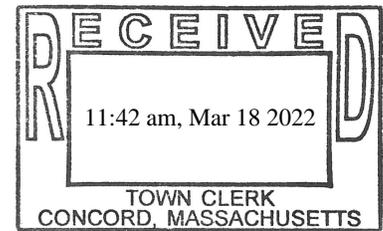


Town of Concord  
Board of Health

Minutes of the Meeting  
Tuesday, January 25, 2022



PRESENT: Jill Block, Chair, MPH  
Mark Haddad, Esq.  
Alma Healey, RN

Gabrielle White, Public Health Inspector  
Casey Mellin, Assistant PHD  
Marcia Rasmussen, Acting-Health Director/Director Planning Land Management  
Karen Byrne, Senior Administrative Assistant

OTHERS: Debra Stark, Debra's Naturals; Daniel Amspaugh, Operations Coordinator ACE Sushi; Henry Dane, Select Board Liaison; Patricia Keane, COA, Liaison; Tricia McGean, Public Health Nurse, Emerson Hospital Home Care; Carole Wayland, 51 Walden; Michael Behn

**1. OPEN MEETING**

Chairman Jill Block opened the public meeting at 7:00 p.m. stating that it was held on the Zoom Platform in accordance with the Town of Concord's Policy Directive and Guidelines on April 1, 2020 as amended. She read a brief statement outlining meeting protocol and noted that the meeting was being recorded and available for later viewing on the Town's website. All Board votes will be taken via a roll call starting with attendance. Board Members present (Block, Considine, Haddad, Healey)

**2. DISCUSSION – Covid-19**

Board of Health Chair reviewed the current mask mandate and the Board's rationale and the data that was used to determine its implementation. She noted that there was some confusion on the rationale as it related to percentages of cases rather than actual cases and thanked Concord resident Michael Behn for bringing it to the attention to the Board and staff so that it could be clarified for better understanding. The rationale was updated on January 20, 2022 and was posted on the Town's website<sup>1</sup> and will use 20 per 100,000 rather than percentages.

Carole Wayland inquired about the waiver process for establishments like 51 Walden who host functions that include musical performances and/or plays with actors, etc. At this time, staff is working on the application form, and it will be available by the end of the week.

**Clinics**

The Health Division in conjunction with Purple Health, Public Health Nurse Tricia McGean held a clinic for boosters and/or first, second dose Covid-19 vaccinations at the Concord Carlisle High School. Over 500 vaccines were administered. The number of lab-confirmed cases in Concord still remained higher than Ms. McGean had hoped for but that the trend was slightly lowering. January 5-12 (143 cases) and January 13-19 (103) – she always reminds staff that these numbers are likely 2-3 times higher now that people are testing at home and not reporting the positives. Another clinic will be scheduled in February.

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<sup>1</sup> Board of Health Rationale for Mask Mandate updated 012022

## **2. PUBLIC HEARING – FOOD CODE VARIANCE REQUEST**

The Board heard a request for a variance from Asiana Management Group, Inc., aka ACE Sushi who will be located within Debra's Next Door (but as a separate entity). The variance request is from the Food Code, 105, CMR 590.000, Section 8.103.15:

- Request to use acidification (vinegar) to control hazards in cooked rice to prevent the growth of *Bacillus Cereus* and associated toxins.

### **Background**

Public Health Inspector Gabrielle White has worked extensively with Adam Stark, Manager of Debra's Next Door and the applicant who will be providing the oversight of the sushi component of the new facility. Ms. White has reviewed the plan and approved the HAACP plan as it was submitted, and it meets all the criteria of the Food Code. However, she expressed concerns that ACE Sushi had not provided in writing that the Person in Charge (PIC) of the sushi operation would be onsite during all hours of operation on a daily basis in order to carry out the responsibilities of a PIC. Ms. White explained that she had not received any such information from the applicant.

Erica Kohn representative for ACE Sushi explained that in her experience Board's of Health routinely approved these types of variances prior to a PIC actually being hired or on staff. Ms. White and Health Division staff said that had never been the case in Concord and in this particular case because this license and variance were for a separate business operating within another it was definitely not something that would be supported by staff.

Ms. White explained that the variance request is to show that the PIC can demonstrate to the Board that he/she understands the HAACP plan and can execute it and oversee others working within the operation. Debra's Next Door in several documents had stated that it would not be responsible for shared use of refrigerators and cross training of PIC's.

Chinatsu Khounpraseuth, ACE Sushi explained that a new franchisee had not been officially selected for the operation at Debra's Next Door and that was why they could not provide the actual PIC who would be carrying out those duties but asked the Board to consider issuing the license under Debra's Next Door's license and once one was chosen, they could come back to the Board. Debra Stark, owner of Debra's Next Door stated that was not something she was comfortable with doing and that this was a separate business that her son was handling.

After several minutes of discussion, consensus of the Board was that the applicant had not provided the required information to move forward with granting the variance. Since the HAACP plan has been reviewed and approved by Public Health Inspector Gabrielle White, Board members recommended that ACE Sushi come back to the Board once they had their employees in place and they could demonstrate that they could execute the HAACP plan (approved by the Health Division). No further action was taken.

## **3. STAFF REPORTS**

Director of Planning and Land Management Marcia Rasmussen advised the Board that approximately 18 applications had been received for the vacant Public Health Director position and that she was reviewing them and would be starting the process with Human Resources to schedule the first round of interviews. She anticipated that the first round of interviews would occur within the next few weeks; Chair Jill Block and Fire Chief Tom Judge will be part of the interview team.

She also noted that former Public Health Director Susan Rask and former Covid Tracing Center (CTC) intern Shannon Flynn had both accepted positions to assist Public Health Nurse Tricia McGean with contract tracing for Covid-19 on an as needed basis.

The Health Division staff provided the Board of Health with the drafts of the Annual Reports (Staff/Board) for 2021 for members to review as a point of information.

#### **4. BOARD REPORTS**

Chair Jill Block mentioned that she had recently read an NY Times article “Cloud of Smoke – Not a Mirage” indicating that smoking (tobacco and marijuana) and vaping rates amongst people 18-29 had risen significantly during the pandemic reaching an almost “grunge like sophistication” during the past 2 years. She said it was definitely an unfortunate side effect of the pandemic and mentioned it to keep on the radar in hopes that some public health awareness/education might be able to be moved forward as the pandemic ends.

Several Board members noted that the mental health aspect was also something to keep in the forefront of people’s minds because the long-term effects of this pandemic on all ages, all demographics were real and definitely public health related. Senior Administrative Assistant Karen Byrne noted that the Centers for Parents and Teachers had already reached out for support relating to this issue with school return resistance and other similar related issues.

Mark Haddad reminded staff that the website needed to be updated to match the revised rationale for the mask mandate.

#### **5. BOARD CALENDAR & MINUTES**

The Board reviewed the calendar for upcoming meetings. The April meeting was changed to April 26<sup>th</sup> to accommodate April School Vacation; there were no other changes at this time.

The minutes of the December meeting were received earlier in the day from the administrative staff and will be reviewed at the February meeting.

#### **6. ADJOURNMENT**

Mark Haddad moved to adjourn the meeting. Alma Healey seconded it. All VOTED in favor. (Block, Haddad, Healey – yes; motion carried 3-0).

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Signature Page

Respectfully submitted by,

Karen M. Byrne, Senior Administrative Assistant  
Concord Board of Health

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Jill Block, Chairman MPH

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Mark Haddad, Esq.

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Alma Healey, RN