

Town of Concord
Board of Health

Minutes from the Meeting
Tuesday, July 20, 2010

PRESENT: Ann M. Snow, Chairman
David Burgess
Kerry Diskin
Dr. Alan C. Woodward
Jack Bergman

Brent L. Reagor, Public Health Director
Karen M. Byrne, Administrative Assistant

OTHERS: Marcia Rasmussen, Director, Planning & Land Management
(Town of Concord); Allyson Palmer, Camp Operator, iCamp,
Kerem Shalom, 659 Elm Street

1. **Public Hearing – Recreational Camp Site Assignments**

In accordance to State Regulations (MGL Ch. 140, s. 32B), prior to a Recreational Camp for Children operating at a particular site, the physical site must be assigned a separate license by the Board of Health after it holds a public hearing, where “reasonable notice of such shall have been published once in a newspaper in such city and town.”¹

Section 105 CMR 430 of the State Sanitary Code for Recreational Camps for Children reads, “No person shall operate a recreational camp for children unless it is located:

- A. so as to be accessible at all times during the designated camping season;
- B. where surface drainage conditions create no health or safety hazard;
- C. where approved water supply and sewage disposal facilities can be and are provided; and
- D. where traffic conditions create no undue safety hazards”

Mr. Reagor noted that in the past, the Board has granted site licenses with the understanding that the annual “operating license” would be granted on the condition that the Health Division verified compliance with applicable sections of the State Sanitary Code, 105 CMR 430.000, *Minimum Safety Standards for Recreational Camps for Children*.

¹ Published in Concord Journal, Thursday, July 8, 2010

The Board heard requests from Allyson Palmer, Camp Operator, and the Concord Recreation Department (via the Public Health Director) to grant two "site" licenses for a Recreational Camp for Children.

The Concord Recreation Department was requesting a site assignment to conduct summer day camps at the Turf Playing Fields, 500 Walden Street and Ms. Palmer requested a site assignment license to conduct a "Children's Technology Workshop a/k/a iCamp" at Kerem Shalom, 659 Elm Street.

In the past, Mr. Reagor explained that the Board had granted site licenses with the understanding that the annual "operating license" would be granted on the condition that the Health Division staff verified compliance with applicable sections of the State Sanitary Code, 105 CMR 430.000, *Minimum Safety Standards for Recreational Camps for Children*.

Staff had reviewed the proposed plans for these locations and recommended that the requests be granted.

Following a brief discussion, Dr. Woodward moved that the site licenses to operate Recreational Camps for Children at The Turf Playing Fields, 500 Walden Street and Kerem Shalom, 659 Elm Street be GRANTED as requested. Jack Bergman seconded it. All VOTED in favor.

2. **BOARD REPORTS**

There were none. However, David Burgess announced that he was resigning his position on the Board effective 7/21/10. Mr. Burgess noted that his law practice would remain in Concord, but that he and his wife were relocating out of town. He said he would contact the Town Manager directly and encourage some of his legal colleagues in Town to fill out a volunteer green card. He thanked the Board and said he had enjoyed serving his community.

3. **STAFF UPDATES**

Brent Reagor provided the Board with his formal resignation as Public Health Director effective Monday, August 9, 2010. Mr. Reagor is getting married and relocating to South Carolina. He thanked the Board of Health for its support and said that it was a great pleasure to work for the Town of Concord. The entire Board of Health thanked Mr. Reagor for his service during his tenure with the Town of Concord. Ann Snow, Chairman, congratulated him on the next phase of his journey, but said that the Town, in her opinion, was suffering a great loss. She thanked him for making her past 3 years on the Board a very interesting and exciting time to be involved with public health.

At this time, Mr. Reagor introduced Marcia Rasmussen, Director of Planning and Land Management who wanted to meet the newest Board members and address any concerns they may have relating to the process of hiring a new Public Health Director.

She also wanted to take this opportunity to open dialogue with Board members to gather input as to what types of qualities and skills it would like to see in a Director; as well as, comments and/or suggestions for the direction it would like to see public health take in the Town of Concord. Ms. Rasmussen said that she was not expecting any specifics at this meeting, but wanted the Board to feel free to contact her to discuss.

Dr. Woodward inquired as to the time frame for filling the position and stressed the importance of posting the job in a manner in which the most qualified candidates in the field would be reached. Ms. Rasmussen said that the Human Resources Department routinely places the ads in sites such as the Mass Municipal Association's (MMA) website and printed publication, known as the Beacon. Dr. Woodward also requested an opportunity to review the job description.

Director Rasmussen said that in conjunction with Human Resources, she and Mr. Reagor had made some slight modifications to the existing Public Health Director job-description and that final edits were being made. Ms. Rasmussen expected to be able to provide the Board with a copy of it for review and comments prior to the August meeting.

As it related to the time frame for hiring, Ms. Rasmussen said normally it could take could take several months from start to finish and briefly explained the interview process. She stressed, however, that she had the utmost confidence in the Health Division staff to carry out the daily operational responsibilities, as well as any additional duties left by the PHD and that she would oversee any managerial type decisions. Mr. Reagor reiterated those sentiments, but said that he would be meeting with staff in the next several weeks to ensure a smooth transition and that he would be available by telephone in the short term if necessary.

Following a brief discussion, Board members suggested that it might be beneficial to have Ms. Rasmussen attend the August meeting to discuss the issue further and at that time, it would have had an opportunity to review the job description.

4. STAFF REPORTS

Food Service Update

The Public Health Director provided the Board with the most recent Food Inspection Report submitted by Samuel Wong, Food Safety Consultant for Chang An. Mr. Wong conducted an unannounced inspection on Saturday, July 10, 2010 at 1:15 p.m. and found 1 violation. Mr. Reagor reiterated his previous comments that the restaurant staff continued to make steady progress in overall behavioral changes which were reflected in Mr. Wong's report.

He also recommended that the Board require Jack Ku, owner and Mr. Wong to appear at the September meeting to discuss the active managerial control protocols enacted by the restaurant staff and the plan to maintain a sanitary environment in the

future. This would be six months since the original order and it would provide the Board an opportunity to hear first hand from the consultant, as well as the owner. At that time, the Board could reconsider the frequency of inspections by the outside consultant and/or keep things as they are.

Minimum Standards for Keeping Farm Animals

The Board was provided with a copy of the current regulation as it relates to "*The Minimum Standards for Keeping Farm Animals*" within the Town of Concord. Mr. Reagor noted that these regulations had not been revised since they were enacted in 1974 and do not govern "typical" domestic animals; only the keeping of "farm" animals. The Public Health Director said with the recent focus on local agriculture and "backyard" chicken rearing, the regulations were in need of revision to differentiate between both types of "farmers" – the backyard hobbyist and the commercial cattle farm (i.e., Northeast Correctional Center).

The Public Health Inspector (Gabrielle White) has been collecting regulations from a number of communities across the state and contacted the Massachusetts Department of Agricultural Resources for input.

Mr. Reagor recommended that the following steps be taken by the Board:

1. Draft a set of revisions to "*The Minimum Standards for Keeping Farm Animals*".
2. Identify representatives from the community who can best represent the different classes of animal owners and include them in the discussion about the proposed revisions and the necessary minimum standards for animal health, sanitation, and environmental protection.
3. Include the Concord Agricultural Committee in a similar discussion
4. Revise the draft regulation, as needed, based on comments from interested parties; present regulations to the Board for final review.
5. Begin the Public Hearing process outlined in MGL Ch., 111, Section 31.

The Board will take this issue under advisement and continue to work with the Public Health Inspector as information is provided.

5. EMERGENCY PREPAREDNESS UPDATE

Mr. Reagor, as directed by the Board at the June meeting, inventoried and listed all of the Emergency Preparedness Equipment and Supplies that were purchased over the past (3) years and that are being stored at the Concord Fire Station, 209 Walden Street and the Shelter Trailer (outside CCHS Lower Gym), 500 Walden Street.²

² Attached Concord Medical Reserve Corps & CERT Supply Inventory (dated 7/19/10 prepared by Brent Reagor)

Ms. Diskin asked whether items with a short shelf-life had been discarded and replaced; she said that even latex gloves can break down over time. The PHD noted that a glucose- supplement was the only item that was disposed of, but that he would speak to the Fire Chief about keeping track of other sensitive items and would also suggest removing batteries from equipment when not in use.

The Public Health Director said that Stan Sosnicki, Environmental Health Inspector would attend the next Local Emergency Planning Committee (LEPC) to keep the Health Department in any pertinent discussions as it relates to Emergency Operations & Plans, but that Fire Chief, Mark Coutreau would be the lead contact on such items.

During further discussion, Mr. Reagor mentioned that Emergency Planning efforts on a state and local level were being shifted towards a more medically focused plan where earlier efforts focused mainly on ensuring that communities had necessary equipment needed for a disaster response. Now that the communities have equipment, proper implementation is vital.

Dr. Woodward concurred and noted that he was working as an All Hazards Med-Surge Consultant for the MDPH during the development of these plans. This type of plan would focus on creating standard-operating procedures addressing supplies, space, staff, security, system support for implementing the response, as well as, alternate standards of care once the hospitals reach capacity.

6. MINUTES & BOARD CALENDAR

The Board reviewed and discussed the minutes from the meeting of June 15, 2010. Dr. Woodward moved to approve the minutes as submitted. David Burgess seconded it. All VOTED in favor.

The next regular Board meeting is scheduled for Tuesday, August 17, 2010.

Open Meeting Law

Karen Byrne briefed the Board of a meeting she had with the Planning Director and other administrative staff members responsible for posting meetings, preparing meeting agendas, and taking minutes for various boards and committees as it relates to changes that were made to the Opening Meeting Law.³ Ms. Byrne noted that the modifications that may affect the BOH had to do with legal posting of meeting agendas, the importance of chairperson's adhering to posted agendas, and applicant's submissions of supporting documentation and other exhibits.

³ Highlights of Changes to Open Meeting Law (revised 6/25/10)

7. SEPTIC BETTERMENT PROGRAM

Preliminary Approval for Betterment Liens

Karen Byrne processed a loan application for the following property this past month. Stanley Sosnicki, Environmental Health Inspector reviewed the Title 5 inspection reports for each property and confirmed that the system was in failure:

- 39 Partridge Lane – Marano (\$30,000)

David Burgess moved that the Board VOTE to find the onsite sewage disposal systems on the above noted property to be a public health nuisance per MGL, CH 111, s., 127 B and 127B ½ and to authorize the initial betterment lien assessment not to exceed \$30,000 to be filed at the Registry of Deeds. Dr. Woodward seconded it. All VOTED in favor.

Final Betterment Liens

There were none this month.

The meeting adjourned at approximately 8:30 p.m.

Board of Health Signature Page
Tuesday, July 20, 2010

Respectfully submitted by,

Karen M. O'Keefe-Byrne, Administrative Assistant
Concord Board of Health

Ann M. Snow, Chairman

Jack Bergman

Dr. Alan Woodward, MD

Kerry Diskin

David J. Burgess