

Board of Health
DRAFT Meeting Minutes
July 17, 2023

Present:

Susan Schwartz, Chair
Maureen Richichi, Vice Chair
Beatrice Brunkhorst
Ann Kiessling
Anita Raj

Staff Present:

Heidi Porter, Director of Health and
Human Services
Marisa Morello, Assistant Health Director
Danielle Williams, Recording Secretary
Noah Southard, Summer Health Agent

Others Present (In-person or by Zoom):

Bedford TV
Mike Rosenberg, Bedford Citizen
Rebecca Caruso, Biosafety Consultant

The meeting was called to order at 7:01 PM

Public Comment

Ms. Schwartz opened the meeting to any public comment however as there were not Public Comments offered, the Public Comment was closed by Ms. Schwartz.

Ms. Schwartz noted that since the Hearing and Vote on the Sale of Tobacco to a Minor for Road North Realty, LLC dba Northside Market and Liquors, 44 North Road, that is next on the agenda cannot be called until 7:10pm, the review and vote of the Meeting Minutes from June 5, 2023 will be next. Ms. Richichi moved to take the June 5, 2023 Meeting Minutes out of order. Ms. Raj seconded. A vote of 5-0-0 approved to move the minutes.

BOH Minutes - Review and Vote

The meeting minutes from June 5, 2023, were reviewed and amended as requested. Ms. Raj moved to approve the minutes as amended; Dr. Brunkhorst seconded the motion. A vote of 5-0-0 approved the meeting minutes from June 5, 2023.

Sale of Tobacco to a Minor – Hearing and Vote – Road North Realty, LLC dba Northside Market & Liquors, 44 North Road, Bill LeClerc, Owner

Ms. Raj motioned to open the Hearing for the Sale of Tobacco to a Minor for Northside Market & Liquors located at 44 North Road. Ms. Richichi seconded. A vote of 5-0-0 approved to open the hearing.

Ms. Porter stated that Mr. LeClerc was invited to attend tonight's meeting but was unable to attend however Mr. LeClerc did provide a letter representing his position. Ms. Morello was the Tobacco Inspector for the inspection and will provide some background details.

Ms. Morello noted that Tobacco Inspectors provide education as part of the inspections and also coordinate compliance checks. During the inspections, retailers are informed that youth buyers will be sent into the establishment in the future as part of the compliance checks. These youth buyers are sent into the retail establishments with cash, a phone and without an Identification Card. This

establishment did have a sale to a minor previously back in 2017, however that sale was not within the past three-year time period (“tolling period”) for consideration of violations and fines. Ms. Morello explained that, three years ago, Mr. LeClerc had spent \$10,000 on a scanner to aid in the checking of ID’s. For this compliance check, the minor went into Northside Market and Liquors and asked for ZYN Chill. The youth buyer was not asked to show an ID and the sale was made. After this recent round of compliance checks, Ms. Morello revisited all of the tobacco retailers in Bedford and provided them with a QR code that provides free anonymous online training that the retailers can share with the workers to prevent sales to minors.

Dr. Kiessling had inquired about the product the minor had purchased.

Ms. Morello noted that ZYN Chill is a nicotine pouch that is placed between the gum and cheek and the nicotine is absorbed. This is a product that is commonly used by minors.

Ms. Porter commented that the new Tobacco Regulation outlines next steps. The hearing provides the retailers the opportunity to speak on the violation however the \$1,000 fine and 3-day suspension are not negotiable, as they are required by the State Regulation. Mr. LeClerc has already paid the \$1,000 fine and did request a few dates in his letter to the BOH for the suspension. The Health Department staff recommend the BOH proceeds with the 3-day suspension for the upcoming weekend (7/22,7/23 & 7/24).

Ms. Raj motioned that the Bedford Board of Health suspend the Permit for the Sale of Tobacco and Nicotine Delivery Products at Road North Realty dba Northside Market and Liquors located at 44 North Road in Bedford for 3 consecutive days beginning 12:00AM on Saturday, July 22, 2023, and ending at 12:00AM on Tuesday, July 25, 2023, require tobacco products to be removed from the retail establishment at the close of business on Friday, July 21, 2023, and enforce a fine of \$1,000.00 to be paid within twenty-one days of receipt of the Order to Correct letter. Ms. Richichi seconded the motion.

Dr. Kiessling inquired if the retailer has to move all of the tobacco products before this order goes into effect.

Ms. Porter answered that the retailer will need to pull the products Friday evening after closing time and can put them back on Tuesday when he opens.

Ms. Raj questioned if the products have to just be pulled and stored and not pulled off the premises completely.

Ms. Porter stated that the products are removed from the premises.

Motioned by Ms. Raj and seconded by Mr. Richichi. A vote of 5-0-0 approved to enforce the \$1,000 fine and 3-day suspension of Tobacco Sales permit.

Dr. Kiessling asked why there has to be a public hearing.

Ms. Porter responded that the State Law requires a hearing to be conducted to provide retailers the right to speak on their behalf.

Ms. Richichi motioned to close the July 17, 2023 Hearing for the Sale of Tobacco to a Minor. Ms. Raj seconded. A vote of 5-0-0 closed the hearing.

Biosafety Consultant Inspection Report - Rebecca Caruso

Ms. Caruso reported that during COVID, biosafety facility inspections continued and were done virtually. Recommendations are provided during the inspections. Ms. Caruso shared her screen to present her slideshow outlining her annual inspections for the Bedford rDNA/Biosafety Facilities. Her slideshow outlined what occurs during her reviews of these facilities and included slides on: Inspections; Companies, Summary of Findings, Best Practices, Discussion and Future.

Inspections:

- Inspection Process
- Review of Permit File
- Pre-Meeting
- Inspection of Laboratory
- Recommendations
- Report to BOH

Companies:

- Conagen
- Discovery Labware
- Frontera
- Homology
- Millipore Sigma
- Obsidian
- Ocular
- Oxford Biomedica
- Sophion
- Stoke
- Thermofisher
- UCB Boston
- Ultragenyx
- Prolacta

Ms. Caruso's slide #4 listed 21 companies however, this was a typo and only 14 of these are Bedford Facilities. For recording purposes, the following facilities are not Bedford facilities: Avilar, Double Rainbow; Greenlight; KSQ; Neushen; Revvity and Triana.

Summary of Observations:

- Annual IBC Meeting
- Centrifuge Housekeeping
- Biosafety Cabinet Use
- Equipment Certification
- Permit Updates

Best Practices:

- Emergency Binders

- General Housekeeping
- Personal Protective Equipment
- Emergency Equipment

Ms. Caruso stated that overall the 13 facilities did have good Housekeeping. Since COVID, some facilities have emergency pendants that people wear around their neck that allows them to press a call button to get 9-1-1 assistance while they are in the laboratory.

Future:

- Expectations
- Plan for FY24

Ms. Caruso suggested that putting together a pamphlet or binder of inspectional observations and recommendations to send out to the facilities in the fall before she does her inspections so that the facilities are better prepared for their inspections.

Ms. Porter indicated that she fully supports the idea of sending the facilities information on some of the common issues and/or violations that Ms. Caruso looks for during her inspections.

Ms. Schwartz added that sharing the Best Practices with all the facilities so they could embrace any ideas that their facility could utilize and/or put in place.

Ms. Caruso noted that one facility, Millipore Sigma has labs that are tucked away in the back of the building and/or are isolated and the issue came up of what if someone were working alone in the lab and there was an emergency. Ms. Caruso had discussed the idea of the emergency pendant that was being used in another facility and she was able to get Millipore Sigma's Safety Director in touch with the vendor for those pendants and additional safety equipment.

Dr. Kiessling inquired if Discovery Labware is doing any rDNA work currently as it notes all rDNA is in storage from Ms. Caruso's report and asked at what point to they no longer needed a Biosafety permit.

Ms. Caruso noted she has come across some facilities that have rDNA materials that are stored in a freezer and have future plans to utilize those materials so they do keep their permit active and open because of this. In her experience, it is important to have registration of such materials in case of a potential exposure or breakage. Maybe the BOH can update the application to indicate a 'In Storage Only'.

No further questions were offered to Ms. Caruso. The BOH thanked her for her time and presentation.

Dr. Kiessling asked if the Biosafety applications are available online and if the hazardous levels are defined by OSHA.

Ms. Porter responded that all of the applications for the HD's programs and permits are available online. The BOH Regulation sets the limit for allowed biosafety level in town however it's the National Institutes of Health (NIH) that sets the criteria for the various biosafety levels, not OSHA.

Dr. Kiessler noted that Ms. Caruso had referenced an OSHA link in her report under their Recommendations 2022, #1.

Ms. Porter answered that the requirement for the signage such as the biohazard stickers that informs the employee would be an OSHA Standard.

Assistant Health Director as Agent of the BOH – Nomination and Vote – Marisa Morello

Ms. Porter stated that Marisa Morello joined the HD on July 10th and has been getting acquainted and doing some trainings. Because she will be doing inspectional work as an Agent on behalf of the BOH, she should be nominated and approved as an Agent of the BOH.

Ms. Morello related that she was previously the Regional Tobacco Inspector. That position started out inspecting 4 communities and then it expanded into 18 communities. She noted that in doing the inspections and compliance checks, she found that Bedford Retailers really do want to do the right thing by complying with the regulations. Ms. Morello continued that she has her Master's in Public Health and about 20 years' experience in the health field. Through the Pink Ribbon Program, she had created a Pilates post-surgical rehab program for people that had gone through breast cancer to help with their mobility.

Ms. Richichi moved to appoint Marisa Morello, Assistant Health Director, as an Agent of the Bedford Board of Health for the purpose of conducting various public health outreach activities and inspections related to applicable enforceable codes and programs. Dr. Brunkhorst seconded the motion. A vote of 5-0-0 approved to nomination of Maria Morello an Agent of the BOH.

COVID-19 Pandemic Response Evaluation – Use Framework Process in Round Robin Format

Ms. Schwartz stated that the BOH will continue to review the next 3 Functional Capabilities and the first two questions in the Framework drafted by Ms. Richichi. During the 6/5/2023 BOH Meeting, the BOH and HD used the Round Robin format to review the first 3 Functional Capabilities and the first two questions.

Each person on panel was called on and offered the responses below.

FUNCTIONAL CAPABILITIES:

4. Infection Prevention & Control (clarify scope of authority; develop policies, mandates and enforcement strategies)

Question 1: What did BOH/HD do that worked well?

- Continual update and renewal of mitigation strategies – via website
- Signage packets and provision of documentation for businesses and impacted entities
- We updated website with changing CDC guidance
- One on one conversations guidance from contact tracing
- Town started testing program
- PPE – to staff and residents
- Planning for COVID clinics, signage during clinics

- Reached out to businesses by sector
- Procured and distributed COVID test kits
- Concerted effort to get large supplies – we had vendors in place, bulk purchase w regional partners
- Town-wide mask mandate
- Separation and collaboration w/ superintendent
- HD working in collaboration with school nurses
- Regionalized health department response during pandemic with grant funding
- Pandemic process allowed us to clarify the scopes of authority – learned what we could and couldn't do
- Being remote but still functioning as a department
- Nomenclature clarification between BOH and HD

Question 2: What challenges did BOH/HD encounter?

- No/lack of guidelines on enforcement – initial lockdown, but people were still having parties
- Had to go to businesses that were not already known to us or we had purview over
- Statewide – lack of testing and who could order them
- Access to funding – test kits
- Access to vaccines
- Clarification of nomenclature and then scope of authority between HD, BOH, BPS
- Early and ongoing inconsistencies and lack of scientific evidence to support decision making
- Lack of compliance with I/Q and how to handle it
- HD managing all calls with changing guidance
- Implementation of mask mandate
- Politicization of PH resulting in
- ID and targeting vulnerable populations
- Public's lack of awareness of how scientific discovery works – you can't just use one experiment
- People and business wanted more notices when changes to behavior had to happen
- Challenge to correct mis- and disinformation

5. Community Partnership Development (coordinate across sectors; perform out-of-scope functions, i.e., procurements)

Question 1: What did BOH/HD do that worked well?

- Power of regionalization
- Staff perspective – already having good working relationships in place – at-risk, emergency preparedness
- Food Bank – staff volunteered to get it off the ground
- Acquiring test kits and distributing testing messaging
- Dashboard – helped churches, businesses with their decision making around opening
- State making purchase of test kits to distribute to communities

- Preparing messaging for the superintendent's newsletters, and TM update
- CERT partnership

Question 2: What challenges did BOH/HD encounter?

- Re: testing, access to testing – BOH couldn't get, but fire department – program ran by CIC through EMTs
- Continuously changing and conflicting of DPH/DESE guidance
- State choosing to do state wide clinics
- Road blocks to regional, testing clinic and regional vax clinic
- No regional expert group, Dr. or medical expert to champion efforts/decisions
- Lack of state guidance – each community acting on their own, wanted guidance from Epi
- No clear chain of authority within Bedford. BOH Chair asked to take responsibility for town-wide decisions
- No centralized way of knowing what other towns/school boards are doing re mask mandates, etc.

6. Maintaining Essential Health Services and Systems (continue to operate and provide services essential to protect health of communities)

Question 1: What did BOH/HD do that worked well?

- Provided vax via drive through model when offices were closed
- BOH met 2x per month
- Continued all usual and mandated programs, permitting, inspections of the HD – except for times when everyone was closed
- Town supplied remote work supports
- Expanded work around communicable disease outreach
- Recognized food insecurity and readily addressed it
- Expansion ongoing prevention messaging on other non-COVID programs
- Staff (nurse, Admin) answering questions from the worried well

Question 2: What challenges did BOH/HD encounter?

- Addressing Increase in resident need – food insecurity, MH
- Difficulty publicizing to residents and businesses that we are here to help
- Difficult to do routine things
- No being able to work fully remote
- Burnout, COVID fatigue
- Personal handling of resident response to our work – challenging resident response to BOH/HD actions
- Expectation of 24/7 staff availability

Ms. Schwartz stated that in a future meeting, the BOH will look at the Framework and pull together lessons-learned and what the BOH/HD could have done differently or done better and that will build onto how we plan for future pandemics.

Ms. Richichi asked that, before the BOH continues onto the Questions #3 and #4 for the Functional Capabilities, everyone review what is listed so far and provide any additional comments. This will also give Ms. Raj and Dr. Kiessling a chance to input anything they want to add on the first three Functional Capabilities since they were not present during the BOH meeting where those items were presented.

Reports – HD Staff, BOH Liaisons and BOH Goals

Mr. Southard started the past month he did a few housing inspections along with Mr. Alan Perry, the Contracted Health Inspector, including some re-inspections on some outstanding items. Camp inspections have been completed and all of the camps operating in Bedford have received permits. Mr. Southard has responded to some complaints that were filed through the HD. Springs Brook Park had their opening inspection done and their snack bar was inspected and opened as well. Currently, Mr. Southard is working on drafting a PFAS outreach packet for private well owners that refers them to the most recent information available. The BOH does have some purview over testing requirements.

Dr. Kiessling asked if the State is testing for PFAS now.

Ms. Porter answered that private individual homeowners would have to send their samples to one of the 3 certified labs doing the testing for Mass. DEP did do limited testing for communities that have predominately private wells for drinking water but that did not include Bedford, as we have only 8 know private drinking water wells.

Mr. Southard continued to note that on Tuesdays and Thursdays, he has been assisting the Food Bank including helping with deliveries.

Dr. Kiessling asked what complaints were received.

Mr. Southard noted that mostly housing complaints have been received.

Ms. Porter reported that most of her usual meetings got wrapped up for the summer, such as Bedford Community Partnership (BCP) and Violence Prevention Coalition, which will start back up in the fall. Ms. Porter attended the Emerson Hospital's Community Benefits Advisory Committee meeting. Since Ms. Genova has left, the Health Department has partnered with Regional Public Health Nurse Katie Rines, who has been assisting with communicable disease follow up. The Food Bank did not receive some of the grants that had been applied for. The Kid's Club was able to give up some storage space to the Bedford Food Bank (BFB). DPW has been allowing usage of their SUV for food pickup for additional product. Greater Boston Food Bank (GBFB) is becoming less of a reliable source and the BFB will need other avenues for the future to compensate for food product availability. The Food Bank did receive a donated refrigerator and also received a \$3,000 grant that was applied for through Dunkin Donuts on Great Road as part of their re-opening, which will assist with the Summer Food Program. Fiscal Year has closed as of June 30th. Ms. Porter is now the Chair for the Regional Household Hazardous Waste Group.

Dr. Brunkhorst inquired about #11 on Ms. Porter's report in regards to the personnel related meetings.

Ms. Porter stated that some were reviews and some were issues that just had to be addressed.

Ms. Richichi asked where Ms. Porter was trying to obtain funding for the feminine hygiene project.

Ms. Porter responded that the BHS Principal had reached out to the Health Department to see if there was funding available to help support this project since currently female students are required to go to the nurse's office to obtain any feminine hygiene products when needed. Ms. Porter had reached out to Ron Scaltreto at Facilities to brainstorm and there is a dispenser that can be obtained free of charge and placed inside the stalls in the girls' bathrooms. The dispenser is free but there would be a recurring cost fill the dispensers.

Dr. Brunkhorst added that she is happy to see that the new HHS intern will be working on a mental health survey.

Ms. Porter noted that Grace Woolhiser, will be doing some intern work for HHS. The survey will gather information such as where people are getting mental health services and how they are accessing those services.

Dr. Brunkhorst inquired about any inquires on the Public Health Nurse position.

Ms. Porter stated that there are so many posted positions for Public Nurses across the state and that she has had a couple of inquiries if the position could be a part-time position, but no applicants as of yet. The Health Department will most likely be working with a Contracted Nurse to coordinate for our big Flu events for this upcoming Flu season and still waiting to hear on the new COVID vaccine that will be coming.

Dr. Kiessling asked what grants were applied for the Food Bank that weren't received.

Ms. Porter noted that there was one from GBFB for supplies and equipment; one was through the State's Energy and Sustainability for a refrigerated food locker and the one from the Cummings Foundation was for funding for our second Food Bank Assistant. There is a lot of food insecurity throughout the State which communities are vying for these grants. Ms. Porter adds that they can reapply for the Cummings Foundation grant in the future. These grants are applying for in partnership with the Food Pantry because you have to be a 501(C) in order to apply. Ms. Porter added that one issue is the Food Bank is facing is transportation. There are places to obtain free food products however, there is not always transportation available to acquire the food or the transportation is costly or not dependable.

Ms. Richichi provided an update on the Gun Violence Prevention Kid's Gun Buy Back event that happened on 6/10/23 where 7 toy guns and 1 BB gun were brought in, and 8 Bedford Farm's Certificates were handed out. Dan Brosgol is the new Chair for the School Committee and she will follow up with him regarding the school start times.

Ms. Schwartz reported that she attended a COA and YFS Committee meeting. During the COA meeting, someone mentioned the possibility of getting bike racks in town.

Dr. Kiessling asked Ms. Porter if there is any information on the Deer Census that was done in the mid-80's.

Ms. Porter reported that there is nothing on that in the Health Department's records or with Conservation and that she has reached out to the Town Archivist, Ashley Large on this subject.

Dr. Kiessling stated that Bedford needs to do something about the deer population. The only census that was ever done was supposedly done back in the 80's and she is trying to obtain more information on it. Dover is another community that has done a deer census. Dr. Kiessling also inquired about what the Animal Control Officer's (ACO) responsibilities are. There are two dead and/or dying deer in the neighborhood that the ACO refused to do anything about.

Ms. Porter noted that ACO typically works with domesticated animals and not wildlife.

Dr. Kiessling asked what do you do if a resident has a dying or dead deer in their yard.

Ms. Porter responded that you would call a wildlife specialist for disposal. If the animal is on a resident's private property, it is the resident's responsibility for disposal. Animals that are in road, the Town will dispose of.

Ms. Richichi noted that studies shows that deer can carry and transmit COVID.

Ms. Porter added that Ms. Rines updated the Communicable Disease Table. As provided in the packets for this meeting. The article that was included in the printed packets is from Ann Bauer on long COVID and was supported by the regional GMPHC. Ms. Porter also added that the December meeting will have to be changed. The BOH members decided to change the date to Wednesday, December 6th, 2023 from December 4th.

Open Discussion

No other open discussions offered.

Ms. Richichi moved to adjourn the meeting of July 15, 2023. Ms. Raj seconded the motion. The motion was approved by a vote of 5-0-0.

Documents and Exhibits Used During this Meeting

Northside Sale of Tobacco Summary

Northside Market & Liquors – Hearing Letter

Draft Meeting Minutes 6/5/23

Biosafety Inspections

Proposed Motion – Marisa Morello AHD as Agent

COVID Evaluation Table

COVID Evaluation Table – BOH 6/5/23

Director's Report

Summer Health Agent Report

Communicable Disease Table

The next scheduled meeting of the Board of Health is August 5, 2023.

Susan Schwartz, Chair

Beatrice Brunkhorst

Maureen Richichi, Vice Chair

Ann Kiessling

Anita Raj