



Needham Public Health Division



Board of Health Meeting Minutes

Date: July 19, 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

Staff Present: Timothy Muir McDonald, Director of Health and Human Services; 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 5:00PM and initiated a roll call. Present were Dr. Cosgrove-Y, Dr. Epstein – Y, and Dr. Gandhi- Y.

According to Chapter 107 of the Acts of 2022, as an act relative to extending certain states of emergency accommodations, as passed by the General Court, and signed into law, Acting Governor Karen Toledo, on July 16 2022, revised Section 20 of Chapter 20, the Acts of 2001. In so doing, provided modifications to the Massachusetts Open Meeting Law, which allow for flexibility to hold remote only, and hybrid meetings, while preserving public access and, where appropriate, public participation. Currently, that additional flexibility will expire on March 31, 2023, unless additional legislative action occurs. As part of today's hybrid meeting, all votes will occur via a roll call.

Dr. Brown entered the meeting.

Approval of Minutes – June 23, 2022

Upon motion duly made by Dr. Epstein and seconded by Dr. Gandhi, it was voted to approve the minutes of June 23, 2022. Dr. Epstein – Y, Dr. Brown – Y, Dr. Cosgrove - Y, and Dr. Gandhi-Y. Motion passed 4-0.

Rice Barn Discussion to permanently revoke permit

Ms. Gurge explained that Mr. Intha reached out to the inspectors to conduct the Board's required inspection on Friday, July 1. This was conducted at 1:30pm on that Friday. There were multiple



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violations noted on site, including pest droppings in the bar area. There were many chances with resources offered to Mr. Intha for improved safety protocols on site. The team feels that the owner will not be able to maintain a clean and sanitary food establishment.

Dr. Epstein stated that at the last Board meeting there was an agreement that, should any violations be found during the inspection, the Board would revoke the permit for a period of three months.

Alex Rubin, Town Counsel, explained that the regulations specifically set out a revocation of one year, but the Board could vote for a different amount of time. If the Board revokes the permit, it is nullified, and the owner must complete the entire permit process again.

Mr. McDonald noted that, if the permit is revoked, Mr. Intha does have the right to appeal the decision to the Board.

Upon motion duly made by Dr. Epstein and seconded by Dr. Brown, it was voted to revoke the Rice Barn's permit to operate for a three-month period, effective immediately. Dr. Epstein – Y, Dr. Brown – Y, Dr. Cosgrove – Y, and Dr. Gandhi – Y. Motion passed 4-0.

Proposed Revisions to Article 20 – Regulation to Ensure the Sanitary and Safe Operations of Marijuana Treatment Centers

Dr. Epstein asked about the differential pricing between medical and retail sales. Gretchen McCarthy, Vice President of Retail, explained that there is no variance in the pricing between medical and retail products. The difference in cost is due to the tax. A medical patient does not pay tax, whereas an adult consumer pays a 20% tax.

Dr. Cosgrove stated that he does not understand the logic of gradations of discount depending on the medical condition. Employees could be offered an increase in salary instead. Dr. Gandhi agreed that the medical discount should be across the board.

Dr. Epstein also stated that he is not supportive of employee discounts, as this does not have a medical basis. Employees could be offered an increase in salary instead. Mr. Fernandes explained that as a medical facility, only employees with a medical card would be able to purchase from the store and use the employee discount.

Mr. McDonald noted that Sira has petitioned the Planning Board for a change in the business model, such that patients with a valid medical card could go in anytime during operating hours, instead of having to specifically schedule an appointment.

Dr. Epstein stated that if Sira wants to offer a discount to those who are having difficulty affording their medications, it would require a means test. There is already a means testing



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process through the State. The request should go to the State since public health laws allow locals to have more stringent, not less stringent rules than the State.

There was discussion regarding how allotment is tracked for recreational and medical sales. The medical tracking system is separate from the adult retail system. Both are reported in real time and monitored by the State.

Further discussion about discounts included a discussion about what is allowed by boards of health among neighboring communities.

Dr. Cosgrove stated that the Board will wait for additional information and take up the discount discussion again at a future meeting.

COVID-19 Response Phase 2 After-Action Report & Improvement Plan

The Board reviewed the After-Action Report. Mr. McDonald explained that the report includes a significant improvement plan. One area for improvement relates to the challenges that resulted from differences in guidance between the Departments of Public Health and Elementary and Secondary Education, or from hastily issued guidance from the State. The improvement plan looks to determine a way to share, in a constructive manner, these challenges with the State.

Dr. Cosgrove and Dr. Gandhi commended the Public Health Division for the COVID-19 response and for the comprehensive after-action report.

During a discussion about how the report will be used, Mr. McDonald said that publicizing the report and making it available for residents to read, is the first priority. He also spoke about how staff will meet regularly to address the issues raised in the report, and work to advance the improvement plan.

Monthly Staff Reports, Priority Violations, COVID Update & Discussion

Emergency Management – Michael Lethin

Mr. Lethin explained that in June the Local Emergency Planning Committee hosted a tabletop exercise using a Hazardous Materials Emergency Preparedness Grant. This exercise involved a mixture of two chemicals that resulted in a chlorine release at the RTS resulting in a mass casualty event. There was a lot of good discussion, and an After-Action Report will follow. Three meetings were held between FEMA and Needham officials in June regarding reimbursement for snow removal from the January 29, 2022 Blizzard. Good progress was made ahead of the August 15 deadline to submit all documentation. The process of planning for an active shooter response training and exercise in the Summer of 2022 was initialized. This is a first step in a progressively more complex exercise schedule over the next 2-3 years.



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Traveling Meals Program – Rebecca Hall

Ms. Hall explained that 843 meals were delivered in June. These were delivered to 47 consumers (39 from Springwell and 8 were private pay). There were also four new clients, three of those from Springwell and one was private. Data shows a 1% increase in meal deliveries from 2021. There were two 911 calls this month.

Accreditation – Lynn Schoeff

Ms. Schoeff explained that the bulk of the effort in June and in July has been for the Senior Assessment. The survey has been released, and responses are being received. She is concerned about the burden that accreditation can put on staff, but this process has begun.

Environmental Health – Tara Gurge

Ms. Gurge explained that a six-month permit extension was given to the Hungry Coyote, after their agreement to have a consultant visit and provide the Board with monthly reports through the end of December. The Farmers Market opened on June 12th. She noted that staff will be helping to work through the accreditation process, specifically Domain 6 – Enforce Public Health Laws.

Ally Littlefield reported that there is a proposal 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. Those who receive a certificate of excellence will be posted on the Needham Public Health website and can post a certificate in the window. Community education and promotion of this program will also be a key element to make this program a success. Intern, Ecom Lu, is developing a toolkit that can be presented to the Board in the near future.

Dr. Epstein expressed concern regarding the Certificate of Excellence confusing the public as to if a restaurant is safe to eat at or not. There would need to be strong public education on this program. Ms. Gurge explained that this proposal can be viewed as a competition between restaurants. It may make owners want to be more proactive.

Ms. Littlefield reported that she received a request regarding micro-markets and unattended food establishments. Unattended food establishments are operations that provide packaged foods or whole fruit using an automated payment system, and have controlled entry not accessible by the general public. The vendor wishes to prepare food offsite in another town and sell them at a Needham “micro-market” location. This will require a larger conversation by the Board.

Ms. Littlefield reported a foodborne illness case of salmonella at Sweet Tomatoes. Multiple violations were found on inspection, the most concerning being a soiled interior of the



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dishwasher, and a two-door roll-top over 41 degrees. Staff will work to make sure that these violations are corrected.

Shared Services Grants – Diana Acosta

Ms. Acosta said that the winning logo for the Charles River Public Health District has been chosen. Jessica Kent, formerly of the Accreditation Team, has joined the Shared Services Team. Two air sensors have been set up at Olin College and both are viewable on the PurpleAir Map online.

Substance Use Prevention – Karen Shannon

Ms. Shannon introduced Jazmine Hurley as part of the team. Ms. Shannon stated that TIPS training was conducted June 13th by Carol Read and Officer Jay Sullivan of the Dedham Police Department. Ten people attended the training. Last month, the Select Board had a public hearing for one of the sales-to-minor violations. One of the restaurants had a third violation, and this led to a three-day suspension of their alcohol license on nonconsecutive days to be completed in 2022. During the school year from Sept-June, 93 SALSA members contributed 1,460 hours of service in Needham – an 8% increase over last year. Results from both the 2021 Metro West Adolescent Health Survey and the Parent Survey were released recently. There will be a public presentation of the data in the fall.

Public Health Nursing

Ms. Fountaine explained that summer camp application reviews continued, with inspections starting on the 27th, and 5 camps being licensed. She presented a new version of the Clinical Disease Report to the Board.

COVID Update – Julie McCarthy

Ms. McCarthy explained that the State announced that, starting July 11, data will be uploaded to the interactive dashboard every Thursday, instead of updating the data on a daily basis. Needham is hovering around five cases in a seven-day average. In June there were 225 official cases, with an average age around 42. There were increased cases in the 40-49 and 50-59 age ranges. Up to July 15, there were 87 cases. BA 5 is the new dominant variant. Due to the fact that the wastewater data can't be broken down by town or for Norfolk County, this data will need to be critically examined. Hospitalization data also needs to be examined critically because all variants are very contagious. More cases mean more hospitalizations, even if the disease is less severe overall. The infectious variants may continue to drive up case counts and, even if a small proportion of those cases require hospitalization, it will cause hospitalization rates to remain high as well. These data should be examined critically, and it does not necessarily mean the variants are causing more severe disease.

The Board noted that it would like to focus on hospitalization rates, wastewater data, and vaccination rates.



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It was noted that the southern hemisphere is seeing flu about eight weeks earlier than anticipated.

New Needham Senior Survey

Dr. Gandhi suggested using best practices in asking about gender, sexual identity, race, ethnicity, etc., in future surveys.

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**

The Board reviewed these items.

Topics for Upcoming BOH Meetings

- **Food Inspection Policy**

The Board discussed having this as a topic of discussion at an upcoming meeting.

Next BOH Meetings

The Board discussed when it will have its meeting in August.

There was discussion regarding cooling stations around Town, and the difficulty some buildings are having in staying below a certain temperature.

Dr. Cosgrove said that the Boston Globe is requesting a short piece about taxing junk food. There was discussion regarding reaching out to someone who might offer that perspective.

Adjournment

Upon motion duly made by Dr. Epstein and seconded by Dr. Brown, it was voted to adjourn. Dr. Cosgrove - Y, Dr. Brown - Y, Dr. Epstein - Y, and Dr. Gandhi-Y. Motion passed 4-0. The meeting was adjourned at 8:56 p.m.

Attachment:

July 19, 2022 meeting packet