0	0	6	7	10	10	11
Tobacco Routine insp	0	0	0	0	6	0	0	0	0	0	0	6	12	7	8	14	18
Tobacco Follow-up insp.	0	0	0	0	0	0	0	0	0	0	0	0	0	1	8	3	3
Tobacco Compliance checks	0	0	0	6	0	0	0	0	0	0	0	0	6	6	30	30	41
Tobacco complaints	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	3	4
Tobacco Compl. follow-ups	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	3	4
Trash Hauler permits	0	0	0	0	1	0	0	0	15	7	0	0	23	16	15	17	14
Medical Waste Hauler permits	0	0	0	0	2	0	0	0	0	0	0	0	2	2	2	2	1
Well - Plan Reviews, Permission to drill letters, Insp.	3	0	0	0	1	2	1	0	2	0	0	1	10	11	2	6	2
Well Permits	3	0	0	0	0	0	0	0	0	1	0	0	4	1	1	1	0

Packet of June Inspections with Priority Violations



Needham Public Health
178 Rosemary Street
Needham, MA 02494
(781) 455-7940 ext. 504

FOOD SAFETY INSPECTION REPORT

R-9

Cappella

45 Chapel Street
Needham, MA 02492

<u>Inspection Number</u>	<u>Date</u>	<u>Time In/Out</u>	<u>Inspection Type</u>	<u>Client Type</u>	<u>Inspector</u>		
D2AA9	6/17/22	4:50 PM 5:34 PM	Routine	Food Service	T.Rocha		
<u>Permit Number</u>	<u>Risk</u>	<u>Variance</u>	<u>Violation Summary</u>	<u>Priority</u>	<u>Pf</u>	<u>Core</u>	<u>Repeat</u>
	3			2	1	0	

Summary of Violations

Priority	Priority f	Core	Total
2	1	0	3

Priority "P" violations not marked "COS" must be corrected within 72 hours.

Priority foundation "Pf" violations not marked "COS" must be corrected within 10 days.

Core "C" violations not marked "COS" must be corrected within 90 days.

T.Rocha

Chef Alberto - Expires
Certificate #:

Notes

Grease trap done once a month, last cleaning 06/17/2022

Pest control

Hood cleaning last cleaned 05/24/2022

Hot water not reaching 100 at hand wash sink, only reaching 74 degrees

Dishwasher temp at 189

Cappella

45 Chapel Street
Needham, MA 02492Inspection Number
D2AA9Date
6/17/22Time In/Out
4:50 PM
5:34 PMInspector
T.Rocha**Inspection Report (continued)**

Repeat Violations Highlighted in Yellow

Preventing Contamination by Hands**Adequate handwashing sinks properly supplied and accessible****10 5-202.12 (A)(B) Handwashing Sink, Installation - Kitchen -**

- Pf** Handwash sink not meeting temperature requirements for 100 degrees. Only reaching 74-75 degrees. *Code: A handwashing lavatory shall be equipped to provide water at a temperature of at least 100°F through a mixing valve or combination faucet. A steam mixing valve may not be used at a handwashing sink.*

**Approved Source**

Cappella

45 Chapel Street
Needham, MA 02492Inspection Number
D2AA9Date
6/17/22Time In/Out
4:50 PM
5:34 PMInspector
T.Rocha**Inspection Report (continued)**

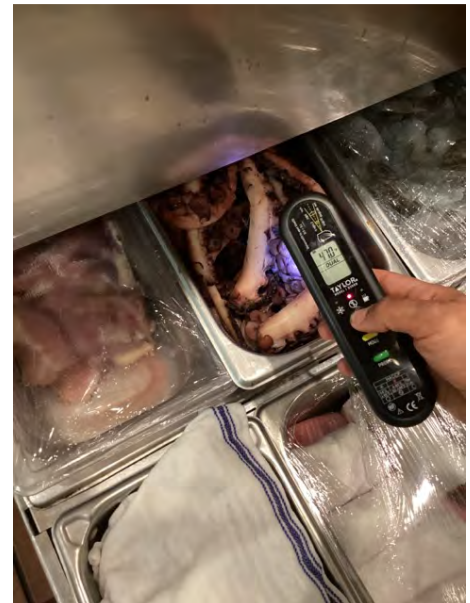
Repeat Violations Highlighted in Yellow

Food Received at Proper Temperatures**12 3-202.11 (A)(C)(D) Temperature - Kitchen -**

Pr Chicken and seafood in the middle compartment refrigerators are showing high temperatures of 49 and up. *Code: TCS food shall be at a temperature of 41°F or below when received. Raw eggs shall be received in refrigerated equipment that maintains an ambient air temperature of 45°F or less. TCS food that is cooked to a proper temperature and received hot shall be at a temperature of 135°F or above.*

**12 3-202.11 (A)(C)(D) Temperature - Kitchen -**

Pr Showing high temperatures on seafood. *Code: TCS food shall be at a temperature of 41°F or below when received. Raw eggs shall be received in refrigerated equipment that maintains an ambient air temperature of 45°F or less. TCS food that is cooked to a proper temperature and received hot shall be at a temperature of 135°F or above.*

**Notes**

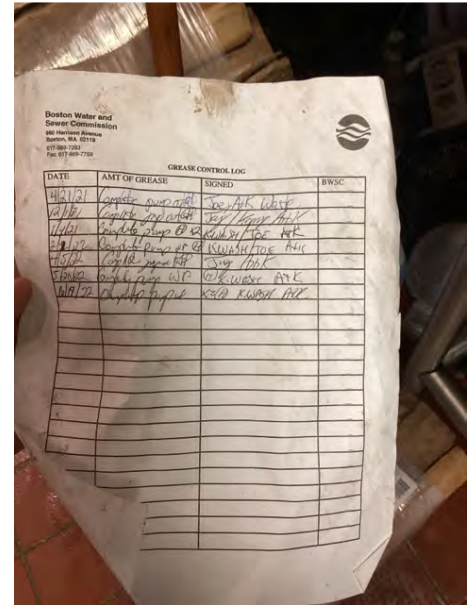
Cappella

45 Chapel Street
Needham, MA 02492Inspection Number
D2AA9Date
6/17/22Time In/Out
4:50 PM
5:34 PMInspector
T.Rocha**Inspection Report (continued)**

Repeat Violations Highlighted in Yellow

Notes

88

Notes - Kitchen -**N** Grease trap - General Notes.

88

Notes - Kitchen -**N** Hood cleaning - General Notes.

FOOD SAFETY INSPECTION REPORT

Cappella

45 Chapel Street
Needham, MA 02492Inspection Number
D2AA9Date
6/17/22Time In/Out
4:50 PM
5:34 PMInspector
T.Rocha**Inspection Report (continued)**

Repeat Violations Highlighted in Yellow

88

Notes - Kitchen -

- N** Temp gauge good, the light switch needs to be replaced. -
General Notes.



FOOD SAFETY INSPECTION REPORT

Cappella

45 Chapel Street
Needham, MA 02492Inspection Number
D2AA9Date
6/17/22Time In/Out
4:50 PM
5:34 PMInspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

List 1

IN= In Compliance

OUT = Out of Compliance

NA = Not Applicable

NO= Not Observed

Permit. up to date and posted?

IN

Pest control record available?

IN

Written Menus /signs present (allergen)?

IN

Allergen Certificate Posted?

IN

Certified Food Protection Managers Certificate posted?

IN

Food allergy awareness poster visible for employees?

IN

Staff trained in choke-save for every shift.

IN

Ventilation Hood Inspections stickers up to date?

IN

Consumer Advisory Present if needed?

NA

Grease log up to date?

IN

Food Employee Reporting Agreement available?

IN

Procedures outlines for vomit/diarrheal event?

IN

No trans fat?

IN

"Most recent food inspection" sign posted?

IN

FOOD SAFETY INSPECTION REPORT

Cappella

45 Chapel Street
Needham, MA 02492Inspection Number
D2AA9Date
6/17/22Time In/Out
4:50 PM
5:34 PMInspector
T.Rocha**Inspection Report (continued)**

Repeat Violations Highlighted in Yellow

Temperatures

Area	Equipment	Product	Notes	Temps
Bar	Reach-In Cooler - 1	Ambient	Holding	38 °F
Bar	Undercounted	Milk	Holding	44.5 °F
Kitchen	Hot holding unit - 1	Meatballs internal	Holding	138 °F
Kitchen	Undercounted	Raw octopus	Holding	45.5 °F
Kitchen	Walk-in Cooler	Ambient	Holding	42 °F
Kitchen	Undercounted	Raw chicken	Holding	49 °F
Kitchen	Deli top under hood	Internal on cut veggies	Holding	48 °F

Temperatures in **RED** identify items in the temperature danger zone. See the report notes for specific details.



FOOD SAFETY INSPECTION REPORT

R-9

Cookie Monstah (Permanent) 1257 Highland Ave Needham, MA 02494	<u>Inspection Number</u>	<u>Date</u>	<u>Time In/Out</u>	<u>Inspection Type</u>	<u>Client Type</u>	<u>Inspector</u>			
	44909	6/18/22	1:56 PM 3:16 PM	Routine	Restaurant	M.Pancare			
	<u>Permit Number</u>	<u>Risk</u>	<u>Variance</u>	<u>Violation Summary:</u>			<u>Priority</u>	<u>Pf</u>	<u>Core</u>
						1	1	2	1

Summary of Violations

Priority	Priority f	Core	Total
1	1	2	4

Priority "P" violations not marked "COS" must be corrected within 72 hours.

Priority foundation "Pf" violations not marked "COS" must be corrected within 10 days.

Core "C" violations not marked "COS" must be corrected within 90 days.



M.Pancare



James Palo - Expires
Certificate #:

Notes

James Palo new manager
Grease trap Johns Drains 4/6/22
Pest End Pest Control 6/6/22 no pest activity
JamesPalo to take Allergen training within 30 days or less.
Facility is very clean organized.
Hot water is compliant. Handsinks stocked.

Cookie Monstah (Permanent)
1257 Highland Ave
Needham, MA 02494

Inspection Number
44909

Date
6/18/22

Time In/Out
1:56 PM
3:16 PM

Inspector
M.Pancare

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

88

- -

See #15 -



Protection From Contamination

Food Separated and protected

15

3-302.11 (A)(4) Packaged and/or wrapped foods - Front of House -

COS

C

Ice cream container exposed to freezer ice burn debris. Keep lids on ice cream and defrost frequently to prevent this *Code: Food shall be protected from contamination by storing the food in packages, covered containers, or wrappings. This does not apply to (1) Whole, uncut, raw fruits and vegetables and nuts in the shell, that require peeling or hulling before consumption; (2) primal cuts, quarters, or sides of raw meat or slab bacon that are hung on clean, sanitized hooks or placed on clean, sanitized racks; (3) Whole, uncut, processed meats such as country hams, and smoked or cured sausages that are placed on clean, sanitized racks; (4) FOOD being cooled as specified under Subparagraph 3-501.15(B)(2); or shellstock.*



Cookie Monstah (Permanent)
1257 Highland Ave
Needham, MA 02494

Inspection Number
44909

Date
6/18/22

Time In/Out
1:56 PM
3:16 PM

Inspector
M.Pancare

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

16 4-501.114 (E) Chem.San. Temp./pH/Concentr./Hard. - Front of House -

COS Pr Sanitizer Quat in sanitizer bucket <200ppm

Code: A chemical sanitizer used in a sanitizing solution for a manual or mechanical operation at contact times specified under paragraph 4-703.11(C) shall meet the criteria specified under section 7-204.11 Sanitizers, Criteria, shall be used in accordance with the EPA-registered label use instructions, and shall be used as follows: (E) If a chemical sanitizer other than chlorine, iodine, or a quaternary ammonium compound is used, it shall be applied in accordance with the EPA-registered label use instructions.

Time / Temperature Control for Safety

Date marking and disposition

23 3-501.17 (B) Date Marking RTE Foods - Commercially Processed - Kitchen -

Pf Proper datemarking required, once product is received on premises. If the product is prepped and frozen it needs to be clear what the expiration date is after receiving on premises for use. *Code: Refrigerated, RTE, TCS FOOD prepared and packaged by a food processing plant shall be clearly marked, at the time the original container is opened in a food establishment and if the food is held for more than 24 hours, to indicate the date or day by which the food shall be consumed on the premises, sold, or discarded, when held at a temperature of 41°F or less for a maximum of 7 days. The day of the original container is open shall be counted as Day 1 and the day or date marked by the food establishment may not exceed a manufacturer's use-by date. The following are exempt: deli salads manufactured in accordance with 21 CFR 110, hard cheese, semi-soft cheese, cultured dairy (yogurt, sour cream and buttermilk), preserved fish products and shelf stable products.*



Food Identification

FOOD SAFETY INSPECTION REPORT

Page Number

4

Cookie Monstah (Permanent)
1257 Highland Ave
Needham, MA 02494

Inspection Number
44909

Date
6/18/22

Time In/Out
1:56 PM
3:16 PM

Inspector
M.Pancare

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

Food properly labeled; original container

37 3-602.11 (B)(1)-(4) Food Labels - Kitchen -

- C** Discussion on having a binder for retail labels containing list of ingredients for cookie dough *Code: All Food packaged in the food establishment shall be labeled. The label information shall include: 1. the common name of the food, or absent a common name, an adequate descriptive identity statement; 2. if made with two or more ingredients, a list of ingredients and sub-ingredients in descending order of predominance by weight including a declaration of artificial colors, artificial flavors and chemical preservatives if contained in the food; 3. an accurate declaration of the net quantity of contents; 4. the name and place of business of the manufacturer, packer, or distributor; and 5. the name of the food source for each major food allergen contained in the food unless the food source is already part of the common or usual name of the respective ingredient. (Use 3-602.11(B)(5) for Pf designation).*
-

FOOD SAFETY INSPECTION REPORT

Page Number

5

Cookie Monstah (Permanent)
1257 Highland Ave
Needham, MA 02494

Inspection Number
44909

Date
6/18/22

Time In/Out
1:56 PM
3:16 PM

Inspector
M.Pancare

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

Temperatures

Area	Equipment	Product	Notes	Temps
Front of House	Cooler 2 (smaller)	Ambient		34 °F
Front of House	TurboAir Freezer	Ambient		2 °F

Temperatures in **RED** identify items in the temperature danger zone. See the report notes for specific details.



FOOD SAFETY INSPECTION REPORT

R-9

Hungry Coyote
1185 Highland Ave
Needham, MA 02492

<u>Inspection Number</u>	<u>Date</u>	<u>Time In/Out</u>	<u>Inspection Type</u>	<u>Client Type</u>	<u>Inspector</u>		
3A1C0	6/11/22	2:13 PM 4:00 PM	Routine	Restaurant	M.Pancare		
<u>Permit Number</u>	<u>Risk</u>	<u>Variance</u>	<u>Violation Summary</u>	<u>Priority</u>	<u>Pf</u>	<u>Core</u>	<u>Repeat</u>
				2	4	4	

Summary of Violations

Priority	Priority f	Core	Total
2	4	4	10

Priority "P" violations not marked "COS" must be corrected within 72 hours.

Priority foundation "Pf" violations not marked "COS" must be corrected within 10 days.

Core "C" violations not marked "COS" must be corrected within 90 days.

M.Pancare

Simon - Expires
Certificate #:

Notes

Greasetrap log not available.

Provide pest control reports for past 30 days by June 14 to LBOH

Ice machine clean.

Handsink water temp@ 102f and stocked with handtowels.

Temp logs noted.

Hot food temperatures were compliant.

Emphasis is required on floors walls ceilings to keep them clean as often as necessary, and also to clean the crevices and interior surfaces of the burrito #1 and #2 on the service line.

Discussion on clean to "sight, clean to touch".

FOOD SAFETY INSPECTION REPORT

Hungry Coyote
1185 Highland Ave
Needham, MA 02492

Inspection Number
3A1C0

Date
6/11/22

Time In/Out
2:13 PM
4:00 PM

Inspector
M.Pancare

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

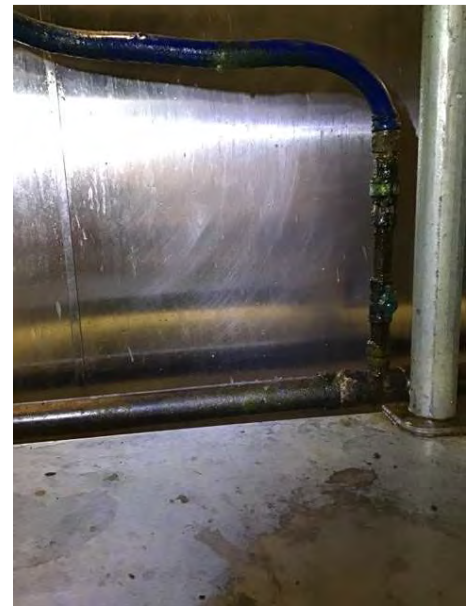
- -

Puddles of grease observed behind the service cook line
See#55 Code:



- -

Excessive grease build up behind the cooks service
line. See #55 Code:



Hungry Coyote
1185 Highland Ave
Needham, MA 02492

Inspection Number
3A1C0

Date
6/11/22

Time In/Out
2:13 PM
4:00 PM

Inspector
M.Pancare

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

88 - -

Shared trash area -



88 - -

Shared trash area -



FOOD SAFETY INSPECTION REPORT

Hungry Coyote
1185 Highland Ave
Needham, MA 02492

Inspection Number
3A1C0

Date
6/11/22

Time In/Out
2:13 PM
4:00 PM

Inspector
M.Pancare

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

88

- -

MBTA tracks -

**88**

- -

MBTA pest burrows -



Hungry Coyote
1185 Highland Ave
Needham, MA 02492

Inspection Number
3A1C0

Date
6/11/22

Time In/Out
2:13 PM
4:00 PM

Inspector
M.Pancare

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

88

- -

Shared trash area -



88

- -

Prep date noted on products in refrigerator for datemarking

-



Inspector
M.Pancare

Repeat Violations Highlighted in Yellow

A close-up photograph of the white plastic base of a car seat. The plastic has a ribbed texture. A small, dark, circular mark is visible on the surface. A metal clip or fastener is attached to the bottom edge of the plastic. The background is dark and out of focus.

[illegible]

Hungry Coyote
1185 Highland Ave
Needham, MA 02492

Inspection Number
3A1C0

Date
6/11/22

Time In/Out
2:13 PM
4:00 PM

Inspector
M.Pancare

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

88

- -

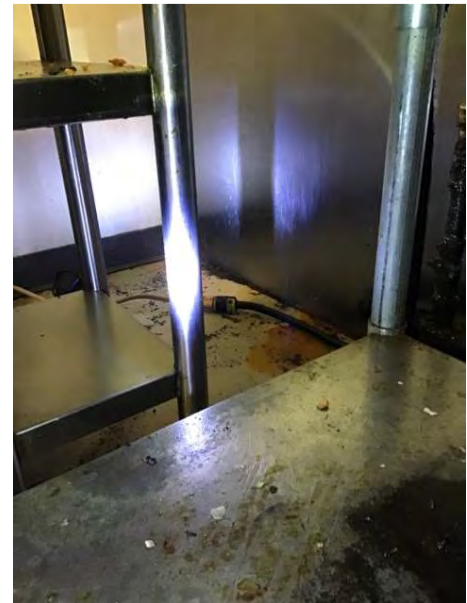
Hood sticker compliant -



88

- -

Excessive debris behind service cook line
See #55 -



Preventing Contamination by Hands

Hungry Coyote
1185 Highland Ave
Needham, MA 02492

Inspection Number
3A1C0

Date
6/11/22

Time In/Out
2:13 PM
4:00 PM

Inspector
M.Pancare

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

Adequate handwashing sinks properly supplied and accessible

10 5-204.11 Handwashing-Sinks-Location and Placement - Kitchen -

COS Pf Upon arrival handsink in kitchen blocked. This inspector directed staff to move the cart to allow proper access to handwashing sink. *Code: A handwashing facility shall be located: to allow convenient use by employees in food preparation, food dispensing, and warewashing area; and in, or immediately adjacent to, toilet rooms.*



Protection From Contamination

Food separated and protected

15 3-304.11 Food Contact with Soiled Items - Front of House -

COS Pr The Zummo machine was not clean or sanitary. The storage compartment had remnants of dried limes and pulp inside. Clean after use. *Code: Food shall only contact surfaces of: equipment and utensils that are cleaned and sanitized; single-service and single-use articles; or linens, such as cloth napkins that are used to line a container for the service of foods AND are replaced each time the container is refilled for a new consumer.*



Time / Temperature Control for Safety

Hungry Coyote
1185 Highland Ave
Needham, MA 02492

Inspection Number
3A1C0

Date
6/11/22

Time In/Out
2:13 PM
4:00 PM

Inspector
M.Pancare

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

Date marking and disposition

23 3-501.17 (A)(C) Date Marking RTE Foods - On Premises Prep - Kitchen -

- COS Pf** Two large tubs of raw bbq pork did not have any datemarking as required by the FDA 2013 Food Code.
Code: Refrigerated, RTE/TCS food prepared and held refrigerated for more than 24 hours in a food establishment shall be clearly marked at the time of preparation to indicate the date by which the food shall be consumed, sold or discarded when held at a temperature of 41°F or less for a maximum of 7 days. The day of preparation shall be counted as Day 1. A refrigerated, RTE/TCS food ingredient or a portion of a refrigerated, RTE/TCS food that is subsequently combined with additional ingredients or portions of food shall retain the date marking of the earliest-prepared or first-prepared ingredient.



23 3-501.18 Ready-to-Eat Food Disposition - Front of House -

- COS Pr** Product in Burrito refrigerator past expiration date. Product discarded *Code: A TCS/RTE food as specified in paragraph 3-501.17 (A)(B) shall be discarded if it: exceeds 7 days at 41°F or lower (except for the time that the product is frozen) or is in a container or package that does not bear a date or day or is appropriately marked with a date or day that exceeds a temperature and time combination as specified in 3-501.17(A). Refrigerated, RTE/TCS food prepared in a food establishment and dispensed through a vending machine with an automatic shutoff control shall be discarded if it exceeds 7 days at 41°F or lower.*



Food/Color Additives and Toxic Substances

Hungry Coyote
1185 Highland Ave
Needham, MA 02492

Inspection Number
3A1C0

Date
6/11/22

Time In/Out
2:13 PM
4:00 PM

Inspector
M.Pancare

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

Toxic substances properly identified, stored & used

28 7-202.11 Restriction - Back of house -

Pf 3 containers of gasoline were stored inside the kitchen area. Store according to Fire Code regulations. Code: *Only those poisonous or toxic materials that are required for the operation and maintenance of a food establishment, such as for the cleaning and sanitizing of equipment and utensils and the control of insects and rodents, shall be allowed in a food establishment.*



Prevention of Food Contamination

Insect, rodents & animals not present

38 6-202.15 (D) Outer Openings. Protected - Back of house -

COS C Upon arrival the rear delivery door was propped open, allowing pest entry. This inspector requested that the door be kept closed. Code: *If the windows or doors of a food establishment, or of a larger structure within which a food establishment is located, are kept open for ventilation or other purposes or a temporary food establishment is not provided with windows and doors as specified under paragraph (A) of this section, the openings shall be protected against the entry of insects and rodents by: (1) 16 mesh to 25.4 mm (16 mesh to 1 inch) screens; (2) Properly designed and installed air curtains to control flying insects; or (3) Other effective means.*



Hungry Coyote
1185 Highland Ave
Needham, MA 02492

Inspection Number
3A1C0

Date
6/11/22

Time In/Out
2:13 PM
4:00 PM

Inspector
M.Pancare

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

41 3-304.14 (A)-(E) Wiping Cloths, Use Limitation - Kitchen -

- C** Wiping cloths stored improperly Code: *Cloths in-use for wiping food spills from tableware and carry-out containers that occur as food is being served shall be maintained dry and used for no other purpose. Cloths in-use for wiping counters and other equipment surfaces shall be held between uses in a chemical sanitizer solution and laundered daily. Cloths in-use for wiping surfaces in contact with raw animal foods shall be kept separate from cloths used for other purposes. Dry wiping cloths and the chemical sanitizing solutions in which wet wiping cloths are held between uses shall be free of food debris and visible soil. Containers of chemical sanitizing solutions shall be stored off the floor and used in a manner that prevents contamination of food, equipment, utensils, linens, single-service, or single-use articles.*



Utensils, Equipment and Vending

Warewashing facilities: installed, maintained & used; test strips

48 4-301.12 (A)(B) Warewashing, Sink Requirements - Kitchen -

- COS Pf** Upon arrival the warewashing area was not set up, and cluttered.
This was corrected on site. Code: *A sink with at least 3 compartments shall be provided for manually washing, rinsing, and sanitizing equipment and utensils. Compartments shall be large enough to accommodate immersion of the largest equipment and utensils. If equipment or utensils are too large for the warewashing sink, a warewashing machine or alternative equipment shall be used.*



Physical Facilities

Hungry Coyote
1185 Highland Ave
Needham, MA 02492

Inspection Number
3A1C0

Date
6/11/22

Time In/Out
2:13 PM
4:00 PM

Inspector
M.Pancare

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

Physical Facilities installed, maintained & cleaned**55 6-501.12 Cleaning. Frequency/Restrictions - Kitchen -**

- C** Floor under the Rice shelf had onions, debris.
Clean at least 1x every 24 hours or as often as necessary
to preclude soil *Code: The physical facilities shall be
cleaned as often as necessary to keep them clean. Except
for cleaning that is necessary due to a spill or other
accident, cleaning shall be done during periods when the
least amount of food is exposed such as after closing.*

**55 6-501.11 Repairing - Front of House -**

- C** Holes noted in bathroom drywall.
Repair within 30 days to prevent pests. *Code: The
physical facilities shall be maintained in good repair.*



FOOD SAFETY INSPECTION REPORT

Hungry Coyote
1185 Highland Ave
Needham, MA 02492

Inspection Number
3A1C0

Date
6/11/22

Time In/Out
2:13 PM
4:00 PM

Inspector
M.Pancare

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

List 1

IN= In Compliance

OUT = Out of Compliance

NA = Not Applicable

NO= Not Observed

	Permit. up to date and posted?	IN
	Pest control record available?	NO
	Allergen Certificate Posted?	IN
	Certified Food Protection Managers Certificate posted?	IN
	Food allergy awareness poster visible for employees?	IN
	Staff trained in choke-save for every shift.	IN
	Ventilation Hood Inspections stickers up to date?	IN
	Consumer Advisory Present if needed?	NO
	Grease log up to date?	OUT
	Food Employee Reporting Agreement available?	NO
	Procedures outlines for vomit/diarreal event?	IN
	No trans fat?	NO
	"Most recent food inspection" sign posted?	IN

FOOD SAFETY INSPECTION REPORT

Page Number

14

Hungry Coyote
1185 Highland Ave
Needham, MA 02492

Inspection Number
3A1C0

Date
6/11/22

Time In/Out
2:13 PM
4:00 PM

Inspector
M.Pancare

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

Temperatures

Area	Equipment	Product	Notes	Temps
Kitchen	Burrito station left	Cooked chicken	167	167 °F
Front of House	Burrito station right	Raw chicken		38 °F
Kitchen	Burrito station right	Raw pork		41 °F
Kitchen	Hot holding unit right	Pinto		193 °F
Kitchen	Asber reach in cooler			38 °F
Kitchen	Burrito station right	Ground chorizo		173 °F
Kitchen	Asber reach in	Ambient		7 °F
Kitchen	Burrito station left	Cooked ground beef		172 °F

Temperatures in **RED** identify items in the temperature danger zone. See the report notes for specific details.



FOOD SAFETY INSPECTION REPORT

R-9

Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

<u>Inspection Number</u>	<u>Date</u>	<u>Time In/Out</u>	<u>Inspection Type</u>	<u>Client Type</u>	<u>Inspector</u>		
4F755	6/17/22	3:05 PM 4:25 PM	Routine	Food Service	T.Rocha		
<u>Permit Number</u>	<u>Risk</u>	<u>Variance</u>	<u>Violation Summary</u>	<u>Priority</u>	<u>Pf</u>	<u>Core</u>	<u>Repeat</u>
	3			2	4	7	3

Summary of Violations

Priority	Priority f	Core	Total
2	4	7	13

Priority "P" violations not marked "COS" must be corrected within 72 hours.

Priority foundation "Pf" violations not marked "COS" must be corrected within 10 days.

Core "C" violations not marked "COS" must be corrected within 90 days.

T.Rocha

Yoong S. Low/Samuel Pho - Expires
Certificate #:

Notes

Dishwasher temp 178 degrees, wash cycle was done 3 times to see if it will hit 180 and it did not. Third cycle hit 178 again. Disk is reaching 161 degrees, see picture.

Bleach test strip for bucket of sanitizer 150 ppm.

Hood last cleaned June 13 2022 every 180 days

Pest control once a month 04/29/2022

Grease trap 05/29/22 every 2 weeks

Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

Inspection Number
4F755

Date
6/17/22

Time In/Out
3:05 PM
4:25 PM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

- -

Sauce seen inside bucket and not refrigerated. Must be refrigerated as seen on the actual label says refrigerate after opening. Sauce bucket needs to be removed and put separately in another container, and kept inside the fridge.
Code:



Preventing Contamination by Hands

Adequate handwashing sinks properly supplied and accessible

10 6-301.20 Disposable Towels, Waste Receptacle - Kitchen -

- C** There was no trash can available. Must add a small trash can for this handwash sink area. Hand wash sink also showing to be dripping, must be repaired to stop leaking of water. *Code: A handwashing sink or group of adjacent handwashing sinks that is provided with disposable towels shall be provided with a waste receptacle.*



Approved Source

Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

Inspection Number
4F755

Date
6/17/22

Time In/Out
3:05 PM
4:25 PM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

Food Received at Proper Temperatures**12 3-202.11 (A)(C)(D) Temperature - Kitchen -**

Pr Raw shrimp showing high temperature. Code: TCS food shall be at a temperature of 41°F or below when received. Raw eggs shall be received in refrigerated equipment that maintains an ambient air temperature of 45°F or less. TCS food that is cooked to a proper temperature and received hot shall be at a temperature of 135°F or above.

**12 3-202.11 (A)(C)(D) Temperature - Kitchen -**

Pr Underneath refrigerator shown to have high temperature. Must be under 41 degrees. Because doors are close to grill and are constantly being opened, you must lower the refrigerator temperature. Code: TCS food shall be at a temperature of 41°F or below when received. Raw eggs shall be received in refrigerated equipment that maintains an ambient air temperature of 45°F or less. TCS food that is cooked to a proper temperature and received hot shall be at a temperature of 135°F or above.

**Protection From Contamination**

Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

Inspection Number
4F755

Date
6/17/22

Time In/Out
3:05 PM
4:25 PM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

Food Separated and protected

15

3-302.11 (A)(4) Packaged and/or wrapped foods - Kitchen -

- C** Food seen unwrapped. Must be wrapped. *Code: Food shall be protected from contamination by storing the food in packages, covered containers, or wrappings. This does not apply to (1) Whole, uncut, raw fruits and vegetables and nuts in the shell, that require peeling or hulling before consumption; (2) primal cuts, quarters, or sides of raw meat or slab bacon that are hung on clean, sanitized hooks or placed on clean, sanitized racks; (3) Whole, uncut, processed meats such as country hams, and smoked or cured sausages that are placed on clean, sanitized racks; (4) FOOD being cooled as specified under Subparagraph 3-501.15(B)(2); or shellstock.*



16

4-501.112 Mechanical Warewashing - Sanitization Water Temp - Kitchen -

- Pf** The dishwasher has not been reaching 180 degrees for the rinse cycle. *Code: In a mechanical ware washing operation, the temperature of the fresh hot water sanitizing rinse as it enters the manifold may not be more than 194°F, or less than 180°F for all other machines, or less than 165°F for a stationary rack, single-temperature machine.*



Time / Temperature Control for Safety

Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

Inspection Number
4F755

Date
6/17/22

Time In/Out
3:05 PM
4:25 PM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

Date marking and disposition

23 3-501.17 (A)(C) Date Marking RTE Foods - On Premises Prep - Kitchen -

Pf Date marking in walk in freezer for dumplings, meat and other foods in freezer. Must cover food properly and keep secure to prevent contamination. *Code: Refrigerated, RTE/TCS food prepared and held refrigerated for more than 24 hours in a food establishment shall be clearly marked at the time of preparation to indicate the date by which the food shall be consumed, sold or discarded when held at a temperature of 41°F or less for a maximum of 7 days. The day of preparation shall be counted as Day 1. A refrigerated, RTE/TCS food ingredient or a portion of a refrigerated, RTE/TCS food that is subsequently combined with additional ingredients or portions of food shall retain the date marking of the earliest-prepared or first-prepared ingredient.*



Food Temperature Control

Thermometers provided & accurate

36 4-502.11 (B) Good Repair and Calibration - Kitchen -

Pf Walk in freezer and walk in refrigerator are shown to be inoperable. Must have them repaired in good working conditions as created by the manufacturer. *Code: Food temperature measuring devices shall be calibrated in accordance with manufacturer's specifications as necessary to ensure their accuracy.*



Food Identification

Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

Inspection Number
4F755

Date
6/17/22

Time In/Out
3:05 PM
4:25 PM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

Food properly labeled; original container

37 3-602.11 (D) Food Labels - Kitchen -

- C** Must label sugar and flour. *Code: Bulk, unpackaged foods such as bakery products and unpackaged foods that are portioned to consumer specification need not be labeled if: (1) A health, nutrient content, or other claim is not made; (2) There are no state or local laws requiring labeling; and (3) The food is manufactured or prepared on the premises of the food establishment or at another food establishment or a food processing plant that is owned by the same person and is regulated by the food regulatory agency that has jurisdiction.*



Prevention of Food Contamination

Cont. prevented during food prep., storage & display

39 3-305.11 Food Storage - Kitchen -

- C** Photo taken for the walk in freezer. Food storage shown on the floor. *Code: Food shall be protected from contamination by storing food: in a clean dry location; where it is not exposed to splash, dust, or other contamination; and at least 6 inches off the floor.*



Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

Inspection Number
4F755

Date
6/17/22

Time In/Out
3:05 PM
4:25 PM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

39 3-303.12 Food in Contact with Water or Ice - Kitchen -

- C** Ice was added onto raw shrimp when explained that the temperature was too high. Ice cannot be in with direct contact with food. *Code: (A) Packaged food may not be stored in direct contact with ice or water if the food is subject to the entry of water because of the nature of its packaging, wrapping, or container or its positioning in the ice or water (B) Except as specified in paragraphs (C) and (D) of this section, unpackaged food may not be stored in direct contact with undrained ice. (C) Whole, raw fruits or vegetables; cut, raw vegetables such as celery or carrot sticks or cut potatoes; and tofu may be immersed in ice or water.*



41 3-304.14 (A)-(E) Wiping Cloths, Use Limitation - -

- C** Wiping cloth must be stored in bucket of sanitizing solution at every station. Wet wiping cloths cannot be left on counter tops. *Code: Cloths in-use for wiping food spills from tableware and carry-out containers that occur as food is being served shall be maintained dry and used for no other purpose. Cloths in-use for wiping counters and other equipment surfaces shall be held between uses in a chemical sanitizer solution and laundered daily. Cloths in-use for wiping surfaces in contact with raw animal foods shall be kept separate from cloths used for other purposes. Dry wiping cloths and the chemical sanitizing solutions in which wet wiping cloths are held between uses shall be free of food debris and visible soil. Containers of chemical sanitizing solutions shall be stored off the floor and used in a manner that prevents contamination of food, equipment, utensils, linens, single-service, or single-use articles.*



Utensils, Equipment and Vending

Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

Inspection Number
4F755

Date
6/17/22

Time In/Out
3:05 PM
4:25 PM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

All contact surfaces cleanable, properly designed, constructed & used**47 4-101.19 Nonfood-Contact Surfaces - Kitchen -**

- C** Clean up around this area must be done more often. Dry food spillage seen. *Code: Nonfood-contact surfaces of equipment that are exposed to splash, spillage, or other food soiling or that require frequent cleaning shall be constructed of a corrosion-resistant, nonabsorbent, and smooth material.*

**48 4-301.12 (A)(B) Warewashing, Sink Requirements - Kitchen -**

- Pf** Waterway sink seen without labels. *Code: A sink with at least 3 compartments shall be provided for manually washing, rinsing, and sanitizing equipment and utensils. Compartments shall be large enough to accommodate immersion of the largest equipment and utensils. If equipment or utensils are too large for the warewashing sink, a warewashing machine or alternative equipment shall be used.*

**Notes**

FOOD SAFETY INSPECTION REPORT

Page Number

9

Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

Inspection Number
4F755

Date
6/17/22

Time In/Out
3:05 PM
4:25 PM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

Notes**88****Notes - Kitchen -**

- N** This is the container for the sauce found in the bucket that says it must be refrigerated after opening. - General Notes.



FOOD SAFETY INSPECTION REPORT

Page Number

10

Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

Inspection Number
4F755

Date
6/17/22

Time In/Out
3:05 PM
4:25 PM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

List 1

IN= In Compliance

OUT = Out of Compliance

NA = Not Applicable

NO= Not Observed

Permit. up to date and posted?	IN
Pest control record available?	IN
Written Menus /signs present (allergen)?	IN
Allergen Certificate Posted?	IN
Certified Food Protection Managers Certificate posted?	IN
Food allergy awareness poster visible for employees?	OUT
Staff trained in choke-save for every shift.	NO

Temperatures

Area	Equipment	Product	Notes	Temps
Kitchen	Steam Table	Soup	Holding	171 °F
Bar	2 door Bev unit -	Ambient	Holding	-35 °F

FOOD SAFETY INSPECTION REPORT

Page Number

11

Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

Inspection Number
4F755

Date
6/17/22

Time In/Out
3:05 PM
4:25 PM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

Kitchen	Walkin - Walk in	Ambient on broccoli	Holding	49.5 °F
Kitchen	Walk in freezer	Ambient on raw meat	Holding	35 °F
Kitchen	Rolltop on service	Raw chicken internal	Holding	45.5 °F
Bar	2 door refrigerator	Ambient	Holding	39 °F
Kitchen				°F
Kitchen	Two door underneath	Dumpling internal	Holding	39 °F

Temperatures in **RED** identify items in the temperature danger zone. See the report notes for specific details.



FOOD SAFETY INSPECTION REPORT

R-9

Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

<u>Inspection Number</u>	<u>Date</u>	<u>Time In/Out</u>	<u>Inspection Type</u>	<u>Client Type</u>	<u>Inspector</u>		
E654E	6/26/22	11:12 AM 11:29 AM	Re-Inspection	Food Service	T.Rocha		
<u>Permit Number</u>	<u>Risk</u>	<u>Variance</u>	<u>Violation Summary</u>	<u>Priority</u>	<u>Pf</u>	<u>Core</u>	<u>Repeat</u>
	3			1	1	0	3

Summary of Violations

Priority	Priority f	Core	Total
1	1	0	2

Priority "P" violations not marked "COS" must be corrected within 72 hours.

Priority foundation "Pf" violations not marked "COS" must be corrected within 10 days.

Core "C" violations not marked "COS" must be corrected within 90 days.

T.Rocha

Yoong S. Low/Samuel Pho - Expires
Certificate #:

Notes

Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

Inspection Number
E654E

Date
6/26/22

Time In/Out
11:12 AM
11:29 AM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

- -

Sauce seen inside bucket and not refrigerated. Must be refrigerated as seen on the actual label says refrigerate after opening. Sauce bucket needs to be removed and put separately in another container, and kept inside the fridge.
Code:



97

97 Corrected - Kitchen -

COS

---- The Original Violation Code was 3-305.11 Food Storage ----- Photo taken for the walk in freezer. Food storage shown on the floor. - Food shall be protected from contamination by storing food: in a clean dry location; where it is not exposed to splash, dust, or other contamination; and at least 6 inches off the floor.



Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

Inspection Number
E654E

Date
6/26/22

Time In/Out
11:12 AM
11:29 AM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

97

97 Corrected - Kitchen -

COS

---- The Original Violation Code was 4-502.11 (B) Good Repair and Calibration ----- Walk in freezer and walk in refrigerator are shown to be inoperable. Must have them repaired in good working conditions as created by the manufacturer. - Food temperature measuring devices shall be calibrated in accordance with manufacturer's specifications as necessary to ensure their accuracy.



97

97 Corrected - Kitchen -

COS

---- The Original Violation Code was 3-501.17 (A)(C) Date Marking RTE Foods - On Premises Prep ----- Date marking in walk in freezer for dumplings, meat and other foods in freezer. Must cover food properly and keep secure to prevent contamination. - Refrigerated, RTE/TCS food prepared and held refrigerated for more than 24 hours in a food establishment shall be clearly marked at the time of preparation to indicate the date by which the food shall be consumed, sold or discarded when held at a temperature of 41°F or less for a maximum of 7 days. The day of preparation shall be counted as Day 1. A refrigerated, RTE/TCS food ingredient or a portion of a refrigerated, RTE/TCS food that is subsequently combined with additional ingredients or portions of food shall retain the date marking of the earliest-prepared or first-prepared ingredient.



Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

Inspection Number
E654E

Date
6/26/22

Time In/Out
11:12 AM
11:29 AM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

97

97 Corrected - Kitchen -

COS

---- The Original Violation Code was 3-202.11 (A)(C)(D) Temperature ----- Raw shrimp showing high temperature. - TCS food shall be at a temperature of 41°F or below when received. Raw eggs shall be received in refrigerated equipment that maintains an ambient air temperature of 45°F or less. TCS food that is cooked to a proper temperature and received hot shall be at a temperature of 135°F or above.



97

97 Corrected - Kitchen -

COS

---- The Original Violation Code was 3-303.12 Food in Contact with Water or Ice ----- Ice was added onto raw shrimp when explained that the temperature was too high. Ice cannot be in with direct contact with food. - (A) Packaged food may not be stored in direct contact with ice or water if the food is subject to the entry of water because of the nature of its packaging, wrapping, or container or its positioning in the ice or water (B) Except as specified in paragraphs (C) and (D) of this section, unpackaged food may not be stored in direct contact with undrained ice. (C) Whole, raw fruits or vegetables; cut, raw vegetables such as celery or carrot sticks or cut potatoes; and tofu may be immersed in ice or water.



Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

Inspection Number
E654E

Date
6/26/22

Time In/Out
11:12 AM
11:29 AM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

97

97 Corrected - Kitchen -

COS

---- The Original Violation Code was 3-202.11 (A)(C)(D) Temperature ----- Underneath refrigerator shown to have high temperature. Must be under 41 degrees. Because doors are close to grill and are constantly being opened, you must lower the refrigerator temperature. - TCS food shall be at a temperature of 41°F or below when received. Raw eggs shall be received in refrigerated equipment that maintains an ambient air temperature of 45°F or less. TCS food that is cooked to a proper temperature and received hot shall be at a temperature of 135°F or above.



97

97 Corrected - Kitchen -

COS

---- The Original Violation Code was 4-101.19 Nonfood-Contact Surfaces ----- Clean up around this area must be done more often. Dry food spillage seen. - Nonfood-contact surfaces of equipment that are exposed to splash, spillage, or other food soiling or that require frequent cleaning shall be constructed of a corrosion-resistant, nonabsorbent, and smooth material.



Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

Inspection Number
E654E

Date
6/26/22

Time In/Out
11:12 AM
11:29 AM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

97

97 Corrected - Kitchen -

COS

---- The Original Violation Code was 6-301.20 Disposable Towels, Waste Receptacle ----- There was no trash can available. Must add a small trash can for this handwash sink area. Hand wash sink also showing to be dripping, must be repaired to stop leaking of water. - A handwashing sink or group of adjacent handwashing sinks that is provided with disposable towels shall be provided with a waste receptacle.



97

97 Corrected - Kitchen -

COS

---- The Original Violation Code was 3-302.11 (A)(4) Packaged and/or wrapped foods ----- Food seen unwrapped. Must be wrapped. - Food shall be protected from contamination by storing the food in packages, covered containers, or wrappings. This does not apply to (1) Whole, uncut, raw fruits and vegetables and nuts in the shell, that require peeling or hulling before consumption; (2) primal cuts, quarters, or sides of raw meat or slab bacon that are hung on clean, sanitized hooks or placed on clean, sanitized racks; (3) Whole, uncut, processed meats such as country hams, and smoked or cured sausages that are placed on clean, sanitized racks; (4) FOOD being cooled as specified under Subparagraph 3-501.15(B)(2); or shellstock.



Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

Inspection Number
E654E

Date
6/26/22

Time In/Out
11:12 AM
11:29 AM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

97

97 Corrected - Kitchen -

COS

---- The Original Violation Code was 3-602.11 (D) Food Labels ----- Must label sugar and flour. - Bulk, unpackaged foods such as bakery products and unpackaged foods that are portioned to consumer specification need not be labeled if: (1) A health, nutrient content, or other claim is not made; (2) There are no state or local laws requiring labeling; and (3) The food is manufactured or prepared on the premises of the food establishment or at another food establishment or a food processing plant that is owned by the same person and is regulated by the food regulatory agency that has jurisdiction.



97

97 Corrected - Kitchen -

COS

---- The Original Violation Code was 4-501.112 Mechanical Warewashing - Sanitization Water Temp ----- The dishwasher has not been reaching 180 degrees for the rinse cycle. - In a mechanical ware washing operation, the temperature of the fresh hot water sanitizing rinse as it enters the manifold may not be more than 194°F, or less than 180°F for all other machines, or less than 165°F for a stationary rack, single-temperature machine.



Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

Inspection Number
E654E

Date
6/26/22

Time In/Out
11:12 AM
11:29 AM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

97

97 Corrected - -

COS

---- The Original Violation Code was 3-304.14 (A)-(E) Wiping Cloths, Use Limitation ----- Wiping cloth must be stored in bucket of sanitizing solution at every station. Wet wiping cloths cannot be left on counter tops. - Cloths in-use for wiping food spills from tableware and carry-out containers that occur as food is being served shall be maintained dry and used for no other purpose. Cloths in-use for wiping counters and other equipment surfaces shall be held between uses in a chemical sanitizer solution and laundered daily. Cloths in-use for wiping surfaces in contact with raw animal foods shall be kept separate from cloths used for other purposes. Dry wiping cloths and the chemical sanitizing solutions in which wet wiping cloths are held between uses shall be free of food debris and visible soil. Containers of chemical sanitizing solutions shall be stored off the floor and used in a manner that prevents contamination of food, equipment, utensils, linens, single-service, or single-use articles.



Utensils, Equipment and Vending

All contact surfaces cleanable, properly designed, constructed & used

47

4-201.12 Food Temperature Measuring Devices - Kitchen -

Pr Internal temp measuring device not available/not working, must get new one. *Code: Food temperature measuring devices may not have sensors or stems constructed of glass, except that thermometers with glass sensors or stems that are encased in a shatterproof coating such as candy thermometers may be used.*

Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

Inspection Number
E654E

Date
6/26/22

Time In/Out
11:12 AM
11:29 AM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

48 4-301.12 (A)(B) Warewashing, Sink Requirements - Kitchen -

Pf Waterway sink seen without labels. Code: A sink with at least 3 compartments shall be provided for manually washing, rinsing, and sanitizing equipment and utensils. Compartments shall be large enough to accommodate immersion of the largest equipment and utensils. If equipment or utensils are too large for the warewashing sink, a warewashing machine or alternative equipment shall be used.

**Notes****Notes****88 Notes - Kitchen -**

N The kitchen manager/owner has called the company who fix the refrigerator and they have placed a new outside thermometer. - General Notes.

**88 Notes - Kitchen -**

N Temperature today are at good temperature under 41 degrees. - General Notes.

FOOD SAFETY INSPECTION REPORT

Page Number

10

Mandarin Cuisine
238 Highland Ave.
Needham, MA 02494

Inspection Number
E654E

Date
6/26/22

Time In/Out
11:12 AM
11:29 AM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

Temperatures

Area

Equipment

Product

Notes

Temps

Temperatures in **RED** identify items in the temperature danger zone. See the report notes for specific details.



FOOD SAFETY INSPECTION REPORT

R-9

Nicholas' Pizza
33 Chapel Street
Needham, MA 02492

<u>Inspection Number</u>	<u>Date</u>	<u>Time In/Out</u>	<u>Inspection Type</u>	<u>Client Type</u>	<u>Inspector</u>		
EA2F6	6/19/22	12:13 PM 12:53 PM	Routine	Food Service	T.Rocha		
<u>Permit Number</u>	<u>Risk</u>	<u>Variance</u>	<u>Violation Summary</u>	<u>Priority</u>	<u>Pf</u>	<u>Core</u>	<u>Repeat</u>
				2	2	2	

Summary of Violations

Priority	Priority f	Core	Total
2	2	2	6

Priority "P" violations not marked "COS" must be corrected within 72 hours.

Priority foundation "Pf" violations not marked "COS" must be corrected within 10 days.

Core "C" violations not marked "COS" must be corrected within 90 days.

T.Rocha

Carlos peraza - Expires
Certificate #:

Notes

Water temperature at hand wash sink 79 and must hit 100 degrees.

Pest control - will email

Grease trap- will email

Sanitizer bucket testing strip 100

Nicholas' Pizza
33 Chapel Street
Needham, MA 02492

Inspection Number
EA2F6

Date
6/19/22

Time In/Out
12:13 PM
12:53 PM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

Preventing Contamination by Hands

Adequate handwashing sinks properly supplied and accessible

10 5-202.12 (A)(B) Handwashing Sink, Installation - Kitchen -

- Pf** Water temperature in handwash sink is not meeting 100. Front of house handwash or back of house handwash sink. Code: A handwashing lavatory shall be equipped to provide water at a temperature of at least 100°F through a mixing valve or combination faucet. A steam mixing valve may not be used at a handwashing sink.



Approved Source

Food Received at Proper Temperatures

12 3-202.11 (A)(C)(D) Temperature - Kitchen -

- Pr** Temperature for food must be under 41. Code: TCS food shall be at a temperature of 41°F or below when received. Raw eggs shall be received in refrigerated equipment that maintains an ambient air temperature of 45°F or less. TCS food that is cooked to a proper temperature and received hot shall be at a temperature of 135°F or above.



Food/Color Additives and Toxic Substances

Nicholas' Pizza
33 Chapel Street
Needham, MA 02492

Inspection Number
EA2F6

Date
6/19/22

Time In/Out
12:13 PM
12:53 PM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

Toxic substances properly identified, stored & used

28 7-201.11 Storage Separation - Kitchen -

Pr Chemical spray are found next to food products(oil). Chemicals must be in separate compartments away from food. *Code: Poisonous or toxic materials shall be stored so they cannot contaminate food, equipment, utensils, linens, and single-service and single use articles by: (A) Separating the poisonous or toxic materials by spacing or partitioning; and (B) Locating the poisonous or toxic materials in an area that is not above food, equipment, utensils, linens, and single-service or single-use articles.*



Food Identification

Food properly labeled; original container

37 3-602.11 (B)(5) Food Labels - Allergen - Front of house -

Pf Desserts in refrigerator do not have names of what the food is or what the ingredients List is. This needs to be available for customers to see for food allergy reasons. *Code: Food packaged in the food establishment shall be labeled. In addition to labeling requirements in 3-602.11 (B)(1)-(4), the label must also include the name of the food source for each major food allergen contained in the food.*



Prevention of Food Contamination

Nicholas' Pizza
33 Chapel Street
Needham, MA 02492

Inspection Number
EA2F6

Date
6/19/22

Time In/Out
12:13 PM
12:53 PM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

Wiping cloths: properly used & stored

41

4-101.16 Sponges - Kitchen -

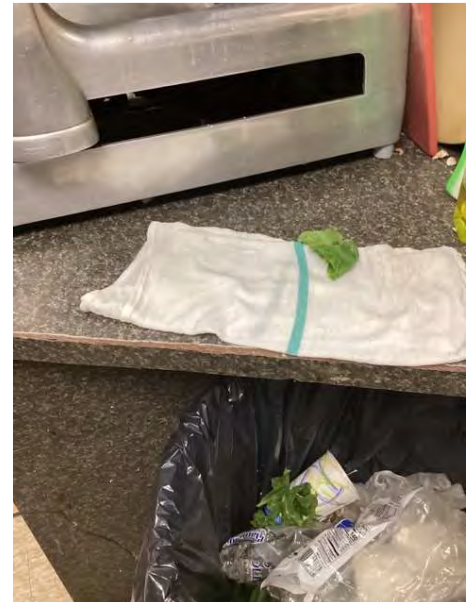
- C** Sponges are not allowed in restaurants. Must be metal or other material for washing dishes. *Code: Sponges may not be used in contact with cleaned and sanitized or in-use food contact surfaces.*



41

4-901.12 Wiping Cloths, Air-Drying Locations - Back -

- C** Not in use wiping cloths must be in a drying location and cannot be kept on counter tops. In use wiping cloths must be in a bucket of sanitizing solution. *Code: Wiping cloths laundered in a food establishment that does not have a mechanical clothes dryer shall be air-dried in a location and in a manner that prevents contamination of food, equipment, utensils, linens, and single service and single-use articles and wiping cloths.*



Positive Notes

Nicholas' Pizza
33 Chapel Street
Needham, MA 02492

Inspection Number
EA2F6

Date
6/19/22

Time In/Out
12:13 PM
12:53 PM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

Proper Food Safety Practices

- 98 98 Proper Food Safety Practices - Kitchen -
N Hood inspected and up to date - Excellent.



FOOD SAFETY INSPECTION REPORT

Nicholas' Pizza
33 Chapel Street
Needham, MA 02492

Inspection Number
EA2F6

Date
6/19/22

Time In/Out
12:13 PM
12:53 PM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

List 1

IN= In Compliance

OUT = Out of Compliance

NA = Not Applicable

NO= Not Observed

Permit. up to date and posted?	IN
Pest control record available?	NO
Written Menus /signs present (allergen)?	IN
Allergen Certificate Posted?	IN
Certified Food Protection Managers Certificate posted?	IN
Food allergy awareness poster visible for employees?	IN
Staff trained in choke-save for every shift.	NO
Ventilation Hood Inspections stickers up to date?	IN
Consumer Advisory Present if needed?	NA
Grease log up to date?	NO
Food Employee Reporting Agreement available?	OUT
Procedures outlines for vomit/diarreal event?	IN
No trans fat?	IN
"Most recent food inspection" sign posted?	OUT

FOOD SAFETY INSPECTION REPORT

Page Number

7

Nicholas' Pizza
33 Chapel Street
Needham, MA 02492

Inspection Number
EA2F6

Date
6/19/22

Time In/Out
12:13 PM
12:53 PM

Inspector
T.Rocha

Inspection Report (continued)

Repeat Violations Highlighted in Yellow

Temperatures

Area	Equipment	Product	Notes	Temps
Front of house	Customer self serve	Milk/soda	Holding	38 °F
Kitchen	Hot holding unit	Internal Marinara	Holding	149 °F
Kitchen	Deli prep	Internal Tuna	Holding	41.9 °F
Kitchen	Small Freezer	Fried chicken ambient	Holding	-1 °F
Kitchen	Salad reach in	Salad	Holding	39 °F
Kitchen	Deli prep back	Internal Pepperoni	Holding	41.8 °F
Kitchen	Walk-in Cooler	Turkey	Holding	41.5 °F
Kitchen	Small Freezer	Mozzarella sticks	Holding	1 °F
Kitchen	Underneath fridge	Raw chicken	Holding	39 °F
Kitchen	Deli prep	Cut tomatoes	Holding	38 °F

Temperatures in RED identify items in the temperature danger zone. See the report notes for specific details.



FOOD ESTABLISHMENT INSPECTION REPORT

R-10

Sweet Tomatoes Pizza
320 Chestnut St.
Needham, MA 02492

Inspection Number	Date	Time In/Out	Inspection Type	Client Type	Inspector
75070	6/28/22	11:10 AM 12:20 PM	Illness	Food Service	A.Littlefield
Permit Number	Risk	Variance	Priority	Pf	Core Repeat
			4	1	2

Violation Summary:

Foodborne Illness Risk Factors and Public Health Interventions

IN = in compliance OUT = out of compliance N/O = not observed N/A = not applicable COS = corrected on-site during inspection

Repeat Violations Highlighted in Yellow

Supervision	IN	OUT	NA	COS	Protection from Contamination (Cont'd)	IN	OUT	NA	COS
1. PIC present, demonstrates knowledge, and performs duties	☒	☐	☐	☐	15. Food separated and protected	☐	☒	☐	☐
2. Certified Food Protection Manager	☒	☐	☐	☐	16. Food-contact surfaces; cleaned & sanitized	☐	☒	☐	☐
Employee Health	IN	OUT	NA	COS	17. Proper disposition of returned, previously served, reconditioned & unsafe foods	☒	☐	☐	☐
3. Management, food employee and conditional employee knowledge, responsibilities and reporting	☒	☐	☐	☐	Time/Temperature Control for Safety	IN	OUT	NA	COS
4. Proper use of restriction and exclusion	☒	☐	☐	☐	18. Proper cooking time & temperatures	☒	☐	☐	☐
5. Procedures for responding to vomiting and diarrheal events	☒	☐	☐	☐	19. Proper reheating procedures for hot holding	☒	☐	☐	☐
Good Hygienic Practices	IN	OUT	NA	COS	20. Proper cooling time and temperature	☒	☐	☐	☐
6. Proper eating, tasting, drinking, or tobacco use	☒	☐	☐	☐	21. Proper hot holding temperatures	☒	☐	☐	☐
7. No discharge from eyes, nose, and mouth	☒	☐	☐	☐	22. Proper cold holding temperatures	2	☒	☐	☐
Preventing Contamination by Hands	IN	OUT	NA	COS	23. Proper date marking and disposition	☒	☐	☐	☐
8. Hands clean & properly washed	☒	☐	☐	☐	24. Time as a Public Health Control; procedures & records	☒	☐	☐	☐
9. No bare hand contact with RTE food or a pre-approved alternative procedure properly allowed	☒	☐	☐	☐	Consumer Advisory	IN	OUT	NA	COS
10. Adequate handwashing sinks supplied and accessible	☒	☐	☐	☐	25. Consumer advisory provided for raw/undercooked food	☒	☐	☐	☐
Approved Source	IN	OUT	NA	COS	Highly Susceptible Populations	IN	OUT	NA	COS
11. Food obtained from approved source	☒	☐	☐	☐	26. Pasteurized foods used; prohibited foods not offered	☒	☐	☐	☐
12. Food received at proper temperature	☒	☐	☐	☐	Food/Color Additives and Toxic Substances	IN	OUT	NA	COS
13. Food in good condition, safe & unadulterated	☒	☐	☐	☐	27. Food additives: approved & properly used	☒	☐	☐	☐
14. Required records available: shellstock tags, parasite destruction,	☒	☐	☐	☐	28. Toxic substances properly identified, stored & used	☒	☐	☐	☐
Repeat Violations Highlighted in Yellow					Conformance with Approved Procedures	IN	OUT	NA	COS
					29. Compliance with variance/specialized process/HACCP	☒	☐	☐	☐

Good Retail Practices

Safe Food and Water	IN	OUT	NA	COS	Proper Use of Utensils	IN	OUT	NA	COS
30. Pasteurized eggs used where required	☒	☐	☐	☐	43. In-use utensils: properly stored	☐	☐	☐	☐
31. Water & ice from approved source	☐	☐	☐	☐	44. Utensils, equip. & linens: property stored, dried & handled	☐	☐	☐	☐
32. Variance obtained for specialized processing methods	☒	☐	☐	☐	45. Single-use/single-service articles: properly stored & used	☐	☐	☐	☐
Food Temperature Control	IN	OUT	NA	COS	46. Gloves used properly	☐	☐	☐	☐
33. Proper cooling methods used; adequate equip. for temp. control	☒	☐	☐	☐	Utensils, Equipment and Vending	IN	OUT	NA	COS
34. Plant food properly cooked for hot holding	☐	☐	☐	☐	47. All contact surfaces cleanable, properly designed, constructed, & used	☐	☐	☐	☐
35. Approved thawing methods used	☐	☐	☐	☐	48. Warewashing facilities: installed, maintained & used; test strips	1	☒	☐	☐
36. Thermometers provided & accurate	☐	☐	☐	☐	49. Non-food contact surfaces clean	1	☒	☐	☐
Food Identification	IN	OUT	NA	COS	Physical Facilities	IN	OUT	NA	COS
37. Food properly labeled; original container	☐	☐	☐	☐	50. Hot & cold water available; adequate pressure	☐	☐	☐	☐
Prevention of Food Contamination	IN	OUT	NA	COS	51. Plumbing installed; proper backflow devices	☐	☐	☐	☐
38. Insects, rodents & animals not present	☐	☐	☐	☐	52. Sewage & waste water properly disposed	☐	☐	☐	☐
39. Contamination prevented in prep, storage & display	1	☒	☐	☐	53. Toilet facilities: properly constructed, supplied, & cleaned	☐	☐	☐	☐
40. Personal cleanliness	☐	☐	☐	☐	54. Garbage & refuse properly disposed; facilities maintained	☐	☐	☐	☐
41. Wiping cloths; properly used & stored	☐	☐	☐	☐	55. Physical facilities installed, maintained & clean	☐	☐	☐	☐
42. Washing fruits & vegetables	☐	☐	☐	☐	56. Adequate ventilation & lighting; designated areas use	☐	☐	☐	☐
					60. 105 CMR 590 violations / local regulations	☒	☐	☐	☐

Official Order for Correction: Based on an inspection today, the items marked "OUT" indicated violations of 105 CMR 590.000 and applicable sections of the 2013 FDA Food Code. This report, when signed below by a Board of Health member or its agent constitutes an order of the Board of Health. Failure to correct violations cited in this report may result in suspension or revocation of the food establishment permit and cessation of food establishment operations. If you are subject to a notice of suspension, revocation, or non-renewal pursuant to 105 CMR 590.000 you may request a hearing before the board of health in accordance with 105 CMR 590.015(B).

A.Littlefield

Neil - Expires
Certificate #:

Follow Up Required: ☐ Y

Follow Up Date: _____

FOOD SAFETY INSPECTION REPORT

Page Number

2

Sweet Tomatoes Pizza
320 Chestnut St.
Needham, MA 02492

Inspection Number
75070

Date
6/28/22

Time In/Out
11:10 AM
12:20 PM

Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

- -

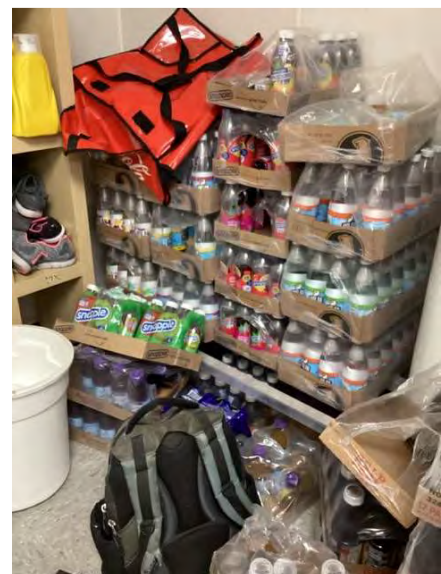
Storage if arugula on the top shelf. Code:



- -

Please ensure all food is stored 6 inches off of the floor.

Code:



FOOD SAFETY INSPECTION REPORT

Page Number

3

Sweet Tomatoes Pizza
320 Chestnut St.
Needham, MA 02492

Inspection Number
75070

Date
6/28/22

Time In/Out
11:10 AM
12:20 PM

Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

- -

Please clean soiled ceiling. Code:



- -

Dishwasher took second wash to get wash at 150; rinse wash 170 the first time. Code:



FOOD SAFETY INSPECTION REPORT

Page Number

4

Sweet Tomatoes Pizza
320 Chestnut St.
Needham, MA 02492

Inspection Number
75070

Date
6/28/22

Time In/Out
11:10 AM
12:20 PM

Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

- -

More food store on ground, please correct. Code:



- -

Double-checking if can be used on pizza dough bins.
Code:



Protection From Contamination

FOOD SAFETY INSPECTION REPORT

Page Number

5

Sweet Tomatoes Pizza
320 Chestnut St.
Needham, MA 02492

Inspection Number
75070

Date
6/28/22

Time In/Out
11:10 AM
12:20 PM

Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

Food Separated and protected

15 3-302.11 (A)(1) Raw Animal Foods Separated from RTE - -

- COS** **Pr** Eggs used for employee purposes stored above ready to eat foods, tomatoes and potatoes. Code: Food shall be protected from cross-contamination by: (1) Separating raw animal foods during storage preparation, holding and display from: (a) Raw RTE food including other raw animal food such as fish for sushi or molluscan shellfish or other raw RTE food such as fruits and vegetables, and (b) cooked RTE food.



16 4-602.11 (A) Food-Contact Surfaces and Utensils - -

- Pr** Knives stored in-between use found soiled. Code: Equipment food-contact surfaces and utensils shall be cleaned: before each use with a different type of raw animal food such as beef, fish, lamb, pork, or poultry; each time there is a change from working with raw foods to working with RTE foods; between uses with raw fruits and vegetables and with TCS food; before using or storing a food temperature measuring device; and any time during the operation when contamination may have occurred.



Time / Temperature Control for Safety

FOOD SAFETY INSPECTION REPORT

Page Number

6

Sweet Tomatoes Pizza
320 Chestnut St.
Needham, MA 02492

Inspection Number
75070

Date
6/28/22

Time In/Out
11:10 AM
12:20 PM

Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

Cold Holding Temperature

22 3-501.16 (A)(2) (B) Proper Cold Holding Temps. - Kitchen -

Pr The temperature of the Ambient in the True Bev unit salads was 43 degrees. Temp gauge reading 60, additional thermometer reading 48. *Code: Except during preparation, cooking, or cooling, or when time is used as the public health control as specified under section 3-501.19, and except as specified under paragraph (B) and in paragraph (C) of this section, TCS food shall be maintained at 41°F or less. Eggs that have not been treated to destroy all viable Salmonellae shall be stored in refrigerated equipment that maintains an ambient air temperature of 45°F or less.*



22 3-501.16 (A)(2) (B) Proper Cold Holding Temps. - Kitchen -

Pr The temperature of the Internal cooked chicken in the True Bev unit salads was 45 degrees. Discarded along with tuna. *Code: Except during preparation, cooking, or cooling, or when time is used as the public health control as specified under section 3-501.19, and except as specified under paragraph (B) and in paragraph (C) of this section, TCS food shall be maintained at 41°F or less. Eggs that have not been treated to destroy all viable Salmonellae shall be stored in refrigerated equipment that maintains an ambient air temperature of 45°F or less.*

Prevention of Food Contamination

FOOD SAFETY INSPECTION REPORT

Page Number

7

Sweet Tomatoes Pizza
320 Chestnut St.
Needham, MA 02492

Inspection Number
75070

Date
6/28/22

Time In/Out
11:10 AM
12:20 PM

Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

Cont. prevented during food prep., storage & display

39

3-305.11 Food Storage - Kitchen -

- C** Please ensure all food is stored 6 inches off of the floor.
Code: Food shall be protected from contamination by storing food: in a clean dry location; where it is not exposed to splash, dust, or other contamination; and at least 6 inches off the floor.



Utensils, Equipment and Vending

Warewashing facilities: installed, maintained & used; test strips

48

4-501.14 Equipment Cleaning Frequency - Kitchen -

- Pf** Interior of dishwasher soiled. Dishwasher must be cleaned daily with sanitizer to remove debris and film. Please clean and re-sanitize these dishes after. *Code: A ware washing machine; the compartments of sinks, basins, or other receptacles used for washing and rinsing equipment, utensils, or raw foods, or laundering wiping cloths; and drainboards or other equipment used to substitute for drainboards shall be cleaned before use, throughout the day at a frequency necessary to prevent recontamination of equipment and utensils and to ensure that the equipment performs its intended function; and if used, at least every 24 hours.*



FOOD SAFETY INSPECTION REPORT

Page Number

8

Sweet Tomatoes Pizza
320 Chestnut St.
Needham, MA 02492

Inspection Number
75070

Date
6/28/22

Time In/Out
11:10 AM
12:20 PM

Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

49 4-601.11 (C) Non- Food Contact Surfaces and Utensils Clean - -

- C Walk-in walls and ceiling needs to be cleaned. Code:
Nonfood contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.



Notes

Notes

88 Notes - -

- N Salad area clean and sanitary. Salads are prepared in the morning before meat is stored. - General Notes.



FOOD SAFETY INSPECTION REPORT

Page Number

9

Sweet Tomatoes Pizza
320 Chestnut St.
Needham, MA 02492

Inspection Number
75070

Date
6/28/22

Time In/Out
11:10 AM
12:20 PM

Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

88

Notes - -

N Proper glove wearing observed. - General Notes.

Temperatures

Area	Equipment	Product	Notes	Temps
Kitchen	Salad cooler	Ambient		39 °F
Kitchen	Walk-inFreezer	Ambient		-12 °F
Kitchen	True Bev unit salads	Internal cooked chicken		45 °F
Kitchen	True Bev unit salads	Internal tuna salad		45 °F
Kitchen	Walk in cooler	Ambient		35 °F
Kitchen	True Bev unit salads	Ambient		43 °F

Temperatures in **RED** identify items in the temperature danger zone. See the report notes for specific details.

Notes

Grease trap last cleaned 3/15/22

Please get true two door salad bar serviced and send confirmation ASAP.



FOOD ESTABLISHMENT INSPECTION REPORT

R-10

Sweet Tomatoes Pizza
320 Chestnut St.
Needham, MA 02492

Inspection Number	Date	Time In/Out	Inspection Type	Client Type	Inspector
74532	7/7/22	4:27 PM 5:08 PM	Re-Inspection	Food Service	A.Littlefield
Permit Number	Risk	Variance	Priority	Pf	Core Repeat
			1	1	1

Violation Summary:

Foodborne Illness Risk Factors and Public Health Interventions

IN = in compliance OUT = out of compliance N/O = not observed N/A = not applicable COS = corrected on-site during inspection

Repeat Violations Highlighted in Yellow

Supervision	IN	OUT	NA	NO	COS	Protection from Contamination (Cont'd)	IN	OUT	NA	NO	COS
1. PIC present, demonstrates knowledge, and performs duties	☒	☐	☐	☐	☐	15. Food separated and protected	☒	☐	☐	☐	☐
2. Certified Food Protection Manager	☒	☐	☐	☐	☐	16. Food-contact surfaces; cleaned & sanitized	☒	☐	☐	☐	☐
Employee Health	IN	OUT	NA	NO	COS	17. Proper disposition of returned, previously served, reconditioned & unsafe foods	☒	☐	☐	☐	☐
3. Management, food employee and conditional employee knowledge, responsibilities and reporting	☒	☐	☐	☐	☐	Time/Temperature Control for Safety	IN	OUT	NA	NO	COS
4. Proper use of restriction and exclusion	☒	☐	☐	☐	☐	18. Proper cooking time & temperatures	☒	☐	☐	☐	☐
5. Procedures for responding to vomiting and diarrheal events	☒	☐	☐	☐	☐	19. Proper reheating procedures for hot holding	☒	☐	☐	☐	☐
Good Hygienic Practices	IN	OUT	NA	NO	COS	20. Proper cooling time and temperature	☒	☐	☐	☐	☐
6. Proper eating, tasting, drinking, or tobacco use	☒	☐	☐	☐	☐	21. Proper hot holding temperatures	☒	☐	☐	☐	☐
7. No discharge from eyes, nose, and mouth	☒	☐	☐	☐	☐	22. Proper cold holding temperatures	☐	☒	☐	☐	☐
Preventing Contamination by Hands	IN	OUT	NA	NO	COS	23. Proper date marking and disposition	☒	☐	☐	☐	☐
8. Hands clean & properly washed	☒	☐	☐	☐	☐	24. Time as a Public Health Control; procedures & records	☒	☐	☐	☐	☐
9. No bare hand contact with RTE food or a pre-approved alternative procedure properly allowed	☒	☐	☐	☐	☐	Consumer Advisory	IN	OUT	NA	NO	COS
10. Adequate handwashing sinks supplied and accessible	☒	☐	☐	☐	☐	25. Consumer advisory provided for raw/undercooked food	☒	☐	☐	☐	☐
Approved Source	IN	OUT	NA	NO	COS	Highly Susceptible Populations	IN	OUT	NA	NO	COS
11. Food obtained from approved source	☒	☐	☐	☐	☐	26. Pasteurized foods used; prohibited foods not offered	☒	☐	☐	☐	☐
12. Food received at proper temperature	☒	☐	☐	☐	☐	Food/Color Additives and Toxic Substances	IN	OUT	NA	NO	COS
13. Food in good condition, safe & unadulterated	☒	☐	☐	☐	☐	27. Food additives: approved & properly used	☒	☐	☐	☐	☐
14. Required records available: shellstock tags, parasite destruction,	☒	☐	☐	☐	☐	28. Toxic substances properly identified, stored & used	☒	☐	☐	☐	☐
						Conformance with Approved Procedures	IN	OUT	NA	NO	COS
						29. Compliance with variance/specialized process/HACCP	☒	☐	☐	☐	☐

Repeat Violations Highlighted in Yellow

Good Retail Practices

Safe Food and Water	IN	OUT	NA	NO	COS	Proper Use of Utensils	IN	OUT	NA	NO	COS
30. Pasteurized eggs used where required	☒	☐	☐	☐	☐	43. In-use utensils: properly stored	☐	☐	☐	☐	☐
31. Water & ice from approved source	☐	☐	☐	☐	☐	44. Utensils, equip. & linens: property stored, dried & handled	☐	☐	☐	☐	☐
32. Variance obtained for specialized processing methods	☒	☐	☐	☐	☐	45. Single-use/single-service articles: properly stored & used	☐	☐	☐	☐	☐
Food Temperature Control	IN	OUT	NA	NO	COS	46. Gloves used properly	☐	☐	☐	☐	☐
33. Proper cooling methods used; adequate equip. for temp. control	☒	☐	☐	☐	☐	Utensils, Equipment and Vending	IN	OUT	NA	NO	COS
34. Plant food properly cooked for hot holding	☐	☐	☐	☐	☐	47. All contact surfaces cleanable, properly designed, constructed, & used	☐	☐	☐	☐	☐
35. Approved thawing methods used	☐	☐	☐	☐	☐	48. Warewashing facilities: installed, maintained & used; test strips	☐	☒	☐	☐	☐
36. Thermometers provided & accurate	☐	☐	☐	☐	☐	49. Non-food contact surfaces clean	☐	☒	☐	☐	☐
Food Identification	IN	OUT	NA	NO	COS	Physical Facilities	IN	OUT	NA	NO	COS
37. Food properly labeled; original container	☐	☐	☐	☐	☐	50. Hot & cold water available; adequate pressure	☐	☐	☐	☐	☐
Prevention of Food Contamination	IN	OUT	NA	NO	COS	51. Plumbing installed; proper backflow devices	☐	☐	☐	☐	☐
38. Insects, rodents & animals not present	☐	☐	☐	☐	☐	52. Sewage & waste water properly disposed	☐	☐	☐	☐	☐
39. Contamination prevented in prep, storage & display	☐	☐	☐	☐	☐	53. Toilet facilities: properly constructed, supplied, & cleaned	☐	☐	☐	☐	☐
40. Personal cleanliness	☐	☐	☐	☐	☐	54. Garbage & refuse properly disposed; facilities maintained	☐	☐	☐	☐	☐
41. Wiping cloths; properly used & stored	☐	☐	☐	☐	☐	55. Physical facilities installed, maintained & clean	☐	☐	☐	☐	☐
42. Washing fruits & vegetables	☐	☐	☐	☐	☐	56. Adequate ventilation & lighting; designated areas use	☐	☐	☐	☐	☐
						60. 105 CMR 590 violations / local regulations	☒	☐	☐	☐	☐

Official Order for Correction: Based on an inspection today, the items marked "OUT" indicated violations of 105 CMR 590.000 and applicable sections of the 2013 FDA Food Code. This report, when signed below by a Board of Health member or its agent constitutes an order of the Board of Health. Failure to correct violations cited in this report may result in suspension or revocation of the food establishment permit and cessation of food establishment operations. If you are subject to a notice of suspension, revocation, or non-renewal pursuant to 105 CMR 590.000 you may request a hearing before the board of health in accordance with 105 CMR 590.015(B).

A.Littlefield

Evan - Expires
Certificate #:

Follow Up Required: ☐ Y Follow Up Date: _____

FOOD SAFETY INSPECTION REPORT

Page Number

2

Sweet Tomatoes Pizza
320 Chestnut St.
Needham, MA 02492

Inspection Number
74532

Date
7/7/22

Time In/Out
4:27 PM
5:08 PM

Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

- -

Storage if arugula on the top shelf. Code:



- -

Please ensure all food is stored 6 inches off of the floor.

Code:



FOOD SAFETY INSPECTION REPORT

Page Number

3

Sweet Tomatoes Pizza
320 Chestnut St.
Needham, MA 02492

Inspection Number
74532

Date
7/7/22

Time In/Out
4:27 PM
5:08 PM

Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

- -

Please clean soiled ceiling. Code:



- -

Dishwasher took second wash to get wash at 150; rinse wash 170 the first time. Code:



FOOD SAFETY INSPECTION REPORT

Page Number

4

Sweet Tomatoes Pizza
320 Chestnut St.
Needham, MA 02492

Inspection Number
74532

Date
7/7/22

Time In/Out
4:27 PM
5:08 PM

Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

- -

More food store on ground, please correct. Code:



- -

Double-checking if can be used on pizza dough bins.
Code:



FOOD SAFETY INSPECTION REPORT

Page Number

5

Sweet Tomatoes Pizza
320 Chestnut St.
Needham, MA 02492

Inspection Number
74532

Date
7/7/22

Time In/Out
4:27 PM
5:08 PM

Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

- -

Employees report cleaning every day, but debris is stuck.
Working on getting professionally cleaned. Please send
confirmation/invoice Code:



97

97 Corrected - Kitchen -

COS

---- The Original Violation Code was 3-501.16 (A)(2) (B) Proper Cold Holding Temps. ----- The temperature of the Ambient in the True Bev unit salads was 43 degrees. Temp gauge reading 60, additional thermometer reading 48. - Except during preparation, cooking, or cooling, or when time is used as the public health control as specified under section 3-501.19, and except as specified under paragraph (B) and in paragraph (C) of this section, TCS food shall be maintained at 41°F or less. Eggs that have not been treated to destroy all viable Salmonellae shall be stored in refrigerated equipment that maintains an ambient air temperature of 45°F or less.



FOOD SAFETY INSPECTION REPORT

Page Number

6

Sweet Tomatoes Pizza
320 Chestnut St.
Needham, MA 02492

Inspection Number
74532

Date
7/7/22

Time In/Out
4:27 PM
5:08 PM

Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

97

97 Corrected - Kitchen -

COS

---- The Original Violation Code was 3-305.11 Food Storage ----- Please ensure all food is stored 6 inches off of the floor. - Food shall be protected from contamination by storing food: in a clean dry location; where it is not exposed to splash, dust, or other contamination; and at least 6 inches off the floor.



97

97 Corrected - -

COS

---- The Original Violation Code was 4-602.11 (A) Food-Contact Surfaces and Utensils ----- Knives stored in-between use found soiled. - Equipment food-contact surfaces and utensils shall be cleaned: before each use with a different type of raw animal food such as beef, fish, lamb, pork, or poultry; each time there is a change from working with raw foods to working with RTE foods; between uses with raw fruits and vegetables and with TCS food; before using or storing a food temperature measuring device; and any time during the operation when contamination may have occurred.



Time / Temperature Control for Safety

FOOD SAFETY INSPECTION REPORT

Page Number

7

Sweet Tomatoes Pizza
320 Chestnut St.
Needham, MA 02492

Inspection Number
74532

Date
7/7/22

Time In/Out
4:27 PM
5:08 PM

Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

Cold Holding Temperature

22 3-501.16 (A)(2) (B) Proper Cold Holding Temps. - Kitchen -

Pr The temperature of the Internal cooked chicken in the True Bev unit salads was 45 degrees. Discarded along with tuna. *Code: Except during preparation, cooking, or cooling, or when time is used as the public health control as specified under section 3-501.19, and except as specified under paragraph (B) and in paragraph (C) of this section, TCS food shall be maintained at 41°F or less. Eggs that have not been treated to destroy all viable Salmonellae shall be stored in refrigerated equipment that maintains an ambient air temperature of 45°F or less.*

Utensils, Equipment and Vending

Warewashing facilities: installed, maintained & used; test strips

48 4-501.14 Equipment Cleaning Frequency - Kitchen -

Pf Interior of dishwasher soiled. Dishwasher must be cleaned daily with sanitizer to remove debris and film. Please clean and re-sanitize these dishes after. *Code: A ware washing machine; the compartments of sinks, basins, or other receptacles used for washing and rinsing equipment, utensils, or raw foods, or laundering wiping cloths; and drainboards or other equipment used to substitute for drainboards shall be cleaned before use, throughout the day at a frequency necessary to prevent recontamination of equipment and utensils and to ensure that the equipment performs its intended function; and if used, at least every 24 hours.*



FOOD SAFETY INSPECTION REPORT

Page Number

8

Sweet Tomatoes Pizza
320 Chestnut St.
Needham, MA 02492

Inspection Number
74532

Date
7/7/22

Time In/Out
4:27 PM
5:08 PM

Inspector
A.Littlefield

Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

49 4-601.11 (C) Non- Food Contact Surfaces and Utensils Clean - -

- C** Walk-in walls and ceiling needs to be cleaned. Code:
Nonfood contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.



Temperatures

Area	Equipment	Product	Notes	Temps
Kitchen	Flip Top	Ambient		40 °F
Kitchen	Flip Top	Roasted turkey breast		45 °F
Kitchen	Flip Top	Cooked chicken		55 °F
Kitchen	Flip Top	Tuna salad		55 °F

Temperatures in **RED** identify items in the temperature danger zone. See the report notes for specific details.

Notes

Two door roll top was fixed day of initial inspection. Temperatures compliant.

Please label three-bay sink discussion on next practice for sanitizer in three bay for pizza bins.

FOOD SAFETY INSPECTION REPORT

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9

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Inspector
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Inspection Report (Continued)

Repeat Violations Highlighted in Yellow

Please send confirmation of service receipt for the fridge. While fridge ambient is compliant, items are still warm. Either fridge needs to be colder to comply, or less items need to be stored in fridge. Please discard items under 41 degrees.

Please remove soiled light in the walk-in as it is not being used.



Needham Public Health Division

June 2022



Unit: Shared Services Grants – Public Health Excellence and Contact Tracing

Date: 7/19/2022

Staff members: Diana Acosta, Roland Abuntori, Michaela Bucca, Kendy Valbrun

Activities and Accomplishments

Activity	Notes
Charles River Public Health District Logo Design	A vote was sent out via GoogleForms to all Board of Health Members and Town Manager/Administrators of Needham, Dover, and Medfield to choose a logo for the District. The winning logo was:  Town names are to be added to the final logo. 
Staffing	Part-time Environmental Health Agent Position was hired. Jessica Kent, formerly of the accreditation team, has joined the Shared Services Team with a start date of July 5, 2022.
Training	Diana attended the AFDO Annual Educational Conference in Phoenix, Arizona from June 10 – 15, 2022. Diana, Roland Abuntori, and Jessica Kent attended the virtual Pre-Rental Housing Regulations: A Tool for Improving training held by the Franklin Regional Council of Government on June 29, 2022. Roland completed a FoodCodePro refresher training with Diane Legere of Relevant Systems on June 3, 2022. An online comprehensive retail food inspection training with Diane was completed on June 6, 2022. He additionally completed some septic plan review training and witnessed a perc test with Mike Angieri of Dover.
Contact Tracers	Contact tracers are still providing daily reports for Medfield COVID cases. Calls have been reduced to once per case. The script for calls to cases has been updated.
PurpleAir Sensor Project	Two Air sensors have been set up at Olin College and both are viewable on the PurpleAir Map online - https://map.purpleair.com/1/a/mAQI/a0/p0/cC0#12.04/42.28545/-71.22287



NEEDHAM **PUBLIC HEALTH DIVISION**



Unit: Substance Use Prevention

Date: June 2022

Staff: Karen Shannon, Karen Mullen, Monica De Winter, Angi MacDonnell, and Jazmine Hurley

Activities and Accomplishments

Activity	Notes
SPAN Projects/Events	• The SPAN Spring Newsletter released to the coalition distribution list. • SPAN is participating on the planning committee, led by Deb Schmill of the Becca Schmill Foundation, for Needham's first observance of International Overdose Awareness Day on August 31. An evening vigil and flag display is planned for this community observance of those who lost their lives to overdose.
STOP Act grant	SAMHSA grant: STOPing Underage Access and Use of Alcohol: Codifying Youth, Parent and Retailer Education and Compliance in Needham, MA • TIPS training was conducted June 13 by Carol Read and Office Jay Sullivan of the Dedham Police Department. Ten people attended the training.
SALSA	• During June 24 SALSA youth prevention advocates contributed 49 hours of service in Needham • During the school year from Sept-June, 93 SALSA members contributed 1,460 hours of service in Needham- an 8% increase over last year which was <i>also</i> a record-breaking year for service. Below is a link to the SALSA year end accomplishments video- a year in review. https://www.youtube.com/watch?v=s_04wOAodhE
Medical Marijuana Regulations Research and Review	Amendments to the BOH Medical Marijuana Regulations, Article 20, await a final review by Board members.
MetroWest Adolescent Health Survey	The 2021 town-specific data for the Metro West Adolescent Health Survey (MWAHS) was released to participating communities. On June 10 the Education Development Center (EDC) and the Metro West Health Foundation hosted a virtual district meeting to review the data.
SPAN Parent Survey	The 2022 SPAN Parent Survey closed on June 10. The survey collects opinions from Needham parents of children in grades 6 – 12 that provides quantitative data on the attitudes, beliefs and perceptions of parents around youth substance use. SPAN uses the data alongside the



NEEDHAM **PUBLIC HEALTH DIVISION**



	MWAHS data to inform their prevention priorities and strategies for youth substance use.
Vaping Grant	The final grant progress and budget reports were submitted on 6/30 to the MetroWest Health Foundation for close out of the Vaping Grant. The MWHF funded \$25,000 for staffing and program delivery of the Vaping Cessation Program, vaping education units for the Wellness curriculum at Needham Public Schools, and review of the Vaping Diversion Program at Needham High School.
Mass Call 3 Grant	Several members of the Substance Use Prevention Team attended the virtual "Equity in Action" training sessions offered through the Mass Call 3 grant.
Mental Health First Aid	Karen Shannon attended the three-day virtual trainer certification course for Teen Mental Health First Aid. Karen is one of four HHS staff who are being certified to teach MHFA to Needham teens. Similar to Youth and Adult MHFA, Teen MHFA provides teens with the knowledge for identifying when a peer may be experiencing a mental health challenge and the steps for connecting their peer to adults who can help.
Parent Al-anon group	Meetings held every Monday evening. Attendance remains steady averaging 6- 14 people each week. Hometown Weekly continues free publishing of meeting announcements in Needham edition.
Training	The 84 Movement youth "Identity" workshop pt. 2 6/1 Active Bystander Training 6/6 Equity in Action Series, Mass Call 3 Grant, 6/15, 22, 29 BSAS Aging With Dignity Conference 6/15 PTTC/SW- Youth Leadership webinar 6/23 BUSPH Teaching Public Health Writing & Com. – 6/27 PAVE Update Webinar on FDA Decision to order JUUL of Mkt- 6/27 6/7 "Embracing Uncertainty: How to Support Anxious Teens in Developing Resilience in Stressful Times," by Dr. Terada sponsored by Operation Parent 6/8 Strategic Alliance: Prevention Across the Continuum of Care PTTC 6/14 The Ongoing Opioid Epidemic Part 2: Lessons Learned and Looking Ahead 6/22 Making the case for public health: framing and language recommendations Act for Public Health 6/23 Risk Factors for Youth Substance Misuse PTTC 6/27-6/30 CADCA Academy- 4 day intensive prevention training – A. MacDonnell
Other Meetings	NHS Club Fair for rising 9 th graders- SALSA Recruiting 6/7 BIDNeedham Community Assessment Report Back Mtg 6/15 SPAN Mental Health Awareness Working Group, 6/16 MetroWest Health Foundation/EDC District Meeting, 6/10

Summary for Month of June 2022: Focus this month included SPAN planning for the upcoming coalition year, including review of the 2021 MWAHS data, and preparation for strategic planning with SPAN Action Team Leaders. Prevention Team staff used this month of fewer meetings to attend a wide range of training on public health and substance use prevention topics.



NEEDHAM PUBLIC HEALTH DIVISION

Unit: Public Health Nursing

Month: June 2022

Staff member: Hanna Burnett, Mary Fountaine

Activities and Accomplishments

Activity	Notes
Education & Outreach	Blood Pressure Clinics. THN Class. CPR course(s)
Summer Camps	Summer camp inspections and licensure commence.
Communicable Disease Investigation	New spreadsheet for July. Listeria investigation for CDC. Reduction in Covid-19 case load.

Summary overview for the month:

Hanna facilitated three CPR classes and attempted to start another A Matter of Balance course, which had to be put on hold due to lack of participants in the summer. Summer camp application reviews continued, with inspections starting on the 27th and 5 camps being licensed. Finalized the materials for the Educational Awareness Campaign for DVAC.

Both Hanna and Mary maintained Blood Pressure screenings, with Mary continuing scheduled monthly clinics at two NHA locations and Hanna taking BP in the office as well as occasional Covid-19 vaccines.

Mary performed maintenance on the Ultra-Cold freezer and finished the returns process for last year's remaining influenza vaccine. Work continued in conjunction with Julie McCarthy to create a data stream for substance use from local hospitals, to assist in multiple grant initiatives. A Take-Home Naloxone course was worked in on the last day of the month.

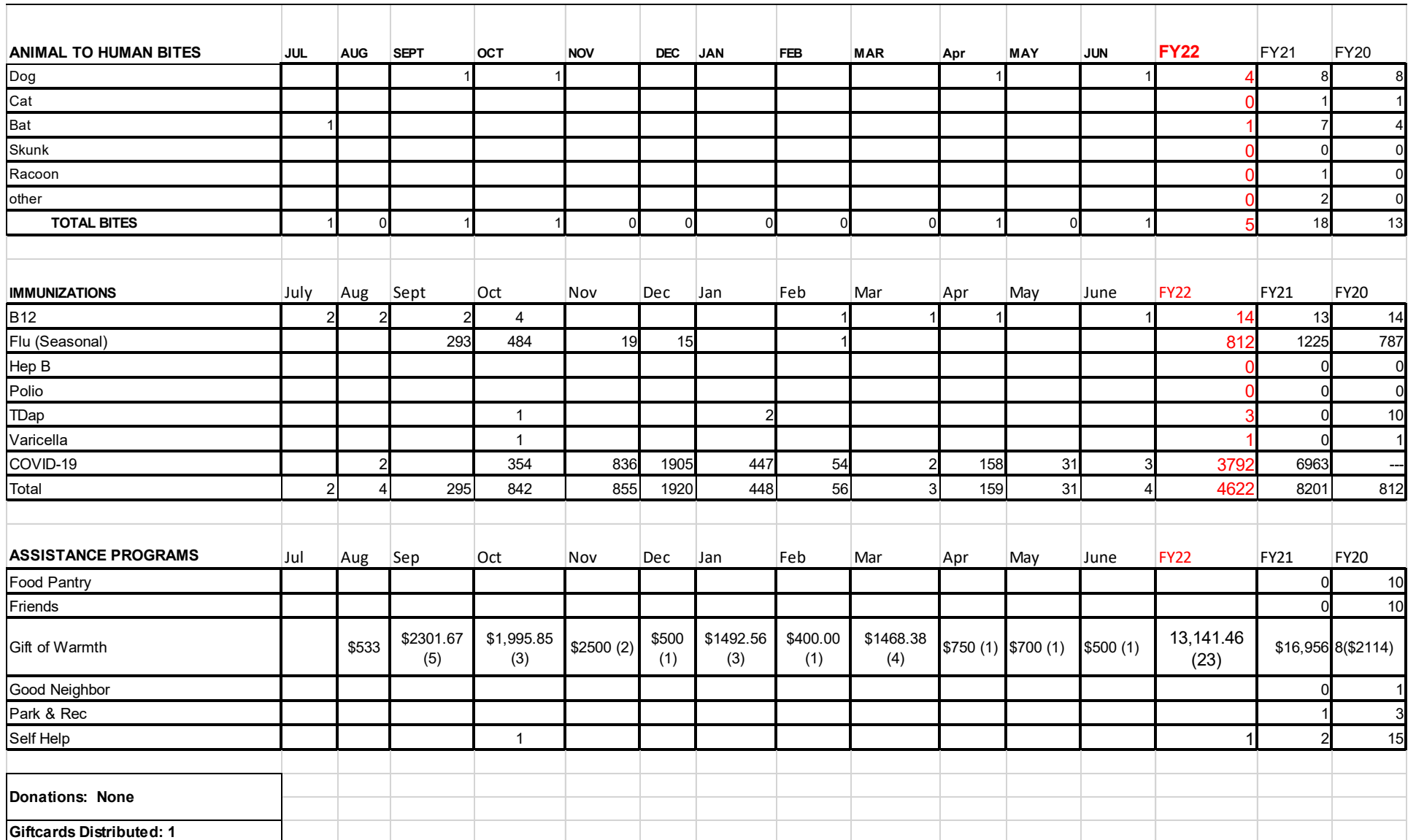
Following the infectious disease summary in this report, the new version of the spreadsheet for FY 2023 is attached, with the adjusted numbers from previous years already included. The adjustment accounts for changes in disease status (probable cases confirmed or revoked) and categories previously excluded or not expanded upon (such as Hepatitis and TB). Some diseases that historically are very rare or completely absent were removed from the routine report, with input from Julie McCarthy's review of historical MAVEN data. Others were left due to being vaccine preventable (mumps, pertussis) or otherwise noteworthy (TB disease to contract TB infection). Changes in font and sizing are aimed at making the report easier to read, and new entries will be highlighted monthly.



NEEDHAM PUBLIC HEALTH DIVISION



COMMUNICABLE DISEASES:	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	FY22	FY21	FY20
Amebiasis													0	1	1
Chickungunya													0	0	1
Babesiosis	3												3	5	4
Borrelia miyanotoi	1												1	0	0
Campylobacter	2		1	1	1					1			6	15	15
COVID 19 Confirmed	37	101	110	99	151	658	1340	183	184	454	611	225	4153	1416	327
COVID Probable	3	8	5	2	8	109	204	6	15	43	67	14	484	118	37
COVID Contacts	20	25	20	9	18	21	5		1	2			121	1006	242
Cryptosporidium									1				1	1	0
Cyclosporiasis													0	0	5
HGA													0	2	6
Enterovirus													0	0	1
Giardiasis													0	0	4
Haemophilus Influenza								1					1	1	0
Hepatitis B		1	1	1	1	1	1		1	1	1		9	9	3
Hepatitis C		0		0	1	1	2	0			1		5	6	8
HGA		1										1	2	3	6
Influenza					7	14	4		4	7	12	3	51	1	51
Invasive Bacterial Infection		1	1										2	1	1
Legionellosis				1			1						2	0	2
Listeriosis												1	1	0	0
Lyme	7	7	6	7	2	3	3	2	2	3	2	7	51	38	38
Measles													0	0	0
Meningitis													0	0	1
Meningitis (Aseptic)													0	0	0
Mumps													0	0	2
Noro Virus									1	2	1		4	1	2
Pertussis													0	0	2
RMSF(Rocky Mt Spotted Fever)													0	0	1
Salmonella		1					1			1			3	3	1
Shiga Toxin													0	0	0
Shigellosis									1				1	1	0
Strep Group B				1				1					2	2	2
Strep (GAS)													0	0	3
Strep Pneumoniae											1		1	0	0
Tuberculosis						1							1	0	0
Latent TB								2	1	3	3	4	13	7	0
Varicella						1					1	2	4	1	4
Vibrio		1											1	0	0
West Nile virus													0	0	0
TOTAL DISEASES	72	146	144	121	189	809	1561	195	211	517	700	257	4923	2638	770
Revoked/Suspect Diseases Investigated		1	2	2	1	1	2	1		2	2	1	15	3	6



NEEDHAM PUBLIC HEALTH DIVISION



Donations:	0
Giftcards Distributed:	1



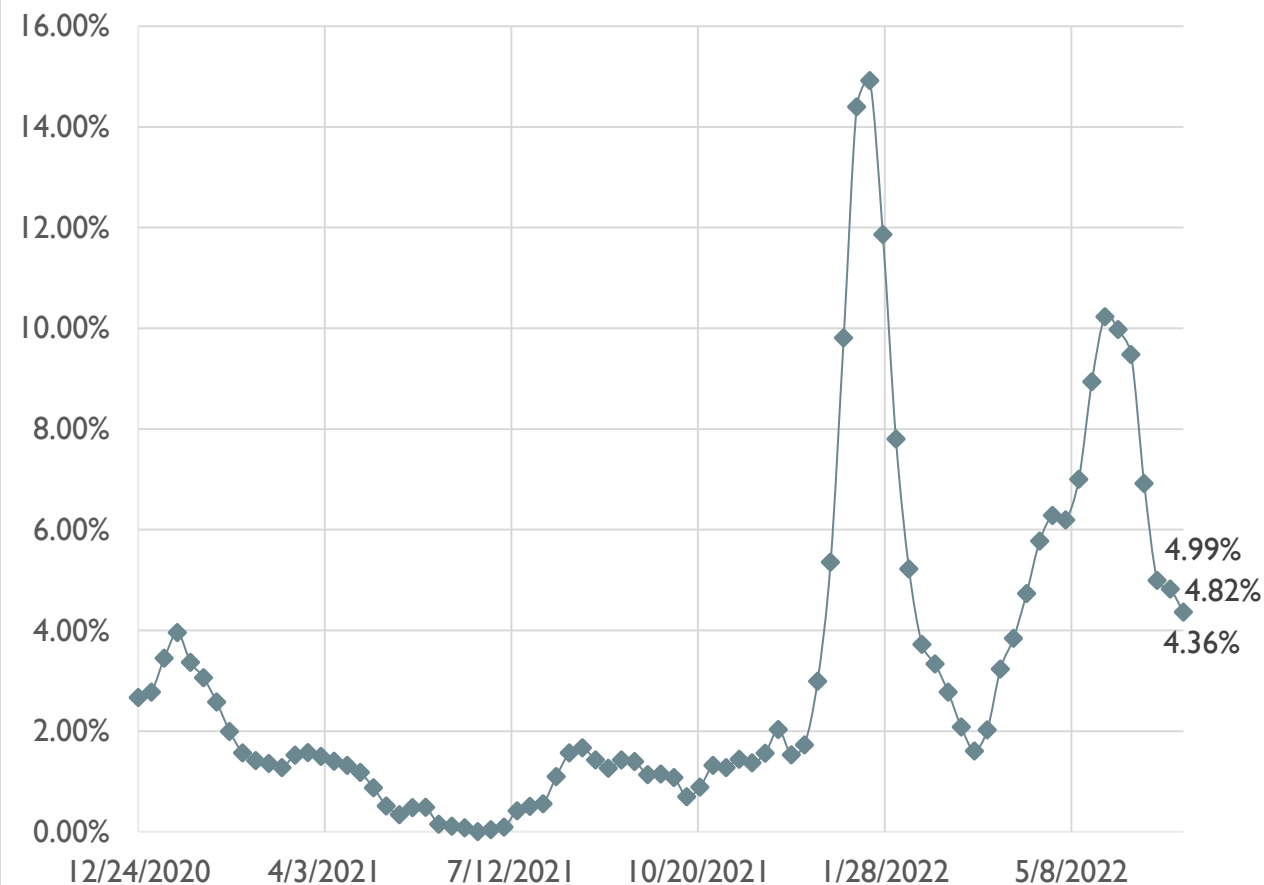
COVID-19 UPDATE

July 19, 2022

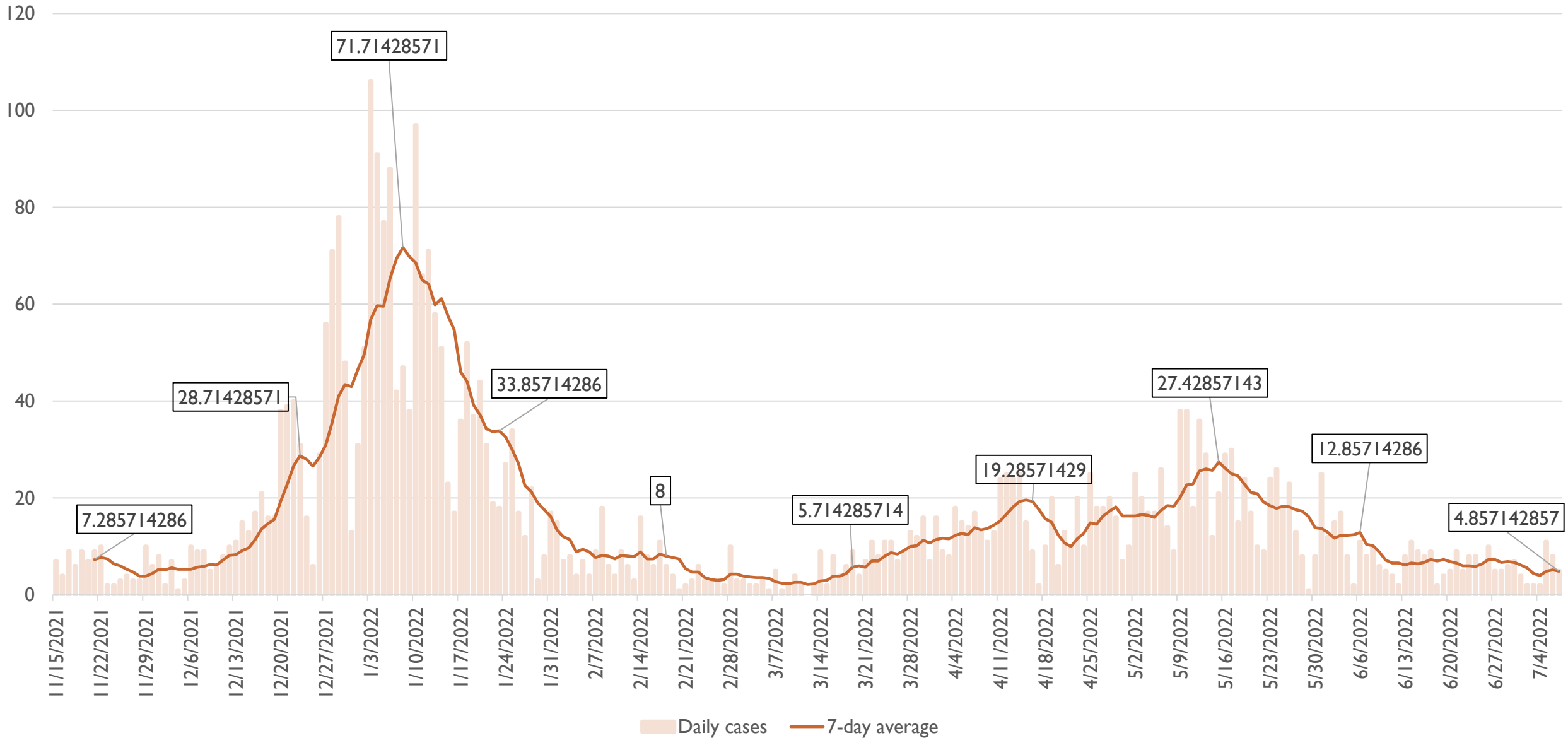
Julie McCarthy

INCIDENCE RATE, PERCENT POSITIVITY, VACCINATION RATES

Needham Percent Positivity



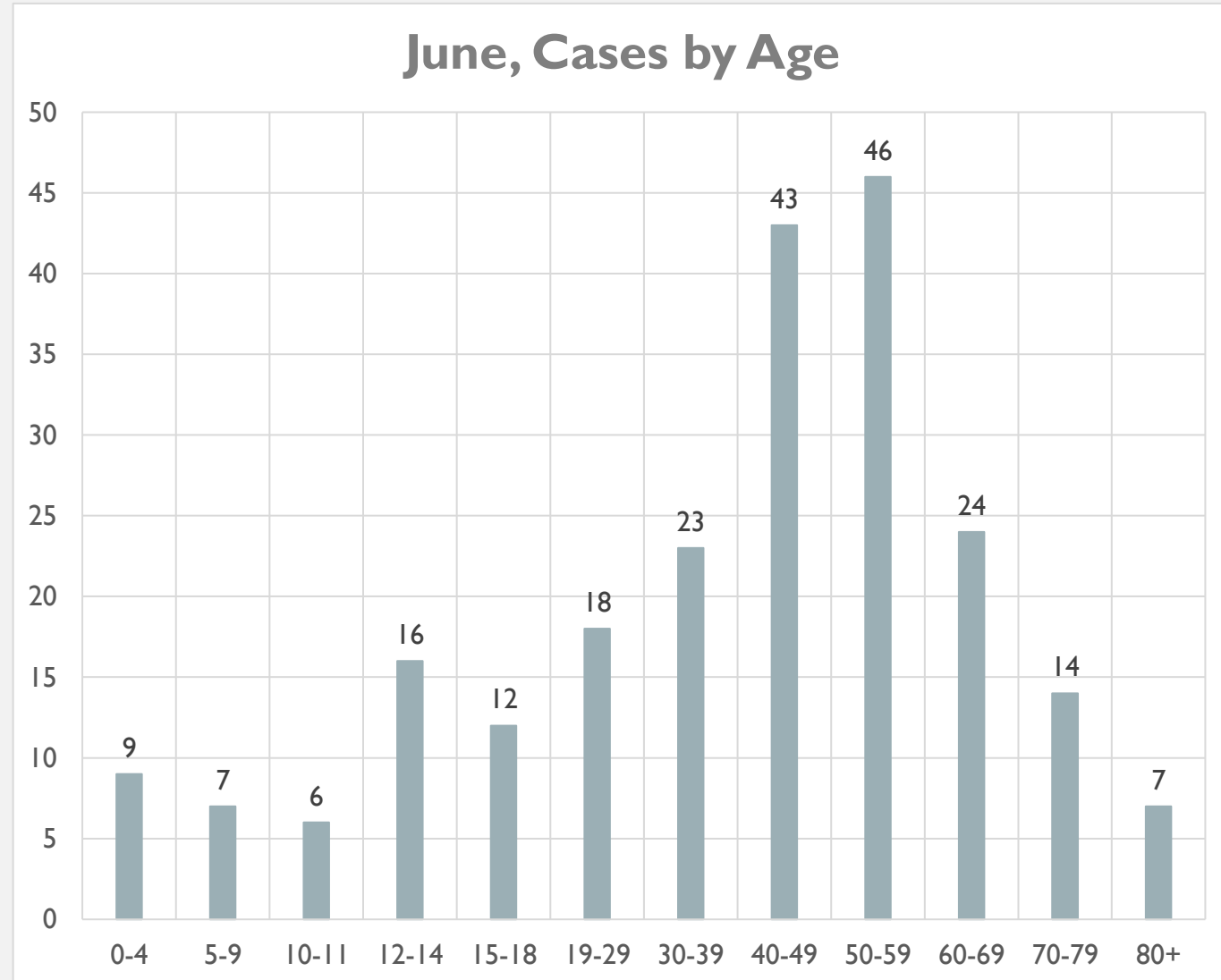
Needham Daily Cases 11/15/21-7/7/22



• NOTE: Does NOT include at-home tests

NEEDHAM: MAY CASES BY AGE

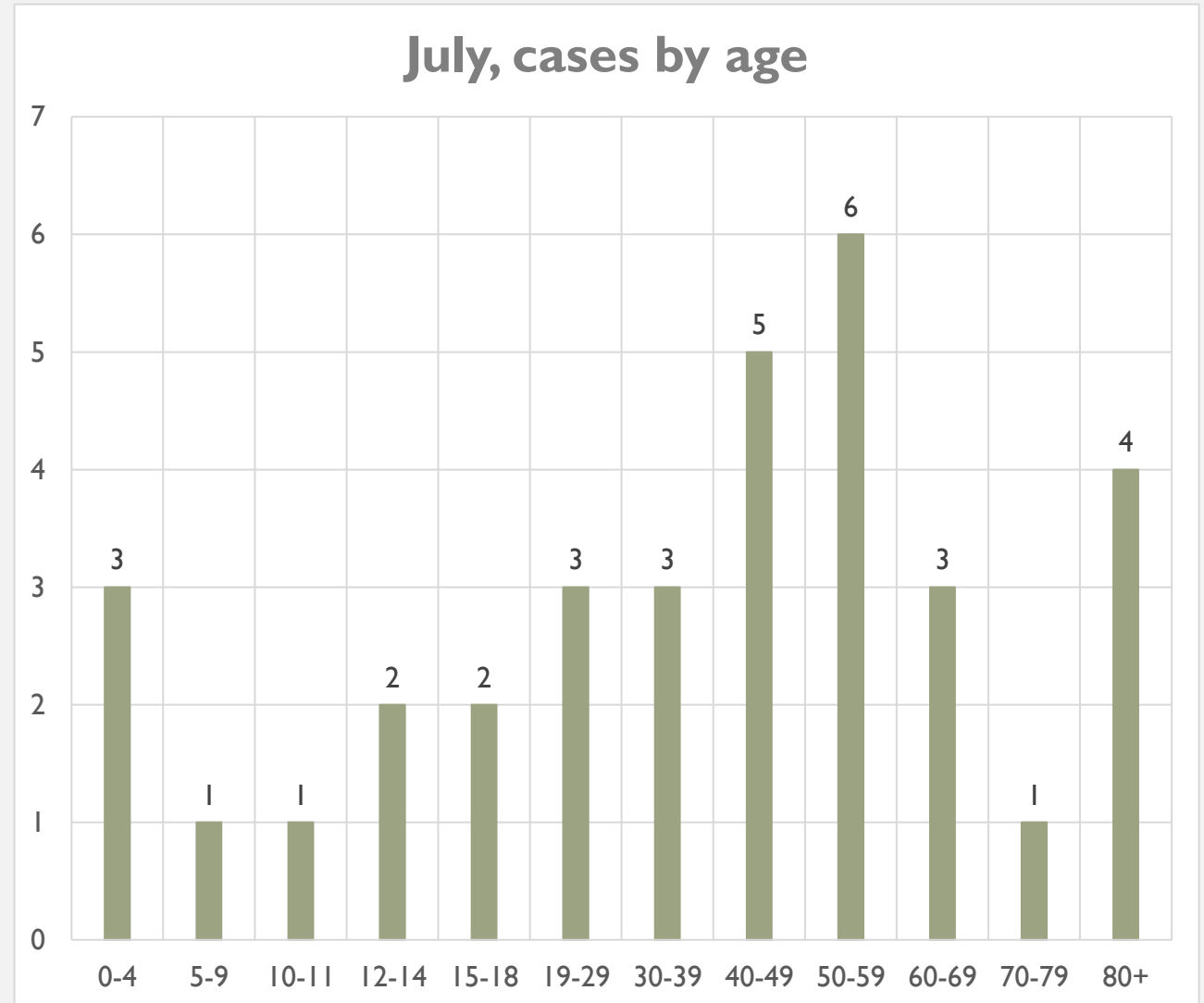
225 cases in June
Average Age: **42.1**



NEEDHAM: JUNE CASES BY AGE

34 cases in July (July 1-7)

Average Age: **42.8**

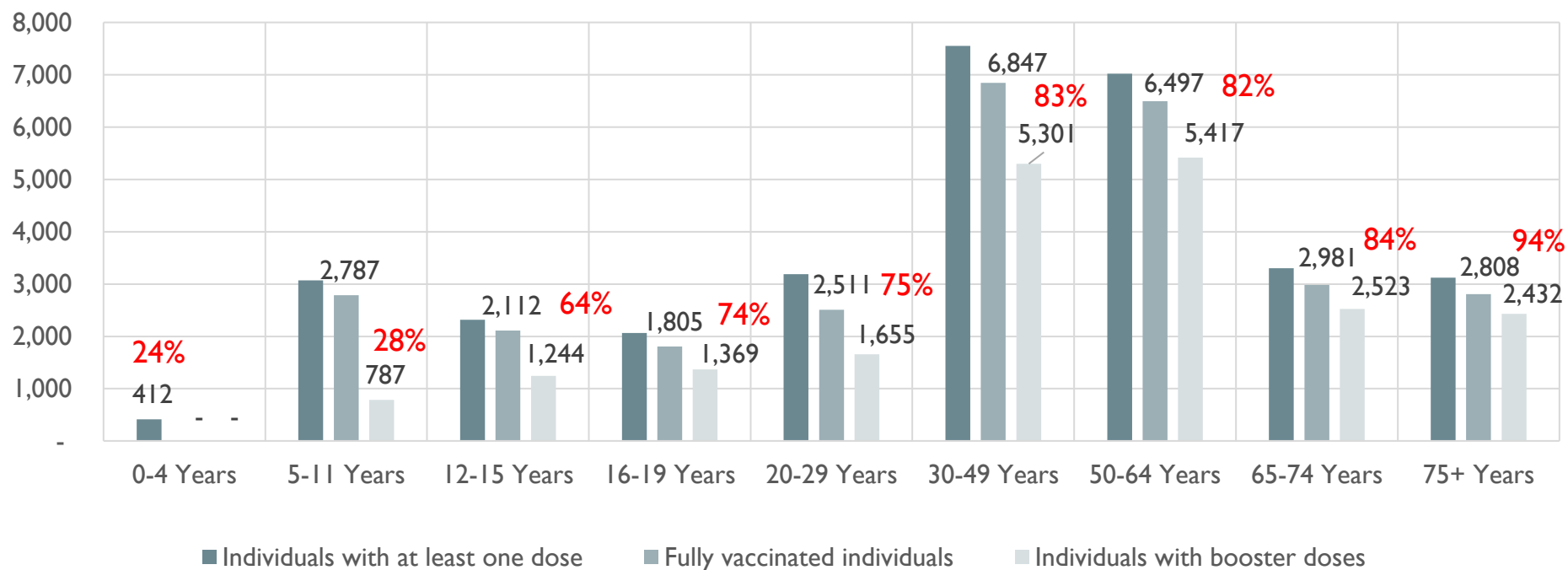


NEEDHAM VACCINATION AND BOOSTER RATE

>95% fully vaccinated in ages 5+

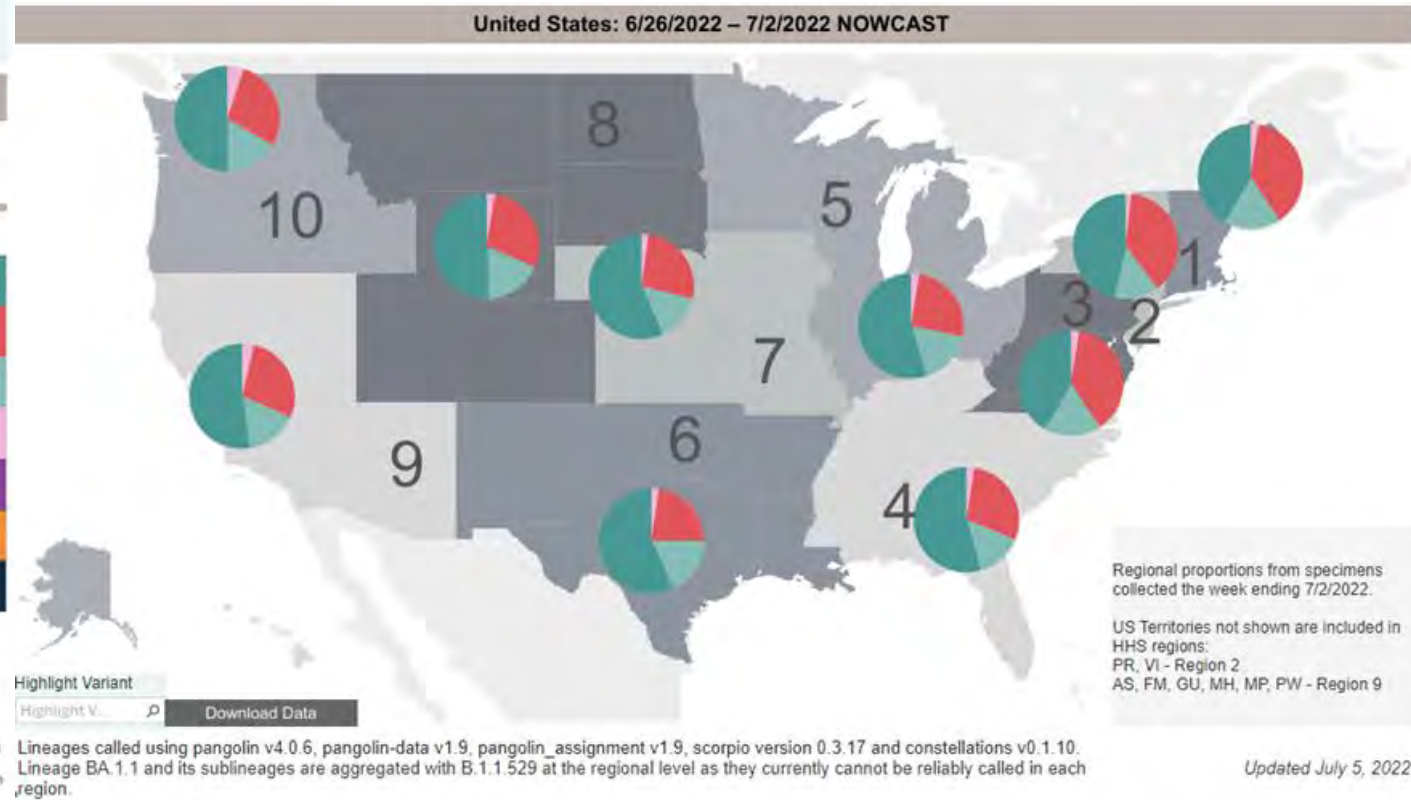
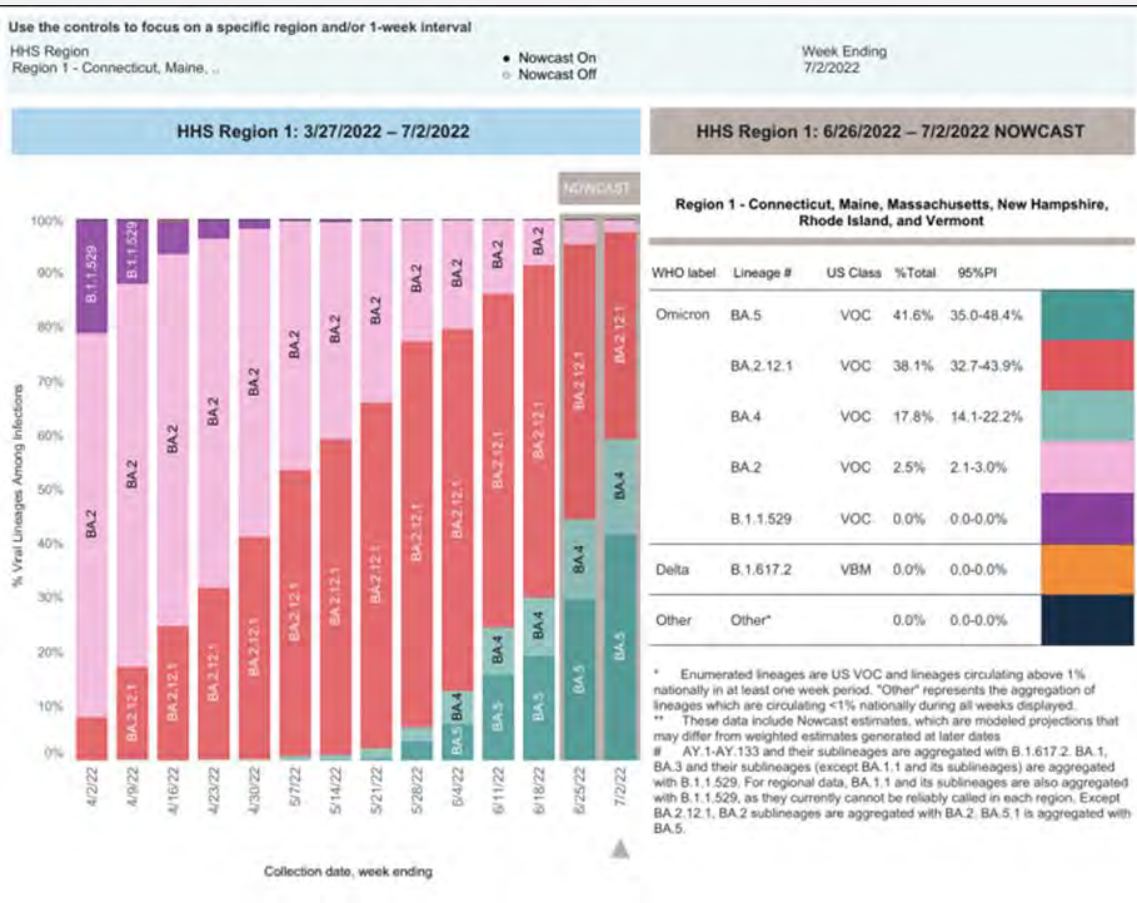
>95% of Needham residents are fully vaccinated; 71% have received booster doses

Needham Vaccination Rates



STATE TRENDS IN CASES AND HOSPITALIZATIONS

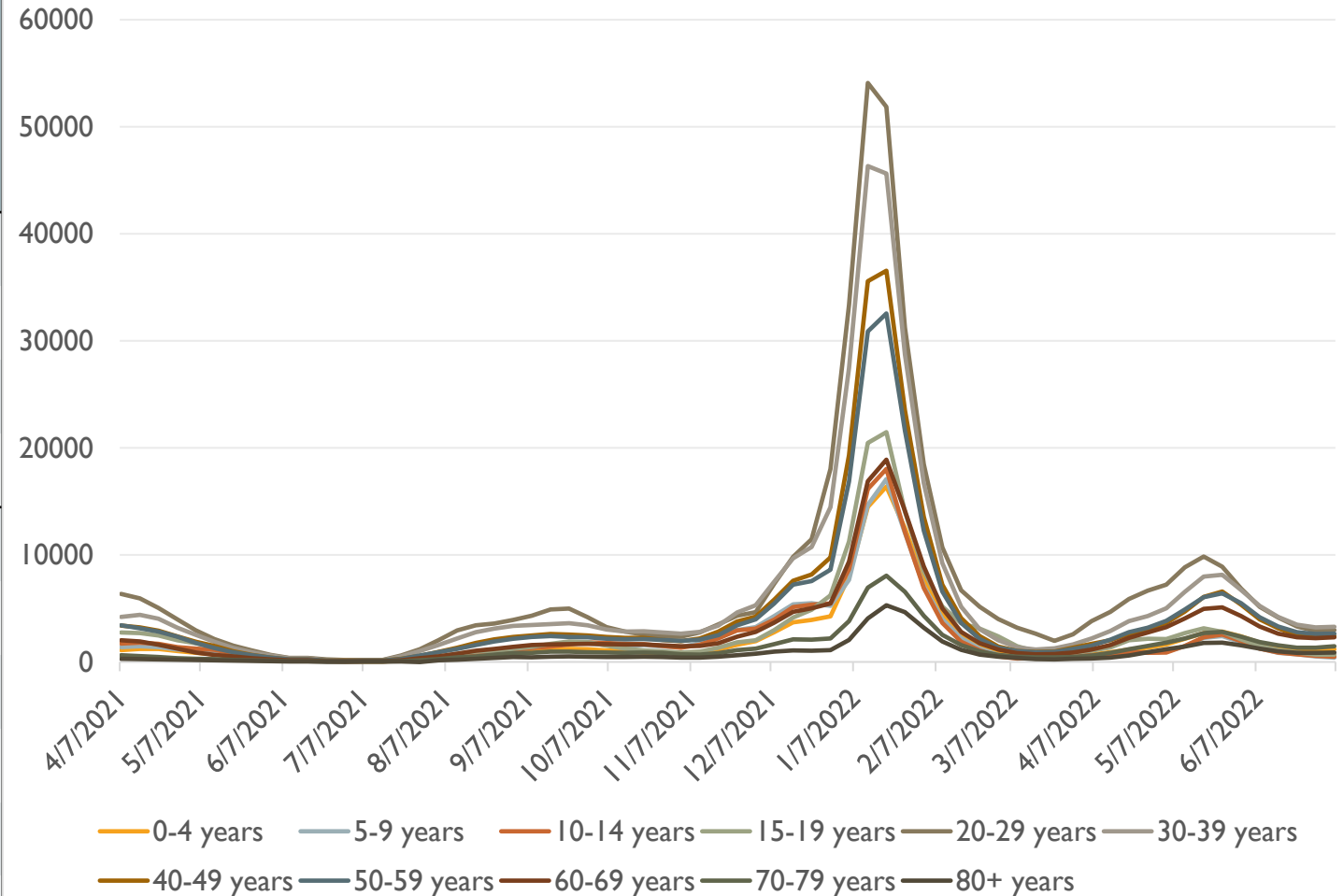
VARIANT PROPORTIONS



MA NEW CONFIRMED CASES BY AGE

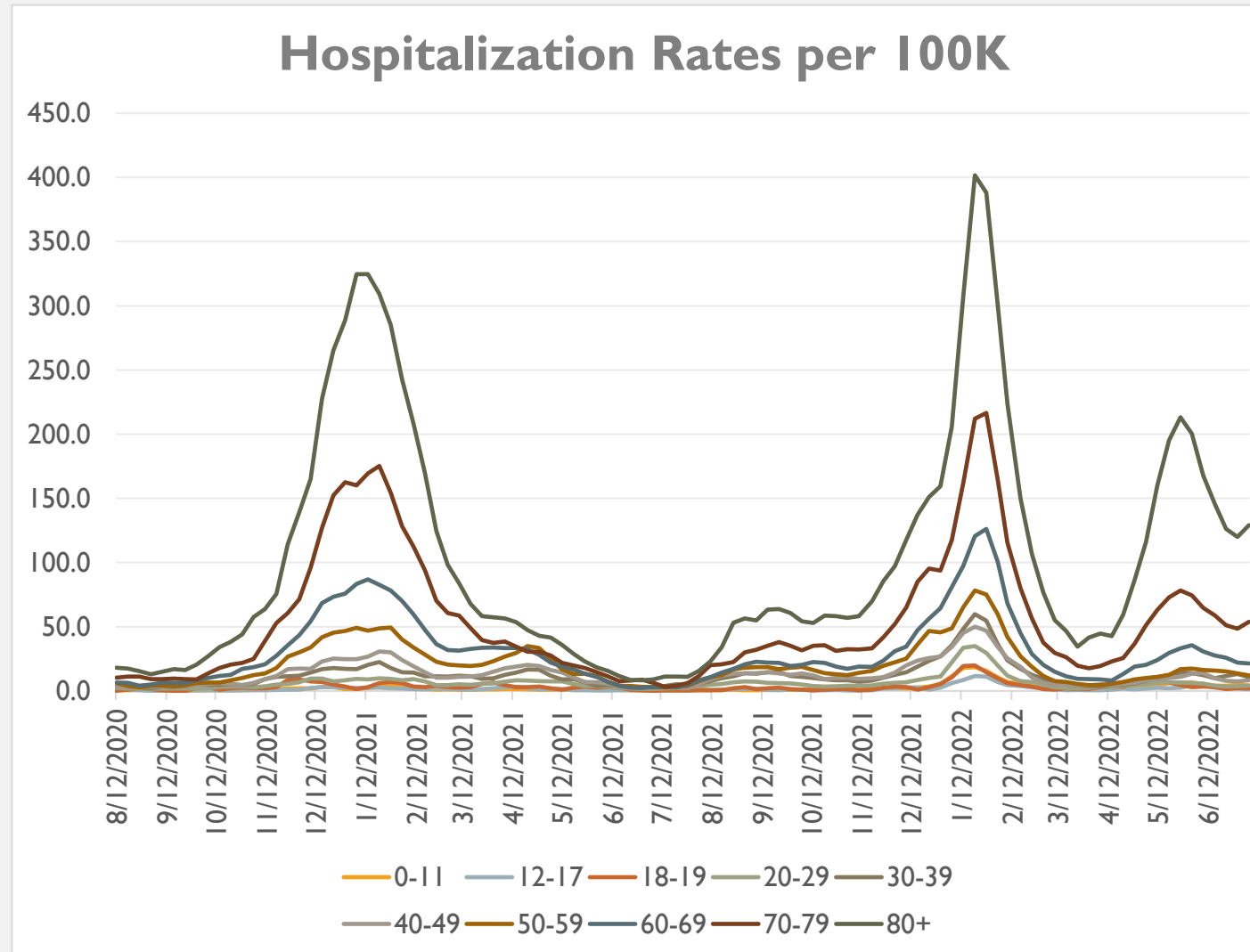
Age Group	# cases <u>current</u> reporting period (6/19-7/2/22)	# cases <u>previous</u> reporting period (6/12-6/25/22)	# cases <u>1 month ago</u> (5/22-6/4/22)
0-4	1191	1165	1823
5-9	417	539	1269
10-14	497	595	1259
15-19	681	705	1515
20-29	2983	2915	5165
30-39	3289	3224	5250
40-49	2420	2332	3999
50-59	2662	2620	4173
60-69	2310	2227	3318
70-79	1465	1327	1867
80+	890	850	1263

New Cases (previous 2 weeks)

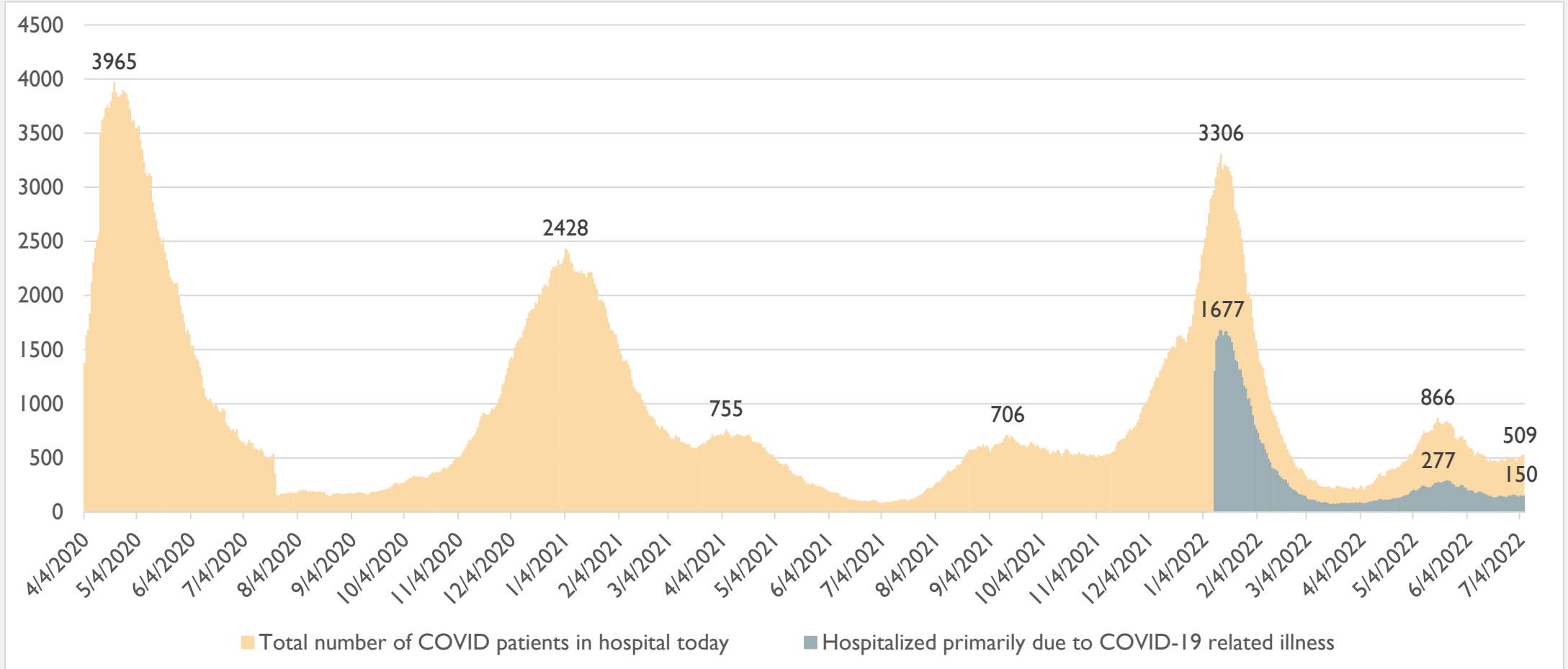


HOSPITALIZATION RATES (PER 100K)

Age Group	Hosp. rate <u>current</u> reporting period (6/19-7/2/22)	Hosp. rate <u>previous</u> reporting period (6/12-6/25/22)	Hosp. rate <u>1 year ago</u> (6/13- 6/26/21)
0-11	4.3	4.7	0.2
12-17	1.2	2.0	0.6
18-19	2.0	2.0	0.5
20-29	4.1	3.7	1.4
30-39	10.8	13.2	2.4
40-49	8.2	7.5	1.8
50-59	12.0	13.7	3.2
60-69	21.4	22.0	2.3
70-79	53.8	48.4	8.8
80+	129.1	119.9	8.2



TOTAL COVID PATIENTS IN HOSPITAL VS HOSPITALIZED PRIMARILY DUE TO COVID





Board of Health
Town of Needham
AGENDA FACT SHEET



MEETING DATE: July 19, 2022

Agenda Item	New Needham Senior Survey
Presenter(s)	Timothy McDonald, Director of Health & Human Services Lynn Schoeff, Senior Public Health Associate

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED Public Health Division staff will present to the Board of Health about its latest data gathering initiative, conducted in concert with the staff of the Aging Services Division and a range of community partners. This survey attempts to gather data about the condition of Needham's seniors, and the challenges they are facing. This survey focuses upon food security and the mental and physical health impacts of COVID, as well as questions about housing and transportation. Housing and transportation were the primary focus areas of a late 2016 report (community report here , technical report here). This latest data gathering effort will build on those two documents, as well as the Public Health Division's January 2020 Assessment of Needham Housing Authority Residents .
2.	VOTE REQUIRED BY BOARD OF HEALTH No vote is required, nor is one expected.
3.	BACK UP INFORMATION: - 2022 Needham Senior Survey



SURVEY ON HEALTHY AGING IN NEEDHAM

Directions

The Needham Department of Health & Human Services is conducting this survey of Needham residents who are 60 years of age and older to gather their opinions and assess their needs.

The results will be used to help program and service planning for Town departments and community-based organizations.

This survey should take approximately 15 minutes to complete.

Completed surveys can be dropped off at the Rosemary Recreation Complex, the Needham Community Council, the Center at the Heights, or at Town Hall with the Clerk or Treasurer.

If you would prefer to mail back the survey, you can place it in an envelope and mail it to:

Lynn Schoeff
Needham Department of Public Health
178 Rosemary Street
Needham, MA 02494

This survey is also available online. To take part in the survey online, just type the following website address into an internet browser such as Google Chrome, Internet Explorer, or Safari. The survey can be accessed both on a computer and on an iPad or other tablet device.

Website Address: <https://survey.alchemer.com/s3/6895076/needham-healthy-aging>

Thank you very much for your time.

These first questions are about you

1. How do you identify your gender? (choose one)

- ☐ 1 Female
- ☐ 2 Male
- ☐ 3 Transgender Female
- ☐ 4 Transgender Male
- ☐ 5 Non-binary or gender non-conforming
- ☐ 6 Some other way
- ☐ 7 Prefer not to answer

2. How do you identify your race or ethnicity? (choose all that apply)

- ☐ 1 Black or African American
- ☐ 1 Asian
- ☐ 1 Hispanic or Latino(a)
- ☐ 1 Native American or Alaska Native
- ☐ 1 White
- ☐ 1 Native Hawaiian or Pacific Islander
- ☐ 1 Some other way
- ☐ 1 Prefer not to answer

3. What is your age? (age in years): _____

4. How many people, including yourself, live in your household? (number of people): _____

5. What type of home do you currently live in? (choose one)

- ☐ 1 Single family home
- ☐ 2 Town home or duplex
- ☐ 3 Apartment
- ☐ 4 Condominium
- ☐ 5 Accessory dwelling unit (attached apartment)
- ☐ 6 Other, please specify below:

6. Which of the following best describes the setting in which you currently live? (choose one)

- ☐ 1 Private residence
- ☐ 2 Affordable housing (Chapter 40B)
- ☐ 3 Needham Housing Authority property
- ☐ 4 Senior housing
- ☐ 5 Long-term care facility
- ☐ 6 Other, please specify below:

7. In general, when compared to most people your age, how would you rate your health? (choose one)

- ☐ 1 Excellent
- ☐ 2 Very Good
- ☐ 3 Good
- ☐ 4 Fair
- ☐ 5 Poor

8. Have you ever provided care for another adult living in your household who needed assistance with everyday tasks? (choose one)

- ☐ 1 Yes, I am currently providing care
- ☐ 2 In the past, but not currently
- ☐ 3 No

9. Please estimate your annual household income before taxes in 2022. (choose one)

- ☐ 1 Less than \$25,000
- ☐ 2 \$25,000 to \$49,999
- ☐ 3 \$50,000 to \$74,999
- ☐ 4 \$75,000 to \$99,999
- ☐ 5 \$100,000 to \$149,999
- ☐ 6 \$150,000 to \$199,999
- ☐ 7 \$200,000 to \$249,999
- ☐ 8 \$250,000 or more

These questions are about social connections

10. How often do you feel isolated or lonely (lacking companionship, feel left out, isolated from others)? (choose one)

- ☐ 1 Often
- ☐ 2 Sometimes
- ☐ 3 Rarely
- ☐ 4 Never

11. In comparison to before COVID-19, how isolated or lonely do you feel now? (choose one)

- ☐ 1 Much more isolated or lonely now
- ☐ 2 A little more isolated or lonely now
- ☐ 3 No change
- ☐ 4 A little less isolated or lonely now
- ☐ 5 Much less isolated or lonely now

12. How connected do you feel to your community? (choose one)

- ☐ 1 Extremely connected
- ☐ 2 Very connected
- ☐ 3 Somewhat connected
- ☐ 4 Not very connected
- ☐ 5 Not at all connected

13. In comparison to before COVID-19, how connected to your community do you feel now? (choose one)

- ☐ 1 Much more connected now
- ☐ 2 A little more connected now
- ☐ 3 No change
- ☐ 4 A little less connected now
- ☐ 5 Much less connected now

14. How often do you usually speak with people in the following ways? (choose one per row)

	Daily	Every week	Twice a month	Once a month	Less than once a month	Hardly Ever
a) In person	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐	6 ☐
b) Telephone or cell phone	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐	6 ☐
c) Video call (Zoom, Facetime)	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐	6 ☐

15. In comparison to before COVID-19, how frequently are you speaking with people now? (choose one)

- 1 ☐ I speak with people more than I did before the pandemic
 2 ☐ I speak with people about the same as I did before the pandemic
 3 ☐ I speak with people less than I did before the pandemic

These questions are about food and cost of living

16. Did any of the following things happen to you during the past 12 months? (choose one per row)

	Yes	No
a) You were not able to prepare or cook food because of health problems	1 ☐	2 ☐
b) You had difficulty finding the kind of food that you wanted	1 ☐	2 ☐
c) You felt that you couldn't afford to eat balanced meals	1 ☐	2 ☐
d) You worried that your food would run out before you could get more	1 ☐	2 ☐
e) You had difficulty getting transportation to the grocery store	1 ☐	2 ☐
f) You had difficulty having groceries delivered	1 ☐	2 ☐

17. How worried are you about the cost of living (food, gas, heating oil, electric, housing) and its impact on your financial security this year? (choose one)

- 1 ☐ Extremely worried
 2 ☐ Very worried
 3 ☐ Somewhat worried
 4 ☐ Not very worried
 5 ☐ Not at all worried

These questions are about errands and activities

18. How comfortable are you leaving your home to run errands, go to doctor appointments, get groceries, or participate in social activities? (choose one)

- 1 ☐ Extremely comfortable
 2 ☐ Very comfortable
 3 ☐ Somewhat comfortable
 4 ☐ Not very comfortable
 5 ☐ Not at all comfortable

19. In comparison to before COVID-19, how comfortable are you leaving your home to run errands, attend appointments, or participate in social activities now? (choose one)

- 1 ☐ Much more comfortable now
 2 ☐ A little more comfortable now
 3 ☐ No change
 4 ☐ A little less comfortable now
 5 ☐ Much less comfortable now

20. How often do you currently participate in social groups, classes, recreation, or cultural events in person? (choose one)

- 1 ☐ Daily
 2 ☐ Every week
 3 ☐ Twice a month
 4 ☐ Once a month
 5 ☐ Less than once a month
 6 ☐ Never

21. How often do you currently participate in social groups, classes, recreation, or cultural events online (such as Zoom)? (choose one)

- 1 ☐ Daily
 2 ☐ Every week
 3 ☐ Twice a month
 4 ☐ Once a month
 5 ☐ Less than once a month
 6 ☐ Never

22. During the past 6 months, have you had difficulty accessing health care due to lack of provider availability or long wait times? (choose one)

- 1 ☐ Yes
2 ☐ No
3 ☐ I have not needed health care in the past 6 months

23. During the past 6 months, have you delayed seeking health care (appointments, tests, procedures) due to concerns about the COVID-19 pandemic?

(choose one)

- 1 ☐ Yes
2 ☐ No
3 ☐ I have not needed health care in the past 6 months

24. Which of the following factors, if any, caused you to delay seeking health care during the past 6 months? (choose all that apply)

- 1 ☐ Not applicable – I did not delay seeking health care or did not need care during the past 6 months
1 ☐ I did not have transportation
1 ☐ I was worried about exposure to COVID-19
1 ☐ I did not have anyone to go with me
1 ☐ Some other reason, please describe below:

These questions are about technology

25. How often do you typically use the internet for things like email, getting information, paying bills, or purchasing? This includes access from home, work, a mobile device, or someplace else. (choose one)

- 1 ☐ Daily
2 ☐ Every week
3 ☐ Twice a month
4 ☐ Once a month
5 ☐ Less than once a month
6 ☐ Never go online

26. Do you have internet at home (including internet access through a smartphone)? (choose one)

- 1 ☐ Yes
2 ☐ No

27. Which of the following factors, if any, prevent you from having internet at home? (choose all that apply)

- 1 ☐ Not applicable – I have internet at home
1 ☐ I am not interested in having internet at home
1 ☐ It costs too much money
1 ☐ I don't have anyone to help me set it up or use it
1 ☐ Some other reason, please describe below:

28. Do you currently use any of the following types of technology? (choose one per row)

	Yes	No
a) Smart phone or mobile phone	1 ☐	2 ☐
b) Desktop computer	1 ☐	2 ☐
c) Laptop computer	1 ☐	2 ☐
d) Tablet (such as iPad, Samsung, Fire)	1 ☐	2 ☐
e) Electronic reader (such as Kindle)	1 ☐	2 ☐

29. Do you prefer participating in programs (workshops, classes, cultural events, discussion groups, fitness) in person or online? (choose one)

- 1 ☐ In person
2 ☐ Online
3 ☐ I have no preference

30. Do you ever feel like you can't participate in certain activities because they are online? (choose one)

- 1 ☐ Yes
2 ☐ No

31. Which of the following factors, if any, prevent you from participating in online activities?

(choose all that apply)

- 1 ☐ Not applicable – I have no interest in participating in online activities
1 ☐ None – I am able to participate when I want
1 ☐ I can't afford a computer or internet
1 ☐ I don't know how to use the technology
1 ☐ I don't have a good enough internet connection
1 ☐ I don't have the right equipment (video camera, microphone)
1 ☐ Some other reason, please describe below:

32. Where do you get technology support when you need it? (choose all that apply)

- 1 ☐ Online search, chat groups
1 ☐ A store or service (Best Buy, Apple Store)
1 ☐ From family or friends
1 ☐ At the library
1 ☐ At the Center at the Heights (senior center)
1 ☐ Community Council
1 ☐ Other, please describe below:

The next questions are about modifications to your home

33. Have you made any of the following modifications to your home to enable you to stay there as you age?

(choose one per row)

	Yes	No	Not Sure
a) A ramp, wider doorways, chairlift, or elevator to allow easier access into or within your home	1 ☐	2 ☐	3 ☐
b) Bathroom modifications such as grab bars, handrails, a higher toilet, or non-slip tiles	1 ☐	2 ☐	3 ☐
c) Added a bedroom, bathroom, and/or kitchen on the first floor.....	1 ☐	2 ☐	3 ☐
d) Improved lighting.....	1 ☐	2 ☐	3 ☐
e) Installed a medical emergency response system that notifies others in case of an emergency	1 ☐	2 ☐	3 ☐
f) Added an accessory dwelling unit (an attached apartment)	1 ☐	2 ☐	3 ☐
g) Other, please specify:	1 ☐	2 ☐	3 ☐

34. Have you wanted to make modifications to your home, but were not able to? (choose one)

1 ☐ Yes 2 ☐ No

35. If you were not able to make modifications to your home, what has prevented you from making these changes?

(choose one per row)

	Yes	No	Not Sure
a) I don't own the property and am not allowed to make modifications	1 ☐	2 ☐	3 ☐
b) Cost of the modification	1 ☐	2 ☐	3 ☐
c) Architecture of the home	1 ☐	2 ☐	3 ☐
d) Building or zoning codes	1 ☐	2 ☐	3 ☐
e) Finding a contractor.....	1 ☐	2 ☐	3 ☐
f) Other, please specify:	1 ☐	2 ☐	3 ☐

The next questions are about community infrastructure and transportation

36. How often do you need transportation outside Needham for the following? (choose one per row)

	Very Often	Sometimes	Rarely	Never
a) Work.....	1 ☐	2 ☐	3 ☐	4 ☐
b) Non-medical appointments	1 ☐	2 ☐	3 ☐	4 ☐
c) Shopping	1 ☐	2 ☐	3 ☐	4 ☐
d) Visiting friends or relatives.....	1 ☐	2 ☐	3 ☐	4 ☐
e) Medical appointments	1 ☐	2 ☐	3 ☐	4 ☐

37. How often do you currently use the following ways to get yourself around Needham for trips like shopping, visiting the doctor, visiting friends, and running errands? (choose one per row)

	Very Often	Sometimes	Rarely	Never
a) Drive yourself.....	1 ☐	2 ☐	3 ☐	4 ☐
b) Have others drive you	1 ☐	2 ☐	3 ☐	4 ☐
c) Walk.....	1 ☐	2 ☐	3 ☐	4 ☐
d) Ride a bike	1 ☐	2 ☐	3 ☐	4 ☐
e) Use public bus or shuttle	1 ☐	2 ☐	3 ☐	4 ☐
f) Take a taxi or cab	1 ☐	2 ☐	3 ☐	4 ☐
g) Use ride-sharing service like Uber or Lyft.....	1 ☐	2 ☐	3 ☐	4 ☐
h) Use a special transportation service, such as one for seniors or persons with disabilities.....	1 ☐	2 ☐	3 ☐	4 ☐
i) Other, please specify:	1 ☐	2 ☐	3 ☐	4 ☐

38. Please share any additional comments on the next page.



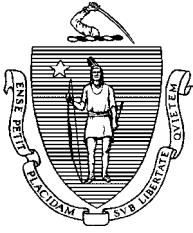
Board of Health
Town of Needham
AGENDA FACT SHEET



MEETING DATE: July 19, 2022

Agenda Item	Other Items
Presenter(s)	Timothy McDonald, Director of Health & Human Services

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Four items presented for the Board of Health's information, or for brief discussion.	
2.	VOTE REQUIRED BY BOARD OF HEALTH
No vote is required, nor is one expected.	
3.	BACK UP INFORMATION:
- Community Water Fluoridation 50-Year Award - MA DEP Water Quality Letter to Boards of Health - EOEI Declaration of Drought Status - Needham's Member Remote Participation in Public Meetings Policy	



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
250 Washington Street, Boston, MA 02108-4619

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

MARYLOU SUDDERS
Secretary

MARGRET R. COOKE
Commissioner

Tel: 617-624-6000
www.mass.gov/dph

June 28, 2022

Needham Water Department
470 Dedham Ave,
Needham, MA 02492

Dear Water Department,

As the Massachusetts state dental director, I am pleased to present you with the American Dental Association (ADA), Association of State and Territorial Dental Directors (ASTDD), and Centers for Disease Control and Prevention (CDC) **2021 Community Water Fluoridation 50 Year Award**. This award is given jointly to recognize public water systems that have consistently adjusted the fluoride concentration in drinking water for the past 50 years, starting in 1971.

For 2021, a total of 140 public water systems in 23 states received these awards, including six communities in Massachusetts. Nationally, nearly three-quarters (74.4 percent) – or over 211 million people – served by community water systems have access to optimally fluoridated tap water.

ADA, ASTDD and CDC salute the dedication and perseverance of fluoridation pioneers and water system professionals. Because of your efforts and continued support from generations of dental professionals and other health care providers, health care and public health organizations, community leaders and untold others, the prevention of tooth decay through community water fluoridation is recognized by the [CDC](https://www.cdc.gov) as one of the 10 great achievements in public health of the 20th century. More than ever, we recognize the value of prevention, and thank you for the role you play in helping to prevent a disease that affects children and adults.

Water systems and their customers value the ability to demonstrate the attainment and consistency of quality service. Awards can be a good tool for promoting all the services you provide as well as water fluoridation, and we hope this award will provide you with an opportunity to highlight the excellent work being done by your water system.

Congratulations on this achievement and thank you for providing safe, dependable drinking water for your community while also assuring an important preventive health benefit. If you have any questions about the award, please don't hesitate to reach out.

Sincerely,

Matthew Horan, DMD, MPH

Matthew Horan, DMD, MPH
Dental Director

CC: Needham Health Department



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Bethany A. Card
Secretary

Martin Suuberg
Commissioner

June 2022

Notice to Local Boards of Health

Dear Board of Health and Health Agent:

The Massachusetts Department of Environmental Protection (MassDEP) Drinking Water Program annually provides local Boards of Health (BOHs) with information of interest, reminders of annual form submissions and an inventory of public water systems in the Commonwealth for review. This letter addresses topics where we continue to receive consumer questions or have important updates for BOHs.

Please find the information we have prepared for public water systems on COVID-19 at: <https://www.mass.gov/info-details/massdep-covid-19-resources-for-water-suppliers-and-wastewater-operators#water-supplier-resources->. Here you will find Frequently Asked Questions and other guidance for public water systems including information on the importance of flushing buildings after closure or low flow resulting from the COVID-19 pandemic. **Please share the Flushing Guidance with all facilities in your communities that have closed or experienced low flow operations during the COVID-19 Pandemic or hybrid operational schedules.** Please update the **Official Email Address & Emergency Contacts List**. This year we will continue with our commitment to reduce paper use and use email to provide you with copies of routine enforcement correspondence sent to your local public water suppliers. To ensure you receive copies of our enforcement correspondence please update the '*Official Email Address & Emergency Contacts List*'.

How is this mailing organized? This mailing is organized by topic. Items requiring your action are in **Part I: Action Items**. The forms for responding to these items are on MassDEP's website in the links provided. For your convenience you may create a PDF of your response and send an electronic copy to us at Program.Director-DWP@mass.gov with the name of the form in the subject line. If you prefer, you can return the forms through the regular mail. However, during this COVID-19 pandemic to ensure our timely access to your responses, we encourage you to respond by email. If you are unable to access or print the attached forms or need additional information you can contact us at the email above or at 617-292-5770.

If you are looking for information on a topic that you do not see in this year's letter, please refer to the list of Drinking Water Program resource links at the end of the letter.

Please remember, if you have a public drinking water emergency that occurs outside of normal working hours (nights and weekends) please contact MassDEP at 1-888-304-1133 (24 hour toll-free).

Thank you for continuing to work together with us to protect public health.

Sincerely,

A handwritten signature in black ink, appearing to read "Yvette DePeiza". The signature is fluid and cursive, with the first name "Yvette" being more prominent than the last name "DePeiza".

Yvette DePeiza, Program Director
MassDEP/Drinking Water Program

Attachments:

- A. Official Email & Emergency Contacts
- B. Recreational Camp Form
- C. Public or Private System Flow Chart
- D. PWS Definitions

2022 ANNUAL NOTICE TO LOCAL BOARDS OF HEALTH

PART I: ACTION ITEMS

Official Email and Emergency Contacts	1
BOH Public Water Systems Inventory Review	1
BOH Regulation Filing Requirement	1
Transient Non-Community Public Water Systems	2
Certified Operators and ASR Requirements	2
Certificates of Registration and Water Quality Reports	3
Annual Recreational Camp Requirement	3
Underground Injection Control/Title 5 Systems	4

PART II: NOTIFICATIONS

Emergency Response Notification Requirements	4
Water Supply Emergency Declarations	5
Boil Orders and Other Public Health Orders	5
Unregulated Contaminant Monitoring Rule	7
Consumer Notification Requirements	7
Drinking Water Supply Protection Grant Program	8

PART III: EMERGING ISSUES

PFAS	8
PFAS in Private Wells	9
Cybersecurity	9
Supply Chain Issues	10
Controlling <i>Legionella</i>	10
Cyanobacteria & Cyanotoxins	11

PART IV: RECENT TOPICAL ISSUES

Well Completion Reports	13
Statewide Well Location Project	13
Well Driller Requirements	14
Cross Connections	14
Home and Green Burials	15
Property Conversions	15

PART V: MASSDEP DRINKING WATER PROGRAM INITIATIVES

LCCR Funding Opportunity	16
Principal Forgiveness for Lead Abatement Projects	16
MassDEP Assistance Program; Lead in School Drinking Water	16
Lead and Early Education/Care Facilities	17

PART VI: DRINKING WATER INFORMATION & RESOURCES

MassDEP Offices	19
Attachment A: Official Email & Emergency Contacts List	20
Attachment B: Recreational Camp Form	21
Attachment C: Public or Private Water System Flow Chart	22
Attachment D: Public Water System Definitions	23

PART I: Action Items

Official Email and Emergency Contacts

Please submit the ‘*Board of Health Official Email Address & Emergency Contacts List*’ to MassDEP’s email address below. This form is provided in ‘Attachment A’ and is also available online at:

<https://www.mass.gov/doc/boards-of-health-official-email-address-and-emergency-contact-list/download>.

Your official email address should be the email where you wish to receive official MassDEP /Drinking Water Program information e.g., copies of public water system enforcement documents, sanitary surveys etc. Emergency contacts should be prioritized in the order that you want to be notified by MassDEP staff in case of an emergency. Contact #1 should contain the name and contact information of the BOH person that you want to have contacted first in an emergency. If Contact #1 cannot be reached, we will attempt to contact the person identified as Contact #2, and so on. Submit your ‘*Board of Health Official Email Address & Emergency Contacts List*’ to Program.Director-DWP@mass.gov, Subject: BOH Emergency Contacts. You may also submit your response to MassDEP Drinking Water Program, One Winter Street - 5th floor; Boston, MA 02108; Attn.: BOH Emergency Contacts. To ensure our timely access to your responses we encourage you to respond by email.

BOH Public Water Systems (PWSs) Inventory Review

It is important for BOHs to know who the PWSs are in their community. An electronic list of active PWSs is available on MassDEP’s website at: <https://www.mass.gov/lists/drinking-water-health-safety#4>. The PWSs listed here are systems registered with MassDEP. To locate your community’s list, scroll to “Additional Resources” and click on “Public water supplier contact spreadsheet.” Please review your list for discrepancies that should be reported to MassDEP, including:

- ✓ **Add** facilities that meet the definition of a PWS (see Attachment C). These are systems that have at least 15 service connections **or** serve an average of at least 25 people per day at least 60 days per year (see PWS definitions in ‘Attachment D’). Be aware of property or facility conversions that create a PWS, such as a residence operating a child day care facility or gas station adding a coffee shop. See Part IV in this notice for more information on proposed PWS conversions.
- ✓ **Update** systems that have changed their address or ownership (cross out the incorrect information and provide the new facility information).
- ✓ **Delete** systems that no longer have their own source of water (cross out these systems).

Please make any necessary changes and updates and return the list to MassDEP - Drinking Water Program, One Winter St., 5th Floor, Boston, MA, 02108; Attn.: BOH Update, or by email attachment to Program.Director-DWP@mass.gov, Subject: BOH Update. To request a hardcopy of your list, or for questions email MassDEP at Program.Director-DWP@mass.gov, Subject: PWS Inventory. To ensure our timely access to your responses we encourage you to respond by email.

BOH Regulation Filing Requirements

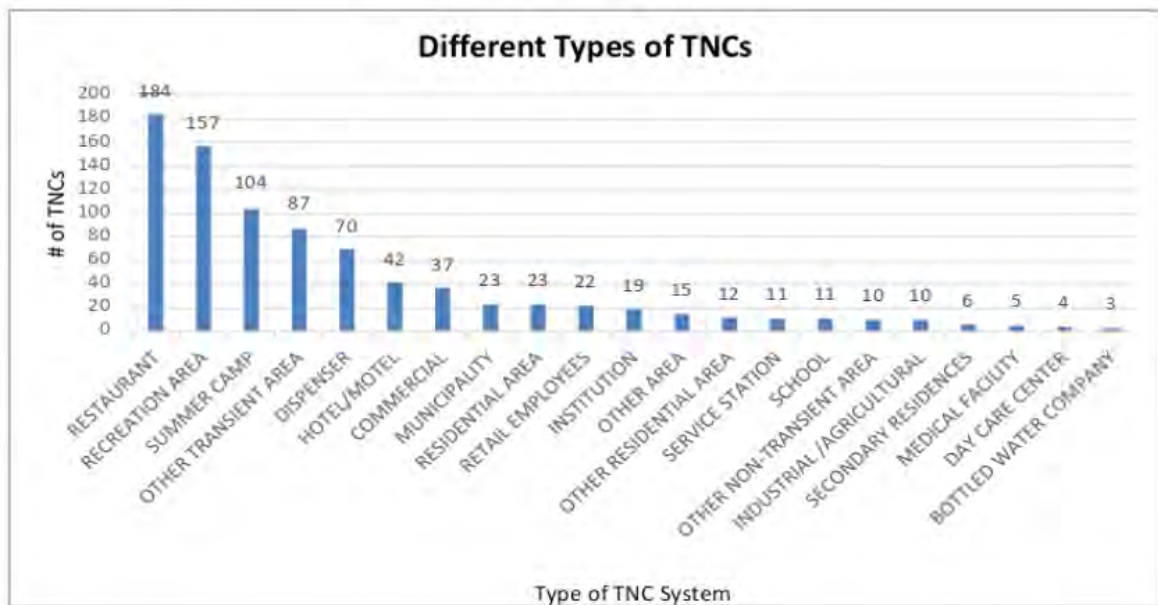
As a reminder to BOHs; Massachusetts General Law Section 31 of Chapter 111 and Section 8 of Chapter 21A require BOHs to file attested copies of BOH regulations and amendments with the **Central Register** located at MassDEP in Boston. Copies of regulations should be submitted to: MassDEP, Central Register, One Winter St., 5th for, Boston MA 02108. For more information contact Linda.Barba@mass.gov. Also, please note that regulations for private wells, well drillers, floor drains, and public water supplies must also be submitted to MassDEP at: Program.Director-DWP@mass.gov, Subject: BOH Regulations.

Transient Non-Community PWSs

Transient Non-Community (TNC) PWSs are primarily businesses with a private well that provides water to the public. As defined in Massachusetts Drinking Water Regulations 310 CMR 22.00, a TNC PWS serves at least 25 different people for at least 60 days of the year. A TNC PWS can be a gas station, farm stand, motel, or other small business with their own source of drinking water. For example, a car dealership, with its own water supply well, that is available for human consumption to more than 25 customers and for more than 60 days, such as in the bathroom or in complimentary coffee in their waiting room, may meet the definition of a TNC PWS. The chart below shows the many types and numbers of TNC PWSs that health officials likely interact with during their day-to-day work.

To ensure consumers are provided safe drinking water, MassDEP conducts sanitary surveys of all PWSs. BOHs can play a role in this effort by informing MassDEP if they believe a particular system might benefit from additional one-on-one technical assistance. To request assistance, BOHs can contact MassDEP at Program.Director-DWP@mass.gov Subject: TNC Technical Assistance.

MassDEP sends out a quarterly TNC newsletter posted at: <https://www.mass.gov/lists/communications-to-public-water-suppliers>. For more information see: <https://www.mass.gov/info-details/public-drinking-water-system-operations#small-water-systems->.



Certified Operators and Compliance with the Annual Statistical Report Requirements

Drinking Water Regulation 310 CMR 22.15(5) requires PWSs to submit an annual statistical report (ASR) of their water system operations. The ASR provides MassDEP with the facility's water production and operating information for the previous year. Of particular concern to public health is verification that a PWS is operated by a Certified Operator, as defined in 310 CMR 22.11B.

A PWS operating without a Certified Operator is in violation of this regulation and may be subject to MassDEP enforcement, including issued penalties. MassDEP is reaching out to BOH for their assistance in the following ways:

- When MassDEP determines a PWS is operating without a Certified Operator, both the PWS and the BOH are notified of this situation. Facilities operating without a Certified Operator may pose health risks to consumers. BOHs can assist MassDEP by following up with the PWS when MassDEP requests their assistance. BOHs may inform a facility that operating without a Certified

Operator may result in their MassDEP *Certificate of Registration* being revoked; and that their facility could be closed (by the BOH) until such time the PWS has engaged a Certified Operator.

- In addition, BOHs can assist by notifying MassDEP when a facility, which was providing water to the public, closes permanently or temporarily (such as due to COVID-19). This assistance will enable MassDEP to adequately determine the compliance status of a PWS.

We appreciate BOHs in partnering with MassDEP to ensure all public water suppliers continue to provide clean drinking water to consumers. To notify MassDEP email Program.Director-DWP@mass.gov, Subject: PWS certified operator/facility closed.

Certificates of Registration and Water Quality Reports

- MassDEP issues a '*Certificate of Registration*' to every PWS registered with MassDEP. This certificate is useful for many parties, especially TNC PWSs. The PWS should produce their '*Certificate of Registration*' when applying for a seasonal operation permit or a facility audit, or a BOH or building inspection. If a facility providing water to the public does not have a '*Certificate of Registration*,' the BOH should report this facility to MassDEP. The '*Certificates of Registration*' are available on MassDEP's website, see link below. Facilities that do not have a '*Certificate of Registration*' should be identified in the 'BOH Inventory Review.'
- MassDEP issues '*Water Quality Reports*' to Non-Community systems. The '*Water Quality Report*' for these PWSs is similar to the '*Consumer Confidence Report*' required for Community systems. The '*Water Quality Report*' provides consumers with their drinking water quality information and potential sources of contamination. PWS are required to print out their '*Water Quality Report*' have it signed by both the operator and owner, and post it in a conspicuous area for customer viewing. BOHs should look for the facility's '*Water Quality Report*' when issuing local permits or conducting inspections. A PWS providing water to the public that does not have a '*Water Quality Report*' should be identified in the BOH Inventory Review.

The '*Certificates of Registration*' are published every January and the '*Water Quality Report*' every July. BOHs can locate these documents under "Public Water System Document Search." Selecting "PWS ID #" or "PWS Name" and then "Retrieve Documents." If a BOH cannot locate these documents, please contact Program.Director-DWP@mass.gov, Subject: Certificate of Registration/Water Quality Report. Both documents are posted on MassDEP's webpage: <https://www.mass.gov/service-details/pub-lic-water-supplier-document-search>.

Annual Recreational Camp Requirement

BOHs have the responsibility for licensing local recreational camps. Licenses are issued in accordance with 105 CMR 430.632, which stipulates, "Upon the issuance of a license, the local BOH shall notify MassDEP and the Massachusetts Department of Public Health. Said notification shall include the name and address of the camp, the name of the owner, the number of campers and staff, and the number of days per year that the camp will be in operation."

- ✓ Campgrounds that meet the definition of a PWS can successfully meet MassDEP requirements by: conducting water quality testing;
- ✓ using a certified water operator for their system;
- ✓ and submitting the required paperwork to MassDEP.

For more information see: <https://www.mass.gov/service-details/safe-drinking-water-and-your-campground>. Please remember to submit information regarding newly licensed camps to MassDEP by March 31st each year using the form in 'Attachment B', we encourage you to respond by email to Program.Director-DWP@mass.gov, Subject: Recreational Camp Update.

Underground Injection Control (UIC) - Title 5 Systems

The purpose of the UIC Regulations is to protect underground sources of drinking water from subsurface discharge activities. It is estimated that there are more than 190,000 public and private potable water supply wells in Massachusetts that are protected by the UIC program. MassDEP has primacy for the administration of the UIC Program which regulates subsurface discharges (including wastewater) that meet the definition of a UIC. Title 5 soil absorption systems on non-residential properties and systems used for two or more residential units are considered UIC Class V wells per the federal UIC regulations. MassDEP is required to provide annual inventory reporting to the Environmental Protection Agency (EPA) on these Title 5 systems.

For BOHs that do not have a database to maintain their Title 5 system records, MassDEP provides an Excel spreadsheet available at: <https://www.mass.gov/doc/request-for-title-5-inventory-information>. This is an Excel document with two worksheets. The first tab is labeled “DATA” and is for entering information. The second tab is labeled “Instructions” and provides the drop-down menu of items that are in the DATA worksheet along with instructions.

BOHs can support MassDEP’s efforts in protecting ground water sources in the Commonwealth by providing MassDEP with a list of their Title 5 systems, or by entering the information in the spreadsheet. We would also appreciate the following information on any Title 5 system that is also a UIC Class V Well (as described above):

- (1) Facility name and location;
- (2) Ownership of the facility;
- (3) Name and address of owner’s legal contact; and
- (4) Operating status of Title 5 systems.

If you submitted your inventory in previous years, we only request that you update the information. Please include any new systems and note if any of the systems reported in prior years have been decommissioned or have had other changes in operating status. For questions about the UIC Program, please contact the DWP at 617-292-5770 or Program.Director-DWP@mass.gov Subject: UIC.

PART II: Notifications

Emergency Response Notification Requirements

Massachusetts Drinking Water Regulations, 310 CMR 22.00, include specific notification requirements for reporting emergencies to MassDEP and the local BOH. These regulations identify the specific incidents or emergencies that require notification within 2 hours or 24 hours.

Section 310 CMR 22.15(9) requires PWSs to notify MassDEP **and** the local BOH after an incident or emergency resulting in consumers receiving water that does not meet the required or routine water quantity or water quality conditions:

1. **Emergencies or incidents requiring notification within 2 hours:**
 - (a). Loss of water or drop in pressure to less than 20 psi (lbs per square inch), affecting 50 percent or more of consumers for a system serving less than 10,000 persons.
 - (b). Loss of water or drop in pressure to less than 20 psi, affecting 5,000 or more of consumers for a system serving 10,000 or more persons.
 - (c). Chemical or microbiological contamination of the water supply in exceedance of limits specified by MassDEP’s Office of Research and Standards as set forth in the ‘*Standards and Guidelines for Contaminants in Massachusetts Drinking Waters.*’ This document is available at: <https://www.mass.gov/service-details/dwps-use-of-mcls-office-of-research-and-standards-drink-ing-water-guidelines-for>.

- (d). Discovery of malicious intent or acts of vandalism that may impact a system component.
- (e). Any consumer complaint in which the water may have caused physical injury.
- (f). A pattern of unusual customer complaints about the water quality such as taste, odor, etc.
- (g). Any other emergency as determined by MassDEP in writing.

2. **Emergencies or incidents requiring notification within 24 hours:**

- (a). Loss of water supply from a source.
- (b). Loss of water supply due to major component failure.
- (c). Damage to power supply equipment or loss of power.
- (d). Contamination of water in the distribution system from backflow or cross connection incident.
- (e). Collapse of a reservoir, reservoir roof or pump house structure.
- (f). Break in a transmission or distribution line which results in a loss of service to 100 consumers for more than four hours.
- (g). Chemical or microbiological contamination of the water supply by contaminants not specified above in 1.c. which may include overfeed of drinking water treatment chemicals or exceedance of EPA Health Advisories, such as cyanotoxins.
- (h). Any other failure of part, or all, of the water supply system due to equipment failure, human acts (deliberate or accidental), or natural or human made disasters.

To report an emergency situation outside of normal business hours (evenings and weekends) you can contact MassDEP at **1-888-304-1133** (toll-free, 24 hours). For more information about the Emergency Response Regulations see: <https://www.mass.gov/lists/emergency-response-for-public-water-systems>.

If you have any questions, please contact the DWP at 617-292-5770 or Program.Director-DWP@mass.gov, Subject: Emergency Response Regulations.

Water Supply Emergency Declarations

BOHs should be aware of the provisions in the *Water Management Act* for water supply emergencies (M.G.L c.21G s.15-17). MassDEP provides technical assistance to communities on the management and the use of emergency connections and emergency water supplies. Any PWS having difficulty meeting demands, drought related or not, may request a ‘*Declaration of Water Supply Emergency*’ from MassDEP. The provisions for declaring a water supply emergency are outlined in the Massachusetts Water Resources Management Program Regulations, 310 CMR 36.40.

A ‘*Declaration of Water Supply Emergency*’ requires the PWS to submit a plan to remedy the emergency. Plans can include measures to purchase water from other suppliers, use emergency sources, implement aggressive conservation measures, and provide a mechanism to restrict outdoor water use for those PWSs that do not have the legal authority to implement such measures. For more information on drought conditions in Massachusetts visit: <https://www.mass.gov/drought-information-and-assistance> or contact Program.Director-DWP@mass.gov, Subject: Drought.

Boil Orders and Other MassDEP Public Health Orders

There are 3 types of public health orders issued by MassDEP. During any of these orders, bottled water or water from an approved MassDEP source may be used.

- (1). **Boil Orders** are issued by MassDEP when a PWS exceeds, or has the potential to exceed, the standard for *E.coli* or detects fecal indicator. This order requires the PWS to notify consumers to boil the water or use water from another approved source. Boiling is appropriate if there is no other identified public health risk due to inhalation, skin irritation, or flammability.
- (2). **Do Not Drink Orders** are issued by MassDEP when there is a suspected or known synthetic organic chemical (SOC), inorganic chemical (IOC), volatile organic compound (VOC) or radiological

contamination in the drinking water. Continued drinking or other human consumptive uses of the water would or could pose an immediate threat to health. Non-consumptive use is still permitted if there is no identified public health risk due to inhalation, skin irritation or flammability.

- (3). **Do Not Use Orders** are issued by MassDEP when there is or may be an unknown chemical, VOC, radiological or other unknown contamination and there may be a risk from inhalation, skin irritation or flammability. A *Do Not Use Order* may also be issued for a known chemical or radiological contamination that exceeds an immediate health and safety risk, e.g., gasoline in the water.

FREQUENTLY ASKED QUESTIONS

- (a). What Happens When Sample Results or a Situation Indicates the Need for a Public Health Order?

- (1). The PWS informs MassDEP and their local BOH within **2 hours** of learning of the problem.
- (2). MassDEP consults with the PWS and determines the appropriate course of action in accordance with federal and state drinking water regulations. The local BOH is made aware of the situation and may participate in these discussions.
- (3). MassDEP verbally notifies the PWS of the situation and issues a written order to the PWS within 24 hours or as soon as possible. **The order always identifies the actions consumers should take with the drinking water, along with steps the PWS must take to protect the public health, monitor the situation, and correct the problem.**
- (4). MassDEP keeps the Mass Department of Public Health (MDPH) and the EPA informed throughout the situation.
- (5). MassDEP lists all public health orders on its website. If an order is issued on a normal business day, it is posted on the website within 2 hours. If the order is issued on a weekend or a holiday the information is on the webpage within 24 hours of the first business day following the issuance of the order. This information is located at: https://eeaonline.eea.state.ma.us/DEP/Boil_Order.

- (b). How are Consumers Notified of a MassDEP Public Health Order or Advisory?

The PWS is required to issue a MassDEP approved notice within 2 hours of receiving the MassDEP notification of the situation or receipt of the written order, whichever occurs first. To expedite the consumer notification process MassDEP has pre-approved template notices available for use. PWSs should use the following means:

- ✓ Broadcast media (radio, television, newspaper); Posting the notice;
- ✓ Hand delivery; and
- ✓ Other methods approved in writing by MassDEP *i.e.*, e-mail, text message, social media.

- (c). What Instructions Must Food Establishments Follow During a Drinking Water Public Health Order?

The MDPH has specific guidance outlined in the ‘*MDPH Guidance for Emergency Action Planning for Retail Food Establishments*’: <https://www.mass.gov/lists/retail-food>. Questions on food establishment requirements should be referred to the MDPH Food Protection Program at 617-983-6700: <https://www.mass.gov/food-safety>.

- (d). How Can MassDEP, PWSs and BOHs Assist Each Other with Drinking Water Public Health Orders?

BOHs and health officials should be familiar with the MassDEP required ‘*Emergency Response Plan*’ (ERP) for each of the PWS in their community. At a minimum, all parties should share up-to-date contact information. This will ensure that everyone is kept informed when an emergency occurs, or a public health order is necessary. Here are a few steps that will go a long way to help PWSs and BOHs address emergencies and public health orders:

- (1). **Before** a public health order is issued or an emergency occurs, the PWS and BOH should work and train together on the ERP. PWS should follow all applicable MassDEP regulations, policies and guidance to maintain a fully compliant system.
 - (2). **During** a public health order, the PWS and BOH should follow the ERP and the MassDEP public health order.
 - (3). **After** a public health order, the PWS and BOH should evaluate the situation and the ERP as needed. The PWS and BOH should continue working and training together on the ERP.
- (e). Where Can I Get More Information About MassDEP Boil Orders and Other Public Health Orders?
- Visit: <https://www.mass.gov/guides/drinking-water-boil-orders-and-public-health-orders>. If you have any questions contact DWP at 617-292-5770 or Program.Director-DWP@mass.gov. Subject: Public Health Orders.
 - MassDEP DWP Regional Contact Numbers: Central Region 508-849-4036, Northeast Region 978-694-3200; Western Region 413-755-2148, Southeast Region 508-946-2805, Outside regular business hours call MassDEP at 888-304-1133

Unregulated Contaminant Monitoring Rule

The EPA uses the Unregulated Contaminant Monitoring Rule (UCMR) Program to collect data for contaminants suspected to be present in drinking water, but that do not have health-based standards set under the Safe Drinking Water Act (SDWA). The fifth round, UCMR5, to be conducted under EPA oversight, was published in the Federal Register on December 27, 2021. UCMR5 requires all PWS serving more than 10,000 persons to monitor as well as all PWSs serving between 3,300 and 10,000 (subject to Congressional appropriations) and a nationally-representative set of 800 PWSs serving 3,300 or fewer persons during 2023-2025. UCMR5 requires laboratories to analyze and report all results exceeding EPA's minimum reporting levels for each contaminant. UCMR5 will require monitoring for 30 unregulated contaminants, including 29 PFAS and lithium.

The EPA is responsible for the development, review, and distribution of all UCMR5 sample results, as well as the analysis of samples from a national set of PWSs serving 3,300 people or less. Because this round of testing still requires the reporting of all chemicals detected, PWSs may be reporting more results during this round to their customers, even though these detects could be well below any published health advisory or guideline.

Published health advisory or guidelines are available in MassDEP's *'Standards & Guidelines for Contaminants in Massachusetts Drinking Water'*: <https://www.mass.gov/guides/drinking-water-standards-and-guidelines>. EPA reference concentrations for each unregulated chemical will be shared once EPA makes this document available. UCMR5 occurrence data will be made available on EPA's website and MassDEP will post statewide data once it becomes available. For EPA UCMR Occurrence Data see: [Unregulated Contaminant Monitoring Rule 2 \(UCMR 2\), \(2008-2010\) Occurrence Data \(epa.gov\)](#).

Consumer Notification Requirements

- Public Notification (PN) - In addition to requiring notification of violations, the PN rule requires PWS to provide special notices for certain situations, including the availability of unregulated contaminant monitoring data. Public notices of unregulated contaminant monitoring data are different from other public notices because they do not have to contain all the elements required of other types of public notices. Instead, PWS need only report that the results are available and provide a phone number or contact where the results can be obtained. All PWS must issue special notice within 12 months of receiving monitoring results and must submit the PN certification form and copy of the notice within 10 days of issuing PN.

- Consumer Confidence Reports (CCR) – CCRs must be prepared and distributed to customers of Community PWSs. Non Community PWSs are required to post their ‘*Water Quality Report*’ issued to the PWS. MassDEP issues this report after ensuring the requirements of 310 CMR 22.16A have been met. Per EPA guidance, CCRs must be distributed to customers by July 1st of each year and must include any UCMR detections received by the PWS during the previous calendar year.
- Public Education (PE) is required for the Lead and Copper Rule and the ‘per- and polyfluoroalkyl substances’ (PFAS) regulations. These regulations require specific information to be shared with consumers when certain trigger levels are exceeded.

For information on the PN, PE and CCR requirements see: <https://www.mass.gov/info-details/consumer-confidence-reports#unregulated-contaminants-monitoring-rule-and-public-notification-in-cdrs->. If you have questions contact DWP at 617-292-5770 or Program.Director-DWP@mass.gov, Subject: PN/CCR.

Drinking Water Supply Protection Grant Program

Massachusetts Executive Office of Energy and Environmental Affairs ‘*Drinking Water Supply Protection Grant Program*’ awards funds to eligible public water suppliers to purchase land or conservation restrictions for drinking water supply protection. For more information please visit the Division of Conservation Services: <https://www.mass.gov/service-details/drinking-water-supply-protection-grant-program>.

PART III: Emerging Issues

PFAS

On October 2, 2020, MassDEP established a drinking water standard, or a Maximum Contaminant Level (MCL), for the sum of six per- and polyfluoroalkyl substances (PFAS). The MCL is 20 ng/L (nanograms per liter) or parts-per-trillion (ppt) for what the regulations call PFAS6, or the sum of six PFAS compounds: PFOS, PFOA, PFHxS, PFNA, PFHpA, PFDA.

PFAS are a family of chemicals widely used since the 1950s. Because PFAS are water soluble, over time PFAS from some firefighting foam, manufacturing sites, landfills, spills, air deposition from factories and other releases can seep into surface soils. PFAS can leach into groundwater or surface water and can contaminate drinking water. PFAS have also been found in rivers, lakes, fish, and wildlife. PFAS have also been linked to a variety of health risks, particularly in immunocompromised individuals, women who are pregnant or nursing, and in infants. This drinking water standard is set to be protective against adverse health effects for all people consuming the water.

All Community and Non-transient Non-community PWS have now tested their drinking water sources for PFAS. By September 30, 2022, TNC PWS (such as parks or restaurants) must collect a single water sample. Half of them have already sampled their water sources. The results are that of all PWS tested, 133 detected PFAS6 above the MCL in one or more of their sources. That is 12% of our PWS. Many of them were able to turn off a well or use water from a connection to an adjacent PWS, but a significant number will need to add treatment.

The MassDEP Bureau of Waste Site Cleanup is very busy investigating the sources of the PFAS contamination of groundwater and identifying Potentially Responsible Parties when possible. The good news is that 95% of Massachusetts consumers are drinking water that meets the PFAS6 MCL.

For more information about PFAS, where it has been found at public water supply sources and what MassDEP is doing see: [Per- and Polyfluoroalkyl Substances \(PFAS\) | Mass.gov](#) and the MassDEP Fact Sheet Q & A for Consumers at [pfas-in-dw-fs.pdf | Mass.gov](#). Information for Public Health Professionals from the CDC

<https://www.atsdr.cdc.gov/pfas/index.html>. If you have any questions, contact the DWP at Program.Director-DWP@mass.gov, Subject: PFAS

PFAS in Private Wells

The Baker-Polito Administration received funding from the legislature to support testing for PFAS in public water supplies and selected private wells to assist in characterizing PFAS levels in the Commonwealth. The MassDEP ‘*Private Wells PFAS Sampling Program*’ provides the opportunity for laboratory analyses of samples from selected private wells for PFAS at no charge to the homeowner.

MassDEP is partnering with UMass to undertake this program to characterize PFAS levels in municipalities that are not predominantly served by public water systems. MassDEP identified 85 towns where more than 60% of the population is served by private wells. MassDEP began working with its UMass contractor, local BOHs, and other local partners to identify private wells and solicit private well owner participation in each town. Well locations were selected based on geographic distribution within the town and/or proximity to potential sources of PFAS. To date, PFAS testing has occurred in all 85 Towns, with results from 1366 private wells. The testing program will conclude by June 30, after which MassDEP and its UMass contractor will publish a report describing findings from the sampling program. The final report will be provided to Boards of Health and all program participants when it becomes available.

For more information about this program, see our ‘Frequently Asked Questions’ page at: <https://www.mass.gov/doc/frequently-asked-questions-about-the-massdep-private-wells-pfas-sampling-program>. For information about whether a homeowner should test their private well for PFAS; how to test; and home drinking water treatment devices to remove PFAS, visit our webpage for private well owners: <https://www.mass.gov/info-details/per-and-polyfluoroalkyl-substances-pfas-in-private-well-drinking-water-supplies-faq>.

Cybersecurity

Cybersecurity has become an emerging area of concern due to recent cyber-attacks on PWSs. To address this issue, MassDEP is taking the following steps to increase Cybersecurity awareness:

- We are increasing the amount of cybersecurity related news sent to PWSs and partners and providing them with the best available information, guidelines and tips;
- We are including more Cybersecurity related information in our biweekly communication to PWSs and partners. Drinking Water Program Updates can be found at: [Communication to Public Water Suppliers | Mass.gov](#) or at Statehouse Archives: <https://archives.lib.state.ma.us/handle/2452/826119>;
- We have partnered with industry experts to provide free Cybersecurity training for public water suppliers and operators and are working with EPA to provide training and assistance to PWSs; and
- We have developed simple, user friendly one-page flyers for operators to post in their workplaces. The aim of these flyers is to educate and remind operators on the best cyber security practices to implement for protecting a system from cyber-attacks. These flyers are available online at: [Public Drinking Water System Operations | Mass.gov](#).

If you have any questions about this information contact the DWP at 617-292-5770 or email Program-Director-DWP@mass.gov Subject: Cybersecurity Security. For more information also see the *Cyber Security Advisory for Public Water Suppliers* at: <https://www.mass.gov/service-details/cybersecurity-advisory-for-public-water-suppliers>.

Supply Chain Issues

Recent events have led to supply chain delay issues. MassDEP's Drinking Water Program (DWP) encourages all PWSs to include planning for supply chain shortages in their emergency response plans. If a PWS experiences any supply chain issue including the receipt of a *Force Majeure* letter from a chemical supplier, the DWP has encouraged the PWS to report the supply chain issues to their DWP contact in their MassDEP regional office and to complete the MassDEP supply chain survey at <https://www.mass.gov/forms/pws-force-majeure-or-other-supply-chain-notice>. Completing the survey will help the DWP to quickly compile and review the information so that we can assist PWSs with these issues.

The DWP has also developed a poster on supply chain issues planning and response with steps to prepare PWSs for supply chain disruptions; <https://www.mass.gov/doc/steps-to-prepare-your-public-water-system-for-supply-chain-disruptions/download>. Another useful resource is the EPA Chemical Supplier and Manufacturer Locator Tool which allows water and wastewater utilities to search for suppliers and manufacturers across the U.S. that may be able to fulfill their chemical supply needs and increase resilience to supply chain disruptions. This tool is located at <https://www.epa.gov/waterutilityresponse/chemical-suppliers-and-manufacturers-locator-tool> and can also be useful for finding alternative chemical suppliers in the case of supply chain shortages.

The DWP encourages interested PWSs to join MassWARN; <http://www.mawarn.org/>, this organization enables public water systems to receive rapid mutual aid and assistance from other public water systems in Massachusetts to restore services damaged by natural or man-made incidents.

Controlling *Legionella*: Healthcare Facilities, Large Buildings and Non-Registered PWS

• SECONDARY DISINFECTION IN HEALTHCARE FACILITIES

In the last several years there has been an increasing number of healthcare facilities (e.g., hospitals and nursing homes) and hotels in the U.S. that are providing secondary disinfection to their water to prevent the proliferation of several pathogens (primarily *Legionella pneumophila*) known to grow in the biofilms of the plumbing of large buildings. These pathogens grow best where the water temperature in the pipes is above 68° F, and have been found in cooling towers, hot tubs and hot water tanks. Healthcare facilities are particularly concerned about *Legionella* because older people and those with weakened immune systems are especially vulnerable. More information on *Legionella* can be found on the Center for Disease Control's website at: <http://www.cdc.gov/legionella/index.html>.

A facility serving 25 or more persons for 60 or more days a year that intends to install and operate a permanent disinfection treatment system is considered a PWS and requires MassDEP prior approval.

A facility serving 25 or more persons for 60 or more days a year that performs disinfection on a temporary basis not exceeding 60 days, may not be regulated as a PWS by MassDEP if such system notifies MassDEP, their local water authority, MDPH and their BOH or health department. In addition, the facility should ensure the temporary disinfection procedure is overseen by a consultant or engineer who must develop a disinfection plan and have experience or certification as a drinking water operator. The plan must include an emergency response plan and notification protocol to address over-feeds and potential exceedances of any SDWA contaminant. For more information see <http://www.mass.gov/eea/agencies/massdep/water/drinking/water-systems-ops.html#17> and <http://www.mass.gov/eea/agencies/massdep/water/regulations/chlorine-dioxide-shock-treatment-at-health-facilities.html>.

In addition to MassDEP approval, Veteran Administration Hospitals installing permanent disinfection to control *Legionella*, must refer to the U.S. Department of Veteran Affairs Directive 1061 'Prevention of Healthcare-Associated *Legionella* Disease and Scald Injury from Potable Water Distribution Systems, August 2014.' For details see: https://www.va.gov/VHApublications/ViewPublication.asp?pub_ID=9181.

- POLICY TO INHIBIT MICROBIAL GROWTH

The Department of Health and Human Services, Centers for Medicare & Medicaid Services issued a policy directive on June 6, 2018 to require Hospitals, Critical Access Hospitals and Long-Term Care facilities to develop policies and procedures that inhibit microbial growth in building water systems. The purpose of the directive is to reduce the risk of growth and spread of *Legionella* and other opportunistic pathogens in water. For more information see: <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Policy-and-Memos-to-States-and-Regions-Items/Survey-And-Cert-Letter-17-30-.html>.

- USING CHLORINE DIOXIDE

Recently, companies have inquired about the process for installing disinfection treatment at local hospitals and other facilities that are not registered PWS but serve 25 or more persons, 60 or more days per year. Some hospitals may want to add chlorine dioxide or chloramine as a secondary disinfectant to their water supply to help to control pathogens such as *Legionella pneumophila*, *Stenotrophomonas maltophilia* and *Mycobacterium avium* complex.

Chlorine dioxide has a maximum residual disinfectant level drinking water standard of 0.8 milligrams per liter and is regulated by MassDEP due to the potential health risks associated with its use.

A hospital or a facility, serving 25 or more people 60 or more days a year, that is not a MassDEP registered PWS and treats the water entering the building with a secondary disinfectant (such as chlorine dioxide) is a consecutive PWS. These systems are regulated by MassDEP and are subject to federal and state drinking water standards. For more information see: <https://www.mass.gov/info-details/public-drinking-water-system-operations#consecutive-water-systems>.

A hospital or facility, serving 25 or more people 60 or more days a year, that receives water from a MassDEP registered PWS but is planning to temporarily use chlorine dioxide for shock treatment, should contact MassDEP and review the information at: <https://www.mass.gov/service-details/protocol-for-chlorine-dioxide-shock-treatment-at-healthcare-facilities-on-a-public>.

For questions or more information on *Legionella*, contact the DWP at 617-292-5770 or Program.Director-DWP@mass.gov, Subject: *Legionella*.

If you are aware of any facility that has introduced a disinfectant as a secondary treatment, or have any questions contact the DWP 617-292-5770 or Program.Director-DWP@mass.gov, Subject: Chlorine Dioxide.

Cyanobacteria & Cyanotoxins

Cyanobacteria are photosynthetic bacteria that share similar characteristics of algae and are normally present in all types of waterbodies throughout Massachusetts, including PWS surface water sources. Like algae, cyanobacteria can multiply quickly in response to conditions that are favorable for their growth, resulting in “blooms.” Harmful algal blooms composed of cyanobacteria, called CyanoHABs, can contribute to taste and odor issues for PWS; but they also have the potential to produce cyanotoxins that can be harmful to people and animals.

Cyanobacteria, and the cyanotoxins they have the potential to produce, currently have no federal or Massachusetts regulations; however, on June 17, 2015, the US EPA released 10-day drinking water health advisory (HA) levels for two cyanotoxins: microcystins and cylindrospermopsin. HA levels are non-regulatory concentrations, at which adverse health effects are not anticipated to occur by oral ingestion of drinking water over specific exposure durations. EPA set lower HA levels for infants and children under the age of six due to sensitivity with consumption of water relative to body weight.

The following table shows the drinking water HA levels:

US EPA DW Health Advisories		
US EPA 10-day HA		
Cyanotoxin	Bottle fed infants and pre-school children	School age children and adults
Microcystins	0.3 µg/L	1.6 µg/L
Cylindrospermopsin	0.7 µg/L	3 µg/L

In compliance with US EPA's fourth round of the Unregulated Contaminant Monitoring Rule (UCMR4), PWSs nationwide conducted assessment monitoring for ten cyanotoxins from 2018 through 2020. Data from the UCMR serves as a primary source of research information, which US EPA utilizes to develop regulatory decisions. As of April 2021, 2,936 cyanotoxin results have been submitted from a total of 113 Massachusetts PWS, and all results have indicated no detections. For further information on US EPA's UCMR4 please visit: <https://www.epa.gov/cyanohabs/epa-drinking-water-health-advisories-cyanotoxins>.

It is also important to note that in December 2016, the EPA released draft criteria for cyanotoxins for the protection of recreational activities in freshwater systems, which recommended that values for primary contact recreation exposure should not exceed 4 parts per billion (ppb) for microcystins and 8 ppb for cylindrospermopsin. In September 2018, EPA continued stakeholder engagement by revising the draft recreational cyanotoxin criteria/swimming advisories in response to public comments and newly available data. In May 2019, EPA issued the final Recommended Recreational Ambient Water Quality Criteria or Swimming Advisories (AWQC/SA) for microcystins and cylindrospermopsin.

The recommended limit for the two cyanotoxins is in the below table, while duration and frequency are dependent on their application as a AWQC or a SA.

Ambient Water Quality Criteria (AWQC) or Swimming Advisories (SA)	
Microcystins	Cylindrospermopsin
8 µg/L	15 µg/L

For further information on EPA's recreational criteria, visit: <https://www.epa.gov/wqc/recreational-water-quality-criteria-and-methods#rec3>. MassDEP and other state agencies including the Massachusetts Department of Public Health (MDPH), the Department of Conservation and Recreation, and the Massachusetts Water Resources Authority recognize that this emerging contaminant warrants attention and coordination. As such, MassDEP is working closely with MDPH to establish communication and response protocols for reports of potential CyanoHABs in drinking water sources regulated by MassDEP, and recreational waterbodies under the jurisdiction of MDPH.

PWS should contact MassDEP to report any potential CyanoHAB issues in drinking water sources, while local BOHs receiving reports of potential CyanoHABs should contact MDPH for assistance: <https://www.mass.gov/orgs/bureau-of-environmental-health>. For further information on the state's response to cyanobacteria and cyanotoxins see: <https://www.mass.gov/guides/cyanobacterial-harmful-algal-blooms-cyanohabs-water>.

If you have any questions on this information, please contact DWP at 617-292-5770 or Program.Director-DWP@mass.gov. Subject: Cyanobacteria.

PART IV: RECENT TOPICAL ISSUES

Well Completion Reports

Under 310 CMR 46.03(3) of the *Well Driller Regulations*, well drillers must file a ‘Well Completion Report’ (WCR) within 30 days of completing a job and must provide a copy to the BOH. In addition to private drinking water wells, other types of wells (such as irrigation wells and monitoring wells) are also subject to the *Well Driller Regulations*. All wells, unless identified in 310 CMR 46.00, must be installed by a registered well driller and have a WCR.

The submittal of the WCR is integral to the well drilling process. In most communities, well drilling activity requires a local permit. This mechanism helps in ensuring that a WCR is filed for every well and that municipal officials are kept informed of all well drilling activity in their community. For instance, if a drilling permit was issued and the BOH did not receive the WCR by the required due date; a site visit can be conducted to determine if the well had been installed. Likewise, local officials can follow up on reports that a well is being drilled without the required local permit. All communities that have existing or potential well drilling activity, should consider establishing a local permitting process.

Ensuring that every well drilled has a WCR associated with it and is on file is integral to the well drilling process. This is an area where the BOH can play an important role to assist the Well Driller Program. If it appears a well has been installed without a WCR being filed, BOHs should notify the DWP/Well Driller Program. With continued assistance from local BOHs, compliance and enforcement of well drillers certifications and proper drilling protocols throughout the Commonwealth can be maintained.

If a BOH does not receive a WCR within the required 30 days, or receives a WCR with incorrect or missing information pertaining to the lat/long coordinates, address, well construction, well yield and driller information or other important data; MassDEP requests BOHs take one of the following actions:

- Issue Enforcement. BOHs may be able to issue enforcement through their regulations. Please send MassDEP a copy of the enforcement action to the email addresses below; or
- Notify the MassDEP Well Driller Program. If a BOH does not issue enforcement, please email MassDEP or contact the Drinking Water Program by phone describing the issue along with the supporting facts.

For questions about well drilling, WCRs, or to notify MassDEP of unauthorized well drilling, please email Program.Director-DWP@mass.gov, Subject: Well Driller Program.

Statewide Well Location Project

MassDEP is the primary water use data provider for Massachusetts and currently houses the *Well Driller Program* (WDP) within the Drinking Water Program. The WDP oversees the proper and safe drilling of wells and maintains a database of information provided by well drillers. As described above, for each well drilled in the Commonwealth, a WCR must be submitted to the Drinking Water Program along with the local BOH. Each WCR contains information pertaining to the well including location, depth, lithology, static water levels, yield, etc. This data is stored electronically in the *Well Driller Database* accessible through the EEA Data Portal at: <https://eeaonline.eea.state.ma.us/portal#!/search/welldrilling>.

Of the more than 190,000 wells in the *Well Driller Database*, approximately 50% are assumed accurately located to statewide parcel data. The remaining 50% of these wells are generally located to either a town, street, intersection, or have no location information associated with them. The Drinking Water Program received a grant from the USGS to properly locate as many wells as possible. The project will be completed by October 2022. The main objectives of this project are to match as many of these unlocated

wells to statewide parcel data and tie this information to their associated WCR. This will at the same time create a map viewer to the *Well Driller Database* that will associate well data points with WCRs through point and click technology. We will be notifying all BOHs when the project is completed and the map viewer is available. For questions or more information about this project, contact Bruce Bouck at Bruce.Bouck@mass.gov.

Well Driller Requirements

Under 310 CMR 46.02 of the *Well Driller Regulations*, persons engaged in the business of well drilling must be registered by MassDEP. If a non-registered well driller is performing the work, a registered well driller must be on site to observe critical aspects of the drilling process. To ensure that only authorized well drillers perform the drilling or are on site for observation, the BOH can require a copy of their '*Well Driller Certification*' be shown prior to drilling and/or check the list of registered drillers on MassDEP's website at: <https://www.mass.gov/service-details/well-driller-certification>.

For more information on registered well driller requirements see: <https://www.mass.gov/doc/brp-ws-38a-instructions-for-initial-well-driller-certification/download>.

Cross Connections

Cross connections are situations in the water distribution system that creates an actual or potential connection between a potable water supply and a system or fixture that carries non-potable substances (liquids, gases or solids). Cross connections are a concern when low pressure in the public water system can result in a reverse flow of non-potable substances back into the potable water system. This reverse of flow is caused by a back siphonage or backpressure:

- Back siphonage is backflow caused by a negative pressure (vacuum or partial vacuum) in the public water supply line or consumer's potable water lines (domestic lines).
- Backpressure is the reversal of normal flow in a system due to an increase in the downstream pressure above that of the supply pressure.

In accordance with 310 CMR 22.22(3): Public Water System Responsibilities "Every public water system shall be responsible for (a) Controlling cross connections to the last free flowing outlet of the consumer and for the safety of the public water system under its jurisdiction; (b) Having a cross connection control distribution system protection program plan (the "cross connection program plan") approved by the Department as specified at 310 CMR 22.22(3)(b) ..."

All PWSs are required to have an approved cross connection control program plan and to fully implement the approved plan, including conducting cross connection surveys of all non-residential facilities within its service area. If a cross connection is found it must be eliminated through the re-piping or properly protected with the installation of a backflow preventer device or assembly. PWSs are recommended to use other municipal departments and officials, such as plumbing inspectors, BOHs, building inspectors and fire departments, to assist in the implementation of an effective cross connection control plan.

Cross connections can exist in commercial, industrial and residential buildings. Even though 310 CMR 22.22 does not require residential surveys, local cross connection bylaws (or ordinances) may require some level of surveying or reporting cross connections. Typical residential cross connections include irrigation systems and fire suppression systems. Two classes of backflow preventers are used to prevent backflow, testable and non-testable.

MassDEP recommends that only non-testable backflow preventers be installed in residential facilities, (unless the threat requires a testable device). All testable backflow preventers must be tested in accordance with the 310 CMR 22.22 frequency and in accordance with the water system's schedule. If a testable device

is not needed it may be removed; if it remains it must be tested (see 310 CMR 22.22(3)(h)). This requirement applies to all installations of such devices or assemblies even if it was done without the proper approval from the local water authority. For more information contact Program.Director-DWP@mass.gov
Subject: Cross Connections.

Home Burials and Green Burials

A ‘home burial’ means to bury a person on privately owned residential property that is not an approved cemetery. Home burials are not prohibited by state law, but the decedent’s family must first obtain written approval from the local BOH and the local governing body.

A ‘green burial’ or natural burial is a method of final disposition of a body with fewer environmental impacts than traditional burial. Generally, a green burial means that the body is not embalmed, no metal or hard wood are used to make the casket, no gravel liner or vault are used, and a low-profile grave marker is used or no marker at all.

The potential for bacteria, viruses, and other microorganisms from human remains to reach groundwater and infect other people appears to be the greatest source of public health concern associated with green burials. Research indicates though microorganisms can remain viable and transportable for many years following a burial, they are eventually attenuated by soils and lose viability. However, the fact that these organisms can remain viable for some time highlights the importance of siting burials in hydro-geologically appropriate areas.

For more information: <https://www.mass.gov/info-details/information-for-local-boards-of-health-on-home-burials-and-green-burials> or contact Program.Director-DWP@mass.gov, Subject: Green Burials

Property Conversions that Create Public Water Systems

If a facility currently served by a private well proposes a change in the use of their establishment, it is important for the BOH to know if the proposed change will cause the facility to be classified as a PWS. Some common examples of these conversions include:

- A change in the type of permitted occupancy

For example, a residential home proposing to operate a daycare or doctor’s office, or a gas station proposing to operate a coffee shop. If the proposed changes result in the facility providing water to 25 or more persons per day for at least 60 days a year, then the facility meets the definition of a PWS.

- A change in the number of the permitted occupants

For example, a daycare facility proposing to increase the number of children or staff to 25 or more persons per day for at least 60 days a year, meets the definition of a PWS. If a BOH is aware of a daycare facility that is not currently on their ‘PWS Inventory List’ (see Part I), the facility should be added to this list. If you have any questions, contact DWP at 617-292-5770 or Program.Director-DWP@mass.gov, Subject: Daycares. You may also contact the MA Department of Early Education and Care at <https://www.mass.gov/orgs/department-of-early-education-and-care>.

Ensuring that property owners contact MassDEP prior to beginning a property conversion, will benefit the property owner and ensure all applicable MassDEP requirements for safe drinking water are met. If a property owner creates and operates a facility as a PWS prior to obtaining MassDEP approvals; both the owner and operator may be subject to enforcement action, including monetary penalties. For a BOH concern about a particular existing or proposed facility in your community, contact DWP at 617-292-5770 or Program.Director-DWP@mass.gov, Subject: PWS Property Conversion

PART V: MassDEP Drinking Water Program Initiatives

LCCR Funding Opportunity for PWS

Under the current Lead and Copper Rule Revisions, PWS must create and submit an inventory of all lead service lines (LSLs) in their distribution systems by October 2024. To help PWS with this and related lead abatement work, MassDEP is working with the Massachusetts Clean Water Trust (CWT) on a grant program through the Drinking Water State Revolving Fund (DWSRF) to assist PWS with the development of their LSL inventories. These inventories will serve as the basis for their LSL Replacement Programs. More information will be available soon.

Principal Forgiveness for Lead Abatement Projects

PWSs may benefit from \$30 million in funds available to provide principal forgiveness (grants) to DWSRF borrowers to help finance eligible lead abatement projects. These grants will help borrowers reduce the principal of their SRF loan and are in addition to standard subsidies offered by the DWSRF to disadvantaged communities.

Importantly, these funds must be used by September 30, 2025. Those PWS who wish to access these grants must participate in the DWSRF annual project solicitation that opens at the beginning of July of 2022, for consideration during the financing cycles in calendar year 2023. Project proposals (Project Evaluation Forms) must be submitted to MassDEP by August 19, 2022, for financing in calendar year 2023.

- **Eligible Lead Abatement Projects**

Eligible lead abatement projects may include planning and construction projects such as lead service lines (LSL) inventories, materials surveys, mapping, full LSL replacements, lead removal, corrosion control, capital improvements, and water main rehabilitation. Projects to be financed are selected using a priority ranking system based upon protection of public health, improved compliance, and affordability.

MassDEP Assistance Program for Lead in School Drinking Water

In 2016 and again in the 2017-2018 school years, the Commonwealth undertook this voluntary initiative to help public schools and EECFs across the state test for *lead and copper* in drinking water, using \$2.75M in financial support from the Massachusetts Clean Water Trust. MassDEP and its partners administered this program that provides technical assistance and free laboratory analysis to participating schools. In the first year, about 800 schools from 153 municipalities signed up to receive assistance. Assistance has been provided to all participating schools, with samples taken from water bubblers and other fixtures used for drinking, food preparation, and medical care.

As schools found fixtures that exceed the recommended action level, schools have repaired, replaced or taken them off-line to address this exposure. As of May 2019, 991 schools, including 30 Early Education and Care Facilities (EECF), have been tested under the Assistance Program. Sampling results are available on EEA's Data Portal at: <http://eeaonline.eea.state.ma.us/por-tal#!/home>. For more information see <https://www.mass.gov/assistance-program-for-lead-in-school-drinking-water>.

In a continuing effort to ensure safe drinking water for children across the Commonwealth, the MassDEP 'Expanded Assistance Program for Free Sampling and Analysis at Schools and EECFs' will continue the Commonwealth's nation-leading program offering free lead testing and technical assistance to eligible public schools and public and private group childcare facilities. This program was funded through a Year 1- \$967,000 grant and Year 2- \$321,000 grant from the EPA will help eligible facilities implement effective testing programs, educate them about how to address elevated lead levels, and provide water quality information to the school community.

MassDEP Lead Contamination Control Act - Schools and EECF Program

The Lead Contamination Control Act (LCCA) is a USEPA voluntary program for schools and EECFs to identify and address lead in drinking water in schools and childcare facilities. MassDEP is committed to continued support for schools and early education and care programs to ensure safe drinking water.

In light of EPA's Revised 3Ts Manual released on October 25, 2018, MassDEP's Drinking Water Program issued new guidance to school and childcare facilities on lead in drinking water, to align with updated federal EPA guidance. The guidance sets a goal that water from taps and fixtures used for drinking, food preparation, and medical uses contain no measurable levels of lead, replacing the existing action level for lead in school drinking water of 15 parts per billion. The action level for copper is 1.3 mg/L.

MassDEP and its LCCA partners inform and educate school and childcare officials on how to identify, evaluate, and reduce or eliminate the sources of lead contamination affecting their facility's drinking water. MassDEP recommends that a school's or EECF's voluntary program should do the following:

1. Update the list/map of all taps/fixtures used for drinking water, to prepare food and/or beverages, and in nurses' offices. All other non-human consumption taps should be posted with "For hand washing only".
2. Use the MassDEP *LCCA Program Management Tool* (see Additional Resources below) to maintain and track the status of all identified sites. This tool was developed for schools to use to manage their sampling sites, analytical data and remediation actions.
3. Develop and implement a *Sampling Plan* to sample the identified taps/fixtures at least once every three years after an initial baseline sampling of all identified fixtures. To balance cost and ensure that staff maintain their training on the sampling process, MassDEP recommends that 1/3 of the fixtures are sampled every year.
4. Use a Massachusetts' certified laboratory to analyze all samples and require the laboratory to provide all results to the school AND to the MassDEP via MassDEP's electronic reporting system, eDEP.
5. Remove all fixtures/taps that exceed the MassDEP copper action level. Remediate and retest all taps/fixtures to ascertain that they do not exceed the action level before returning them to service.
6. If lead sample results are above the detection limit of 1 ppb; schools/EECFs should implement or continue remediation actions to reduce levels to the lowest possible concentration by prioritizing actions based on the level of sample results and the vulnerability of the impacted populations.
7. Taps/fixtures should not be put back into service until lead sample results are consistently below 15 ppb. Remediation actions to achieve the lowest possible concentration should continue, taking into account the priority of the tap.
8. Develop and implement a transparent user-friendly communication plan that provides timely notice to all student, staff, and parents about results and actions taken.
9. Add all remediation and other actions to the MassDEP LCCA Program Management Tool.

BOHs are encouraged to work with their schools and EECFs to help evaluate and provide technical assistance to correct lead in drinking water problems. Lead and copper results submitted through MassDEP's electronic data reporting system, eDEP, are available on the Energy & Environmental Affairs Data Portal at: <https://eeaonline.eea.state.ma.us/Portal/#!/home>. To 'Set Up an LCCA Program at Your School' see; <https://www.mass.gov/as-sistance-program-for-lead-in-school-drinking-water>. For more information see the LCCA Frequently Asked Questions at: <https://www.mass.gov/files/documents/2017/01/sj/lccaqa.pdf> or contact Program.Director-DWP@mass.gov, Subject: LCCA.

PART VI: Drinking Water Information and Resources

- (a). Previous BOH Notices: <https://www.mass.gov/lists/drinking-water-information-for-boards-of-health>
- (b). 'Managing Your TNC System' guide: <https://www.mass.gov/info-details/public-drinking-water-system-operations#small-water-systems>
- (c). Training Videos on MassDEP's YouTube page. Drinking water topics include Manganese, Lead & Copper Rule, Lead in School Drinking Water, Chlorate Mitigation Control, Source Water Protection, Seasonal PWS Start Up, Revised Total Coliform Rule and more, see: https://www.youtube.com/playlist?list=PLJn2AKOcYr7lutGJB-UfDKtQPF_o_249m
- (d). Power Point presentation entitled 'Checking in On Your Source Water Protection Program'. The presentation includes detailed notes to assist PWS in updating their local source protection programs or plans. Visit; <https://www.mass.gov/lists/drinking-water-supply-source-protection>.
- (e). Boil orders and other public health orders [Drinking water boil orders and public health orders | Mass.gov](https://www.mass.gov/info-details/drinking-water-boil-orders-and-public-health-orders)
- (f). Certified Labs: <https://www.mass.gov/certified-laboratories>
- (g). Certified Well Drillers: <https://www.mass.gov/well-driller-program>
- (h). Cross Connections: 'Cross Connection Control Program Manual' <https://www.mass.gov/files/documents/2016/08/nl/cccpman.pdf>
- (i). Massachusetts Drinking Water Regulations, 310 CMR 22.00: <https://www.mass.gov/regulations/310-CMR-22-the-massachusetts-drinking-water-regulations>.
- (j). Lead and copper in school drinking water: <https://www.mass.gov/service-details/lead-and-copper-in-school-drinking-water-sampling-results>
- (k). Certified Operators: <https://www.mass.gov/service-details/certified-operator-directory>
- (l). Lead and Copper Rule (LCR), Lead Lines: <https://www.mass.gov/service-details/public-water-systems-90th-percentile-lead-sampling-results> and; <https://www.mass.gov/guides/is-there-lead-in-my-tap-water>
- (m). PWS contact information: <https://www.mass.gov/water-supplier-operations>
- (n). TNC Business Owner's Guide: <https://www.mass.gov/files/documents/2016/08/qp/tncguide.pdf>
- (o). UIC: <https://www.mass.gov/underground-injection-control-uic#5>
- (p). Applying Aquatic Herbicides (Pesticides) to Drinking Water Reservoirs: <https://search.mass.gov/?q=applying%2520aquatic%2520herbacides%2520to%2520reservoirs&page=1> and <https://www.mass.gov/how-to/wm-04-herbicide-application>
- (q). Applying Copper Sulfate to Reservoirs: <https://www.regulations.gov/document?D=EPA-HQ-OW-2015-0499-0102>.
- (r). Cyanobacteria and Public Drinking Water Supplies: https://www.mass.gov/doc/public-water-system-fact-sheet-cyanobacteria-and-public-drinking-water-supplies-in/download?_ga=2.174018720.281482040.1594723861-228910841.1593002529
- (s). The Value of Drinking Water: <https://www.mass.gov/files/documents/2016/08/tc/water-valuesm.pdf> or contact Program.Director-DWP@mass.gov, also refer to the 2019 Annual BOH Notice.
- (t). Wind and Solar Energy Projects on Public Water Supply Lands: <https://www.mass.gov/service-details/drinking-water-policies-and-guidance> <https://www.mass.gov/service-details/drinking-water-policies-and-guidance>
- (u). Drinking Water at Local Fairs: <https://www.mass.gov/lists/drinking-water-information-for-boards-of-health>
- (v). Private Wells: Also refer to the 2019 Annual BOH Notice 'Private Well Guidelines' (August 2017): <https://www.mass.gov/private-wells>, and Private Well Template Forms for Use by Local Boards of Health: <https://www.mass.gov/lists/private-well-form-templates-for-use-by-local-boards-of-health>

'Required Disclosure of Water Test Results': <https://www.mass.gov/files/documents/2016/08/qo/reqdiscl.pdf>

Radionuclides Sampling: <https://www.mass.gov/service-details/faqs-radionuclides>.

'Standards and Guidelines for Contaminants in Massachusetts Drinking Waters': <https://www.mass.gov/guides/drinking-water-standards-and-guidelines>.

MassDEP *'Model BOH Private Well Regulation'*: <https://www.mass.gov/lists/drinking-water-information-for-boards-of-health>

List of MA Registered Drillers: <https://www.mass.gov/service-details/well-driller-certification>.

MassDEP Offices

- Central Region: 508-792-7650
8 New Bond St. Worcester, MA 01606
<https://www.mass.gov/service-details/massdep-central-regional-office>
- Northeast Region: 978-694-3200
205-B Lowell St., Wilmington, MA 01887 <https://www.mass.gov/service-details/massdep-northeast-regional-office>
- Western Region: 413-784-1100
436 Dwight St, Statehouse West 5th fl, Springfield, MA 01103
<https://www.mass.gov/service-details/massdep-western-regional-office>
- Southeast Region: 508-946-2700
20 Riverside Drive, Lakeville, MA 02347
<https://www.mass.gov/service-details/massdep-southeast-regional-office>
- Boston Office: 617-292-5770
1 Winter St., 5th flr. Boston MA 02108
<https://www.mass.gov/topics/drinking-water>
- To contact MassDEP outside of regular business hours call 888-304-1133; To locate your MassDEP Office: <https://www.mass.gov/service-details/massdep-regional-offices-by-community>

Attachment A**Board of Health Official Email Address & Emergency Contact List****I. Instructions**

Please submit your BOH **Official Email Address & Emergency Contact List** to MassDEP to the address below. Your official email address should be the address where you wish to receive official MassDEP/DWP information e.g., copies of sanitary surveys, etc. Emergency contacts should be prioritized in the order that you want to be notified by MassDEP staff in case of an emergency. Contact #1 should contain the name and contact information of the BOH person that you want to have contacted first in an emergency; if Contact #1 cannot be reached we will attempt to contact the next person identified.

Please submit this list and any subsequent changes to MassDEP Drinking Water Program; 1 Winter Street - 5th floor; Boston, MA 02108; Attn: BOH Emergency Contact. **This form is also available at:** <https://www.mass.gov/doc/boards-of-health-official-email-address-and-emergency-contact-list/download>. You may also respond by email to Program.Director-DWP@mass.gov, Subject: BOH Official Email Address and Emergency Contact.

II. Board Information

Municipality/Zip
Board Name
Address 1
Address 2

III. Official BOH Email Address for Copies of Drinking Water Program Correspondence**Email:****Email:****IV. BOH Emergency Contacts**

1.	
Name:	Title:
Work Phone:	Evening/Cell Phone:
Work Email:	Evening Email:
2.	
Name:	Title:
Work Phone:	Evening/Cell Phone:
Work Email:	Evening Email:
3.	
Name:	Title:
Work Phone:	Evening/Cell Phone:
Work Email:	Evening Email
4.	
Name:	Title:
Work Phone:	Evening/Cell Phone:
Work Email:	Evening Email:

Attachment B

MassDEP Drinking Water Program Recreational Camps Licensed by Local Boards of Health*

Determine if the camps in your municipality fit B or C and complete the information.
Please print in black ink. Complete and return to MassDEP at the address below.
For additional forms either copy this one or use the link below

A	Municipality	
	BOH Contact	
	Address	
B	All Camps in our municipality are served by a MassDEP registered public water system	
	PWS Name/PWS ID:	
	PWS Name/PWS ID:	
	PWS Name/PWS ID:	
C	Camps with their own source of water supply	
	camp # Camp Name:	camp phone:
	camp address:	contact person phone:
	Owner's Name:	
	Camp owner's address:	
	Max number campers:	Number of staff:
	Number of days open:	From: To:
	Number of days pre-open training or start up time:	
	Number of days post camp closing time:	
	COMMENTS:	

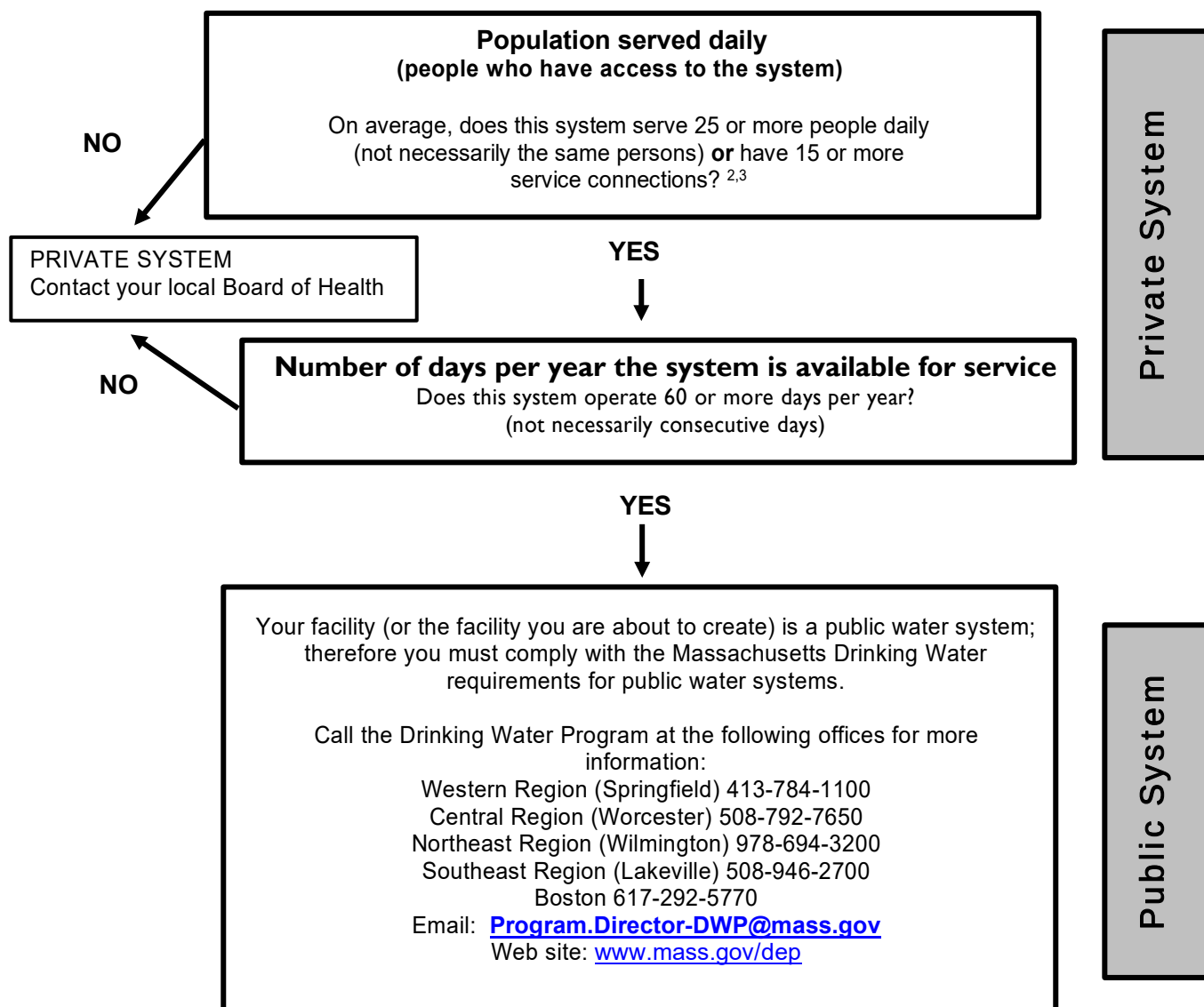
* "Upon the issuance of a license, the local board of health shall notify the MassDEP Drinking Water Program and the Massachusetts Department of Public Health.

Notification shall include: the name and address of the camp, name of the owner, number of campers and staff, and the number of days per year that the camp will be in operation". 105 CMR 430.000

This form is also available at: <https://www.mass.gov/doc/recreational-camps-licensed-by-local-boards-of-health-0/download>. Return this form to: **MassDEP - Drinking Water Program – 5th floor; One Winter Street; Boston, MA 02108**; Attention: WQA/Campgrounds. You may also email your response to Program.Director-DWP@mass.gov, Subject: WQA/Campgrounds

Is the Facility
(or the facility you are about to create)
a Private or Public Drinking Water System¹?

Follow this Flow-Chart to determine your type of drinking water system



¹ As defined by the MA Drinking Water Regulations 310 CMR 22.00 and the Federal Safe Drinking Water Act. Regulations can be found at: <https://www.mass.gov/regulations/310-CMR-22-the-massachusetts-drinking-water-regulations>.

² To determine a residential population: multiply # bedrooms (2), or # service connections (1.67). Use the greater number. ³ For more information see Policy 94-02 and Policy 88-11. Policies are located on MassDEP website at: <https://www.mass.gov/service-details/drinking-water-policies-and-guidance>.

MassDEP Drinking Water Program

(excerpt - MA Drinking Water Regulations, 310 CMR 22.02)

Definitions of Public Water Systems

Public Water System means a system for the provision to the public of water for human consumption, through pipes or other constructed conveyances, if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days of the year. Public Water System includes any collection, treatment, storage, and distribution facilities under control of the operator of such a system and used primarily in connection with such system, and any collection or pretreatment storage facilities not under such control, which are used primarily in connection with such system. The Department may presume that a system is a Public Water System as defined in 310 CMR 22.00 based on the average number of persons using a facility served by the system or on the number of bedrooms in a residential home or facility. The Department reserves the right to evaluate and determine whether two or more wells located on commonly owned property, that individually may serve less than 25 people, but collectively serve more than 25 people for more than 60 days of the year should not be regulated as a Public Water System, taking into account the risk to public health. A Public Water System includes a "Community Water System" or a "Non-Community Water System."

- (a) Community Water System means a Public Water System that serves at least **15** service connections used by year-round residents or regularly serves at least **25** year-round residents.
- (b) Non-Community Water System means a Public Water System that is not a Community Water System:
 - 1. **Non-Transient Non-Community Water System** or NTNC means a Public Water System that is not a Community Water System and has at least 15 service connections or regularly serves at least 25 of the same individuals or more approximately four or more hours per day, four or more days per week, more than six months or 180 days per year; such as a workplace providing water to its employees.
 - 2. **Transient Non-Community Water System** or TNC means a Public Water System that is not a Community Water System or a Non-transient Non-community Water System but is a Public Water System which has at least 15 service connections or serves water to 25 different persons at least 60 days of the year. Some examples of these types of systems are: restaurants, motels, camp grounds, parks, golf courses, ski areas, and community centers.

Executive Office of Energy and Environmental Affairs

Charlie Baker
Governor

Karyn Polito
Lt. Governor



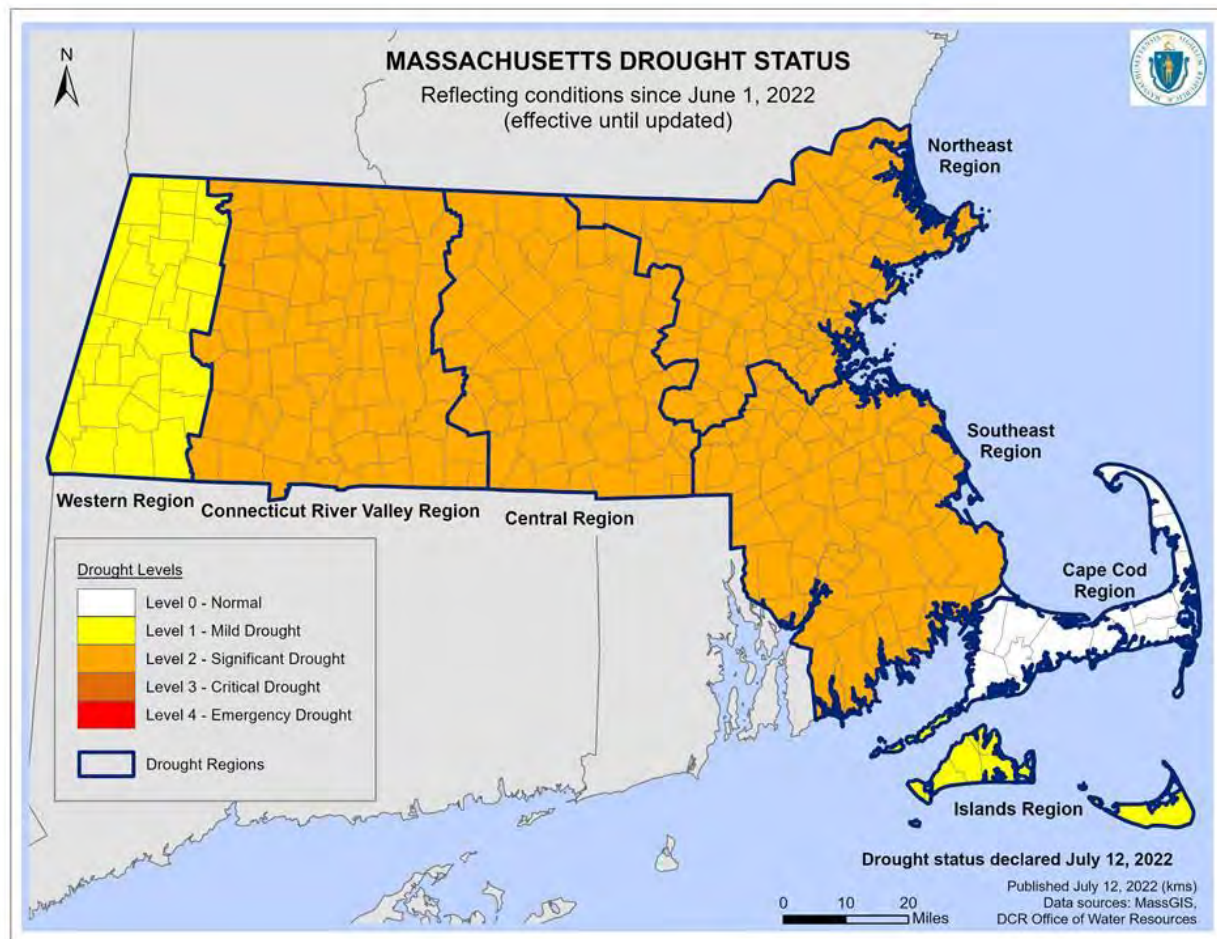
Bethany A. Card
Secretary

FOR IMMEDIATE RELEASE:
July 12, 2022

CONTACT
Troy Wall
Troy.Wall2@Mass.Gov

Majority of State Experiencing Ongoing Drought Conditions

Northeast, Southeast, CT River Valley, and Central Regions Declared Significant Drought



BOSTON — With 90 percent of Massachusetts experiencing drought conditions, Energy and Environmental Affairs (EEA) Secretary Beth Card today declared a Level 2-Significant Drought in the Northeast, Southeast, Connecticut River Valley, and Central Regions of the state. Additionally, the Islands Region will remain at Level 1-Mild Drought along with the Western Region that elevated from Normal conditions last month. At this time, the Cape Cod Region will remain in Level 0-Normal conditions. As outlined in the [Massachusetts Drought Management Plan](#), a Level 2-Significant Drought warrants the convening of an inter-agency Mission Group, which has already been convened, to more closely coordinate on drought assessments, impacts and response within the government. A Level 1-Mild Drought warrants detailed monitoring of drought conditions, close coordination among state and federal agencies, and technical outreach and assistance to the affected municipalities.

“As the state continues to experience dry conditions, and with little rainfall expected in the immediate forecast, it is important that we all implement water conservation practices to reduce stress on our local water supply systems and our natural habitats,” **said Energy and Environmental Affairs Secretary Beth Card**. “The Baker-Polito Administration will continue to work closely with its municipal partners and local water suppliers as we further monitor ongoing drought conditions and address its impacts, particularly on the agricultural sector.”

“As the drought conditions worsen across parts of the Commonwealth, MEMA reminds residents to exercise caution when using charcoal grills, backyard fire pits, and other open flame outdoor activities to prevent outdoor fires,” **said Massachusetts Emergency Management Agency (MEMA) Acting Director Dawn Brantley**. “Residents can also assist during the drought by minimizing water usage and following any local water restrictions for their area.”

Since the start of June 2022, hydrological conditions have continued to decline across the state and in particular in the northern half of the Commonwealth. Significantly, the drought has been both spreading and intensifying, with indices dropping more rapidly due to lack of precipitation over the past several months. Additionally, fire danger in the northern half of the state is steadily on the rise, with noticeable drought stress on foliage in shrubs and grasses. It is expected that low dew point and higher evapotranspiration may continue to impact the drought in the coming weeks as the state will experience the hottest time of the year. Furthermore, streamflow has been severely impacted across the Commonwealth, with dry stream beds and ponding visible in many locations. Ongoing drought conditions are also impacting growers, including local farms, with some farmers irrigating more heavily due to the lack of precipitation.

Important to note, the Massachusetts Water Resources Authority (MWRA) water supply system is not currently experiencing drought conditions, as defined within its individual plan. However, private wells, local streams, wetlands, vernal pools, and other water-dependent

habitats located within MWRA-serviced areas will be impacted by drought conditions while water quality in ponds can deteriorate due to lowering of levels and stagnation.

Individuals living and working within a Level 2 – Significant Drought and Level 1 – Mild Drought region, including residents utilizing a private well, are asked to take the following actions:

For Region in Level 2 - Significant Drought-

Residents and Businesses:

- Minimize overall water use;
- Limit outdoor watering to hand-held hoses or watering cans, to be used only after 5:00PM or before 9:00AM.

Immediate Steps for Communities:

- Adopt and implement the state's nonessential outdoor water use restrictions for drought.
- Limit or prohibit installation of new sod, seeding, and/or landscaping; washing of hard surfaces (sidewalks, patios, driveways, siding); personal vehicle or boat washing; operation of non-recirculating fountains; filling of swimming pools, hot tubs, and backyard informal rinks.
- Implement drought or seasonal water rates.
- Establish water-use reduction targets for all water users and identify top water users and conduct targeted outreach to help curb their use.

Short- and Medium-Term Steps for Communities:

- Establish a year-round water conservation program that includes public education and communication;
- Provide timely information to local residents and businesses;
- Check emergency inter-connections for water supply; and
- Develop or revisit your local drought management plan for water supply.

For Region in Level 1 - Mild Drought-

Residents and Businesses:

- Toilets, faucets and showers are more than 60% of indoor use. Make sure yours are WaterSense efficient.
- Limit outdoor watering to 1 day a week (only from 5:00PM – 9:00AM), or less frequently if required by your water supplier

Short- and Medium-Term Steps for Communities:

- Establish a year-round water conservation program that includes public education and communication;

- Provide timely information to local residents and businesses;
- Check emergency inter-connections for water supply; and
- Develop a local drought management plan for water supply (click [here](#) for more information).

Taking water conservation steps now will greatly help reduce water use to ensure essential needs, such as drinking water and fire protection, are being met, habitats have enough water to support their natural functions, and to sustain the Commonwealth's water supplies in the long-term. Additionally, the Commonwealth will continue to monitor and assess current conditions and any associated environmental and agricultural impacts, coordinate any needed dissemination of information to the public, and help state, federal and local agencies prepare additional responses that may be needed in the future. Furthermore, the Massachusetts Department of Environmental Protection (MassDEP) will continue to provide technical assistance to communities on managing systems, including emergency connections and water supplies assistance.

"Dry conditions continue to affect a major part of the Commonwealth and in a time of year when our rivers and streams are normally at their lowest, it is even more important to conserve in order to protect water supplies and our natural resources," **said MassDEP Commissioner Martin Suuberg.** "People should be aware of, and follow, conservation measures put into place by their local water systems."

The Drought Management Task Force will [meet](#) again on Monday, August 8, 2022, at 1:00PM. For further information on water conservation and what residents can do, please visit EEA's drought [page](#) and water conservation [page](#). To get the most up-to-date information on the drought indices, go to the state's [drought dashboard](#) page.

###

Town of Needham Select Board	
Policy Number:	SB-ADMIN-008
Policy:	Member Remote Participation in Public Meetings
Date Approved:	06/14/2022
Date Revised:	
Approved:	 Chair, Select Board

Section 1. Purpose

The Office of the Attorney General's Open Meeting Law regulations at 940 CMR 29.10 allow members of public bodies, in limited circumstances, to participate remotely in meetings. While all members of Town boards and committees are strongly encouraged to attend meetings in person whenever possible, the regulations and this policy seek to promote greater participation in government meetings by allowing members to participate remotely when physical attendance would be unreasonably difficult.

The intent of this policy is to establish clear guidelines on the practice of remote participation by Town boards and committees under the Open Meeting Law, M.G.L. c.30A, §§18-25. Under the enabling authority of 940 CMR 29.10(8), a municipality may adopt a policy that prohibits or further restricts the use of remote participation by public bodies within its jurisdiction.

This policy applies to the remote participation of Town board and committee members only, not to how members of the public access open meetings. The Select Board encourages all boards and committees to provide a means for the general public to view and participate in public meetings remotely and have recordings made available to the public.

Section 2. Policy

- 2.1 The Select Board, on June 14, 2022, voted to adopt this policy and to authorize the Town Manager to approve remote participation for meetings of all local public bodies within the municipality. In accordance with 940 CMR 29.10(3), the Town's adoption of remote participation can be revoked at any time.
- 2.2 In accordance with 940 CMR 29.10(2)(g) and M.G.L. c.30A, §20(e), a local commission on disability may by majority vote of the commissioners at a regular meeting authorize remote participation applicable to a specific meeting or generally to all of the commission's meetings. If

a local commission on disability is authorized to utilize remote participation, a physical quorum of that commission's members shall not be required to be present at the meeting location; provided, however, that the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location. The commission shall comply with all other requirements of law.

2.3 This policy and 940 CMR 29.10 shall apply to all Town boards, committees, commissions, subcommittees and working groups regardless of whether such public bodies are appointed or elected, with the exception of the Commission on Disabilities which may independently authorize remote participation in accordance with 940 CMR 29.10.

2.4 Where the Remote Participation Policy is more stringent than 940 CMR 29.10, the Policy shall control.

Section 3. Minimum Requirements for Remote Participation

3.1 Members of the public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other, as required by M.G.L. c.30A, §20(d).

3.2 A quorum of the body shall be physically present at the meeting location, as required by M.G.L. c.30A, §20(d).

3.3 The chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c.30A, §20(d).

3.4 Members of the public body who participate remotely must have access to the same materials being used at the meeting location.

3.5 Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c.39, §23D.

Section 4. Permissible Reasons for Remote Participation

It is the express desire of the Select Board that remote participation in meetings be an infrequent event, for both individual board members and Town Boards and Committees as a whole. Chairs of public bodies are encouraged to interpret these rules in a strict fashion and to continue to induce all members to attend meetings in person as a general rule, due to the inherent benefits of physical presence in a meeting.

A board or committee member may attend a meeting through electronic conferencing if their physical presence would be unreasonably difficult, due to extenuating circumstances, including but not limited to:

- Personal or family illness or disability;
- a family or other emergency;

- military service; or
- geographic distance.

No member of a board or committee will be allowed to join the board or committee meetings remotely more than 25% of the time, over a calendar year, except in extraordinary circumstances.

The chair or the person designated to chair the meeting may allow or decline to allow remote participation that is not consistent with the terms of this policy; any such determination shall be final and shall not be appealable.

Section 5. Acceptable Methods of Remote Participation

- 5.1 Accommodations shall be made for any public body member who requires TTY service, video relay service, or other form of adaptive communications.
- 5.2 Telephone, internet, or satellite enabled audio or video conferencing are all acceptable methods of participation.
- 5.3 Other technology that enables the remote participant and all persons present at the meeting location to be clearly audible is acceptable. When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.
- 5.4 The Town does not guarantee that sufficient technology for remote participation will be available for any given meeting.
- 5.5 Any costs incurred by a remote participant will not be reimbursed by the Town.

Section 6. Procedures

- 6.1 Any member of a public body who wishes to participate remotely shall, at least 48 hours or as soon as reasonably possible prior to the meeting, notify the chair or person chairing the meeting of their desire to do so and the reason for and facts supporting their request.
- 6.2 Prior to the meeting the chair shall make every effort to ensure the equipment is available and functioning properly. If the required equipment is not available, then the chair shall deny the request for remote participation.
- 6.3 At the start of the meeting, the chair shall announce the name of any member who will be participating remotely, as approved by the chair. This information shall also be recorded in the meeting minutes.
- 6.4 All votes taken during any meeting in which a member participates remotely shall be by roll call vote.

- 6.5 If technical difficulties arise as a result of utilizing remote participation the chair should suspend discussion while reasonable efforts are made to correct any problem that interferes with remote participant's ability to hear or be heard clearly by all persons at the meeting location.
- 6.6 If communication problems inhibit the progress of the meeting, the chair must decide whether to continue the meeting, suspend the meeting, or terminate the participation of the remote participant. In the event that more than one member remotely participates, the chair shall evaluate each connection separately and may elect to terminate the participation of one or more of the remote participants should technical difficulties inhibit the progress of the meeting. The meeting minutes must reflect any such decision.
- 6.7 If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred and subsequent reconnection if achieved shall be noted in the meeting minutes. If a public hearing occurs after disconnection, the member shall be noted as absent.
- 6.8 Remote participants shall preserve the confidentiality of the executive session. The remote participant shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by simple majority vote of the public body, and that the session is not being remotely recorded by any device.

BOH Thoughts about Discounts

Hi Tiffany,

I worry about doing discounts just for certain medical conditions and not others- why not lupus or chronic pain or sickle cell etc... I know they don't want to add conditions because otherwise they will just be giving discounts to everyone, but again, seems odd to just pick 2. On the other hand, as precedent, it sounds like this is what they do in other stores.

I would suggest starting with just discounts for staff, veterans, and seniors... however, if other board members want to do the cancer and HIV, I don't feel strongly about excluding them.

Tejal

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Tiffany

Ok on the meeting. I am still not convinced about discounts but am willing to discuss this further at our next meeting. Even if I went with the concept of discounting I see no logic to having a range of discounts and am particularly leary of an employee discount as high as 50%.

Ed Cosgrove

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Tiffany, Tara, Tim,

Sorry about my late response to this.

I am ok with Sira being allowed to offer reasonable discounts at the Needham facility, but any discounts would have to be available to all medical marijuana patients, not just select groups (veterans, HIV/AIDS etc). Here are the reasons behind my thinking:

Although the BOH has viewed SIRA essentially as a pharmacy, over the last few years discounts for all patients are now routine at other medical pharmacies in town (with Good Rx etc), and available to all, so I don't think discounting for medical marijuana is significantly out of step with that.

Since patients can simply go to another nearby town to get medical marijuana discounts not available in Needham I don't think that prohibiting discounting in Needham necessarily makes sense now. This particularly affects Needhamites with medical marijuana cards who want to take advantage of a discount, and have to go to Newton to get it.

Discounts, if offered, should be for all patients with a medical marijuana card. I am not comfortable with the Board favoring patients with certain diagnoses or situations over others, except financial hardship. I would be ok with a higher discount being available to those with demonstrated financial hardship.

One consideration if discounts are allowed is to do it on a 1 year provisional basis, and monitoring during the year for any potential downsides to this action.

Regards,

Rob

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