



## TOWN OF SHREWSBURY

Richard D. Carney Municipal Office Building  
100 Maple Avenue  
Shrewsbury, Massachusetts 01545-5398

DATE: August 31, 2016  
TO: Board of Health  
FROM: Kerry Stockwell, Administrative Assistant  
SUBJECT: Board of Health Meeting Minutes

ATTENDANCE: Stephen Vigeant, Maria Narducci, and Jordan Rubin

ALSO IN ATTENDANCE: Karyn Clark, Director - Worcester Department of Public Health (WDPH)  
Philip Leger, Chief of Environmental Health & Response – WDPH  
Alexis Travis, Chief of Community Health - WDPH  
Koby Owsu-Ansah, Regional Public Health Specialist – WDPH  
Shelby Bronnes, Intern – WDPH  
Daniel Morgado, Town Manager  
Kristen Las, Assistant Town Manager  
Patty Sheehan, Building Inspector  
Kerry Stockwell – Administrative Assistant, Board of Health  
Sean Flynn, Owner – Flynn’s Truck Stop  
Georgine Sparr, Manager – Flynn’s Truck Stop  
Eric Finnegan, Cashier – Flynn’s Truck Stop  
Naomi Halpin, 131 Stoney Hill Road – Shrewsbury resident  
Dawn Lovejoy, 73 Monadnock Road – Shrewsbury resident  
Madeline Killeen, 56 Plain Street – Shrewsbury resident  
Moira Miller, 12 Lamplighter Drive – Shrewsbury resident/Selectman  
Bryan Moss, 16 Ruthen Circle – Shrewsbury resident

### AGENDA

- 1. Call to order.** The meeting was called to order at 8:13 a.m. by Stephen Vigeant.
- 2. Approval of Minutes.** Jordan Rubin made a motion to accept the Meeting Minutes from the June 29, 2016 Board of Health meeting, seconded by Maria Narducci. Approved 3-0.
- 3. Safe Drinking Water Protection By-law (Petition Article)**  
Bryan Moss, 16 Ruthen Circle, Shrewsbury introduced himself to the Board. He had collected over one hundred twenty (120) signatures for the upcoming Special Town Meeting (STM). He provided some context around why he feels fluoridation is a bad thing. In May of 2015, he raised a petition article regarding water fluoridation. After some research, he realized that he may have been asking the wrong question at that time (i.e. Is it a good or a bad thing?). Rather, he feels the question is: Who should be the one making the decision on what substances go into our bodies? At the State level, fluoridation is recommended. The State can’t require it. Instead, they leave the decision at the local level. Neither a physician nor a dentist can force a patient to take anything. They can only make a recommendation. The benefits and risks are discussed and then a decision is made. The patient has the ability to make that decision based on those pros and cons. The petition is to preserve the right for an individual to make their own decision. He felt that having fluoride in the water, violates that right and that anything can be added to the water to treat people. There are many reasons why people do not want fluoride in the water but he doesn’t think it’s the right question to be asked or answered. He

wanted the Board to understand the real intent of the proposed by-law, which is to preserve the right to informed consent.

Maria Narducci said that the controversy surrounding fluoridation has been around for decades. She felt that today's question was geared towards: Who decides what's good for me and How do I decide what's good for me? She feels people have to decide for themselves. The government has made decisions for other items such as adding folic acid to food. Trust in the system, as the people making the decisions are experts in those fields. Information on fluoridation is constantly being examined by a group of experts. None of us are experts in these subjects as individuals. It's really not the fluoride itself that's the issue, it's the decision on whether to put it in the water or not.

Steve Vigeant asked Bryan if he thought about petitioning the legislature. The original decision to implement fluoridation was through a Town meeting. If at a Town meeting, it was decided to end fluoridation, the Board of Health could file referendum to bring it back. From a Board of Health perspective today, their job is to protect and promote public health. Steve feels it's more of a government regulation issue.

Jordan Rubin felt that it can be a slippery slope in letting residents decide via a referendum. For example, it was the Town that decided to create a by-law banning plastic bags, not the decision of the individual retail establishments.

The Board of Health decided to take a vote on their recommendation prior to the upcoming Special Town Meeting (STM) and before the next scheduled Board of Health meeting.

Jordan Rubin made a motion that the Board of Health make a recommendation against the passage of the Safe Drinking Water By-law. Seconded by Maria Narducci. Unanimously approved 3-0.

#### **4. Central Mass Regional Public Health Alliance (CMRPHA) Monthly Update – August 2016**

Phil Leger referred the Board to the CMRPHA Monthly Update in their Board packet and hit some highlights.

- a) The Community Health Improvement Program (CHIP): The CHIP banner is rotating amongst the towns within the Alliance.
- b) T21: The City of Worcester and the Town of Grafton have raised the minimum legal sales age to purchase tobacco products to age twenty one (21), effective September 1, 2016. If the Town of Shrewsbury is interested, it can be presented at a future Board of Health meeting.
- c) Massachusetts Association of Health Boards (MAHB) - Board of Health Member Training: The annual training will be held in Marlboro on November 12, 2016. If anyone on the Board is interested, please let Kerry know. This is a great opportunity to network with other Board members. The Orientation for New Board Members was recommended.
- d) Training: Koby Owusu-Ansah is enrolled in a Soil Evaluation Training course. There are eight (8) sessions comprised of: four (4) classroom and four (4) field meetings. The Alliance is trying to build additional resources in Title V area.
- e) Web E O C Drill: The Town of Shrewsbury responded to a Web E O C Drill sent out by the Massachusetts Health and Homeland Alert Network (HHAN) shortly after 4:00 p.m. on Friday, August 26, 2016. There are different types of drills that take place during the year and Jamie Terry from the WDPH is the point of contact. The Board would like to see her come to a future Board of Health meeting in the fall to review roles and responsibilities.
- f) Environmental Health Inspectional Services: Number of inspections conducted since the last Board of Health meeting (June 29, 2016).

*Food:* One Hundred Fifteen (115) Total:  
Four (4) complaints, Ninety Nine (99) routine, Six (6) reinspections,  
One (1) farmer's market vendor, One (1) concession stand,  
Two (2) mobile food vendors, and Two (2) weekend temporary events

*Housing:* Eleven (11): Four (4) complaints, Seven (7) reinspections

*Nuisance and Other:* Twenty three (23) Total:  
Twelve (12) nuisance, Seven (7) reinspections, Four (4) other

*Emergency:* One (1) - hoarding

*Animal Quarantines:* Twenty five (25)

*Camps:* Two (2)

*Question:* Were there any reports of possible rabies?

*Answer:* Yes, but all specimens tested negative.

- g) Community Health (CH): Alexis Travis, Chief of Community Health introduced herself. She has been onboard with the WDPH for four (4) months now. She provided a few Community Health updates. The CHIP was released in June. The implementation has begun and work is underway to maximize resources. Two (2) new positions have been created: Prevention Specialist and an Academic Health Coordinator. The interviewing process has been completed and those positions should be filled in the near future. She reminded The Board of this evening's Candlelight Vigil of Memory and Hope, Worcester City Hall Plaza starting at 5:30 p.m. This event is to honor International Overdose Awareness. All are welcome. Lastly, she has spoken to Dr. Joseph Sawyer, Superintendent of Shrewsbury Public Schools regarding their survey results. The results should be available in the near future. She's looking at new strategies to work with both the Board of Health and the schools in understanding the importance of these surveys.

*Question:* How long does the survey take to complete?

*Answer:* It takes approximately ten (10) minutes if completed by an individual. The survey could also be completed as a team approach, which would take longer. Currently, the survey takes place every two (2) years but it could become an annual occurrence.

- h) Quarterly Alliance Meeting

The next Quarterly meeting will be held on September 21, 2016 in the Town of Holden from 11:00 a.m. to 1:00 p.m. Kristen Las has been able to attend those meetings, on a regular basis, on behalf of the Town of Shrewsbury. It's difficult for folks to devote a block of time out of their schedule to attend but it's a good opportunity to network with the staff and allows time to discuss items that the WDPH has been presenting.

Medical Marijuana will be one topic of discussion. The WDPH staff is working with the City Administration and the Law Department on finalizing a draft of regulations that will be shared with the towns. There are many individuals involved with crafting the language. It will be similar to what the City of Boston has already in place, it just needs to be fine-tuned. WDPH is trying to get Cheryl Sbarra, Attorney for the State to provide technical assistance. Town Administrators and staff involvement is needed, as it's a complex subject. Some items can be addressed through Tobacco regulations and other items can be addressed through Medical Marijuana regulations. The outcome of the meeting will be shared with those who cannot be in attendance.

CHIP: Karyn Clark would like to organize a Board of Health or joint Board of Health/Selectmen meeting to conduct a presentation on the CHIP. The presentation would outline initiatives and identify what individuals could be part of those initiatives.

Flu Vaccine: Ramping up for the upcoming flu season. Dan Morgado would like to use last year's model. Public Health is getting out of the flu vaccine business, as a lot of the State-issued vaccine has had to be returned. Public Health cannot compete with the pharmacies, as they receive the vaccines first.

Board of Health Fee Schedule: Is forthcoming and those results will be shared across the Alliance.

Environmental Health: A group of interns produced a short video which showcases a Day in the Life of Environmental Health.

## 5. **CMRPHA Food Establishment Survey**

Interns for WDPH (Shelby Bronnes, Madeline Killeen, and Dawn Lovejoy) created a Customer Satisfaction Survey for the Town of Grafton. The survey was comprised of seven (7) questions. Across-the-board the feedback was positive. The majority of the respondents were satisfied with the services they have been receiving. All felt the inspectors were knowledgeable, professional, and helpful. An area for improvement would be to build more on partnering with the Alliance and having a better understanding of how regionalization works.

Question: Is there an interest for initiating a survey for the Town of Shrewsbury?

Answer: Yes.

A survey is a great tool in identifying gaps and ensuring that whomever conducts the inspection is following protocol and is establishing consistent communication.

Question: Is the State going to raise the tobacco purchase age to twenty one (21)?

Answer: The Senate passed it but it died in the House.

There are approximately one hundred thirty (130) communities across the State that have raised the age to twenty one (21). If the Board would like more information or a presentation, please let Karyn Clark know.

Question: What is the process if the community wants to raise the age?

Answer: Have a Public Hearing.

## 6. **Local Title V Regulation Review and Possible Rescind**

Phil Leger and Julie VanArsdalen took over the Title V responsibilities for the Town of Shrewsbury on July 1, 2016. Phil reviewed the Local Title V regulations and noticed that items one (1) through six (6) are already in cited in the State code. The design piece is also in the State regulations.

Question: Why did we adopt Local regulations?

Answer: You can't build regulations by the State code but you can build them by Local code.

Question: What would you like from the Board of Health?

Answer: To rescind the existing Local regulations and instead, use and enforce the State regulations.

Currently, if a repair is needed, the property owner/septic installer must come before the Board to seek a variance, where under State code, it would be allowed. Current Local regulations are adding time to the process. If a system is in failure, we want to get the maximum feasible compliance on an existing lot and the State has provisions for that. There are also provisions in the State code that allows for innovative and alternative systems if the lot is tight.

There were no further questions or comments.

Jordan Rubin made motion to rescind the Local Title V Regulations regarding the Sub-surface Disposal of Sanitary Sewerage. Seconded by Steve Vigeant. Unanimously approved 3-0.

## 7. **Permit Application Deadline**

The Health Department would like to formerly implement a deadline for food permit application submittals. A deadline would allow the Health Department ample time for proper review. This would include temporary food events and annual renewals. It's been challenging to accommodate last minute applicants, as there are many aspects of the review (i.e. What are you making? Where are you making it? What equipment will you be using? Do you have a valid food permit from the town you're based out of? Do you have valid food protection certifications?) Many organizations that sponsor annual temporary food events have deadlines in place for their vendors to secure a table. It is reasonable for the Health Department to have its own deadline. Often times, the Health Department's Administrative Assistant is scrambling trying to track down all the required paperwork with very little notice. Another key consideration, is being able to provide adequate resources in terms of

staffing for the inspectional piece. Often times, these events are after-hours, in multiple towns on the same dates, on weekends, and thus requiring multiple Health Inspectors.

Question: What deadline would the Health Department be looking for?

Answer: Two (2) weeks prior to the event or annual renewal.

If the Health Department is given a reasonable lead time, the requests can be accommodated and we can easily communicate this to our food vendors.

Jordan Rubin made a motion to adopt a two (2) week deadline for temporary food events or food permit renewals, seconded by Maria Narducci. Unanimously approved 3-0.

### **Tobacco Violation**

Item was taken under advisement, as the Board of Health was unaware that Mr. Flynn received a letter to appear.

Sean Flynn, Owner of Flynn's Truck Stop and two (2) of his employees came before the Board regarding a second tobacco violation within a twenty four (24) month tolling period. Per the Local regulations, a second violation within this period of time, requires that the establishment appear before the Board of Health.

Mr. Flynn did not dispute the sale of a tobacco product to a minor. He came to answer any questions the Board might have and to discuss what preventative measures have been put in place since that sale.

Question: What is your current process?

Answer: At the point of sale, the cashier should be asking for the customer's identification. It was discovered that in the past, some cashiers just put birth dates in the card calendar. Right now, we are spot-checking the dates.

Question: How did the sale to a minor happen?

Answer: The cashier said that on that particular day, it was lunch time and there were a lot of customers in line. In an effort to keep the line moving, he made a misjudgment and did not ask for the customer's identification. Instead, he put in a date of birth that would indicate the person was of legal age. By doing so, this allowed the point of sale to go through.

Question: What preventative measures have been put into place?

Answer: All employees were asked to read and sign the regulations. In addition, the dates in the computer are being spot-checked.

Karyn Clark apologized for the miscommunication and thanked Mr. Flynn and his employees for coming. She understood the need for getting customers serviced but stressed the importance of complying with the law.

Question: What happens if there is another violation?

Answer: If there is another sale, the tobacco retailer license may be suspended or revoked.

Question: How is the employee turnover rate?

Answer: Not very much.

The Board felt that the establishment understands the impact of the sale to the minor and feels the owner has taken corrective actions to prevent a future sale to a minor.

Jordan Rubin made a motion that the Board not suspend Flynn's Truck Stop's tobacco retailer license at this time, just pay the fine. Seconded by Maria Narducci. Unanimously approved 3-0.

8. **Next meeting.** To be held on Wednesday, October 5, 2016 at 8:00 a.m., in the New Selectmen's Room.
9. **Adjourn.** Steve Vigeant made a motion to adjourn the meeting at 9:42 a.m. Seconded by Jordan Rubin. Unanimously approved 3-0.

**Correspondence:**

- Email from Bryan Moss, 16 Ruthen Circle – dated 08/29/16
- Community Water Fluoridation Fact Sheet, Center for Disease Control (CDC) – no date
- Fluoride 101 Fact Sheet – no date
- Say This, Not That: Tips for talking about Community Water Fluoridation – no date
- Water Fluoridation Myths and Facts – no date
- Article 14 of the May 18, 2015 Annual Town Meeting Memo – dated 05/11/15
- Letter from Monica Bharel, MD, MPH Commissioner – dated 08/28/15
- Statement on the Evidence Supporting the Safety and Effectiveness of Community Water Fluoridation – dated 04/02/15
- U.S. Public Health Service Recommendation for Fluoride Concentration in Drinking Water for the Prevention of Dental Caries – dated July-August 2015 / Volume 130
- Grafton Customer Satisfaction Survey Report – dated 08/31/16
- Local Title V Regulations – no date
- Board of Health Meeting Minutes – dated 06/29/16
- Central Massachusetts Regional Public Health Alliance (CMRPHA) Monthly Update – August 2016