

**Board of Health
Meeting Minutes
Remote Participation Conference Call
May 9, 2022**

Present:

Susan Schwartz, Chair
Maureen Richichi, Vice Chair
Bea Brunkhorst
Ann Kiessling
Anita Raj

Staff Present:

Heidi Porter, Director of Health and
Human Services
Katharine Dagle, Assistant Health Director
Julie Genova, Community Health Nurse
Margaret Root, Recording Secretary

Others Present (based on Zoom ID):

Bedford TV
Michael Indelicato, Bedford resident
Jennifer Kennery, Bedford resident
Kevin Pollefoort, Bedford resident
Phil Prince, Bedford resident
Meredith Wasko, Bedford resident
Additional Unidentified Bedford residents

Katie Guerino, Bedford resident
Robert Kalantari, Bedford resident
Michaela McCormack, Bedford resident
Emily Prince, Bedford resident
Robin Steele, Bedford resident
DJ Wilson, Tobacco Control Manager

The meeting was called to order at 7:01 PM. Ms. Schwartz chaired the meeting. Ms. Richichi moved to open the meeting. Dr. Kiessling seconded the motion. A roll call vote of 5-0-0 opened the meeting.

Ms. Schwartz made a statement: “Pursuant to a bill signed into law by Governor Baker on June 16, 2021, continuing suspension of certain provisions of the Open Meeting Law through July 15, 2022, this meeting of the Bedford Board of Health will be conducted via remote participation. Persons who would like to listen or view this meeting while in progress may do so by Zoom or by phone. This meeting will also be recorded and the recording will be available on the Board of Health website alongside the minutes. All votes taken by this body shall be by roll call vote.”

Public Comment

Ms. Schwartz opened the meeting to any public comments.

As there were no public comments, Ms. Schwartz closed the public comment portion of the meeting.

BOH Meetings - Discussion and Vote

Ms. Schwartz commented that at the last BOH meeting, members discussed the format of future meetings, either virtual or in-person. The Select Board would like the BOH to vote on the meeting format. Ms. Schwartz added that the BOH is one of the boards that have a hybrid option available to them if the BOH votes to have in-person meetings. The meetings would be held in the Select Board room and would require the BOH to schedule meetings around the Select Board meetings.

Ms. Porter commented that if the meetings are in-person, a quorum needs to be reached.

Dr. Kiessling asked about quorum being necessary. Ms. Porter commented that the BOH could also consider allowing remote participation by BOH members unable to attend meetings in-person. The topic has been raised over the years and while there is no official vote, the BOH allowed for two BOH members to attend remotely if unable to attend in-person, as long as there was a quorum in-person. Quorum is part of the Open Meeting Law.

Dr. Kiessling asked if the quorum requirement would still be in place. Ms. Porter expects it to remain part of Open Meeting Law. Ms. Schwartz added that the BOH needs to plan as if the quorum requirement will remain in place and that Governor Baker would be the one to lift the requirement under Open Meeting Law similar to the allowing remote meetings during the pandemic.

Dr. Kiessling expressed interest in the in-person meetings.

Ms. Raj commented that personally either format works. She added that the remote meetings allow for residents to participate who couldn't when the meetings were in-person. The meetings are easily recorded while they are remote. Dr. Kiessling commented that the meetings will be able to be recorded using the OWL technology used during hybrid meetings.

Ms. Porter commented that the OWL technology is similar to using Zoom for meetings with the in-person attendees being able to interact with remote participants.

Dr. Brunkhorst also expressed interest in having in-person hybrid meetings. If two members aren't able to attend, they can still participate remotely.

Ms. Richichi agreed with a preference for in-person hybrid meetings as they would still allow for residents to participate.

Ms. Schwartz also agreed to having in-person BOH meetings, especially given the importance of in-person interactions. The hybrid option would allow the BOH to reach out to more of the community.

Ms. Porter clarified that under the current Governor's Orders that expire July 15th, there does not have to be a quorum present in-person as long as the Order is in place. The in-person quorum requirement would continue to be suspended if the Order is extended. Ms. Schwartz thanked Ms. Porter for the clarification and Dr. Kiessling for raising the question. Open Meeting Law rules can become confusing between pre-COVID-19, during the pandemic, and currently when there are more meeting options.

Ms. Schwartz asked if, for example, only one person could attend in-person, could the meeting be held on Zoom. Ms. Porter replied that as long as the meeting is posted properly including the meeting format.

Ms. Richichi moved that the BOH move to in-person meetings with hybrid or remote access starting with the June 2022 meeting. Dr. Kiessling seconded the motion. A roll call vote of 5-0-0 approved moving the BOH meetings back to in-person with a hybrid option.

Ms. Schwartz commented that the meeting dates sent to the BOH members by Ms. Porter are dates where the Select Board room was available, which would allow for hybrid meetings. In June, there is an additional meeting for goal setting.

Dr. Kiessling asked about getting another OWL setup instead of having to use the Select Board meeting room. Ms. Porter replied that currently, the OWL technology is in that particular room and the Town is making sure the technology works for the current needs.

Dr. Kiessling asked if the IT Department could describe what would be needed to set up the OWL technology in Town Center. When Ms. Schwartz asked why Town Center would need its own setup, Dr. Kiessling replied it could be used to keep the regular BOH meeting schedule or in case the BOH needs to have an emergency meeting.

Ms. Richichi commented that she expects the technology is being tried out with the boards using it for hybrid meetings. If this type of meeting is successful, Ms. Richichi expects the technology will be used more widely.

Ms. Schwartz commented that if an emergency BOH meeting is needed, Zoom can always be used. She added that an advantage of working around the Select Board's schedule is that each board can attend each other's meetings.

Ms. Schwartz asked the BOH members if they have a preference between June 21st or June 23rd for the goal setting meeting, which she expects to last an hour.

Most BOH members expressed no preference for a meeting date. Dr. Brunkhorst preferred June 23rd. Ms. Dagle would be unable to attend either date.

Based upon feedback, the goal setting meeting was set for June 23rd from 6 to 7 pm. Ms. Porter commented that the schedule is based upon room availability. If the technology is expanded, the BOH can always change the meeting dates if desired.

Dr. Brunkhorst moved to approve the list of meeting dates as provided by Ms. Porter for in-person meetings with the hybrid option, including the June 23rd goal setting meeting. Ms. Raj seconded the motion. A roll call vote of 5-0-0 approved the list of future meeting dates.

BOH Minutes - Review and Vote

The BOH reviewed their meeting minutes from April 11th, 2022. Dr. Kiessling moved to approve the minutes as amended; Ms. Richichi seconded the motion. A roll call vote of 5-0-0 approved the meeting minutes from April 11th, 2022.

Bedford Tobacco Regulation - Review and Discussion

Ms. Porter invited Mr. DJ Wilson to attend tonight's BOH meeting as he is a long-time collaborator involved with tobacco regulations. The most recent tobacco regulations were approved in 2017. Last month, there was some discussion regarding the tobacco regulations, and there are also some new regulations that could be incorporated into Bedford's tobacco regulations. Mr. Wilson has a lot of experience in this area and has worked with Bedford before, so he is familiar with the town's regulations.

Ms. Porter provided the BOH with the current tobacco regulations as well as proposed changes to the regulations, either from new State Law or from other towns' regulations.

Mr. Wilson commented that the penalty section of the regulations changes frequently. Previously, there were fines of \$100, \$200, and \$300 for first, second, or third violations. Some towns have flat fees for violations. Fine amounts have started to increase over time. Language regarding tobacco permit suspensions has changed from 'may be' to 'shall be' over time as well.

Mr. Wilson commented that the new State law requires the DPH to reorganize the penalty section with \$1,000, \$2,000, \$5,000 fines. While these penalties can be difficult for small stores, the State mandates the fine schedule, so the BOH can only decide if a violation has occurred or not. If a violation occurred, the fine is assessed as the language includes 'shall fine.'

Mr. Wilson added that the suspension of the permit can be adjusted and the BOH can determine the length of suspension period, if including a suspension is decided, as the State regulations use 'may be suspended' in their language. Currently, if the violation includes the sale of tobacco products to a minor, a suspension is required. Most violations are for the sale of products to someone underage or the sale of flavored tobacco products.

Mr. Wilson commented that the language requires a tobacco permit to be suspended if tobacco is sold to someone underage, even if it is the first time the violation has occurred. The suspension period can be up to 30 days. The BOH can amend to clarify the length of the suspension, which would have the suspensions be the same for any violating establishments. Otherwise, the BOH would have to determine the suspension period on a case-by-case basis. Three days for a first violation is popular among MA towns, followed by seven days for a second violation.

Dr. Kiessling asked for clarification for the BOH options. Mr. Wilson replied that the BOH can decide which penalties they want under Section 2 of the penalty portion of the regulations. On the document, anything that was highlighted in green was to be decided by the BOH. Anything in yellow was mandated by the State.

Ms. Raj asked if the town penalties were in addition to the State penalties. Mr. Wilson replied that is the case. He added that the State Legislature passed large changes to the tobacco regulations in 2019.

Ms. Schwartz commented that there is a checklist at the beginning of the document regarding the changes the BOH has to decide on.

Ms. Schwartz asked Mr. Wilson his thoughts on 'shall' versus 'may'. Mr. Wilson replied that the use of 'shall' makes it very clear in the regulations the consequences to retailers if they violate the regulations. If an establishment doesn't like the ruling, they can appeal to the courts in the hope of a lower penalty. However, in the records, the establishment still has a violation and if they have another violation in the 36-month time-frame, the next level penalty would be given. Mr. Wilson added that the regulations aren't to penalize and fine as many establishments as possible, but to get establishments to pay attention to the law. The use of 'shall' also keeps establishments from comparing their penalties to one another and complaining to the Select Board if one establishment had a lesser penalty.

Mr. Wilson added that the Town Clerk should be notified of the higher fines as there have been cases of accepting a \$100 fine payment when \$1,000 was due, or a Clerk not accepting the \$1,000 because they think only \$100 was due.

Dr. Kiessling referenced the situation last month and how the BOH had to give a certain penalty. Ms. Schwartz commented that the State has escalated fines with the number of violations. Mr. Wilson added that Bedford has a flat \$300 fine per violation with escalating tobacco permit suspensions.

Ms. Porter added that the suspension times are higher than those suggested in the tobacco regulation template. Mr. Wilson replied that the 14 days for a first offense was higher than average. More commonly, there are suspensions of 7 days for the second offense and 14 days for the third offense.

Dr. Kiessling asked if there was language that would allow for the option of giving a first time violator a permit suspension. Mr. Wilson replied that the current regulations use 'shall' regarding the suspension, so the BOH didn't have the choice. The use of 'may' would allow for a choice.

Ms. Porter asked the BOH members to consider if they want the option of a suspension up to 14 days, which would use 'may' in the language, or if the use of 'shall' will continue, but with a shorter period of suspension for a first time violator. Mr. Wilson commented that many communities use 'shall' for the second and third violation.

Dr. Brunkhorst commented that the penalty section has evolved with time and Bedford should follow the average of what MA communities are doing with only having a fine for the first violation.

Mr. Wilson commented another option to consider is a three day permit suspension for a first-time violation. Dr. Kiessling commented that is still a big deal for the establishment, which may be why the State doesn't have suspensions for first-time violations. Mr. Wilson agreed it was a big deal and that first-time violation suspensions were only for underage sales. The State purposely gave some leeway to allow for communities to decide on penalties themselves. The use of 'shall' is still preferred as it protects the BOH. Mr. Wilson added that while a permit suspension is a big deal, Bedford's establishments have been permitted for years and the consequences should be well known by them.

Dr. Kiessling asked about changing the language in Section 1 of the penalties regarding suspension of a permit. Mr. Wilson replied that the suspension in that section is required by State Law if there is a sale to a person under 21. The BOH can decide to either use a suspension length of up to 30 days, or choose a specific length of suspension.

Ms. Schwartz commented that she likes the use of 'shall' regarding suspension as it keeps the penalty level between the different establishments. The BOH still needs to decide on the length of suspension.

Ms. Raj asked about the need to remove all tobacco products the night before an establishment's permit suspension begins, as that was one of the hardships mentioned by the owner of a tobacco establishment at last month's BOH meeting. For a shorter suspension of one or three days, this would be a lot of work and Ms. Raj asked if the removal was required or necessary, or the establishment could just cover the product. Mr. Wilson replied that those options are up to the

BOH, but historically, establishments will sell the product to people they know if the products are still in the building during the permit suspension period.

Mr. Wilson added that earlier in the regulations regarding flavored products, a change was made that those prohibited products could not be present inside the establishment. Previously, DPH regulations allowed prohibited products inside the establishment if it was for the owners' personal use. However, owners would then sell the prohibited items.

Mr. Wilson commented that Bedford is of a size where the different tobacco establishments know what the others are doing, so if an establishment sold product during their suspension, the other establishments would know. The penalties are severe, but they are meant to be severe, especially if an establishment sold a product to someone under 21.

Dr. Kiessling commented that while tobacco use is legal, the regulations should be fair, and for first-time violators, there should be an option to cover the tobacco products while the permit is suspended. Mr. Wilson commented that the option to cover the product isn't a great option. Dr. Kiessling added after the first offense, the product would have to be removed. Mr. Wilson commented that Section 1 and Section 2 of the penalty section of the regulations should coordinate with each other for the second and third violations. This way the required suspension for the first violation would be in place, but can be shorter than the current 14 days.

Ms. Richichi commented that she prefers the use of 'shall' as it eliminates "wiggle room" and protects the BOH.

Ms. Schwartz commented that the BOH should think about the information Mr. Wilson is presenting and provide feedback. From there, the tobacco regulations can be amended and discussed again at the June BOH meeting.

Mr. Wilson referred the BOH to the chart comparing Bedford to Wilmington, Concord and Lexington. All currently use 'shall' in their regulations. The main difference is the length of the permit suspensions. The BOH members should think about the suspension length. Ms. Schwartz added the BOH members should also think about removing the tobacco product versus allowing for the product to be covered during a suspension.

Dr. Kiessling commented that a draft for the next meeting should be able to be completed to come into compliance with the State Law. Ms. Porter replied that is correct as the biggest change would be to the change in the permit suspension length of time. Ms. Porter does recommend the BOH set specific numbers for suspension length for each violation.

Ms. Raj asked about the amount of changes to the regulations required by changes in State Law. Mr. Wilson replied that many communities are using the template and putting in a three-day suspension for the first violation. Some communities are hoping to not need a hearing by only changing the language to reflect State law changes. Mr. Wilson recommended the current regulations be updated to include the State language, but to also consider the local aspects to the regulations. These changes could be as simple as clarifying definitions of products. Ms. Raj commented that reviewing the local changes would be helpful.

Mr. Wilson went over other proposed regulation changes beginning with the cigar definition. The definition clarifies what is a cigar as some products that were really blunt wraps were being passed off as cigars. A definition of blunt wrap is also proposed to be added.

Mr. Wilson also proposed adding a definition for rolling papers. Under MGL Chapter 270 Section 6a, rolling papers can only be sold to people of age and cities and towns are not allowed to regulate any further. The preemption has since been lifted, so cities and towns can regulate rolling papers. This is helpful as there are some flavored rolling papers made of flavored hemp. Mr. Wilson suggests adding a rolling paper definition, and then in the Tobacco Product Flavor Enhancer definition, adding that flavored rolling papers would be considered a tobacco product flavor enhancer. With kids preferring flavored products, this would allow rolling papers and blunt wraps to be treated similarly.

Ms. Porter asked how many communities have updated their regulations with the inclusion of rolling papers. Mr. Wilson replied that about six have updated their regulations so far, but added that many towns aren't currently updating their regulations as they are still focused on COVID-19 response.

Another suggestion was to clarify the Smoking Bar definition to include vape bars. While a vape bar hasn't been established, it is possible, so such an establishment is being included in the smoking bar definition. Ms. Porter commented that Bedford doesn't have smoking bars.

Mr. Wilson added the word 'indoor' to the Tobacco Product Sales Permit section to close a loophole that was used to sell tobacco products on sidewalks.

Further in the same section, language was added to keep an already established tobacco establishment from splitting in half with one half turning into an adult-only tobacco establishment.

Also in the Permit section was language refusing renewal of a permit if an establishment had sold tobacco products to people under 21 three times during a permit year.

Bedford currently has a cap on the number of tobacco permits granted each year. Mr. Wilson proposed language that if a tobacco permit is surrendered, revoked, or not renewed either due to an establishment no longer selling tobacco products or an establishment closing, the permit will be returned to Bedford and the number of tobacco permits each year will be reduced by the number of returned permits. Language is also proposed to limit the number of adult-only tobacco permits out of the total number of tobacco permits. Mr. Wilson gave the example of Burlington only allowing three adult-only tobacco permits. No new retailers would be allowed to establish near a school or near current tobacco retailers. A purchaser of an establishment holding a current tobacco permit is allowed to go through the permitting process in order to keep the tobacco permit.

Mr. Wilson also adjusted the prices for cigars quoted under the Cigar Sales Regulated section. The prices are based on the current National Consumer Price Index. Boston recently made this calculation.

Mr. Wilson suggested adding language to the Sale of Flavored Tobacco Products Prohibited section to keep establishments from having any prohibited items in the store. This closes a loophole where owners had prohibited items in their store for personal use, but could possibly sell them.

Mr. Wilson proposed language to ban blunt wraps. Blunt wraps are sheets of concentrated tobacco that are almost always flavored and are used to make cigarettes or joints. Ms. Porter commented that Bedford already bans blunt wraps.

Ms. Schwartz asked Mr. Wilson to highlight the differences between the current regulations and the proposed updated regulations for the next BOH meeting. Mr. Wilson commented that he could leave the yellow and green highlights in the next draft. If the BOH would like, they could use the template for the public hearing, with only the green sections up for discussion. The yellow sections are mandated by State law.

Ms. Richichi asked if yearly compliance checks were still recommended as she was surprised compliance checks weren't more frequent. Mr. Wilson replied that when the Tobacco Control Program had a bigger budget, compliance checks were four times a year. If a town or city wants to, they can budget for extra compliance checks.

Mr. Wilson asked how much is a tobacco permit. Ms. Porter replied that it is \$100. Mr. Wilson commented that the fee is on the low end. Some neighboring towns have \$600 permit fees. Mr. Wilson suggested increasing the permit fee and putting half the funds into a revolving fund to pay for extra compliance checks, as some communities do. Boston has all fees go into the Tobacco Control Program for the city and the funds are used for multiple compliance checks and re-checks if a violation occurs.

Dr. Kiessling asked if a draft could be ready for review before the next BOH meeting to allow for a hearing to take place in June. Ms. Schwartz commented that she wasn't sure everything would be ready for a hearing next month. Instead next month's meeting could be used to determine suspension lengths and to review the next draft of the regulations. Ms. Raj commented that she would like the time to think over the suspension lengths before discussing them at the next meeting. Ms. Richichi commented that with compliance checks not occurring again for several months, there is no reason to take the month to discuss before having a hearing over the summer.

Ms. Porter asked Mr. Wilson about expected resistance to the proposed changes to the regulations and receiving support from someone at the Tobacco Control Project. Several years ago at the last hearing there were attendees at the hearing who proposed all the changes. Mr. Wilson replied that in 2017, Bedford was one of the first communities to change some of the regulations. Currently, Bedford is following other communities updating their regulations. Mr. Wilson added that opposition to changes involving rolling papers was expected, but so far, there has been minimal opposition. A lot of the proposed changes are to close loopholes or to clarify the regulations.

Ms. Porter asked for the communities that didn't receive any opposition, if their tobacco permitted establishments were notified of the proposed changes. Mr. Wilson replied that they were informed of the changes and the hearing, but didn't have anyone attend to oppose the changes.

Mr. Wilson will provide the BOH the next draft of the tobacco regulations later in the week. The BOH will continue their discussion on the changes at the June BOH meeting.

Reports - BOH Liaisons and Health Department Staff

Dr. Brunkhorst reported that she and Ms. Dagle have attended a number of Institutional Biosafety meetings at Discovery, Corning, UCB, Thermofisher, and Homology. There were no changes to report.

Ms. Richichi reported that the Healthy Bedford Committee had to postpone the bike rodeo at Lane due to staff illness and the large number of students signing up requiring the event to be split over two days. Ms. Richichi wasn't sure how well the Bike to School event went as it was a rainy day. Ms. Porter commented that she saw a lot of people biking.

Dr. Kiessling asked when the bike rodeo was being rescheduled. Ms. Richichi commented that it will be May 19th, but Ms. Porter thought it was rescheduled for the 18th. The second session of the rodeo would be the following week.

Ms. Schwartz reported that the Council on Aging (COA) has a new logo "Where the roots of the community thrive." A lot of initiatives are planned around the new logo. At the last COA board meeting, a speaker discussed ways to make the town more accessible and more dementia friendly. The COA is also hosting a LGBTQ outreach event on June 15th that everyone is welcome to attend. Ms. Richichi commented the outreach event is a joint function with Bedford Embraces Diversity.

Ms. Dagle reported that there were 10 routine food establishment inspections and three re-inspections.

Ms. Dagle reported that there were seven complaints last month related to food establishments and nuisances.

Ms. Dagle reported that the first collection event for household hazardous waste was April 23rd and was well attended. That same day was the rabies vaccination clinic, at which 20 animals were vaccinated.

Dr. Kiessling asked how the rabies vaccination clinic was advertised. Ms. Dagle replied that announcements were put out on the Town website, Facebook, and flyers around Bedford.

Ms. Dagle reported that Mr. Ian Worstell, the Regional Tobacco Inspector, performed three compliance checks at the tobacco retailer whose permit was suspended last month for 14 days. All three compliance checks went well.

Ms. Dagle attended the OWL technology training hosted by the Bedford IT Department. Ms. Dagle also attended the Town At-Risk meeting and the Bedford Community Partnership meeting.

Ms. Dagle wrote a tick and mosquito article for the June COA newsletter.

Ms. Schwartz commented that she also saw an article regarding May having a lot of ticks. Ms. Dagle replied that Ms. Porter released that outreach article.

Dr. Kiessling commented that previously Dr. Telford had described April as having a large number of ticks. Ms. Porter replied that the tick data cited was from the University of Rhode Island. Ms. Schwartz suggested the colder temperatures may have affected the ticks.

Ms. Genova reported a significant increase in reported COVID-19 cases over the last two weeks. She has been calling residents, providing guidance, and working with Ms. Tracy Fernald with the school district to monitor those cases. Ms. Genova has also been encouraging the use of home antigen tests to help identify household spread early.

Ms. Genova attended the annual MA Department of Public Health (MDPH) MA Health Officers Association (MHOA) seminar in Devens on April 12th.

Ms. Genova has held two blood pressure screenings with the COA on April 13th and April 27th. Her goal is to visit the COA at least once a week. Ms. Genova is also frequently available in her office.

Ms. Genova reported that the first COVID-19 booster clinic was held just before tonight's BOH meeting. The clinic went well with around 70 doses administered, following the usual timed appointment procedure. The next clinic is scheduled on May 16th.

Dr. Brunkhorst asked if there were empty appointment spots. Ms. Porter replied that there were 10 empty slots. The clinic had 80 slots over a two hour time period utilizing four nurses. This being Ms. Genova's first clinic, the overall number of appointments was lower to make sure everyone got accustomed to the clinic set-up. The number of appointments is also dependent on the number of support nurses available to help at the clinic and the amount of vaccine available. Ms. Porter added that Monday evenings seem to work as people can stop by after work.

Ms. Genova met with Ms. Jacquie Cope from Bedford Green and took a tour of the vet housing. Ms. Cope provided information on the Peabody Properties business model and the supportive housing for veterans over 55 years old. Ms. Genova and Ms. Cope also discussed future initiatives for the veterans.

Ms. Genova has received the annual town orders from Dr. Geller, which she compiled. The process is completed annually.

Ms. Genova met with Ms. Amy Hamilton, the Director of the Recreation Department, to discuss summer camps and the camper intake process. The application deadline for camps was April 25th and Bedford has received the applications and fees from camps that were expected to apply.

Ms. Genova attended the Bedford Partnership meeting, as well as the OWL training and an epidemiologist webinar.

Ms. Genova visited a vaccine clinic at Medford on April 27th and met with the public health nurse. Medford uses a different software system so Ms. Genova wanted to see how it worked and how a different town runs their clinics.

Dr. Kiessling asked how many camps submitted applications. Ms. Genova replied that three major camps applied with subsets of camps during the summer for different sports.

Dr. Kiessling asked if anyone was hospitalized for COVID-19. Ms. Genova replied that one person, an 86 year old, is currently in the hospital for COVID-19. This is the only person who went to the hospital due to COVID-19 since Ms. Genova started working for Bedford in February. Ms. Genova

is also notified if someone tests positive if they go to the hospital for an unrelated reason and test positive while being treated. Most people are experiencing light to moderate flu-like symptoms.

Ms. Porter reported that while Ms. Genova has been responding to COVID-19 cases, she has been updating the Dashboard. There has been an increase in cases, particularly in the schools and particularly in Lane School. While a couple of Lane classrooms have a couple of cases, there aren't any definite clusters of cases. There is a lot of household spread and a lot of people were exposed after attending various gatherings and events between April vacation and the religious holidays. The weather has also made it difficult to hold outdoor events and gatherings. Ms. Porter added that the schools are continuing all of their preventative measures and reminding parents of the testing options. Test kits are also available through the Town.

Ms. Porter met with an intern. Ms. Porter is coordinating with HHS to come up with projects for the intern to work on, including working on an intergenerational survey, and a survey of mental health and social services available and residents' perspectives.

Ms. Porter announced that Town staff will be participating in the job shadowing program organized by the High School. There will be students working in the Health Department and learning what is involved. The COA and Veteran's Services are also participating in the program.

Ms. Porter met with Ms. Susan Rask, a consultant from Emerson Hospital and CHNA15, to discuss Bedford's mental health program and how to perpetuate work done through CHNA. The CHNA program has supported multiple projects in Bedford for various departments. The funding will run out over the next few years, but Ms. Porter would like to continue the collaboration with CHNA becoming a membership organization similar to MHOA.

Ms. Porter also attended the OWL training and there is a mock meeting tomorrow.

Ms. Porter also attended a forum on how to develop an intergenerational movement as part of the desire of the BOH to support those services. Ms. Porter learned some strategies that she is looking forward to passing along.

Ms. Porter reported that helicopter spraying of larvicide occurred over the wetlands in Bedford. The DPH is predicting a continuation of the increased risk of EEE.

Ms. Porter reported that Mr. Jon Mattleman gave his suicide prevention presentation in-person last month. There will also be some online webinars on suicide prevention, as well as for LGBT youth support.

Ms. Porter and the school district are working on various activities for students at the end of the school year, including the all-night grad party. The Health and Human Services Department is providing information to help keep students safe, including driving in cars together, making smart choices, and being mindful of potential outcomes of bad decisions. The Department is also providing COVID-19 guidance. The social workers with Youth and Family Services are working with the schools in particular during this time.

Dr. Brunkhorst commented that a resident reached out to her regarding swimming lessons and how Springs Brook Park would only be able to offer lessons to campers. Ms. Porter replied that with

staffing, lessons would be limited to campers. There are a lot of options for swim lessons in the area and outreach will be released detailing those options as part of public health. The outreach will also include swimmer safety information. Ms. Richichi commented that swimming is an important life skill.

Dr. Kiessling asked what CHNA15 stood for and how the program was funded. Ms. Porter replied it stands for Community Health Network Area 15 and there are many CHNAs across the State. The State DPH set up the program as a mechanism for hospitals improving their physical plant to set aside mandated funds that are used to give back to the community. These funds are called Determination of Need (DON) funds. The CHNA areas were set up by the communities to help access the DON funds more easily. CHNA also helps hospitals perform health assessments as the funds are supposed to be used for the top priorities identified in each area. Ms. Porter added that with all the improvements and expansion at Lahey Health Clinic throughout the area, CHNA15 was well funded. The CHNA offered various grants for members in each area to apply for, including capacity building grants, training grants, and shared services grants. The Middlesex Tick Task Force was funded by a CHNA grant. The bigger grants were \$30,000 to \$40,000 over an 18 month period and the smaller grants were \$300 to \$500. An Executive Committee would review the grant applications and make sure grants were spread out across the communities. Grant recipients were encouraged to share their results and data at an annual event and act as a resource for other communities who want to set up similar programs.

Dr. Kiessling asked about funding returning if Lahey or Emerson Hospitals expand again. Ms. Porter replied that Emerson Hospital has their own method of distributing DON funds. Ms. Porter noted she has been asked to join the Advisory Committee at Emerson Hospital.

Dr. Kiessling asked about Ms. Porter's meeting with the Navy. Ms. Porter replied that the Navy is planning on doing some off-site water testing and indoor air testing. The Navy thought there was a good idea of how the groundwater was flowing down from the contamination site on the property, but since the water is going through bedrock, the water isn't flowing as it would through soil. Any fluctuations in the water table can open new cracks in the bedrock, affecting water flow. This resulted in the Navy finding contamination where it wasn't expected. The Navy is continuing to track the contamination and contacting the affected property owners. A report on the situation will be presented at the next RAB meeting.

Ms. Richichi commented that she was asked by a resident of the possible impact of the contamination on Chip-In Farm. Ms. Porter replied that if the contamination reaches that far, it is underground and in the bedrock. The water source used by the farm is different. The Navy would contact the owners if the property was affected. Dr. Kiessling commented that the farm is on Town water.

COVID-19 Response - Date Evaluation, Mitigation Review, and BOH Discussion

Ms. Porter provided the BOH members with data from various metrics since January. Ms. Porter particularly looks at ICU occupancy, hospitalizations, and wastewater data. Ms. Porter also included the COVID-19 community level as provided by the CDC.

Currently, wastewater data has reached a peak, but ICU bed occupancy has lowered to a level below what it was in January. Case counts are high as the current variant is very transmissible and there is a lot of household spread. Ms. Porter commented that Ms. Genova's outreach is to initial cases

in a household, so case numbers are expected to increase as the virus spreads to other household members.

Ms. Porter commented that with the CDC community level at ‘high’, people are recommended to wear masks indoors.

Ms. Porter reported that the Department is continuing the messaging regarding COVID-19 including the availability of test kits at some Town buildings, and the availability of antiviral treatments.

Ms. Porter commented that while the schools have a large number of cases, they are still open. Fortunately, the children don’t seem to be experiencing severe illness.

Dr. Brunkhorst asked about the school cases causing disruption. Ms. Porter replied that no classes were shut down, but it seems like there are a couple cases in many classrooms across the schools. Some staff have been ill as well, which is one reason for the postponement of the bike rodeo.

Dr. Kiessling commented that on the DPH website, the number of hospitalizations with COVID-19 was 547, but the number of hospitalizations for COVID-19 was 147. Approximately a third of the cases hospitalized for COVID-19 are in the ICU at 45 cases.

Ms. Schwartz commented that residents are expressing concern over the rising case numbers, both in Bedford as well as in the schools. Residents have asked about actions they can take, and actions the BOH can take to address the situation. Ms. Schwartz commented that the increase was expected between holidays and school break so messaging was released beforehand on precautions, ventilation, testing before gathering, vaccinations, and mask wearing.

Dr. Kiessling commented on how not many people are getting sick. Ms. Genova commented that there is a wide range of symptom severity being experienced by residents. Vaccination and booster status doesn’t seem to affect who experiences symptoms. Some people are experiencing GI symptoms and some are so ill that they won’t be returning to society quickly. Ms. Genova commented that most people are experiencing mild to moderate flu-like symptoms.

Ms. Genova commented that she has told residents not to rely on at-home tests. If a person is experiencing symptoms and other members in the household start to feel sick, she encourages people to stay home, even if an at-home test is negative. A negative at-home test can mean you have COVID-19, but don’t have enough viral load to be detected by that particular test yet. If a resident continues to test negative, Ms, Genova encourages them to get a PCR test to determine if the illness is or isn’t COVID-19.

Ms. Genova also encourages people to remain vigilant, be smart, and realize the consequences of actions. There is a supply of antigen tests, which work well for some, but not for everyone. If a person remains ill, but continues to test negative with an antigen test, the person should get a PCR test. Her messaging to residents includes staying home if a person is ill.

Dr. Kiessling asked which brand of home tests are available through the Town. Ms. Porter replied that iHealth tests are available.

Ms. Genova commented that seasonal allergy season has also made it difficult for people to determine if they are ill or having an allergic reaction. For some, people have COVID-19 just with milder symptoms.

Dr. Kiessling asked if there were any cases in the long-term care facilities. Ms. Porter replied that none have been reported through MAVEN. Ms. Genova replied there haven't been any cases in facilities this week.

Ms. Schwartz asked for confirmation that test kits were still available through the Town. Ms. Porter replied that test kits are still available at various Town offices and that the Library seems to be the most popular place to get them. Tests were also distributed at the booster clinic earlier today. Ms. Porter thought that it was clear that the same people interested in protecting themselves also use the other mitigation strategies.

Ms. Schwartz commented that the School Superintendent continues to encourage testing in his weekly updates. She added that it is important to keep testing during spring allergy season as some symptoms are similar. Ms. Genova commented that some residents experiencing allergy-like symptoms were surprised when they tested positive, and had only tested before a gathering.

Ms. Porter commented that DESE, the DPH, as well as the BOH, are encouraging a level of personal responsibility. If someone is feeling sick, even if they test negative, they are still sick and should stay home. People need to keep protecting themselves and protect others. Ms. Porter added that messaging is adjusted to reflect current conditions.

Dr. Kiessling asked when the ten deaths occurred that have since been removed from Bedford's record by the State. Ms. Porter replied the deaths were all in 2020. Dr. Kiessling followed up by asking if the latest death from COVID-19 was in February. Ms. Porter replied that she believes so, but could double-check the records.

Ms. Schwartz agrees that remaining vigilant is important. Some residents have been asking what else can be done and if the mask mandate needs to be brought back. Ms. Schwartz asked the BOH members for their views.

Dr. Kiessling commented that if the disease was more severe, more actions may be needed. Ms. Genova agreed and added that while most people don't feel great the first couple of days of COVID-19, they begin to improve quickly. As with all viruses, some people feel worse than others, and some people experience different symptoms. Ms. Genova has noticed that some people are experiencing GI symptoms with this variant. Ms. Genova added that she doesn't believe Bedford is at a place where a mask mandate is needed.

Dr. Brunkhorst also agreed that a mandate is not necessary with this variant. People should remain vigilant and take advantage of the testing opportunities available. Dr. Brunkhorst was pleased that the schools remain open even with the number of cases and that Ms. Genova has been able to work with the school nurses. Ms. Genova commented that the school nurses are aware of cases before she is since home testing results are reported to them while Ms. Genova receives lab testing results. The school nurses provide guidance to the families as well.

Ms. Porter commented that there were cases where Ms. Genova contacted a family after being notified of a positive test and the family were out in public or had traveled. These situations show either a lack of understanding of the guidance, or an unwillingness to follow guidance. This resulted in messaging released two weeks ago reminding people what to do, and how to isolate. Ms. Porter reminded the BOH members that they can suggest changes to messaging based upon feedback they receive from residents.

Ms. Richichi commented that she has heard more people are using at-home tests, but people also worry about the validity of those tests. At this point, Ms. Richichi commented she doesn't know what more the BOH can do. A lot of COVID-19 management has shifted to self-responsibility. Ms. Richichi added that many people want to return to what was before COVID-19, so much so that they are gathering without testing or when ill, or coming out of isolation too early. These behaviors are being reflected in the cases. Ms. Richichi commented that the BOH can only keep doing what it has been doing by encouraging testing, following precautions, and reacting to anecdotal stories to adjust messaging.

Ms. Raj commented that she agrees with the discussion. With the increasing case numbers, messaging could be released encouraging people to wear masks. Cases don't seem to be severe and Ms. Porter and Ms. Genova are keeping the BOH members up to date on conditions in Bedford.

Ms. Porter commented that the BOH still has a mask advisory in place and Superintendent Conrad reminds people that they can wear a mask if they choose to do so. The CDC also recommends that people in 'high' community levels of COVID-19 to wear masks indoors. The BOH also has a list of mitigation strategies.

Ms. Genova commented that under current guidance, vaccinated family members can continue going to work and school as long as they show no symptoms and continue to test negative. In these cases, Ms. Genova has reminded family members to test at home. She also encourages mask-wearing since a family member could test positive at any time.

Dr. Kiessling commented that the three main COVID-19 vaccines have been given to millions of people over the past two years, but have still not received full FDA approval. She hasn't been able to find out why this is the case and asked Ms. Porter to inquire on behalf of the BOH. Ms. Porter replied she could ask the DPH at her next opportunity.

Dr. Brunkhorst asked about full approval for a Pfizer vaccine. Dr. Kiessling replied that the vaccine formulation Pfizer has FDA approval for is not the one being manufactured.

Dr. Brunkhorst commented that testing on the Omicron-specific vaccine is currently ongoing with results expected over the summer.

Ms. Schwartz summarized that residents should remain vigilant and mindful and the BOH encourages testing. She asked Ms. Porter, Ms. Genova, and Ms. Dagle to keep the BOH informed of any changes and if an interim meeting is needed between the regular monthly meetings.

Ms. Schwartz commented that the FDA has extended the expiration dates on the COVID-19 antigen tests for three months.

At 9:26 PM, Dr. Brunkhorst moved to adjourn the meeting of April 11th, 2022. Ms. Richichi seconded the motion. The motion was approved by a roll call vote of 5-0-0.

Documents and Exhibits Used During this Meeting

Director of Health and Human Services Report

Assistant Health Director Report

Community Health Nurse Report

2022 BOH Meeting Dates

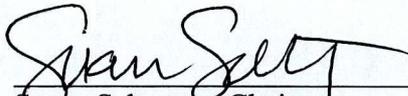
Summary Chart of Tobacco Regulations: Wilmington Collaborative

Current Bedford Tobacco Regulation

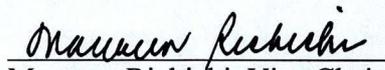
Possible Edits to Tobacco Regulations from Mr. DJ Wilson

Monthly COVID-19 Data Since January for Bedford, Middlesex County, and Region

The next scheduled meetings of the Board of Health are June 6th, June 23rd, July 18th, August 15th, September 19th, October 17th, November 7th, and December 12th.



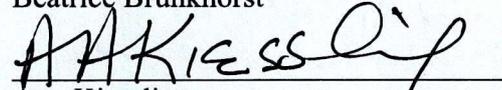
Susan Schwartz, Chair



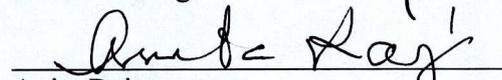
Maureen Richichi, Vice Chair



Beatrice Brunkhorst



Ann Kiessling



Anita Raj