

**Town of Mansfield**  
**Board of Health**  
**March 2, 2023 Minutes**

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Mission Statement: The mission of the Mansfield Board of Health is to protect, preserve and improve the public health, environment, and wellbeing of our citizens through the enforcement of federal, state, and local statutes and regulations, education and promotion of sanitary living and working conditions, and protection of the environment from disease and pollution.

**Present:** Chair, Antonia Blinn; Clerk, Michael Healey, Kasia Frenette, Amy Donovan-Palmer; Health Agent. **Guests:** Joe Enos, Divisional Vice President of Bertucci's Italian Restaurant, Richard Alexander, Manager of TGI Friday's Restaurant.

**Absent:** Clerk, Graham Wilson, Ryan Maxwell, MHS Youth Representative, Mahathi Kosaraju.

**I. Meeting Called to Order**

The meeting of the Board of Health (BOH) was called to order at 7:02 pm by Chair Antonia Blinn.

**II. Correspondence**

None.

**III. Consent Agenda**

**Ms. Blinn makes a motion to accept the consent agenda, 2<sup>nd</sup> by Ms. Frenette. Approved 3-0.**

**IV. Restructuring of Board of Health**

Ms. Blinn recommends moving the "Restructuring of Board of Health" agenda item to the April 2023 BOH meeting because there are only three BOH members present. This is agreed upon by Ms. Blinn, Mr. Healey, and Ms. Frenette without a formal vote.

**V. Acceptance of Minutes**

February 2, 2022

- **Motion to approve the minutes from February 2, 2022 made by Mr. Healey, 2<sup>nd</sup> Ms. Blinn. Approved 2-0. Abstained by Ms. Frenette.**

**VI. Repeat Food Code Violations - Bertucci's Italian Restaurant; TGI Fridays**

Bertucci's Italian Restaurant

Ms. Blinn introduces Bertucci's violations for hot and cold holding in the past three inspections and violations for chemical separation in the past four out of five inspections. A plan was submitted in December 2022 to the Board of Health and attendance was requested by a representative for the March 2023 BOH meeting to discuss how the December 2023 plan and location's policies/procedures have been revised to address the violations. Ms. Donovan-Palmer reiterates that she shared the plan with others because of how effective it looked and was surprised that there were repeat violations after the plan was set.

Joe Enos, Divisional Vice President of Bertucci's Italian Restaurant (MA and RI), represents the food establishment at the request of the Board. Mr. Enos remarked that the location's manager, Nicole, did a good job preparing the plan and the food standards that are held within the corporation. He explained the food safety practices for food holding and chemical storage with standard log books to record line checks that are completed twice a day, cooling logs, receiving logs, etc. Nicole came up with a plan based on the violations that were found to make changes including the garnish station and chemical containers left around food production areas. The staff are now working to correct these violations with the action plan and increasing awareness to make sure the changes are consistently implemented. All managers and supervisors have been

ServSafe food and alcohol certified and tried to include BOH recommendations into procedures and policies. Nicole holds weekly meetings about all of the procedures, finances, and opportunities in the restaurant and Mr. Enos visits once a month to complete a full restaurant audit to serve as a regular inspection for the restaurant and staff. The audit Mr. Enos completed last week did not reveal any of the food or chemical violations that the inspection found even though there are other things that can be improved in the restaurant. Ms. Donovan-Palmer introduces Paul Gilpin as the regional inspector to Mr. Enos and comments that Kevin Duquette conducts routine inspections. Mr. Enos continues to explain the situation at Bertucci's by commenting that the garnish station is often neglected because it is iced and the restaurant is looking into buying a refrigerated unit to replace it.

Ms. Donovan-Palmer asks a question about the maintenance of log books by referring to an example inspection on January 27, 2023. Mr. Enos responds that the staff are good at maintaining the line check log book but the heating/cooling and receiving log books could be better maintained. In October and August of 2022, there were temperature violations with a sauce that was left on the line instead of it being reheated which is out of procedure.

Mr. Healey asks a question about the maintenance of some of the stations. Mr. Enos answers that the equipment has been repaired and will be replaced if needed but they are currently being maintained. Mr. Healey also suggests that because there are internal Bertucci's inspections conducted twice a day (ex. 10:00 am and 4:00 pm) and the health inspectors are continuing to find violations (ex. 3:30 pm), management should be completing those internal inspections at alternate times. The internal inspections are not completed at a time when the violations are occurring so they should be made at times when the issues are arising so they will be fixed by the time the health inspector arrives. Mr. Healey suggests cooling procedures and applauds the action plan but they need to ensure that there is compliance by the staff. Bertucci's has been present in BOH meetings since 2021 so changes must be made to stop the pattern and the BOH is here to support them. Mr. Duquette completed a re-inspection this week and based on the lack of comments, Ms. Donovan-Palmer and Mr. Enos do not expect that there were any violations found.

#### TGI Fridays

Ms. Blinn introduces TGI Friday's violations for time/temperature control for safety food hot and cold handling and time/temperature control for safety food for date marking in the past three routine inspections. There was a written plan of action submitted in November 2022 on how changes would be made but implementation of the plan did not stop violations and TGI Friday's was asked to attend this BOH meeting. Mr. Alexander is a new manager and represents the TGI Fridays during the March 2023 BOH meeting. He comments that the management team has been completely changed and the new team is trying to overhaul the issues of the previous year and a half.

Ms. Blinn asks Ms. Donovan-Palmer about the written plan of action and she responds that the document received in November mostly related to the replacement of equipment. Ms. Donovan-Palmer asks Richard about what changes he has seen since he started working in his position and he responds that the changes in the action plan started about two weeks ago which includes retraining staff. There are numerous procedural issues with the staff and equipment is not as big of an issue as outlined in the action plan. Staff are being trained to use the correct procedures, but he will work on a new plan to best inform their training and submit it to the BOH. Ms. Blinn talks about how they did not know if anyone would be present to represent TGI Fridays at the meeting, so they are happy to have Richard present. The Board recommends for him to work with Ms. Donovan-Palmer and Mr. Gilpin on developing the written plan. Ms. Donovan-Palmer reiterates that a written plan will help set procedures in place so they can retrain staff and help managers have more of an active role in supporting the changes that stop repeat violations.

Ms. Blinn talks about her concern that if they did not have a representative tonight, they would not have written standard operating procedures to serve as a policy for next steps in dealing with compliance of a food establishment. Richard is glad he was able to attend this meeting and heard about the request for BOH meeting attendance last week. Richard has access to the TGI Friday email and has seen other messages like the new BOH sushi rice policy, but he is still getting acclimated to the restaurant.

Ms. Blinn asked about a plan for when things will change, and Richard says that the staff is improving, and they should be ready in one to two months. Three manager positions are ServSafe certified, and he will be getting certified soon. Ms. Donovan-Palmer comments that there is a ServSafe training on April 17th that he can attend, and she will send him the information for it.

Ms. Blinn and Mr. Healey state that the food code cannot wait one or two months to be followed so the food code needs to be followed now even if the business overall is still being updated. Mr. Healey talks about how Richard cannot be the only manager on staff in the restaurant if he is not yet ServSafe certified so there always needs to be a certified manager working with him. Richard speaks to the understaffing issue and Mr. Healey says that there needs to be a standard set that everything needs to be done within the food code in addition to monitoring and maintaining the standards no matter how many employees are present.

Ms. Blinn asks the rest of the Board how they want TGI Fridays to address the food plan. It is agreed that the restaurant needs to address Priority and Priority Foundational violations and they need to work on clear communication with the BOH. This can be supported by starting on the plan by next week with Mr. Gilpin and communication can happen through Mr. Gilpin to the BOH. Steve Rosetti is in regional management and his information will be forwarded to Ms. Donovan-Palmer so the Board can follow up with corporate so the restaurant can be supported. Ms. Blinn recommends that the staff should be encouraged to get ServSafe certified so they can know what is wrong when they see it and correct it accordingly. The action plan will be sent to Ms. Donovan-Palmer by next week, Richard will work with Mr. Gilpin next week, and Richard will go to the ServSafe certification course on April 17th.

Ms. Blinn comments that the Board needs to establish written policies for permit holders that do not attend BOH meetings upon request after repeat food violations (P/Pf violations). Ms. Donovan-Palmer will look into other communities to see what has worked in the past to make that policy and can make recommendations afterwards. Ms. Blinn asks Mr. Gilpin to find out what human resources policies in other coalition communities exist for when someone does not attend BOH meetings in addition to inquiring about late fees. Mr. Gilpin says that he can talk to representatives of other communities and complete it by next week. Ms. Donovan-Palmer says that many other communities do not ask for late fees for re-inspection because they already have that cost included in the budget, but they may include something in the application fees for the renewed permit. Mr. Gilpin predicts that this may change in the coming months because when there are no fees for re-inspection, there are less barriers to reducing violations and the point is to reduce violations. Mr. Healey recommends that Mr. Gilpin additionally ask the Massachusetts Association of Health Boards (MAHB) about what should be done when food establishments do not attend BOH meetings at request.

Mr. Healey asks about any news from Trattoria Romana. Neither Mr. Gilpin nor Ms. Donovan-Palmer have heard news from that food establishment which is not concerning, this was just a curiosity of Mr. Healey.

#### **VII. Discussion on Food Protection Program Policy- P/Pf Re-inspection Fee; Sushi Rice Policy**

##### Priority/Priority Foundational Re-inspection Fee

Ms. Blinn comments on the drafted P/Pf violation policy due to delay in payment. The policy is that when a P/Pf violation is found during inspection, the food code requires re-inspection to verify correction. There has been a pattern that the fee for re-inspection has not been paid despite repeated administrative efforts by Ms. Donovan-Palmer to coordinate that receipt of payment. This consideration of policy attempts to alleviate the administrative burden of this follow-up and reminder procedure. Upon issuance of the \$100 re-inspection fee and an email from Permit Eyes, there is a deadline of four weeks after no payment is submitted (8 weeks

after the reinspection) before a late fee of \$50 is placed on the permit holder's account. The permit holder will need to pay this fee in addition to the re-inspection fee before they can reapply for their permit. To answer a clarifying question from Mr. Healey, Ms. Donovan-Palmer says that she sends an email to notify the food establishment of the re-inspection fee before it is submitted to Permit Eyes and there is an automatic email sent to the permit holder when the payment is uploaded. Ms. Blinn mentions that the written policy says that hardships from food establishments should be communicated to the Mansfield Health Department immediately so they can be supported before their fees lapse.

**Motion to approve the addition of a fee for Priority and Priority Foundation violation re-inspection fees when there is a delay in payment of greater than four weeks after notification by Mr. Healey, 2<sup>nd</sup> Ms. Frenette. Approved 3-0.**

**Motion to amend the policy as written which includes an additional fee of Priority and Priority Foundation re-inspection fees when there is a delay of payment greater than 4 weeks past the original due date to be effective on May 4, 2023, by Mr. Healey, 2<sup>nd</sup> Ms. Frenette. Approved 3-0.**

#### Sushi Rice Policy

Ms. Donovan-Palmer gives an update on correspondence with our consultant, Brenna Audette, the February 2023 BOH meeting representative from Fresh Catch, as the food establishment has submitted a new HASSA plan. There is an online class on sushi from the Local Public Health Institute that includes information on reviewing HASSA plans for a regulatory party. Ms. Donovan-Palmer used this information in conducting a complete checklist on the plan submitted by Fresh Catch and Ms. Audette has completed the class as well. The new sushi rice policy was sent to all food establishments regardless of sushi preparation in the establishment so they can all be aware of the policy. Ms. Blinn asks Ms. Donovan-Palmer about how much time is needed for the policy to be followed. Ms. Donovan-Palmer thinks that it should take no more than 60 days but there can be leeway if she has communication with the establishment. This policy is not a Board enforcement but a checklist guideline that is helpful in food establishment procedures. Mr. Healey recommends that they work administratively in the next year to codify it as a food policy. Ms. Donovan-Palmer lists restaurants that have completed HASSA plans as of this meeting: Kyoto Japanese Steak House & Bar, Sake Steak House, and Fresh Catch.

**Motion that Mansfield Board of Health to enact the Sushi Rice HASSA guidelines as presented at the March 2, 2023 BOH meeting to be effective May 4th, 2023, by Mr. Healey, 2<sup>nd</sup> by Ms. Frenette. Approved 3-0.**

#### **VIII. January 2023 Public Health Nursing Report - Infectious Disease Update**

Ms. Frenette speaks about the Communicable Disease Report while referring to a document included in the March 2023 BOH agenda that she shares on the screen.

Ms. Frenette clarifies that this data just represents Mansfield and not the surrounding region. In addition to this, the data shows "confirmed," "probable," and "suspect" cases because these are relevant at the local level versus the state or national level.

Ms. Donovan-Palmer asks a question about why the five-year case rate average is based on a population scale of how many per 100,000 people even though Mansfield doesn't have 100,000 people. Ms. Frenette explains that this is a proportion that would make more sense if this table was comparing different areas which would make up a larger total population amount.

Ms. Blinn asks a question about the Lyme Disease data and Ms. Frenette responds. One of the reasons that Lyme Disease decreased is because of reporting criteria that changed. As the criteria became less stringent, it looks like the incidence of disease decreased between 2018 compared to 2022.

Ms. Frenette explains various figures in the document that are displayed on the screen:

- There were peaks of cases of enteric diseases (salmonella, campylobacter, norovirus) in recent years but all peaks for five or less cases. This data is similar to that of surrounding towns.

- There were no Hepatitis A or E cases reported from 2018-2022 but there were cases of Hepatitis C and B that gradually decreased over the time period.
- There were few Influenza (Flu) cases in 2021 but cases increased in 2022 as a result of practices adopted by the public due to COVID-19.
- Among vaccine preventable diseases, there was a peak of three cases of mumps in 2018 but that data could include suspect instead of confirmed cases because this is counted at the local level.
- There was a traditional trend of Lyme Disease for the region.
- Ehrlichiosis and Human Granulocytic are now classified as the same vector borne disease but they were separated in 2018-2022 data.

## IX. Board of Health Goals and Objectives

The “Mansfield BOH Goals and Objectives” document that is referred to will be made available for the public when it is finalized. The following references to the document are identified to the depth of discussion during the meeting. Ms. Blinn reads from the document in the “Environmental Public Health” and “Maternal, Child, and Family Health” sections and gives the Board a 15-minute time limit to discuss on each section.

### Environmental Public Health

Mr. Healey says that he looked through the environmental health courses on the Local Public Health Institute and recommends that BOH members or staff could take some to learn more about specific topics.

Ms. Blinn asks if vaping should be specifically listed in the environmental health section. Ms. Donovan-Palmer says that the sale, regulation, and smoking tobacco are in regulations of Mansfield. Prescription and illegal drug abuse is listed in the environmental health section to mention appropriate needle disposal and exchange instead of finding needles on the ground.

### **Table of Environmental Health Goals-**

(Information is listed in the same format as the table on the document: “Status|Objective|Lead”)

- Status: Ongoing|Objective: Enforce federal, state, and local law and regulation that fall under the responsibility of the Mansfield Health Department to assure public health, housing and environmental health. Health Director presents an annual report at January BOH meeting.|Lead: Health Agent
  - Change the annual presentation from January to February
- Status: Ongoing|Objective: Ensure permitted food establishment compliance with Mansfield Board of Health Fats, Oils, Grease (FOG) Regulations through record management. (Possibility-restaurants with outdoor traps and annual pumping contract only need to submit records once a year at the time of permit renewals?) |Lead: Health Agent, Regional Health Inspector, and Consultant
- Status: Ongoing|Objective: Produce educational materials addressing the reduction of household hazardous waste. Work with Mansfield Green to distribute materials.|Lead: Health Agent and Department of Public Works Director
  - Ms. Donovan-Palmer says that she has been coordinating with APHC created flyers on the household hazardous waste (HHW) event, batteries disposal information, and reducing HHW.
  - Mr. Healey asked and Ms. Donovan-Palmer says that you can find where to dispose of your batteries at the Mansfield website
  - There will be a meeting soon about reducing HHW and Ms. Donovan-Palmer hopes to ask APHC about handing out flyers and helping out at the event.
- Status: Annual (Optimally, twice a year) |Objective: Host annual food safety classes, forums and supports|Lead: Health Agent
- Status: not identified|Objective: Initiate the process of establishing grading for restaurants in the town of Mansfield.|Lead: BOH
  - Ms. Donovan-Palmer wants to change the wording of “grading” to “acknowledging achievements”

- Status: not identified | Objective: Complete the FDA self-assessment 9 (SA9) and Community Strategic Improvement Plan (CSIP) | Lead: Health Agent and BOH
  - Ms. Donovan-Palmer spoke with Diane Legeré and they are putting a meeting on the books to talk about this.

### Maternal, Child, and Family Health

Ms. Blinn recommends that mental health should be added to the summary introducing the section's goals.

#### **Table of Maternal, Child, and Family Health Goals-**

(Information is listed in the same format as the table on the document: "Status | Objective | Lead")

\*Final three objectives are not visible on screen and could not be explicitly listed below

- Status: Ongoing | Objective: Collaborate with Mansfield Fire/Community EMS program to support free public health screenings twice a month on the 2nd Tuesday of the month at the COA and the 3rd Wednesday of the month at Town Hall. | Lead: Community EMS
- Status: Twice a year | Objective: Improve visibility of Mansfield Health Department and available services throughout the Town of Mansfield. | Lead: BOH/Intern
  - They can create templates of what correspondences would look like to invite folks into the work.
- Status: not identified | Objective: Determine what regulations are the responsibility of Mansfield specific to maternal, child, and family health. | Lead: BOH
  - Mr. Healey refers to the Maternal Child Health Block Grant and how they need to work on how to help out those who are pregnant under age 18 to get prenatal health. This is supported by the example that Sturdy Memorial Hospital is not providing prenatal care for the under 18 segment of the population.
- Status: Ongoing | Objective: In collaboration with the Community EMS program, conduct Fall Risk Screenings using the CDC Steadi Program. | Lead: Community EMS
  - Ms. Frenette will ask if the Community EMS program (Justin Desrosiers) is conducting this currently.
- Status: Semi-annual | \*Objective: Promote and provide updates on WIC services available... | Lead: not identified
- Status: Annual | \*Objective: Community care survey conducted in the public schools communicate with health services departments on how to best assist around youth nicotine, tobacco use, and vaping. | Lead: BOH
  - The vaping parent meeting at Mansfield High School did not have many participants because parents of children that age cannot always attend but they will be able to view it online soon.
- Status: not identified | \*Objective | Lead: BOH
  - Comments from Ms. Blinn on her notes on the document about ensuring focus on the margin and voices not represented on the BOH.
  - The Diversity, Equity, and Inclusion Committee for the Town of Mansfield is beginning to meet according to Mr. Healey.

Ms. Frenette comments: Home visits for newborns will be removed from the list. Police and Fire departments invite parents to come by to get their car seats installed.

During the April 2023 BOH meeting, the Board will discuss the Communicable Disease Control section of the "Mansfield BOH Goals and Objectives" document.

#### **X. FOG Update with Missing Records**

Ms. Donovan-Palmer takes the lead on this agenda item. Mr. Gilpin has updated all records but there are about 15 establishments that are missing documents for certain months, and they have been contacted. They need to notify the BOH why they are missing the documentation and if they are having issues with FOG

pumpers.

Ms. Donovan-Palmer's producers on FOG internal trap communication which has a first warning as an email. If there are second warning and they don't communicate about pumping issue, Ms. Donovan-Palmer will come to BOH and request a fine for that establishment.

For FOG external traps, these need to be dealt with quarterly and 4 out of about 25 establishments have sent emails for 2022 records. The plan Ms. Donovan-Palmer has written out a plan for external traps as well which starts with an email which will be sent next week to the external trap owner. Next, communication will occur through calls or emails of whether external pumping was completed by April 3rd and BOH will issue fines. This communication (call or email) includes if it was completed or not so the next steps can be taken but if she does not receive anything, her calls will go out March 22-24.

Permit applications will require documentation of FOG traps and they haven't been effective in enforcement. It has never been enforced to the point that people pay attention and this is changing this year.

In the communication sent to everyone, there will be variance information for those who do not have much in their grease traps consistently but remember that there is always a risk for backups.

#### **XI. Waste Reduction and Recycling Committee Update**

Mr. Wilson was not present to discuss updates for the Waste Reduction and Recycling Committee. This discussion will resume at the April 2023 BOH meeting.

#### **XII. Important Dates**

There will be a Mansfield Household Hazardous Waste Collection event at the Department of Public Works on Saturday, June 17th from 8:00 am - 12:00 pm. The advertising for the event will begin soon and Ms. Donovan-Palmer will share the flyers made by the APHC to Ms. Frenette.

On Wednesday, March 8th, Ms. Donovan-Palmer will be speaking to the Primrose School about her position as Health Agent in the Public Health Department.

#### **XIII. Department Updates**

Permitting - No discussion.

**Bristol-Norfolk Public Health Partners Coalition Grants Update -**

- **Public Health Excellence Grant Program for Shared Services -** No discussion.
- **Local Health Support for COVID-19 Case Investigation and Contact Tracing -** No discussion.

FOG – See notes above in X. FOG update with missing records.

PFAS - No discussion.

**Website/Social Media Update -** Ms. Donovan-Palmer encourages everyone to go on the Mansfield website to see what updates are on it because Ms. Frenette has been working hard to update the site. Maternal and child health information, food establishment resources, the Katelyn Billings presentation from the February 2023 BOH meeting, a postpartum depression presentation, and Community Health Assessment have been uploaded to the site.

**Housing Inspections -** Recently, there was a housing inspection with an occupant with dependents under age six. The lead determinative testing found the presence of lead paint in the home so there will be a full lead inspection completed next Tuesday.

**Grant Applications -**

- **FDA Retail Standards Grant -** Ms. Donovan-Palmer is continuing to work on this.
- **CHII Mini-Grant -** Ms. Donovan-Palmer met with a consultant on Mill Pond and they spoke about how to make the area more accessible for those with mobility issues. She will set up a meeting with DPW and Conservation to develop that effort. The Tobacco Grant money will be able to be used for 6th, 7th, and 8th graders and the parent organization.

**Innovative/Alternative Technology in Septic Systems -** No discussion.

#### **XIV. Visitor Comments**

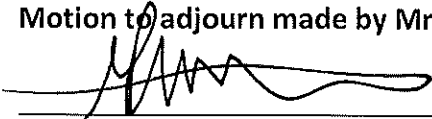
None.

XV. Items Not Known 48 Hours Prior

None.

XVI. Adjournment

Motion to adjourn made by Mr. Healey, 2<sup>nd</sup> by Ms. Blinn at 9:07 pm. Approved 3-0.



Clerk

4/6/23

Date