

Ashland Board of Health
Meeting Minutes
July 7, 2020
Zoom/Online Meeting

*Diane Mortensen, Chair
Judi Teller, Clerk
Mark Oram, Agent/Director*

*Chris Daniele, Vice Chair
Ronald Etskovitz, Member
Koduvayur Narayana, Member*

Members Present Via Zoom Meeting:

Diane Mortensen, Chris Daniele, Judi Teller, Ron Etskovitz and Koduvayur Narayana

Others Present:

Mark Oram, Health Agent/Director
Laura Clifford, Administrative Secretary
Sergeant Ed Burman, Ashland Police Department
Jennifer Ball, Assistant Town Manager
Ammie Harden, Cherry Blossom
Charles MacLean, Attorney for Ammie Harden

Call Meeting to Order - 6:00 PM

Ms. Mortensen called the meeting to order at 6:04.

Citizen's Participation

Mark Dassoni, resident, inquired as to whether EEE will be discussed. Laura Clifford noted that there is a link on the Board of Health webpage to Central Mass Mosquito Control, and the dates they will be spraying in Town are listed. On the day of spraying you may call or go onto their website and it will tell you which streets in Town will be sprayed. You may also request spraying or request to be excluded from spraying on their website. Properties that do not request spraying will not be sprayed. Ms. Mortensen noted this will be on an upcoming Agenda.

Board Reorganization

Ms. Mortensen discussed the typical rotation of the Board. Ms. Teller commended Ms. Mortensen on her job as Chair and noted that because of so many current issues, she would rather not reorganize at this time. Mr. Daniele suggested a motion to keep the Board's organization order as is; Mr. Narayana noted that in order to keep the current slate, there must be a unanimous vote of the Board.

Motion: Mr. Narayana made a motion to keep Diane Mortensen as Chair, Chris Daniel as Vice Chair, and Judi Teller as Clerk. Mr. Etskovitz seconded the motion.

Vote: 5-0. Motion approved.

Ogden Well, Well Permit Request, David Mindess Elementary School, Geothermal Close Loop Test Bore

Ms. Mortensen explained that after review of the Board of Health's Well Regulations by Town Counsel, it was determined that this matter does not fall under the Board of Health's jurisdiction and is therefore being taken off the agenda.

New Food Program – Food Code Pro

Ms. Mortensen noted that the Board has approved moving forward with the Food Code Pro Food Software Program. Sgt. Burman explained that the Contract has been signed and a grant secured. Sgt. Burman noted that last week Attorney Mead made a couple of slight changes to the Contract which were accepted. Food Code Pro was sent a spreadsheet of all restaurants and retail food stores; this information will be preloaded into the system. Food Code Pro will provide two one-hour training dates which Board Members may attend if they would like to. Mr. Oram noted that he is hopeful that this software will bring the Food Program up to where we want to be. Other vendors had been looked at, but couldn't offer the same grant or incentives. Mr. Narayana would like to have the start and finish time of the inspections included on the reports, Sgt. Burman will reach out to inquire. Ms. Teller is glad that this Program will give us the ability to post the inspections online and looks forward to using the grading system. The Board discussed when to start making these reports public. The restaurants should be notified that a new grading system will be implemented. Mr. Curran noted that this will incentivize restaurants to step up and do their best. Sgt. Burman noted that the Town of Uxbridge offered their restaurants a training prior to rolling out the grading system, almost all participated.

Cherry Blossom Restaurant – Notice of Closure

Ms. Mortensen explained that she was called out to Cherry Blossom restaurant by Tom Curran and Sergeant Berman on June 29, 2020; the Fire Department was called earlier in the day due to a small kitchen/grease fire. Ms. Mortensen noted that when she arrived, the conditions were completely unacceptable, excessive grease was evident on all floors and surfaces; they were told to close the restaurant immediately. It had also been discovered that grease had been disposed of in the storm drain outside the restaurant which required DEP and DPW involvement. Two days later they went back for a reinspection, very little improvement had been made. On July 4, 2020, after a cleaning company had been brought in, it was very clean; Ms. Mortensen noted that it looked as it should look every day.

Ammie Harden said that she feels sorry for what has happened at the restaurant, she discussed how the small fire occurred. Ms. Harden noted that a cleaning company usually comes to clean the hood, but was not able to come due to COVID-19. Mr. Daniele inquired whether this was the result of a single incident; Mr. Curran noted that they have encountered repeat violations and have mandated training in the past. Attorney MacLean noted that Ms. Harden has been here for 29 years and she understands that this is unacceptable, she expresses deep regret and has taken corrective actions, such as working to retrain her entire staff. Ms. Teller noted that on May 7th and June 1st they were in substantial compliance, she inquired how the condition was able to deteriorate so greatly in only 28 days. The Board discussed the grease having to be pumped out of the catch basin; Ms. Harden has been mandated by DEP to obtain a Licensed Site Professional. Mr. Narayana is concerned that there is only one CFM on staff; Ms. Harden noted that she has had additional staff trained. Mr. Oram noted that he has had discussions with Ms. Harden, he wants to see her bring in knowledgeable staff and do well, however, if she cannot, there will be serious consequences. Mr. Curran noted that restaurants need to be proactive, not reactive; he wants to work as a partner, not an adversary. Mr. Curran suggested more frequent inspections and training with a food consultant, a penalty and revocation of a license, as a final resort. Mr. Oram noted they should be keeping a cleaning schedule, sanitation logs, grease trap logs, which she should be asked to show these during inspections. Ms. Harden stated that she will never let this happen again, and will be ready for an inspection at any time. Ms. Mortensen noted that non-criminal violations must be used for repetitive violations and extra inspection fees. Attorney McLean asked that the Board consider the economic challenges of the current situation, as well as the DEP fines.

Motion:

Mr. Daniele made a motion that, at this point, we consider everything pending with Cherry Blossom to be considered as fines incurred and up to speed, and that the expectations moving forward are those outlined by our Food Inspection Program and our Food Inspectors and that they continue to follow that Code specifically and adhere to it by the letter of the law, moving forward any inspections and violations will be subject to non-criminal violation fees and penalties to the fullest extent of the law. Ms. Teller seconded the motion and believes Ms. Harden came to the meeting in honesty. Ms. Harden noted it will never happen again.

Vote: 5-0. Motion approved.

COVID-19 Updates

Sergeant Burman noted that it has been a busy couple of weeks, the State is now reporting on probable cases and these cases must be traced. The Board has received copies of the updated chart which has been posted on our website. Sgt. Burman reported that people are having serum testing; a positive result may indicate they have been exposed to COVID, but does not determine whether they are actively contagious. A PCR (nasal swab) test should be conducted at the same time, but some facilities do not do this. These cases are contacted and are informed that they must remain in isolation until they receive a PCR test and confirmation that they are not currently contagious.

Phase 3, Step 1 meant that five gyms in Town were allowed to re-open. The Guidelines were released Friday night. Sgt. Burman visited each of the five gyms, gave each a packet of what is required under the Guidelines and went through the requirements. They are required to keep a cleaning log of frequently touched surfaces. One gym had unstaffed hours, but after reaching out to DPH, it was made clear that they cannot be open while there is no staff on duty. Sgt. Burman informed the manager of this.

Sgt. Burman has been visiting many restaurants and educating them on the Covid Guidelines. Ms. Ball noted that all the restaurants were visited in June during Phase 1, but we need to ensure that they are revisited during Phase 2. Sgt. Burman explained that he conducts a COVID inspection using the Food Code Pro checklist. Mr. Oram is currently using the shared Google document. Board Members noted they would like to have all the inspections in one place, and all of the food inspections done. Mr. Narayana would like to have an email sent to the restaurants asking them to confirm their Certified Food Manager status. Mr. Narayana inquired as to child-care facilities; Sgt. Burman said he would look into this; he also noted that they have also looked at the youth sporting leagues' plans to make sure they are COVID compliant. Teams may not reserve fields until they are approved.

Inter-Municipal Agreement (IMA) for Regional Nursing, review Proposed IMA and status of regionalization of nursing services

Ms. Mortensen updated the Board on the status of the Inter-Municipal Agreement between Ashland, Framingham, Hudson and Holliston, she noted that we are still waiting for questions to be answered and review by Town Counsel. Board Members discussed the Job Description, which Mr. Daniele noted only references Framingham. Ms. Ball noted that we want to ensure that we increase resources and gain nursing services; the Agreement frequently references immunizations and clinics, however, this Board has agreed that they would like to explore Town relationships, including the Community/Senior Center and the Schools, etc. Ms. Ball also noted she spoke with Mr. Oram about the Agreement being pro-rated. We will continue our current nursing services situation; we are still working on details of the IMA and are not quite there yet. Ms. Mortensen hopes we will have more services to offer but we do need more details. Ms. Teller inquired as to the number of Ashland children Framingham immunizes; the Board agreed they would like a monthly report of the number of residents and the services that are being provided. Mr. Narayana inquired if Mr. Oram has access to this information through the MIIS system. Mr. Oram will look into getting the information. Ms. Ball suggested this could be included in the terms of the IMA.

Health Agent's Update:

Update, Budget FY20/FY21

Mr. Oram noted that FY20 is being finalized and that we are waiting on a final invoice for Landfill testing. The FY21 budget is not much different than the previous fiscal year; the nursing funds will be prorated into the IMA. Ms. Mortensen inquired as to whether the 2018 ECS invoice for the Landfill has been resolved, Mr. Oram will look into this. Ms. Ball noted we will continue to watch the COVID situation as far as nursing staff goes, it is a fluid situation. Ms. Ball noted the schools are working very hard to remain open, with various plans being discussed. Ms. Ball verified the Board of Health's request to increase the Food and Tobacco funds was approved as part of Town Meeting's consent Article.

Review May 19, 2020 Meeting Minutes

Motion: Mr. Daniele made a motion to accept the minutes as presented. Mr. Narayana seconded the motion.

Vote: 5-0. Motion approved.

Discuss Agenda Topics for Future Meeting Dates:

- **Mary Mortensen Public Health Award**
Board Members thanked Mr. Daniele for writing the Proclamation for Decisions at Every Turn. Board Members agreed to present DAET with their award at the next virtual meeting, and have DAET staff and volunteers also come to a future in-person meeting.
- Other items: EEE Preparedness, how it will affect sports, put together a plan to have in place.
- Dona Walsh, Animal Control Officer, nomination, 2020-2021 .

Adjournment

Motion: Mr. Narayana made a motion to adjourn. Ms. Teller seconded the motion.

Vote: 5-0. Motion approved.

The meeting adjourned at 8:04 PM.

ASHLAND BOARD OF HEALTH
DOCUMENTS REVIEWED AT THE 7/7/2020 MEETING
(All items stored in the Board of Health files unless otherwise noted)

1. Graphs of Total Cases, Combined Total Cases and Cleared

2. Cherry Blossom, Spreadsheet of Violations, Failed Food Inspection Reports
3. Draft Inter-Municipal Regional Nursing Agreement
4. FY20, Year-to-Date Budget
5. Draft Minutes, May 19, 2020