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TOWN OF BURLINGTON, MA
BOARD OF HEALTH
MINUTES
TOWN HALL MAIN MEETING ROOM

TUESDAY, JANUARY 10, 2023

Board Members Present: Ed Weiner, PhD, Chairman; David McSweeney (attending remotely), Vice Chairman; Gayle Damore; and Andrea Sheehan

Board Members Absent: Maribeth Welch

Staff Members Present: Susan Lumenello, REHS/RS, CHMM, Director of Public Health; Michael Greene, Associate Health Director, and Sammantha Hardy, Associate Health Inspector

I. Open Meeting/Pledge of Allegiance

Dr. Weiner called the Board of Health meeting to order at 7:00 PM.

The Pledge of Allegiance was recited.

II. Approval of Minutes:

There were no minutes to approve.

III. Chairman's Report:

Dr. Weiner thanked former Board of Health member Dr. Wayne Saltsman, who serves as our current Medical Director, for his excellent BCAT discussion on “sudden death in sports”. To that end, there’s not a person that I know who’s not talking about the incident involving Buffalo Bills football player Damar Hamlin. I’ve been trained in CPR and most people in this room have, but if you’re not, now is the time to learn. So many organizations teach CPR, including the American Heart Association, American Red Cross, as well as Burlington’s Medical Reserve Corps. More than a decade ago, this Board of Health, with full community support, spearheaded to buy and place Automated External Defibrillators (AEDs) in many buildings in this town. If you’re building, sports team, religious organization, or youth group doesn’t have an AED, get one as soon as possible.

Dr. Weiner continued by reading an excerpt from the Special Commission on Local and Regional Public Health: “No other government agencies are as far-reaching—and invisible—as local public health departments. No matter where you are—at home, at work, at school, or at play, local public health departments are responsible for ensuring your safety and wellbeing.”



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IV. Citizen's Time:

There were no citizen's coming forward.

V. Hearings:

Notice to Suspend Permit for BOH Regulations Governing Food Service Establishments - Tous Les Jours, 3 Old Concord Road

Chaodi (Alex) Duan, Manager, appeared before the Board.

Ms. Hardy stated that Tous Les Jours is here tonight because of a repeat violation of our local regulation (Section 3(B) of Burlington Board of Health Regulations Governing Food Service Establishments) for not having a certified food protection manager on site during inspection on the following dates: 5/18/22 and 11/30/22. After discussion with Alex, the manager, some employees did get certified with ServSafe. It is up to the Board to decide whether they feel they're in compliance or not.

Dr. Weiner stated that it is important for you to understand that someone has to be there for ServSafe to protect the community at all times. If it happens again, I will have no problem with suspending your license to operate your permit.

Ms. Sheehan asked what is the hours of operation that you have these people who are certified with ServSafe on site. Mr. Duan replied one will be there Monday – Thursday from 8 AM to 2 PM, another one will be there Tuesday, Thursday – Sunday from 5 AM to 2 PM, and another one will be there Monday, Wednesday – Sunday from 2 PM to 8:30 PM.

Mr. McSweeney asked how many employees do you have in Burlington. Mr. Duan replied that there are 20 employees. Four of them are currently certified through ServSafe, but I'm going to get at least one more certified as well. We also opened a new location and so I don't spend a lot of time in Burlington. Mr. McSweeney replied that I don't feel like you're taking this very seriously and I don't feel that the additional two people are going to cut it, particularly with days off, sicknesses, vacation time, etc. I would like to see a more substantial plan because this is something that the Board of Health takes very seriously, and we have a proven track record that this does protect the community.

Ms. Lumenello stated that I think the difficulty here is the high turnover rate, because once someone is trained / certified, they're gone, and then you have to get the new hires trained and up to speed.

Ms. Damore asked if there is a specific percentage of employees that we require to be certified. Ms. Lumenello replied no, it depends on what hours they work and how long the establishment is open.

Dr. Weiner requested that Ms. Hardy drop in sometime within the next six months to check on the status. Ms. Sheehan, Ms. Damore, and Mr. McSweeney agreed.

VI. Discussion:

Sign Board Initiative



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Ms. Lumenello stated that the Town Administration is looking to replace the banner on the Town Common with an electronic-type sign. The Town Administrator asked that the Board give their support for the sign. The Board of Health can utilize the sign space for all of our events, including the flu clinic, health fair, emergencies, etc.

Dr. Weiner stated that he spoke to Town Administrator Paul Sagarino, who feels that the sign will be a tool to keep the community more informed, especially during emergency situations. I am in favor of this sign change.

Ms. Damore and Ms. Sheehan voiced their support for the sign change.

Ms. Damore asked who's going to be in charge of it. Ms. Lumenello replied the Town Administrator's office. The problem with having a banner is that you have to store them, find someone to pick them up, change the dates, and pay to get the banner changed.

Mr. McSweeney stated that we have to find and continue to evolve in terms of communicating with our residents on a regular basis (i.e., school cancellations). I think we should have done it years ago, and I fully support the sign change.

MOTION: Mr. McSweeney made a motion to support the petition to amend Article XIII, "Sign Regulations" of the Zoning Bylaw. The motion was seconded by Ms. Damore and voted 4-0-0. On a roll call vote: Mr. McSweeney voted Yes, Ms. Sheehan voted Yes, Ms. Damore voted Yes, and Dr. Weiner voted Yes.

Public Health Excellence Grant

Ms. Lumenello introduced to the Board background information regarding the Public Health Excellence Grant.

In August 2016, the Special Commission on Local and Regional Public Health was created and signed by Governor Baker. The Commission was a 25-member body charged with assessing the effectiveness and efficiency of Municipal and Regional Public Health Systems, and to make recommendations regarding how to strengthen the delivery of Public Health Services. In 2019, the Commission completed the Blueprint for Public Health Excellence Report, and one of the recommendations from the report was to increase cross-jurisdictional sharing of Public Health Services in order to strengthen the capacity of the Health Departments. In 2020, the State Action for Public Health Excellence (SAPHE) Act was passed, creating the Public Health Excellence Grant program. That same year, the DPH launched the Municipal Public Health Shared Services grant program. In July 2022, the Tri-Ton Collaborative, which includes the municipalities of Burlington, Wilmington, and Lexington, was awarded the Public Health Excellence Grant of \$300,000/year for three years. Burlington serves as the lead agency, and is responsible for grant management and receives 15 percent of the award for administration of the grant.

In December, the Public Health Excellence Program initiated a Capacity Assessment and that included an extensive questionnaire for all Health Department Directors on the current worker capacity of their Health Department. We haven't received the results of that Assessment yet, and the results are supposed to identify



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areas in which each of the coalitions are lacking. Without the results, I met with the health directors of Lexington and Wilmington to determine what their needs were, and a draft work plan was submitted on December 15, 2022. Half of the funding (\$150,000) has been received by Burlington.

Ms. Lumenello continued by sharing the Fiscal Year 2023 Draft Budget, which is broken down into the following categories: (1) salaries, (2) contracted services, (3) materials & supplies, (4) municipal expenses (MELT), (5) capital outlay, and (6) lead agency.

All of the salaried positions will be part-time (less than 19 hours per week) and they will be Town of Burlington employees overseen by the Director of Public Health. They'll provide services for the coalition and augment the work that is currently being done by the three communities. Our Shared Services Coordinator is Katie Capobianco, and one of the things that we're working on is drafting job descriptions for each one of the following positions: Health Inspector, Nurse, Epidemiologist, and Community Health Outreach Worker.

Right now, we're waiting for a signed contract from an inspector to conduct tobacco compliance checks for Burlington. Wilmington and Lexington are on another grant that ends this fiscal year for tobacco compliance checks. Another thing that is under Contracted Services is permitting inspection software which is needed for both Burlington and Wilmington. We have been looking at various software options and that's still ongoing. Right now, we only use software to do food establishment inspections, but I'd like to get a software product that can do all of our inspections as well as permit applications. We're also contracted now with translation services that's going to provide a 24/7 translation service over the phone. There's a phone number that you can call and pre-program the languages that you want. That number will also be provided to Wilmington and Lexington. I've set aside some money in the budget for that.

We've also had some money set aside for materials and supplies (if needed) and municipal expenses such as travel/mileage, membership fees, training, and credentialing. One of the things being worked on are "training hubs", which will be available to all of our staff. Dr. Weiner asked if Board Members can get trained. Ms. Lumenello replied yes.

Ms. Damore asked for clarification purposes if the part-time employees through this grant will float or will each town hire their own. Ms. Lumenello replied that all the part-time workers will float because the intention is to share.

Dr. Weiner asked if this grant will allow for some time to be paid outside of your position. Ms. Lumenello replied yes, that's allowed under the lead agency portion of it.

Ms. Lumenello continued by stating that currently we're working on Room 231, which is in our building and near the Board of Health offices. Council On Aging (COA) is using it for bus drivers and storage, but one of the things that I would like to do is to create a Shared Services Room and put in several stations in there for this the staff to use.

The next steps will be the Public Announcement (which I have written and I'll send out tomorrow), the Kick Off Meeting which will be on February 15, 2023 from 3 – 4 PM, and then the grant implementation (facility



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set up, job postings, and software set up). Lexington has already invested a lot of time and resources into another software program, and so they're not interested in jumping on ball with this right now, but maybe they will in the future.

Ms. Damore asked what software Lexington uses. Ms. Lumenello replied that they're using a software called Win Wam. After talking to the IT Department, we felt that a Cloud-based software would be best. Ms. Sheehan asked whether it is a pay-as-you-go service. Ms. Lumenello replied that it's a yearly maintenance fee. It depends on how many modules you have on the system.

Katie Capobianco, Shared Services Coordinator – Ms. Capobianco introduced herself to the Board and stated that she has been a resident of Burlington for about 28 years. I started my career in accounting with the Environmental Protection Agency before becoming a special agent criminal investigator for the federal government. When my children were born, I went part-time and worked as a special investigator for the U.S Department of State Diplomatic Security for the past five years. I've been at the Board of Health in a dual role as the public health emergency preparedness assistant and an admin for the Burlington Volunteer Reserve Corps, so I feel very enthusiastic about the new role. I look forward to working with Joanne Belanger, the Health Director in Lexington, and Shelly Newhouse, the Health Director in Wilmington.

VII. Staff Reports:

Associate Health Inspector

Ms. Hardy presented her report.

- Signed up to do training on the new housing code

Dr. Weiner asked Ms. Hardy to explain what happened with Town and Country Smoke Shop. Ms. Hardy stated that I went to do a routine inspection and noticed a product that looked to be flavored and asked for paperwork certifying that it was not flavored. They didn't have any documentation and a fine was issued for that. Dr. Weiner asked does that fine go to the state or does it come to the town. Ms. Lumenello replied that it goes to the town. Mr. McSweeney asked if the fine had been paid yet. Ms. Lumenello replied yes.

MOTION: Ms. Sheehan made a motion to approve the Associate Health Inspector's report. The motion was seconded by Ms. Damore and voted 4-0-0. On a roll call vote: Mr. McSweeney voted Yes, Ms. Sheehan voted Yes, Ms. Damore voted Yes, and Dr. Weiner voted Yes.

Associate Director of Public Health

Mr. Greene presented his report.

- Met with Jennifer Frenette, MRC Regional Liaison, to discuss our technical assessment
 - Identified areas that we could improve upon (i.e., required training courses that we offer to our volunteers)

Dr. Weiner asked what is the name of program / training for tomorrow night. Mr. Greene replied, "Through the Lens: Understanding the Autism Profile" Training which will be held in Room 207 at the Board of Health Building from 5 – 7 PM.



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Dr. Weiner then asked if we have a Health Fair date picked out. Mr. Greene replied that I'm looking at May 20, 2023. After some debate, I think we're going to do it at the Town Common again.

MOTION: Ms. Damore made a motion to approve the Associate Director of Public Health's report. The motion was seconded by Ms. Sheehan and voted 4-0-0. On a roll call vote: Mr. McSweeney voted Yes, Ms. Sheehan voted Yes, Ms. Damore voted Yes, and Dr. Weiner voted Yes.

Director of Public Health

Ms. Lumenello presented her report which includes the Health Agent and Environmental Engineer.

- DEP Waste Disposal Grant
 - Identify a site in town that you feel needs more looking at with regards to site contamination
 - We've identified the area off Terry Ave
- Health Agent, Marlene Johnson, applied for the Knee-Heart Grant (\$5,000); and is looking to start Certified Protection Manager Training in March
- Burlington Volunteer Reserve Corps has a CPR / AED Training on February 15, 2023
- Bloodborne Pathogen Training: January 25, 2023, and February 8, 2023

Ms. Lumenello stated that this grant allows for us to hire a licensed site professional (LSP) to inspect the area and then provide information to the Board and to the public on what's going on there. We want them to do a presentation to the Board and perhaps maybe a public forum.

Dr. Weiner asked if we know who the responsible parties are. Ms. Lumenello replied that there's more than one release identified in the area. The main reason why we're concerned is indoor air that's volatile (coming up from the ground into an existing building). One of the recommendations for any new building that's put down there is to put in a vapor barrier.

MOTION: Ms. Sheehan made a motion to approve the Director of Public Health's report (which included the Health Agent and Environmental Engineer's reports). The motion was seconded by Ms. Damore and voted 4-0-0. On a roll call vote: Mr. McSweeney voted Yes, Ms. Sheehan voted Yes, Ms. Damore voted Yes, and Dr. Weiner voted Yes.

VIII. Adjourn:

MOTION: Ms. Sheehan made a motion to adjourn the Board of Health regular meeting at 8:11 PM. The motion was seconded by Ms. Damore and voted 4-0-0. On a roll call vote: Mr. McSweeney voted Yes, Ms. Sheehan voted Yes, Ms. Damore voted Yes, and Dr. Weiner voted Yes.



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*Respectfully Submitted by Eric Bergeron,
Recording Clerk*



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DOCUMENTS REVIEWED AT MEETING – TUESDAY, JANUARY 10, 2023

I. Open Meeting/Pledge of Allegiance/Agenda

II. Approval of Minutes: None

III. Citizen's Time: None

IV. Chairman's Report: None

V. Hearings:

Notice to Suspend Permit for BOH Regulations Governing Food Service Establishments - Tous Les Jours, 3 Old Concord Road

1/10/23 Hearing: Tous Les Jours, 3 Old Concord Road, S. Hardy; 12/12/22 Registration Information – Food Safety Certification; 11/30/22 Notice to Suspend a Permit, S. Hardy; 1/4/23 S. Hardy email; 1/9/23 Tous Les Jours email

VI. Discussion:

Sign Board Initiative

12/20/22 P. Sagarino email

Public Health Excellence Grant

1/10/23 S. Lumenello presentation: Public Health Excellence Grant (aka Shared Services Grant); 6/2019 Report of the Special Commission on Local and Regional Public Health; 10/2022 MA DPH: Capacity Assessment Outreach Overview; Massachusetts Association of Health Boards – Guidance Summary of Public Health Excellence Grant Program

VII. Staff Reports:

Associate Health Inspector's Report, Associate Director of Public Health's Report, and Director of Public Health's Report (Includes Health Agent's Report, and Environmental Engineer's Report)

VIII. Adjourn: None