

## DEHDAM BOARD OF HEALTH MINUTES

July 11, 2018

### IN ATTENDANCE:

Leanne Jasset, B.S.P., RPH, Chairperson  
Kathy Reda, RN., BSN Vice Chairperson  
Patty Roberts, RN Member  
Catherine Cardinale, Health Director  
Jessica Tracey, RN  
Renee Johnson, Administrative Assistant  
Michael Cochi MD Walnut St. Dedham Resident  
Gregg Corbo Town Council for Town of Dedham  
Brendan Sullivan, President and Founder of Red Sox camp  
Elyse Graziano, Manager of Operations of Red Sox Camp

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Meeting called to order at 5:20pm

Minutes Accepted at 5:25pm

(Open Discussion)

- A) Michael Cochi asked the board to consider moving the time of the meeting later, after 5:30, in order to encourage civic engagement, to make it easier for residents who are interested to participate. The Board responded that the time of the meetings are flexible. Sometimes they meet at 5:30 but sometimes they do meet later.
- B) Flu vaccines coming in Nov: ordering 100 high dose
- C) Shingles: Jess Tracey, RN is going to run program for shingles, childhood immunization, pneumonia, etc . Waiting for more info. Hoping to offer tetanus shots for adults. Insurance will pay for shingles vaccine. Nobody denied vaccine for inability to pay
- D) Red Sox Camp
  - a. Gregg Corbo, Town Council for Town of Dedham, KP Law Firm: explains the process of application review that an applicant must follow in order to receive a permit. Statue requires in order to operate a camp, the Board of Health issue a permit. Mr. Corbo states that an applicant is not entailed to a permit outright but must show through their application that the camp is capable of putting forward a camp that protects the health and safety of the children attending the camp. The purpose of the hearing is to determine if this applicant, Red Sox Camp, has satisfied the criteria in order to be issued a permit to operate a camp. The statue also states that a completed application must be submitted 90 days prior to camp. If not completed in time, that alone can be a reason not to issue a permit. If the application is submitted on time, the board must determine if the applicant is able to run the camp in a way that protects the health and safety of those attending. Red Sox Camp is looking for a permit to operate a camp Aug 6-10, 2018.
  - b. Mr. Corbo sets forth the order of speakers. He said the applicant will present their case first, then the public health nurse and Director of Board of Health will speak to their interactions with the applicant and any issues with the application. Mr. Corbo says that at any time questions may be asked of the applicant, staff or himself. He states that after

hearing from the staff from the Board of Health, that the applicant will be given the last word. After which, the hearing will be turned over to the Board to deliberate and vote on a decision as to allow or disallow the Red Sox Camp to operate in Dedham in 2018.

- c. Mr. Corbo turns over the hearing to Mr. Sullivan to introduce himself and present his case before the board.
- d. Brendan Sullivan, President and Founder of Red Sox Camps and Elyse Graziano, Manager of Operations of Red Sox camps, would like to run a camp in Dedham. They believe they have a solid application.
- e. Before he speaks on the application itself, Mr. Sullivan addresses the following issue: He states that Ms. Cardinale is "continually and intentionally" questioning the camps relationship to the Red Sox organization. Brendan said they have a contract with the Red Sox. He questioned what their relationship with the Red Sox has to do with them being able to run a safe camp in Dedham. He said in Ms. Cardinale's report on 5/17/2018 she stated that she had reached out to other towns in which the camp has run in order to gather information about the camp. He said she reached out to each surrounding town that the camp works in and tried to interfere with their working relationship and asked them about their affiliation with the Red Sox. Brendan reads a letter into the meeting affirming that the Red Sox camp is in fact part of the Red Sox organization and has been for 8 yrs. The letter is from Timothy Zoo, the Red Sox Executive VP and CFO.
  - a. Brendan reads the following letter: "To whom in may concern, It has been brought to my attention that an employee at the Town of Dedham Board of Health department has been openly challenging the legitimacy of the connection of the Red Sox summer camps to our Boston Red Sox. I've been told by our friends at Heads First professional Sport camps, LLC that this individual is not only questioning our professional relationship in her own official documents but also doing so proactively in unsolicited communications with other jurisdictions around Massachusetts. The purpose of this letter, is to confirm that Red Sox Camps are indeed our official and exclusive youth camp. They are operated by our partner Head First Professional Sport Camps, LLC and specifically by business president Brendan Sullivan and Operations Manager Elyse Graziano. We have had a contractual relationship with Head First since 2010, when Brendan's team and my team, with the Boston Red Sox, collaborated to create the program. 2018 is the 8<sup>th</sup> summer the Red Sox camps will be operated in MA and around New England. To date, thousands of families have enjoyed the program and connected meaningfully with the franchise. We value this partnership and expect it to last long into the future as we work hand in hand with Head First through Red Sox Camps to engage with our next generation of fans. If you have questions about this relationship, please feel free to contact me directly (617) 470-5810. Thank you for your time, Timothy Zoo, Executive VP and CFO of the Boston Red Sox."
  - b. Mr. Sullivan says that he is not sure what that issue has to do with their ability to run a healthy camp in MA.
  - c. They have run 62wk of camp in MA. Mr. Sullivan states that they have started camps in other towns without having the permit before camp starts and then the inspectors checks the camps during the week and gives the permits. He feels that Ms. Cardinale is not helping them get the permit but is purposefully hindering their attempts. He is asking the Board to inspect the binder and help them or give them guidance to complete the process to get the permit so they can operate in August 2018

2. Chair from the Board replies...

She reads an email from Ms. Graziano, dated March 1, 2018, to Ms. Cardinale stating that she understands Ms Cardinale's concerns and suggested she, Cathy, reach out to surrounding towns



(Norwood, Cambridge, Belmont, etc) to get more information about the camp and licensing and to get a better comfort level about how the camp is run. Chair states that it was Ms. Graziano's suggestion that Ms. Cardinale talk to other towns and not Ms. Cardinale trying to interfere. Response: Brendan confirms that that email was indeed sent. But he feels that the calls were not made in good faith for information but rather to "stir the pot". Said Newton pulled their permit after their conversation with Cathy. He said they figured it out and they are still permitted in Newton.

Chair asked about the pulled permit, but was interrupted by Mr. Corbo who steps in to get the meeting back on track, which is getting to the point of whether or not the application demonstrates that the camp can run in a way that meets the health and safety needs of the campers put forth by the DBOH. Gregg cites regulation 105cmr 430.631 and 105cmr430.650:

Mr. Corbo states that a Camp cannot operate until they have a permit...not start and then receive a permit.

Brendan explains the process that the camps have run in other MA jurisdiction – The other camps do not have a permit the Monday morning camp starts and he believes that it is relevant because the other jurisdictions are operating under the same state code. Brendan repeats that Ms. Cardinale is not working in good faith. Lawyer, Gregg Corbo, tells Brendan that he will not hear another disparaging comment about Cathy. Brendan questions who the lawyer represents. Mr. Corbo states that he is running the hearing and informing the board as to what is relevant to what they need to hear in this meeting.

Brendan states that initially Ms. Cardinale did not want to give the camp an application. The Board told her she had to allow the Red Sox camp to submit an application. There have been several interactions since then. Brendan presents the binder for application @ 6:15.

The Chair Board asks for Ms. Cardinale and Ms. Tracy to give any concerns they have after reviewing the application. Mr. Sullivan asks if he can respond to their concerns. Mr. Corbo responds, that no they are not to respond to their concerns. Cathy and Jess are to present their entire case and then Brendan can respond at the end.

Ms. Cardinale and Ms. Tracy's concerns after reviewing application:

- a. Jessica: she reviewed medical care policy and medication administration. Sites section 430.160....The camp application says that they will not administer any medication or prescriptions at camp. The regulations says there has to be a plan in place to administer medication. They also need to have health care competency training in order to administer the medication and the camp does not have that.
- b. Health Care policy: 2<sup>nd</sup> submission still have errors. Tick check protocol insufficient. Their procedure is to encourage parents to check for ticks. Jess said it is insufficient because they do not have a policy or procedure if someone presents with a tick. Insect repellent insufficient because it says there will be repellent in the camp trailer to be applied if needed. Jess states that because they are outside the procedure isn't realistic for the camp.
- c. 1<sup>st</sup> binder rec'd April 12, 2018 and was incomplete. 2<sup>nd</sup> binder rec'd June 18, 2018. BOH stating that there was still missing information after the 2<sup>nd</sup> submission.

Mr. Sullivan tries to interject. He is told he cannot ask questions. He questions Mr. Corbo's role. Mr. Corbo stated that he is supposed to be running the meeting but Brendan states that he is acting as if he is representing Ms. Tracy and Ms. Cardinale



The Chair explains that the Town Council, Mr. Corbo is running the meeting.

Mr. Corbo asks Ms. Tracy, that if in her opinion as public health nurse, does she believe the camp can be run in a matter that will be safe for the campers? She states that the material in the binder leads her to believe that the procedures and policies are either incorrect or will have an opportunity to compromise the health and safety of the campers. Example given, unrealistic pick-up procedures, missing information for who a substitute director would be. Some of the staff background information (references and work history) is missing. Staff orientation and training (i.e. CPR, first aid or Heads Up training.) is incomplete. The binder talks about future trainings but they have yet to submit any training information showing that trainings have occurred.

Staff submits a list of deficiencies that the Board of Health has found.

Director of Board of Health, Cathy Cardinale, addresses her communication with other communities in regards to any issues the other towns may have had or issues with the camps operating process. Ms. Cardinale spoke with reps from Brookline, Beverly, Belmont, Newton, Wellesley, and Cambridge asking if they had licensed the camp and if there were any issues in regards to their process. Ms. Cardinale was told that in Wellesley, in 2017, the Red Sox camp ran a camp out of Wellesley without seeking a permit. When approached the Red Sox camp said they did not know they needed a permit. They were having a hearings with Belmont and Newton and those towns said they had issues with the camp becoming compliant. In 2016, Cathy spoke with Cara telling them not to operate in Dedham because of deficiency in their application and they proceeded to run the camp in spite of being told not to.

Ms. Cardinale states that the application is still incomplete.

Mr. Corbo asks the Board if they have any questions. Board states her (not sure who is speaking) concern that no one is CPR or first aid certified. Also, she questions where the list of campers and their health records are. Ms. Cardinale explains that the campers submit those papers to the camp but due to HIPA laws the camp does not turn that over to the board of health. The Board of Health goes to the camp, Monday morning when camp starts, and goes through the paperwork on site. But she says that the Board is supposed to receive an example of the camper's application process and what the camp is expecting the campers to give to them. She said that that process was not written or submitted with the application. The concern from the Board of Health is that the application does not have sufficient information from the parents i.e. Emergency contact numbers, any allergies, medications, etc.

Board was asked if they had any further questions for the staff. No further questions asked. Mr. Corbo asked that the Red Sox reps be given an opportunity to respond.

Mr. Sullivan says that they feel that there hasn't been clarity as to what the Board of Health still needed from them.

Ms. Graziano responds to the question of providing a sample application: she says they have the sample application but was not asked for it. Said the information includes emergency contacts, asks for any allergies, medications, and the child's health history.

Policy for Epi-pens and inhalers are to have epi-pen and inhalers within reach of campers at all times. Coaches have medication with picture of child, medication administration form that has been signed by parent, on them at all times.

Any other medication checked in, not needed for emergency would be stored in a locked refrigerator with the Health care supervisor.

Pick-up procedures: challenges the Boards determination that the procedures are unrealistic.

Procedure is as follows: require pick up authorization from the parent/guardian, photo ID to be checked upon pick up every day.



Staffing info and CPR certification: Because each coach does not work every week in the different locations Elise does not want to give a listing of the entire coaching staff out to each town. She sites HIPA violations as one reason. So the Thursday before camp is expected to start, The Health care supervisor for each respective town would receive: a list of the coaches, the team they are coaching, and how many campers are on the team. Ms. Graziano also sends along the coach's certifications - CPR, Heads Up, and CORI Check - in a password secured document. In closing, Brendan states that he takes the campers safety and well-being very seriously. He believes he can provide a great week of camp for the kids and asks that they be given the opportunity to do so.

Mr. Corbo asks if any on the board have questions.

Chair responds: She questions why some of the detailed information is not provided in the time frame requested. She understands Ms. Graziano trying to streamline the process but feels that the information should be supplied when asked by the Board of Health, not when the Camp deems it necessary. Ms. Graziano counters by stating that if she supplies all the information at once, there is too much information that is not relevant to the town of Dedham. She apologizes and states that going forward she is willing to hand over all the information when needed.

Mr. Gorbo puts the questions before the board:

1. Does the board feel that they a complete application in from of them?
  - a. If no, they must deny the application because it is incomplete.
  - b. If yes, does the application in front of them demonstrate that the camp can be operated in a manner that is sufficiently protective of the health and safety of the campers

Vice Chairman Kathy Reda responds that she feels that the 2<sup>nd</sup> Binder is incomplete but all the questions/concerns she had where addresses during the hearing.

Board member Patty Roberts responds that she feels there is a little clarity after the hearing but questions that everything can be done before the camp is supposed to start

Chairman Leanne Jasset questions their medical policy. She feels that some things are contradicting to the binder.

The Chairman asks Ms. Cardinale and Ms. Tracey if they have anything else to add.

Ms. Cardinale said she has spent many hours trying to process the application. It's their responsibility to ensure that the applicant is following the code. She doesn't feel that they understand the code and what it requires them to do.

A motion is made that the Board votes today, July11, to deny Head First Professional Sports camp LLC, application for a day camp permit for Red Sox camp planned for Aug 6-10, 2018 @ 8000 Great Meadow Rd Dedham, MA. For the following reasons:

- On or about July 18-22, 2016, Head Start operated a Red Sox camp in the town of Dedham without a permit despite notice from The Board's agent that a permit was required. By correspondence dated Aug 22, 2016, Head First was notified of the violation and put on notice that it would not be granted a permit in the future unless it submitted a proper and complete application and a public hearing conducted.
- On or about April 12, 2018, Head First submitted a new application to operate a recreational camp for children on Aug 6-10, 2018. By correspondence dated May 24, 2018, the application was rejected as incomplete. As identified in the rejection letter, the application contained numerous deficiencies, inaccuracies and contradictions. Despite these deficiencies, Head First was granted additional time to submit a completed application.
- The May 24, 2018, correspondence with the Health agent, notified Head First that a permit was required and Head First was required to cease and desist from any action or activity to establish or operate the camp without a permit from the Board.

- After receiving that notice, Head First continued to solicit reservations for the camp on the website of the Boston Red Sox.
- On or about June 18, 2018, Head First submitted a new application. Although it addressed some of the deficiencies of the first application, it still remained incomplete at that time and still contained numerous deficiencies, inaccuracies and contradictions.
- As of the date of this decision, Head First has still not submitted a completed application.
- Head First has operated camps in other communities without obtaining proper permits and in violation of minimum standards for recreation camps for children.
- Pursuant to 205CMR 430.631 , a completed application must be submitted to the Board of Health at least 90 days prior to the desired operating date. Head First has failed to meet this deadline and its application is denied for this reason.
- Head First's application is denied in addition for deficiencies in its applications which constitute serious violations which may endanger or materially impair the health, safety and well-being of the children.
- Head First's disregard for the law and its knowing violation of the law which have exposed children to

Mr. Sullivan asks if the Chairman Jasset is reading from a prewritten statement. She acknowledges that it was something that she wrote before the hearing. Mr. Sullivan would like the record to show that Leanne just read from a prepared statement, word for word, that was written before the hearing. She agreed by saying "That's correct...Absolutely". Mr. Corbo interrupts while Mr. Sullivan is asking that the statement be on record, and asks Madam Chair to close the hearing.

Mr. Sullivan wants the record to show that the decision will now cause them to close the camp and will cost the company's thousands of dollars that they will have to refund to customers and causes financial damages to their business. In Addition, he states that Ms. Cardinale' defamatory actions in other jurisdictions, attempts to torchesly interfere ... He says they are in the process of putting a civil lawsuit together (Mr. Corbo is speaking in the background asking the Board to close the meeting)...

The Board interrupts Mr. Sullivan and closes the meeting. Chairwoman asks Ms. Cardinale and Ms. Tracy if they have any further business to discuss. Mr. Sullivan asks if they are dismissed. Chairwoman Jasset says "Yes." Mr. Sullivan says that "This is an unbelievable Kangaroo court that you guys are running." He addresses Mr. Corbo saying, "You have a legal obligation and you just sat through that."

Ms. Tracey begins her report of activity.

She ran 3 BP clinics

Intentions for scheduling future flu clinics

Aug 16 monthly meeting scheduled 1-3:30 registration not required

Communicable diseases: New Tb case reported, as well as salmonella, pertussis

Walked in Flag Day parade

She continues to do home visits.

Future projects: would like to have a drop in resource night for families with substance abuse/issues concerns



Questions about getting a table for Dedham Day

Ms. Cardinale speaks to the board:

Panera should be ready to open new location soon

El Centro, 1<sup>st</sup> inspection done. Still need more info

Asked if D'Angelo's is opening location in Dedham- nothing confirmed yet.

Sunscreen dispensary was vandalized

Motion to adjourn

Motioned second

Meeting closed at 7