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Town of Mansfield
Board of Health
August 10, 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; Michael Healey, Kasia Frenette, Health Agent, Amy Donovan-Palmer, Ryan Maxwell, DPH Summer Intern, Elliot Harrison Lee, Guests: David Oberlander; Jason Sweeney and Delmarie Valladares, Bgood.

I. Meeting Called to Order

The meeting was called to order at 7:04pm by chair Ms. Antonia Blinn

II. Correspondence

None

III. Consent Agenda

Ms. Frenette made motion, seconded by Mr. Healy agenda was passed with 4:0.

IV. Meeting minutes

A motion was made for the approval of minutes for June 8 2023 by Ms. Frenette, seconded by Mr. Healy and passed with 4:0.

A motion was made for the approval of minutes of July 22 2023 by Ms. Frenette, seconded by Mr. Healy and motion passed 3:1 with one abstention.

V. Septic Variance Request: 18 Columbine Road, David Oberlander

Overview: Ms. Blinn shared there was a request from David Oberlander from GBO engineering asking the board of health to lower the distance between wetlands and leeching fields from 75 ft distance to 51ft due to a new system being put in on Columbine, and only being able to reach that distance due to land space. Ms. Blinn noted that David Oberlander went through conservation who manages the wetlands and they approved the system, but due to it being a BOH regulation it needs to be passed here as well. A letter from the conservation planner provided information that since a secondary treatment was utilized the amount of nitrogen is significantly lower.

Ms. Blinn asked Ms. Donovan-Palmer if the secondary treatment would need a contract, Ms. Donovan-Palmer replied yes and shared that secondary treatments have standard conditions outlined by the state, Ms. Donovan-Palmer provided a document to ensure everyone was aware and agreed to follow these conditions- David did sign off stating he understood conditions.

David provided a brochure of the secondary system that would be in use explaining that this system unlike a regular septic tank this treatment creates a "mini" treatment plant by introducing air into the water so anaerobic bacteria can thrive and break down pollutants so what comes out of the tank is cleaner than what comes out of a septic tank. Mr. Healy asked if there was any testing required and David stated testing must be done yearly. Additionally, Mr. Healy asked who would do this testing, David responded that a certified operator would do this testing and reports would be sent to Ms. Donovan-

Palmer about the upkeep of an operators contract for testing and the reports of water conditions Mr. Maxwell asked if the product was used often, David shared that it is a go-to product but tries to avoid them when possible but stated he had roughly 20 across Mansfield and other areas. David shared the system was more complicated. Ms. Donovan-Palmer asked about maintenance, David confirmed yearly checks and stated that the system had only 1 moving part (the propeller) and the system is set with alarms to notify the homeowner about any issues. Ms. Blinn noted that the letter from the conservation committee didn't ask for any additional planting in regards to the septic system, but asked for signage denoting the wetland area, a roof runoff to dry wells, and limiting the lawn area along with additional standards.

Ms. Blinn mentioned she did not have the necessary minutes from the conservation association, David provided them. Ms. Blinn listed off other standards including storm damage prevention, prevention of pollution, wildlife protection habit, flood control, ground water supply, private and public water supply were checked. David noted the final 3 pages included specific requests.

Mr. Healy asked if a similar system was put in close by 5 to 6 years ago, stating another variance had to be granted.

Ms. Blinn noted that Mike Healey signed off, the Mike Healey from Conservation. Mr. Healey made a comment that if this variance was passed that this information should be a part of their order conditions. Ms. Blinn stated that they would already have to come to the BOH anyway.

Ms. Blinn confirmed the variance request of 75ft to 50ft. Amy shared that 50ft was a state and local regulation previously. Mr. Healy commented he did not know the reasoning of why the increase to 75ft was passed previously. Mr. Donovan-Palmer asked Caitlin if she remembered in an outside conversation, Caitlin could not remember and sited that she did not understand why the BOH needed more separation between wetlands and septic. Mr. Healy, Ms. Donovan-Palmer, and David discussed if they remembered when and why state regulations changed in the past. Mr. Healy recalled it was different distances in areas, but it was partially changed for consistency purposes (could have been on a well regulation). David noted that in the past septic was more conventional but treatment options are more popular now. Mr. Healy shared he believed that putting a treatment center into a home was very positive.

Ms. Blinn noted it wasn't possible to have 50ft. Mr. Healy asked to confirm the specific language around wetlands. Ms. Blinn stated it protects the interest of wetlands prevention act and the local wetland protection bylaw chapter 220.

A motion was made by Mr. Healy to approve the variance as submitted by David Oberlander at 18 Columbine Rd to reduce the distance from 75ft to 50ft set back from the leech field to the wetland to protect the interest of wetlands prevention act and the local wetland protection bylaw chapter 220. This motion was seconded by Ms. Frenette

Discussion was had-motion was approved 4-0.

VI. Mansfield Station Convenience Discussion: Unpaid Second and Third Violation Fee

Ms. Donovan-Palmer noted she heard from Sarah McColgan from MHOA and Cheryl Sbarra had a discussion questioning if criminal action would be pursued for outstanding fees.

Ms. Donovan-Palmer does not want to bring this to the board this month, and asked for it to be extended into next month where if payments still weren't made they can discuss criminal action. Ms. Frenette asked what this action would entail Ms. Donovan-Palmer was unsure, but said if the board wanted to take action they would have to go to town council, and she would rather have the boards support first then go to town council.

VII. Update Mansfield Tobacco regs

Mr. Healy asked for this section to be moved to next month because he did not get a chance to review all regulations and questions. Ms. Donovan-Palmer noted that there were people present to speak to the board. Mr. Healy stated he did not want to vote to approve, Ms. Donovan-Palmer conferred saying this was just the beginning. Ms. Blinn asked Mr. Healy to walk the board through the packet provided to the BOH.

Ian Devine former owner of "Wicked Vape" in Mansfield approached the board alongside a friend Gary to request that vape and smoke shop items would be out of convenience stores so issues with sales to minors would be reduced due to the increased responsibility vape and smoke shop owners. Mr. Healy confirmed that the request was to not allow convenience stores to sell non-flavored vapes. Ian adjusted saying they were asking for a limitation of licenses to sell non-flavored vape products. Ms. Blinn noted that there are state laws about who can sell particular vape products. Mr. Devine said he wasn't aware of specific laws but knew that convenience stores cannot sell anything over 30mg and flavored. Ms. Donovan-Palmer noted that when Gary came to her earlier she reached out to Sarah McColgan to ask what towns do this. Ms. Donovan-Palmer noted that 3 towns Canton, Blackstone, and Bellingham have banned the sale of e-cigarettes completely. Ms. Donovan-Palmer also received a list of people who limit vaping products to retail tobacco stores which included Billerica, Hull, Malden, Newton, Somerville, North Andover, Norwood, South Hadley. Mike confirmed that Mr. Devine's request was more aligned with the second list on limit vaping products to be sold in retail tobacco stores, Mr. Devine confirmed. Mr. Devine stated that all sellers wanted to keep these products out of the hands of kids. Ms. Donovan-Palmer reached out to Norwood to ask if there was any push back in this change of regulation and they only replied that there was a little from a few retailers, and then stated that if they would be moving forward they would need more input. Sarah McLaughlin agreed to help with the language of the updated regulations. Ms. Donovan-Palmer noted that Norwood's regulations identified smoking accessories as anything that is electronic, also including rolling papers, bongs, and other products used to smoke- Mr. Healy confirmed rolling papers meant tobacco- Ms. Donovan-Palmer stated that this covered any type of rolling wraps. Ms. Donovan-Palmer shared that Mansfield's current rule is that any nicotine rolling papers and flavored wraps are banned but hemp rolling paper and unflavored rolling paper are allowed. Ms. Donovan-Palmer confirmed that if the board were to move forward it would make all these items only to be sold in 21+ smoking retailers. Ms. Frenette asked if it was currently only "Wicked Vape"- Ms. Donovan-Palmer added that "Brothers Smoke Shop" also existed on 12 Pratt St-Mr. Healy asked to confirm if this was a true smoke shop-Ms. Donovan-Palmer confirmed and also noted that Gary had also asked about limiting the number of adult only smoke shops allowed in a town. Ms. Donovan-Palmer shared that they don't limit the number of adult only shops but the town currently limits how many tobacco sales permits are allowed. Mr. Devine shared that he would be happy to assist with any questions.

Mr. Healy asked a question about what new regulations existed around cigar pricing-Ms. Donovan-Palmer noted that she believed there was an increase in cigar pricing, they are currently at \$2.50 and \$5.00 because of inflation there is a push to increase the price. Mr. Maxwell asked why a floor was set on the pricing of cigars, Ms. Donovan Palmer responded that it was because that the lower prices made it too convenient. Mr. Healy added that there were hundreds of flavors and it was a large portion in convenience stores.

Ian Devine approached again asking that they also explore a floor price for disposable products because

some convenience stores will sell them cheap-making it too convenient for minors to buy. Ian Devine showed an example of a disposable e-cigarette and stated that the usual price was \$20-\$25, but some stores will sell them for \$5-\$10. Mr. Healy asked if the disposable vapes were consistent to a pack of cigarettes- Mr. Devine noted that these disposables range from 1-5 packs due to 'puff counts'. Ms. Donovan-Palmer confirmed that they come prefilled- Mr. Devine shared that some are just disposable, but some also come rechargeable. Mr. Devine confirmed with Ms. Donovan-Palmer that he wanted a limit price on disposable vapes- Ms. Blinn asked to confirm that this was distinguished as just disposable vaped not reusable-Mr. Devine confirmed. Mr. Healy asked Ms. Donovan-Palmer if Kevin could be brought in to explain the landscape of what people are currently selling/attempting to sell- due to the "ignorance" of the BOH. Ms. Donovan-Palmer had shared that previously when they discussed regulations around flavored rolling papers that they weren't really being sold in Mansfield yet but that a store had recently stocked up on it-Amy then confirmed with Mr. Healy that flavored products are banned regardless of if it was 21+ or not.

Ms. Blinn noted that there was still work to do. Ms. Donovan-Palmer confirmed that moving forward that the board needs to discuss how they feel about the restrictions, and asked if she should write something up before or after they confirm. Mr. Healy requested that Ms. Donovan-Palmer talk to Kevin to ask what was happening in Mansfield. Ms. Frenette confirmed that they should wait to see if the board would approve. Mr. Healy asked for some links on information to help him find out.

Mr. Healy also asked for Lisa to provide a list of towns that had regulations both ways, restricted vs not selling.

VIII. Repeat Violation: B. Good

Ms. Blinn asked if Jason Sweeney and Delmarie were present. Jason Sweeney, the owner of the B. Good franchise and Delmarie, the general manager approached. Mr. Sweeney stated that the company does take food safety seriously and that he understands the responsibility they have to their guests and the community, he confirmed there are systems in place and frequent conversations about selling meals safely mentioning that Delmarie had brought it up in a conversation previously had with the board. Mr. Sweeney shared that the violation was due to the fact that Delmarie had to leave for a family emergency and the person left in charge wasn't able to follow the systems put in place, and that they went back and clarified these systems with continued education and signage to make requirements clear. Mr. Sweeney also shared that they have developed a form for all, new and existing employees to be 1-1 trained on food safety procedures and sign off on their acknowledgement. Mr. Sweeney shared that Ms. Donovan-Palmer was helpful in also translating the signage to Spanish to assist all employees. Mr. Sweeney confirmed the signage for soap and sanitizer buckets was located at every station. Mr. Sweeney also shared that the person in charge thought they were doing things correctly but since then have been retrained on food safety procedures. Mr. Healy asked if the hoses that come off are also labeled red and green (soap and sanitizer), Mr. Sweeney shared that no they're not currently but it is a good idea to create more simplicity. Mr. Healy additionally complimented their red book stating it was a great tool but asked Mr. Sweeney to explain how it is updated with each change by corporate. Mr. Sweeney shared that corporate updates this book and it is sent quarterly so it always includes the most updated regulations- additionally he stated he would ask corporate to customize their book to stay in tune with their needs. Mr. Healy shared that each time B. Good has had to come to the BOH he has loved their reaction, he thanked them for what they do to address the problem. Mr. Sweeney shared that he felt every time the health inspector came in, it was an opportunity to review systems, correct breakdowns and learn.

IX. Update: Cold Stone Creamery

Ms. Donovan-Palmer shared that Paul went to Cold Stone Creamery and they had no violations, pest control was working. Ms. Donovan-Palmer shared that she was surprised because in July when Kevin visited there were fruit flies, but when pest control came last week there were none and Paul confirmed this was true and that everything was under control. Paul shared that a new manager was there and he credits her for all the work done to improve. Ms. Donovan-Palmer noted that she would talk to Ash, asking that if the new manager left that they would be told immediately because Paul believes it is her doing.

Mr. Healy noted that at the end of the year when people reapply for their permits that they must notify the BOH when there is a change in manager. Ms. Donovan-Palmer agreed that this also needs to be updated on the application.

Ms. Donovan-Palmer also stated that on Monday when new regulations begin that they should create a list of reminders for those applying and renewing. Additionally, she noted that inspectors need access to immediate translation services for both sides.

X. June, July 2023 Public Health Nursing Report Infectious Disease Updates

Ms. Frenette discussed that it has been pretty quiet- except for Lyme which is not unexpected, Mansfield has no primarily babesia cases (tick borne as well) but there have been Lyme and babesia coinfections- wants to make sure physicians are aware. Low Covid numbers, with a small uptick currently, and wastewater Covid reporting was slightly lower than the previous peak in June. Ms. Frenette provided 6 week and 6-month reports to the BOH. Ms. Donovan-Palmer also shared that in the past few weeks she received a few calls from employees who have tested positive, both shared that levels are very low but it has been interesting to see the trends increase/decrease. Ms. Blinn confirmed that test kits are still available for free for people to continue home testing- Ms. Donovan-Palmer stated these tests were good through the end of September with the possibility of being extended. Ms. Blinn, Ms. Frenette, and Mr. Healy agreed that these tests should be marketed to college students going back to school.

XI. Housing Code Discussion: Adopt Sanitary Code in Local Housing Regulations

Ms. Donovan-Palmer discussed that in the past 9 months there have been 2 housing cases that have been very time consuming, she also shared that the housing code allows you to find people if they have not met deadlines but she wasn't sure what is meant by in conviction- learned that it means if it is found they haven't met deadlines they can be fined. Ms. Donovan-Palmer noted that the question for town council was if the state sanitary code was in agreement with their regulations even though it was not in their regulations, town council said it was correlated allowing to fine for non-criminal disposition for regulations. Ms. Donovan-Palmer suggested the adoption as a regulation the state sanitary code, allowing BOH to issue tickets to anyone not following regulations. Mr. Healy asked if the charter would allow them to do this- Ms. Donovan-Palmer said the charter only identifies tobacco but not departments. Ms. Donovan-Palmer created a workflow to end the back and forth between client and contractor where calls would come in and be sent to Cliff (housing inspector), then he would follow up and set up inspection and sets up an order- after 30 days if a violation is not corrected the contractor would have to come to the board for an extension. - the board would have the option to fine.

Ms. Blinn noted that there should be another section to account for informing the contractor of their order that states the violation and when it must be completed. Ms. Donovan-Palmer shared that since the past cases in the spring were so complicated it would've been helpful to have the board involved.

Ms. Frenette asked that in cases the home was uninhabitable if they would have to leave immediately- Ms.

Donovan-Palmer confirmed that the contractor/landlord would have to find comparable accommodations for them. Ms. Donovan-Palmer shared that in September she will bring to the board the adoption of sanitary code and will work with Lisa to legally adopt.

Ms. Blinn asked if these would hyperlink, Ms. Donovan-Palmer shared no, but that she could create a page on the website, Ms. Blinn asked about a timeline- Ms. Donovan-Palmer stated she had nothing in mind but Mr. Frenette stated that if she could get everything together by the next meeting then it should be included for that as well so the BOH can understand. Ms. Blinn and Mr. Donovan-Palmer agreed that this is important to adopt these regulations. Ms. Donovan-Palmer stated she will work on sending the information to town council asap.

XII: Board of Health Goals and Objectives Review

Ms. Frenette created a fresh goals and objectives document. Ms. Blinn asked if the information they had was accurate- Ms. Frenette confirmed it was and it's been updated according to previous discussion in June. Ms. Frenette noted that some sections were missing a few key information pieces including a goal or a lead. Mr. Healy asked for the document to be sent to him for review and stated it's important to look at 2024-2025 goals and then look at what they can accomplish in the last 3 months. Ms. Blinn states that today will focus on goals/objectives that have parts missing and an up to date version will be addressed later with the possibility of these goals meeting a 5-year plan. Ms. Frenette will send a "un-editable" edition of the goals/objectives.

- Communicable disease control
 - Work with community EMS to schedule and promote local vaccination services for influenza and covid-19
 - Lead: Health agent and regional epidemiologist
 - Status: Ongoing (date February)
 - Present a report on local chronic disease compared to state using environmental public health tracking
 - Status: Ongoing (date TBD)
 - Lead: regional epidemiologist
 - Overlap in population health promotion and MA environmental public health tracking
- Environmental health
 - No specific goal for environmental health
 - Initiate the process in acknowledging achievements in restaurants for town of Mansfield.
 - Determine the timeline, within annual reports?
 - Mr. Healy recommends that a grading system be established for this.
 - What is our goal?
 - Develop educational materials, completed but should be continued annually.
- Access and linkages within health care
 - Need Justin's team input
 - Ask them to join September meeting
 - Do they have a specific goal?
 - Mr. Healy to sit with agent and set a 2027 goal
- Ms. Frenette can track trainings
- Ms. Blinn to write goal for MCH
- Ms. Frenette to write goal for Access and linkages within health care
- Goal: finish by October

XIII. Waste Reduction and Recycling Committee Update

- Still on summer vacation next meeting late September
 - Dumpster regulations should be looked at
 - Ms. Donovan-Palmer will write up a 1 pager about possible regulations

XIV. Diversity Equity and Inclusion

- Ms. Donovan-Palmer- still working on getting signage for conservation areas
 - Backorder issues but they are already putting out grant opportunities
 - Ms. Donovan-Palmer meeting with DPW, Engineer, and Highways to create plan
 - Focus on community involvement and racial disparities in terms of access.

XV. Important Dates

- Free Health Screenings including blood pressure, blood sugar, cholesterol, Hands only CPR and associated prevention information
 - 2nd Tuesday at the COA, 255 Hope Street (August 8th, September 12th)
 - 3rd Wednesday at Town Hall, 6 Park Row (August 16th, September 20th)
- Wellness collaboration summer events with parks and recreation
 - Want a recap of attendance dates
- August 17 10am: talk on tics at COA

XVI. Department Updates

- Elliot is around for another week, will be presenting next week on community health assessment work and again in September to present to the Board.
- Up to where we should be for past grant year
 - Self-assessment and CSIP done

XVII. Visitor Comments

- None

XVIII. Items not Known 48 hours prior

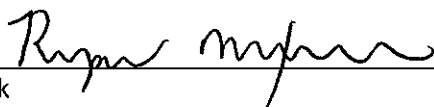
- Immigrants are continuing to enter MA, a fund was established to support families

XIX. Acknowledgement of Student Liaison to the Board of Health

- None

XX. Adjournment

Motion to adjourn made by Mr. Healy 2nd by Ms. Frenette, approved 4-0 at 8:42 pm

Clerk 

Date 10/12/23