

**CITY OF GLOUCESTER**  
**Board of Health**  
**Minutes of the Meeting**  
**April 8, 2021**  
**5:30 p.m.**  
**Remote Meeting Via Zoom**

Board members virtually present courtesy of a system organized by the City's IT Department: Chairperson: Dr. Richard Sagall; Vice–Chairperson: Robert Harris; Frederick Cowan; Joe Rosa; and Claudia Schweitzer. Present from the Health Department: Health Director: Karin Carroll; Assistant Health Director: Max Schenk.

Also present Mayor Sefatia Romeo Theken; Attorney Lenny Kesten representing Mayor Theken; and Attorney Meredith Fine representing Karin Carroll.

The meeting started at 5:30 p.m.

This meeting is recorded by video and audio in accordance with state Open Meeting Law. Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law and banning gatherings of more than 10 people, this meeting will be conducted by remote participation. If you are calling in on a phone you can press Star 9 (\*9) to request to speak. If you are watching on a computer or device there is a "raise hand" button that you can tap or press to request to speak. Please use either of these options during oral communications to be recognized to speak.

**NEW BUSINESS**

**DISCUSSION: April 2, 2021 message from Health Director to the Board of Health Regarding Concerns Associated with COVID-19 Response Actions by the Administration-**

*Chairperson Sagall* read the following statement:

"Tonight's meeting concerns the statements made by the department director, Karin Carroll, and the position that the Board of Health will take on these issues. Any discussions need to be guided by the regulations of the Health Insurance Portability and Accountability Act (HIPAA) and conversations that were considered confidential." He stated that the order of events will be that Health Director, Karin Carroll will read her memo into the record and then the Mayor will have 10 minutes to speak. The board will have an opportunity to discuss the contents of what was presented and decide on any actions.

*Ms. Carroll* stated that as the director she reports to the Board of Health and it is her responsibility to inform the board of any staffing or policy issues that may impact the ability of the department to realize its mission; to promote physical and mental health and prevent disease, disability, and injury. During this difficult pandemic the employees of the Health Department have worked tirelessly to protect the health of our friends and neighbors, there have

been times when other city employees have attempted to contribute to the battle against COVID, she believes that those employees were well-intentioned and may not have realized that their efforts to help were counter productive. She stated that when she receives complaints from staff or the public she has a duty to address them and she has done her best to do so. She stated that at all times she has been motivated solely by their mission. She stated that she has no special desire to air these issues in public or to single out any individual city employee, she would have preferred to meet with the board privately; the city solicitor has decided that this meeting should be open to the public as the Board of Health is a public agency governed by the open meeting law. She stated that she has brought an attorney with her tonight because she might occasionally need her guidance on when information might not be appropriate for public disclosure, the fact that she has an attorney present should not be interpreted as an aggressive gesture on her part. She stated that during her tenure at the Health Department she has enjoyed a strong partnership with the Board of Health, whose unflinching support and dedication are deeply appreciated. Upon receipt of information and staff concerns, she asked Chairperson Sagall for guidance and he requested that the concerns be put in writing to the entire Board of Health. She read the following memo that she submitted to the Board of Health last week:

“Dear Members of the Board, I am writing to inform the board of concerns I have regarding the Mayor’s office involvement in public health matters which can in my opinion be counter productive to good public health. Attempts have been made to address these concerns, yet the involvement continues, therefore I would like to ask the board to review these concerns and intervene. The Gloucester Board of Health is given the authority under Massachusetts state law to set policy regarding public health in the community. The Board of Health is responsible for assuring access to a comprehensive set of public health services as defined by state law and regulations, the board hires and charges the Health Director to operationalize policies which require a strong team of qualified public health professionals. The Massachusetts law is set up in this way intentionally so the health and safety of communities can be fully protected without political interference. During the last year there have been multiple examples which can be briefly summarized in a few key areas of concern:

- Dissemination of incorrect COVID-related information.
- Actively assisting individuals to secure COVID-19 vaccine appointments outside the Health Department’s involvement and inconsistent with the Department’s commitment to health equity.
- Activation of COVID-related resources from the state without following chain of command and consulting the Health Director or the Board of Health first.
- Engaging in unofficial COVID contact tracing outside of the Health Department.
- Requesting COVID-19 patient-level information from various members of the department.
- Contradicting the clinical advice of the Health Department tracing team.

These actions however well meaning can adversely affect public health and should not continue. Thank you in advance for your support, Sincerely Karin Carroll.”

*Mayor Sefatia Romeo Theken* appeared before the board. She stated that she is disappointed that she did not get any information about tonight’s meeting. She stated that she found out about tonight’s meeting through the newspaper. She read a letter that she received from the Health Director: “Dear Mayor, I wanted to let you know that I did not want my concerns to be

public and I simply felt that I needed to talk through some concerns, I have many which I have discussed with you already, it is my job to keep the board informed. At this point the Chair asked me to put my concerns in writing, this is not personal as you know you have worked closely together throughout the pandemic and I have appreciated your support and passion for the community's health and I believe you have well intentions however it has reached a point where the chair wants to discuss this with the full board." *Mayor Theken* sent a response letter: "Karin, thank you for letting me know. We had an open discussion and always worked things throughout our best interest to serve the community, COVID did not come with a book and it was like a cyclone that no one expected, at least not this long. No one including me is trying to interfere with the boards' employees but unfortunately due to the lack of translation into the dialect of our community it is hard to talk to anyone who can explain things because they constantly reach out to me, I am few that they know and trust and can translate their needs. The past leadership in the White House law has brought fear into a lot of people in the community that added to the pandemic, not knowing what to expect next or who will help them brought more fear. It took a long time to reach out to me myself, no one should live that way and I don't contradict you and actually listen to your advice and became an MRC trainer and did training through them. More people realized, worked closely with the PCs and other people and other facilities and translation was correct. I did not interfere with support with regionalization which you did not want and did not enroll people privately or through the state. I did the same thing the SHINE counselors were doing, nothing different, nothing more. My senior staff, at the senior center, through Ms. Sinagra asked me to help out. She also has Sicilian speaking people and had them call. She said it was under control once the phone system was up and she didn't need my services any more yet some of the community members still need it. As always I am here to help but I do run a network and Gloucester has always been in more danger than red but yet we have accomplished together and I look forward to continuing the work until we come to some kind of normalcy. My whole time as Mayor we have never had any problems and I hope this resolves any confusion you might have. I know we continue to work closely and I know we have a lot of work to do, especially to get the seniors back to the senior center. I hope this clarified some but from day one I have always worked and always stood by my Board of Health, even when the Board of Health members were not there in our meeting."

*Mayor Theken* stated that when Ms. Carroll asked her to help her out with DenMar or the other nursing homes and call the state to intervene, she helped. She stated that we have to get clarification on what the roles are. She stated that she is the executive office of the city and she is there to protect the citizens of the City of Gloucester in every which way. She stated that she declared a state of emergency for the City of Gloucester to make sure the city is protected. She stated that she did not set vaccine appointments up for anyone, the COVID Angels helped people secure appointments. She stated it is called [www.vaccinehelp01930.com](http://www.vaccinehelp01930.com), you say I need an appointment and they will send you back a form, and that form has been approved by the state and the MRC. She stated that community members such as teachers reached out to her about the lack of vaccine availability. She stated that she reached out to facilities to find out what documentation would be needed to get a vaccine. She stated that her main concern is to protect all of the residents of Gloucester. She stated that she knows what HIPAA is, her priority is getting the community vaccinated to prepare for the summer. She stated that she has been

working with all city departments and wants to continue to work with all city departments. She stated that there is no hatred here, only concern and fear.

*Ms. Schweitzer* stated that her concerns is about the HIPAA regulations. *Mayor Theken* responded that she still has training from the state and is familiar with HIPAA regulations and the people reached out to her, she did not reach out to them. She stated that she did not get names from the Board of Health, people gave her their names. *Ms. Carroll* stated that the contract tracers are subject to HIPAA and some of these instances have come back as accusations of the nurses breaching HIPAA and they may be well-intentioned but there are repercussions and these nurses hold clinical licenses and she has had multiple nurses approach her at multiple times with grave concerns for their clinical licenses. She stated that in response to contact tracing, the Mayor has attended many calls and kept up to date on many parts of this Covid information, however the calls with Ron O'Connor twice a week are public health calls that are more general, in addition to those there are MAVEN specific calls that happen two more times a week that the tracing team in required to attend, the clinical information and guidance changes quickly and it continues to change. That is why it is critical that only the trained contract tracers do this work in order to best protect the patients. *Mayor Theken* responded that she translates for the doctor not the tracing.

*Mr. Rosa* stated that he considers himself a friend and colleague of everyone involved in this, and they all act in what they believe is the best interest of Gloucester but that said it serves no one to have the trust and respect that all the hard work that *Ms. Carroll* and the staff have done to have that compromised so at the very least he hopes that everyone agrees to have better coordination and be sensitive to the fact that though some people may be helped in the immediate sense others may feel slighted in the long run.

*Mr. Cowan* stated that *Ms. Carroll's* work in the long haul is going to run unabated, she should not be diverted dealing with what has passed. He encouraged her to try to look as far forward as possible. He stated that he hopes that *Ms. Carroll* has access to a full board so she can continue to focus forward and members of the board work with the Mayor's office and the administration to iron out any wrinkles going forward. He stated that he does not want *Ms. Carroll* to try to repair things that have already occurred because that is not a good use of her time. He stated that board members need to be more proactive in addressing issues in order to enable the Health Department to work collaboratively with the city in a seamless fashion. The board agreed with *Mr. Cowan*.

*Mr. Harris* stated that he is willing to do whatever needs to be done to make the Health Department run more efficiently. He thanked the Health Department, the leadership, and the administration for their efforts during the pandemic.

*Mayor Theken* stated that she agrees and she believes in teamwork. *Chairperson Sagall* stated that there is teamwork and there is also going through chain of command. *Mayor Theken* stated that she will not turn her back on anybody and she looks forward to working with everyone.

*Ms. Schweitzer* asked *Ms. Carroll* how the board can help with the situation. *Ms. Carroll* responded that she does still have concerns and she looks forward to working through them with the Mayor and the Board of Health. She agrees that they need to move forward but the concerns that have been raised need to be addressed so that they can move forward. She stated that the board can assist with setting clear delineation to determine what is the role of public health and the separateness of other entities within the city and those boundaries have to be respected and maintained. *Chairperson Sagall* stated that the concerns that *Ms. Carroll* has brought forth should not happen and he understands the Mayor's passion for taking care of people in the city but there are rules that have to be followed and when the rules are not followed it leads to inequities and discontent. *Mayor Theken* responded that all city employees have to be treated the same and one employee cannot stay home because a health department from a different city tells them and another employee from Gloucester is told to go to work. She stated that she had someone call her who had tested positive for COVID and the caller said she had neglected to tell the contact tracing team all her close contacts and the caller felt embarrassed and did not feel comfortable calling the tracing team back so the caller asked her to call instead.

*Ms. Schweitzer* stated that the Health Director reports to the Board of Health who reports to the state and that was devised to eliminate the political piece. She stated that they know that the Mayor is passionate and cares about all the residents but *Ms. Carroll* has a mission that moves in a different direction and that needs to be balanced.

*Mayor Theken* stated that it is a state of emergency and she is the executive officer and the executive officer does have to protect the city during the pandemic.

*Chairperson Sagall* stated that the system still has to be followed. He stated that he has worked very closely with *Ms. Carroll* during the pandemic and he supports her concerns and there needs to be some changes in how things are handled. *Mr. Cowan* stated that he would like to see members of the Board of Health become more proactive in working with the city in order to spare that level of communication and the politics of the city from *Ms. Carroll's* daily life. He stated that is not useful for *Ms. Carroll* to repair things and she should be focused on moving forward.

*Ms. Carroll* stated that it is critical to respect the structure of public health, it is designed to protect the privacy of patients and the integrity, the professional credentials of the staff, and the way best practice works in public health.

*Chairperson Sagall* stated that the administration needs to remember the difference between the Health Department and the Board of Health. He stated that the Board of Health is not out on the front lines doing the health. They are policy setting and dealing with issues at that level; it is the Health Department that is face to face with individuals, giving medical advice, and executing the policies that the Board of Health decides upon. *Mr. Rosa* stated that they need a level of coordination between those who are acting on behalf of the city before the fact and not after. He

stated that Ms. Carroll has the responsibility and she has to be able to exercise that responsibility.

The board agreed to write a letter detailing their support of Ms. Carroll and her decisions and her role in this process.

**CONCERNS OF BOARD MEMBERS**

Next Regular Monthly Meeting Board of Health- The next Board of Health monthly meeting is scheduled for May 6, 2021 at 5:30 pm but they need to meet before to discuss the proposed Mosquito Control program. The Board agreed to meet on April 22, 2021 at 5:30 pm. *Mr. Harris* stated that he will not be able to attend that meeting.

**MOTION** by Mr. Cowan to adjourn.  
Seconded by Mr. Rosa **CARRIED.**  
MEETING ADJOURNED – 6:43 p.m.

Respectfully submitted,

\_\_\_\_\_/S/ Bobbi Orlando\_\_\_\_\_

Bobbi Orlando

Accepted by:

\_\_\_\_\_/S/ Richard Sagall\_\_\_\_\_

Richard Sagall, Chairperson

Documents Referenced:  
April 8, 2021 Board of Health Agenda