



Needham Public Health Division



Board of Health Meeting Minutes

Date: August 2, 2022

Location: via Zoom

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

Staff Present: Timothy Muir McDonald, Director of Health and Human Services and Town Counsel, Christopher Heep

Call to Order

Dr. Cosgrove called the meeting to order at 7:49AM and initiated a roll call. Present were Dr. Cosgrove-Y, Dr. Brown – Y, Dr. Partridge – 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 remote meeting, all votes will occur via a roll call.

Rice Barn Restaurant Appeal of Needham Board of Health's Three-Month Revocation of its Food Service Operating Permit

Mr. McDonald noted that neither the applicant nor his counsel was present. There was no notification from Mr. Intha that he would not be attending today's meeting. When presented with the formal revocation notice, Mr. Intha challenged it in writing. Mr. Heep suggested giving the applicant to 8:00AM to arrive.

Dr. Gandhi arrived at 7:52AM.

Mr. McDonald noted that Mr. Intha previously emailed staff to state that he is accessing the establishment to monitor equipment, pick-up mail, and do miscellaneous tasks. Mr. Intha was sent notice of this meeting and it was also publicly posted on the Town website.



Needham Public Health Division



The Board discussed other topics at this time.

Topics for Upcoming BOH Meetings

- **Continued Discussion of Proposed Edits to Article 20: Regulation to Ensure the Sanitary and Safe Operations of Marijuana Treatment Centers**

Mr. McDonald presented the Board with information from marijuana treatment centers in Norwood, Newton, Brookline, and Watertown. A handful offer discounts for veterans, seniors, or employees. Sira Naturals will be back before the Board in September to discuss the proposal and for the Board to potentially vote on an amended regulation.

Dr. Partridge stated that the Board may want to discuss the resumption of happy hours in Massachusetts at its next meeting.

- **Food Inspection Policy**

The Board did not discuss this item at this time.

The Board returned to its discussion on the Rice Barn. Dr. Cosgrove suggested that, if the Board affirms its vote on a revocation, it may want to consider a condition of inspecting the restaurant every two weeks or monthly for some period of time. It was noted that, once the permit is revoked, the owner will need to essentially reapply and move through the entire application process again once the suspension is completed.

Mr. McDonald explained that the notices for this meeting, both sent to Mr. Intha and posted on the website, noted the morning time. Mr. Heep stated that he received an email from Mr. Intha's counsel that he expected Mr. Intha to attend, but that he was not planning to attend himself. After a phone call with Mr. Intha's counsel, it was explained again that Mr. Intha was expected to be at the meeting.

Mr. Heep stated that, as this meeting was properly noticed and held, the Board can decide to vote on sustaining or modifying the July 21, 2022, revocation order. It could also decide to continue the public hearing to a date when Mr. Intha can attend.

Mr. Heep received a phone call from Mr. Intha's counsel that Mr. Intha believed the meeting was to be held at 7:45PM this evening. Mr. Intha stated that he would try to join the meeting at this time. The Board agreed to wait until 8:20AM.

Mr. McDonald noted that the Securing Access for Public Health Excellence (SAPHE) 2.0 bill was passed by the House of Representatives and by the State Senate. It is now on Governor Baker's desk. This would provide additional funding for grants for technical assistance to develop data reporting systems to try to bring local public health services up to a consistent level across the State.



Needham Public Health Division



Mr. McDonald suggested that the Board discuss in either September or October its thoughts on Needham Public Health's strengths, areas for improvement, where it wants to go in the future, and if it sees areas to collaborate with other Boards of Health.

The Board noted that the time was 8:30AM and Mr. Intha still had not joined the meeting.

Mr. Heep explained that the official July 21, 2022, revocation order stated that the three-month revocation would become effective after the 10th day if Mr. Intha did not request a hearing, or upon whatever vote the Board took if Mr. Intha did request a hearing.

Upon motion duly made by Dr. Cosgrove and seconded by Dr. Brown, it was voted to sustain the Board's vote for revocation from July 21, 2022. Dr. Cosgrove - Y, Dr. Brown - Y, Dr. Partridge - Y, and Dr. Gandhi-Y. Motion passed 4-0.

Next BOH Meetings

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

Adjournment

Upon motion duly made by Dr. Brown and seconded by Dr. Partridge, it was voted to adjourn. Dr. Cosgrove - Y, Dr. Brown - Y, Dr. Partridge - Y, and Dr. Gandhi-Y. Motion passed 4-0. The meeting was adjourned at 8:32AM.

Attachment:

August 2, 2022 meeting packet