

**TOWN OF NORTH READING**  
*Massachusetts*

**Board of Health**

**North Reading Board of Health Meeting Minutes  
December 8, 2022  
Teleconference/Virtual**

**Members Present:** Gary Hunt, Chairman  
Karen Martin

**Others Present:**

Robert Bracey, Health Agent  
Pam Merrill, Public Health Nurse  
Christine Doolin  
Ronald Beauregard, Healthy Communities  
Mary Samost  
Suresh Rao

RECEIVED  
2023 MAR 10 AM 7:59  
TOWN CLERK'S OFFICE  
NORTH READING, MASS.

**7:00 PM**

Mr. Gary Hunt opened the meeting.

**Public Health Nurse Update**

Pam Merrill reports that she did 3 PSA notices, on RSV, PM Norovirus and Listeria. On current diseases and reports that we had 1 campylobacteriosis the person works at the school but does not work with food, we have 18 influenza cases, 49 COVID cases, 1 person from Cambodia that was being followed for TB and scheduled a follow up and has been deemed not to have active disease, 3 Lyme cases, 1 active Monkeypox case and he was hospitalized with pneumonia and has since been cleared, we have one shingles case and we currently have one resident on Ebola watch. Anyone returning from Uganda automatically goes on watch for 21 days.

COVID-19 rate is looking good we are down to 5.48% positivity rate. Our vaccination rates 91% of our residents have had at least 1 dose, 84% are fully vaccinated, 57% have had 1 booster and 24% have had 2 boosters. There is a vaccine clinic on Friday December 9 from 10 AM -12 Noon. We have another clinic on December 19 from 4-6 PM.

Pam Merrill stated that she is also in the process of working with the Reading Lions Club to have a hearing and vision screening for our residents at the Senior Center on January 19. They can accommodate about 16/17 residents in a 3-4 hour window. There will be a physician present to go over results with the residents.

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One last issue Pam Merrill brought up is there are a number of calls daily from hospitals, questioning our guidelines on admission to Royal Meadow Nursing Home, asking why patients need two negative test to be admitted. Pam stated that those are our guidelines that were developed and in writing between us and the nursing home. From April of 2020 they were revisited July of 2020 but they have not been updated since. There's a lot of back and forth on how to update those.

Mr. Hunt asked the question, do we know what other towns policies are on admitting patients into that nursing home. Pam Merrill stated that the most recent guidelines are on Oct 13, 2022 issued by the Mass DPH, state that patients can be discharged from a hospital when they are no longer at appropriate level of care, go to a nursing facility and they should be tested at the facility upon admission. That is the recommendation.

Mary Samost stated that the nursing homes upon admission typically do an antigen test which is appropriate to do and Mary's recommendation would be to drop this and be aligned with current guidelines.

Mr. Hunt asked would this be the only revision we would make to our guidelines.

Mary Samost stated that we revert back to allowing the nursing home to practice as they should without us telling them.

Pam Merrill stated that she did speak to the nursing home and that is what they would like to do. Not all nursing homes require a test but Royal Meadow Nursing Home said they would like everybody tested. That would be the guidance they would initiate on their own and that the nursing home would be following the MASS DPH guidance and would probably go a step above by testing every patient that comes in.

Mr. Bracey stated that if the Board is going to take this into consideration and drop the policy that was put in place during COVID, he would like the nursing home to present something to us and then the Board can discuss and vote on it.

Mr. Hunt asked Pam Merrill if she could ask the nursing home to draft up some language that covers the steps that they will take for patients coming in.

Pam Merrill stated that she would touch base with the nursing home.

Mr. Hunt stated if we accept the language that will be provided by the nursing home, the other decision we have to make is do we drop our guidance entirely or revise it to incorporate what the nursing home is giving us, that way we are consistent.

Karen Martin stated that she has a concern given that the holidays are coming up and when our next meeting will take place, considering Pam Merrill has indicated that she is receiving multiple calls a day. We might consider holding an emergency meeting to address this issue.

Mr. Hunt agreed with Karen and maybe what the simplest thing would be is to get the language from the nursing home and then we have an emergency meeting to just review that and accept it or revise it. Then we can deal with our overall guidance at the next meeting.



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Karen Martin asked when VaxcinateRX will open the link for the clinic on December 19, once she knows that she can post on the Healthy Hornet.

Mr. Bracey stated that he will confirm with Leah from VaxcinateRX when the link will be open.

Karen Martin asked Pam Merrill about the hearing and vision screening and will that be by appointment only. Pam stated that she would reach out to the Lions club and confirm but believes that the Lyons Club would prefer to be the ones scheduling the appointments and if the Lions Club is not going to do the scheduling then Kim Manzelli, the Director at the Edith O'Leary Center is going to assist with putting together a sign-up sheet. Patients will be booked every 15 minutes. Karen Martin wanted to confirm if this was something that Mr. Bracey wants posted on the Healthy Hornet.

Mr. Bracey stated yes.

### **Mr. Ronald Beauregard, Healthy Communities**

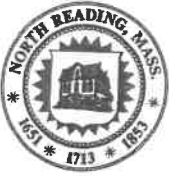
Ronald provided a draft and stated that the purpose of the draft regulations are to avoid any confusion with the current local regulations. Only the major ones are amended.

1. The state requirement to id all.
2. Intergrading the provision for the sale of vapes at convenience stores-there cannot be more than 35milligrams of nicotine per milliliter.
3. The stores are required to have documentation from the manufacture that proves each of the vapes that they have on their shelves have no more than 35 milligrams per milliliter.
4. The state law requires them to have manufactures documents certifying all of the tobacco products are indeed unflavored.
5. Revises the definition of your flavored tobacco product definition, it's actually the definition within your regulations and within the state regulations is the term characterizing flavor which is how flavored tobacco is phrased as, it will include mint and menthol and wintergreen.
6. The violations state previsions verses local previsions sale of tobacco to someone under the age of 21 that is now a fine of \$1000 first offense, \$2000 for the second and \$5000 for the third. There is a tolling period of three years that would stick with the permit holder, after three years it vanishes.

Ronald Beauregard stated that North Reading retailers have done a terrific job asking for ID's when they need to and the compliance checks that were done last fiscal year all passed. Ronald reports that he been trying to network to further enrich his education throughout the collaborative and looking to enter into a contract if he can find someone who is both fluid in Hindi and Gujarati. More than 50% of the variety stores in town are of South Asian descent. Ronald feels it is important to have someone to communicate in a very clear manner.

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Ronald stated that it would not be necessary to have a public hearing because the provisions that are added are already part of the state law. This is just more of a simple document so there's no conflict between your local regulations and the states regulations governing the new state law. Mr. Bracey shared on his screen Ronald Beauregard highlighted changes to the Regulation of the North Reading Board of Health Restricting the Sale of Tobacco Products. Ronald talked briefly about the changes.

Mr. Bracey asked Ronald about page 12 under g. State Law Fines and Regulation Fines.

**Policies Subject to State Law Fines** those bullet points would be something that would warrant a \$1000 fine.

**Policies Subject to Local Law Fines** those bullets points would warrant a \$100, \$200 and \$300 fine.

Ronald stated that is correct.

Mr. Bracey suggested to Ronald if we could move the State law fine bullet point section to under c. and then to move the Local Regulation Fine bullet point section to under f. That way it will be clear. Ronald and the board members all agreed.

Mr. Hunt suggested that we make those revision that Mr. Bracey talked about and then at our next meeting we can vote on it. Karen Martin agreed and asked if Ronald could highlight the sections with the second draft he provides us. Mr. Bracey stated that he would work with Ronald and put this on the agenda for next month.

Mr. Bracey asked the Board if we could table the Kratom presentation with Amy Luckiewicz to the following Board of Health meeting. Mr. Hunt asked Mr. Bracey what is the topic that Amy was going to talk about. Mr. Bracey stated that there is a product called Kratom and prohibit the sale for human consumption based on the violation of the Federal Food Code Law and that we would be amending the regulations to add that additional product.

Mr. Bracey asked the Board if we could table the Underground Storage Tank Regulations to the following Board of Health meeting. Mr. Bracey states that he feels we should issue an order notice. Mr. Bracey reports that he has asked at least 3 or 4 times for information and we haven't received it. Mr. Hunt stated that the owner should be given a date to provide the documentation and then if we don't receive it then an order will follow. Mr. Bracey agreed.

### **Environmental Health Updates**

Mr. Bracey stated that he would like to revise the Septic System Project Management Obligations form. Mr. Bracey stated the edits that he has made are that installers are not to have more than two open construction permits at any given time. He has talked to all the installers about the changes to make sure this would not cause a hardship. Mr. Bracey also added that installers will need to come into the office after the Health Director has signed the Construction

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Disposal Permit and they will need to pick up that permit and have the permit in hand before they start the job.

Mr. Hunt asked is the Septic System Project Management Obligations form something that the Health Department is currently using and you're asking to revise it. Mr. Bracey stated yes, that this is a form we have been using for about 2 or 3 years now.

Mr. Bracey stated it is important to get the construction permit in hand before we schedule anything and that this form is a Health Department Policy not a by-law.

Karen Martin stated that she thinks these revisions are good. Mr. Bracey stated if any of the Board members have any additional feedback or language that they would like added to please let him know. Gary Hunt stated that he is good with the changes.

Mr. Bracey stated the one issue for him was the issue they had at 16 Winter Street, there was a plan that was approved and the installer took it upon himself to change the layout of that installation. Mr. Bracey stated that any change to an approved plan the Health Department needs to be notified prior to making any changes.

Mr. Bracey stated that this was the most important one because we had to bring in our plan reviewer to take a second look at the plan and go out to the site again. It was brought to the installer's attention moving forward if that happens again under the code the job is to cease and desist and that new plans would have to be submitted and reviewed within the 45 days. The job would have to stop immediately until those plans are approved again.

We want to avoid any kind of delay because that would create a hardship for the homeowner having an open system in their yard. Mr. Bracey felt it was important to reiterate that any changes to an onsite system needs to get prior approval from the Board of Health.

### **Healthy Hornet Update**

Karen Martin reports that she continues to post information about the vaccine clinics and that she posted the Public Service Announcement that Pam Merrill prepared. Karen stated she will work with Pam and Mr. Bracey on posting information in January about the free vision and hearing testing sponsored by the Lions Club in Reading.

Mr. Hunt asked if there was any other items that we want to discuss.

Mary Samost inquired what responsibility if any we have in first responders and if we are aware of a communicable disease situation at any resident in town.

Pam Merrill stated a discussion took place, would this be a HIPPA violation to give the address of any known communicable disease in town and or the name?

Mr. Hunt stated that this is an open gray area with a conflict between HIPPA informing people they may be exposed.

Mr. Bracey suggested that we draft something up and get legal opinion.

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Mr. Hunt stated that he liked the idea of drafting up something and maybe we send it off to the MAHB Massachusetts Association of Health Boards.

Mr. Bracey stated that he thinks the appropriate agency would be the Public Health Council.

Mary Samost stated that she thinks there are ways to get around this without saying what the diagnosis is and still be respectful of someone's privacy.

Mr. Bracey stated that he would work with Mary Samost and Pam Merrill on specifically what we should ask and how we should phrase that question and he will reach out to some colleagues and get a legal opinion. Mary Samost thanked Mr. Bracey for looking into this concern.

Mr. Hunt would like this item on the next agenda so we can continue to discuss it and come to some closure.

Next Board of Health Meeting is scheduled for January 18, at 7:00 PM.

**Pam Vath motioned** to adjourn the meeting at 8:30 pm.

**Motion seconded by Karen Martin**

**All members voted unanimously in favor**

DocuSigned by:

51642395B5FC48B

Gary Hunt

Pamela Vath

DocuSigned by:

1828A173D478497

Karen Martin

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