

Town of Concord
Board of Health

Minutes of the Meeting
Wednesday, March 26, 2022

PRESENT: Jill Block, Chair, MPH
Mark Haddad, Esq.
Dr. Deborah Greene
Alma Healey, RN
Raymond Considine, MSW

Marcia Rasmussen
Director of Planning & Land Management/Acting- Health Director
Karen Byrne, Senior Administrative Assistant
Gabrielle White, Public Health Inspector
Casey Mellin, Assistant Public Health Director

OTHERS: Tricia McGean, PHN, Emerson Hospital Home Care; Min Naing, Sushi Chef, Asiana Management Group, Inc., Debra Stark, Debra's Naturals; Adam Stark, Debra's Next Door/Debra's Naturals; Pat Nelson, Concord's Children Center

1. OPEN MEETING

Chairman Jill Block opened the public meeting at 7:00 p.m. saying that it was held on the Zoom Platform per the Town of Concord's Policy Directive and Guidelines on April 1, 2020, as amended. She read a brief statement outlining meeting protocol and noted that the meeting was being recorded and available for later viewing on the Town's website. All Board votes will be taken via roll call starting with attendance. Board Members present (Block, Considine, Greene, Haddad, Healey).

2. PUBLIC HEARING – FOOD CODE VARIANCE REQUEST

The Board heard a request for a variance from Asiana Management Group, Inc., aka ACE Sushi. It will be a separate entity (food service) operating within Debra's Next Door (but as a separate entity). The variance request is from the Food Code, 105, CMR 590.000, Section 8.103.15:

- Request to use acidification (vinegar) to control hazards in cooked rice to prevent the growth of Bacillus Cereus and associated toxins.

Background

At the January 2022 meeting, the Board reviewed the HACCP plan that was submitted by Asiana Management Group, Inc., aka ACE Sushi but determined at that time based upon input by Public Health Inspector Gabrielle White that the applicant had not provided all the necessary information for it to move forward with granting a variance for the HACCP plan for Sushi at Debra's Next Door.

At that meeting, Public Health Inspector White advised the Board that she had reviewed and approved the HACCP plan relative to adherence to the Food Code, however, she expressed concerns that ACE Sushi had not

provided in writing that the Person in Charge (PIC) of the sushi operation would be onsite during all hours of operation daily to fulfill the responsibilities of a (Person in Charge) PIC. At that time, the Health Division had not received that information from the applicant.

Ms. White explained that the variance request was to show that the PIC can prove to the Board that he/she understands the HAACP plan and can execute it and oversee others working within the operation. Debra's Next Door (owners) had previously supplied documents saying that it would not be responsible for shared use of refrigerators and cross training of PIC's. At the January meeting, consensus of the Board was that the applicant had not provided the required information to move forward with granting the variance and recommended that ACE Sushi come back to the Board once they had their employees in place could demonstrate the Sushi Chef (PIC) could execute the HAACP plan (approved by the Health Division).

Discussion

At this time, Erica Kohn Food Safety Manager for Ace Sushi introduced the new Sushi Chef (PIC) Min Naing for Debra's Next Door. She explained that he was an employee of Asiana Management Group, Inc., but would be on site until such time ACE could hire a new Sushi Chef to manage the site within Debra's. Mr. Naing reviewed the implementation of the HAACP plan outlining the process to use acidification (vinegar) to control hazards in cooked rice to prevent the growth of Bacillus Cereus and associated toxins.

Board members asked if he would be the only employee working in the sushi area and advised that any person working in the sushi area would be under his supervision and that he would be onsite during all the hours of operation. Mr. Naing noted that he would be the person training a new Sushi Chef for Debra's Next Door when things started to move forward.

Gabrielle White, Public Health Inspector stated that the plan she had previously reviewed met all the requirements of the Food Code and that Mr. Naing had provided all of the applicable documentation (Serve Safe Manager, Allergy Awareness) required of a Person in Charge in a Food Service Establishment and demonstrated he was sufficiently knowledgeable in the implementation of the HAACP plan. Staff recommended approval of the variance as submitted.

Mark Haddad moved that the Board APPROVE the HAACP Plan and variance request to use acidification (vinegar) to control hazards in cooked rice to prevent the growth of Bacillus Cereus and associated toxins in accordance with the Food Code, 105, CMR 590.000, Section 8.103.15 as submitted. Dr. Greene seconded it. All VOTED in favor. (Motion Carried 5-0; Block, Considine, Greene, Haddad, Healey – yes).

3. COVID-19 Update; Public Messaging Moving Forward; Masking of Children

Covid-19

Chairman Jill Block provided the Board with a summary of the daily incidence rates of positive cases (8/100,000) as of March 5th in Concord and that the vaccination rates were at approximately 86%. She noted that questions relating to indoor mask mandates continued to come up in conversation (Chair Breakfast) as it relates to individual businesses, Town Meeting, etc., but that at this point, the positivity rates did not rise to a level of another mandate in her opinion. Board members concurred specifically because all individuals have the right to wear a mask in whatever setting they are in with or without a mandate. The Board suggested following the advice of CDC guidelines and gathering responsibly by wearing a mask in large crowds or health compromised.

Chairman Block informed the board that the Concord Middle Schools had a cluster of positive Covid-19 cases following February vacation and the Shamrock Ball event where students and parents (approximately 500

people) gathered for a dance (masks were not required). Ms. Block asked Public Health Nurse Tricia McGean to update the Board on that scenario.

PHN McGean said that this was an isolated spike in cases related to the Shamrock Ball event. Within 7 days of the event there had been 29 new cases in MAVEN (lab confirmed) and as of this past Sun/Mon there were an additional 36 cases. At this point, the schools implemented masking for another week. Additional cleaning/sanitizing measures had been implemented by School Facilities Department. Ms. McGean was collaborating very closely with the school nurses and that everyone was doing exactly what they were trained to do relative to isolation and quarantine protocols. She noted that although this was a bit scary at first not knowing exactly how it would play out; everyone stepped up to take appropriate measures stating that parents were letting the schools know if an antigen test came back positive (those do not appear in MAVEN) and implementing all of the protocols that public health has been touting for the past two plus years relating to Covid-19. Ms. McGean said that people are wanting to get back to their lives and go to dances without masks, etc., which was understandable but that these spikes were going to be part of the new norm. She was impressed at how the schools, parents, and public health responded stating no one wants any type of shut down so in her opinion people were stepping up and being cautiously optimistic using the tools that had been taught to manage these inevitable spikes.

Concord Children's Center – Pat Nelson, Director

Director of the Concord Children's Center, Pat Nelson emailed Chair Jill Block regarding masking as it related to unvaccinated preschoolers (2-5 yo) and as it related to establishing Covid Mitigation policies and practices at the center. Ms. Nelson stated that during the height of the pandemic she had the former Public Health Director and PHN Nurse Tricia McGean on speed dial and could not have reopened without the assistance of the Concord Health Department. Ms. Nelson was requesting additional support from the Health Department and Board to guide her in creating policies or making a specific statement relating to early childhood education centers.

Ms. Nelson noted that the Concord Public Schools will make masking optional for their preschool classrooms as of March 21st and puts additional pressure on CCC to follow suit. Throughout the pandemic, she said that the Center always followed the recommendations of Public Health Nurse Tricia and had assured its community that in matters relating to Covid-19 the Concord Children Center followed the Town's Public Health recommendations. Ms. Nelson said that she was very reluctant to change the Center's internal policy that had been initially guided by PHN McGean and former Health Director Susan Rask without clear guidance from the Board of Health.

Following a lengthy discussion, Board members reiterated that the indoor mask mandate had been lifted and individual businesses could implement whatever policy it chose to do so at this time. The Board continues to encourage masking for immunocompromised people or when in large gatherings but felt that it was not its role to create the policy for the Center. If there was a situation at the Children's Center that required intervention the Health Division Staff and PHN McGean would always be available to assist.

Dr. Greene suggested that the Ms. Nelson make masking optional at this point, see what happens and go from there; in her opinion, if the staff was vaccinated and likely most parents were vaccinated it should not be an issue. At this point moving from pandemic to endemic she said it was incredibly important for these young children to start seeing smiling faces and not just masked adults and friends. Alma Healey agreed with Dr. Greene adding that a two-year-old pulling and tugging at a mask was likely creating more contamination. From a mental health perspective, she felt strongly the masks should be optional. Mark Haddad and Ray Considine concurred noting that a policy can always be changed and mask reimplemented if cases spiked or there was a public health need for it. No further action required.

Messaging for Covid-19 moving from Pandemic to Endemic

Chair Jill Block felt it was important for the Board start a discussion on how it felt “Public Health Messaging” could be reinvigorated in a more positive light particularly as society moved from the Covid-19 pandemic to endemic. Ms. Block felt that the Health Department was often seen as the “bad guys” – regulating people, telling them what to do, out to make it difficult as opposed to protecting the public health. In her opinion, the residents of Concord have a negative perception of public health and much of the vitriol over the past 2 ½ years has been thrown at the staff who is only doing its job.

Several years ago, Ms. Block worked on the Healthy Communities Initiative (via a Public Health Grant) with former Public Health Director and Public Health Inspector Gabrielle White and the response from the community as a whole was very positive, particularly in the areas of addressing mental health issues, community accessibility to walking and biking trails, sustainability issues relative to public health.

After a lengthy discussion, Board members concurred that negativity and lack of appreciation for public health was universal. Ray Considine suggested brainstorming on how as a Board could we start to think of ways to change the tone as how it and staff was seen. He has always believed that a robust local journalistic approach with articles in the local news paper was a good place to start. Other members suggested social media accounts, etc., with educational pieces ranging from how to promote good mental health practices with links to services to mosquito borne illnesses, etc.

Chair Jill Block noted that the Great Meadows Shared Services Grant (Concord, Carlisle, Wayland, Sudbury, Bedford and Lincoln) has a new grant coordinator and monies delegated specifically for hiring a communications coordinator and that would be a wonderful start to getting some of these tasks achieved. The purpose would be to be able to change the messaging to fit each community.

Board members will continue to discuss this at future meetings and looked forward to any new insights from the potential new Public Health Director and staff. For now, the goal is to continue to keep the public informed, remind them that Covid-19 is not over, wash their hands, and to practice safe, smart public health measures (handwashing, sneeze into your elbow, stay home when sick, wear a mask, when necessary, etc.). Marcia Rasmussen also suggested contacting Erin Stevens the Public Information Officer for the Town to see if she had any ideas about getting public health messages out via social media, etc.

4. BOARD MEMBER REPORTS

Jill Block mentioned that she was approached at the Chairs’ Breakfast Proposed Article 37 (Citizen’s Petition) of this year’s Town Meeting about a fee assessed to anyone requiring a “bag” at time of check out at a retail establishment designating the Board of Health or its designee as the “enforcing” agent. She asked Karen Byrne to slate this as a topic for discussion at the April Meeting, but personally did not believe that this article had anything to do with public health and should be with recycling.

Marcia Rasmussen, Acting Health Director/Director PLM agreed and informed the Board that she had her hand up at the public meeting during the comment period but was not recognized. She said would reach out to the Moderator and convey that these duties fall within the purvey of the Recycling Coordinator.

Dr. Greene said the proposed warrant article has nothing to do with public health.

Ray Considine suggested staff contact Cheryl Shabarra, Counsel for the Massachusetts Association of Health Boards as a resource to see if other communities were dealing with similar issues.

No other Board reports.

5. STAFF REPORTS

Marica Rasmussen informed the Board that the final interviews for the Public Health Director position were complete. She advised that she would be calling references and would be making a recommendation to the Town Manager once that was done.

Public Health Inspector Gabrielle White told the Board that the former Ninety-Nine Restaurant on Commonwealth Avenue had been purchased and an application for plan review submitted for a new restaurant currently called “The Local”. She expected it to be a mid/moderate range fare but that it was moving along.

6. BOARD CALENDAR & MINUTES

The Board reviewed calendar for the upcoming meetings and confirmed that April 26th would be the next meeting.

The Board reviewed and discussed the minutes of the December 14th and 27th 2021 meetings, respectively. Deb Greene moved to approve with edits. Alma Healey seconded it. All VOTED in favor. (Block, Considine, Greene, Haddad, Healey – yes; motion carried 5-0).

The Board reviewed the minutes from the January 25, 2022, meeting. Dr. Greene moved to approve as submitted. Alma Healey seconded it. All VOTED in favor. (Block, Considine, Greene, Haddad, Healey – yes; motion carried 5-0).

The February minutes were deferred to the April meeting.

7. BOARD CHANGES

Chair Jill Block reluctantly announced that the Board’s dedicated Registered Nurse, Alma Healey was stepping down from her position on the Board of Health effective immediately. Ms. Block noted that Ms. Healey’s calm, reliable and steady voice of reason was invaluable during her tenure, but most definitely during the past two years plus dealing with the Covid-19 Pandemic.

Ms. Healey thanked the Board and the Health Division Staff for their kindness and dedication to their work. She said she gained a tremendous amount of knowledge on the inner workings of the Town and was grateful to have had the opportunity to serve the community in this way. Mark Haddad moved for the record to officially reflect how appreciative the Board and Town were for her dedicated service. Ray Considine seconded it. All VOTED in favor. (Block, Considine, Greene, Haddad; motion carried 4-0).

Jill Block asked Karen Byrne the protocol for obtaining the volunteer cards for residents interested in potentially filling Ms. Healey’s unexpired term as well as a replacement member for Ray Considine whose membership term expires in May 2022. Ms. Byrne will reach out to the Town Manager’s office and get the process moving.

The meeting ended at approximately 8:30 p.m. (Block, Considine, Greene, Haddad, Healey – yes; motion carried 5-0).

Concord Board of Health
Signature Page
March 16, 2022

Respectfully submitted by,

Karen M. Byrne, Senior Administrative Assistant
Concord Board of Health

Jill Block, Chair, MPH

Alma Healey, RN

Mark Haddad, Esq.

Ray Considine, MSW

Dr. Deborah Greene