

**Meeting Notes from the Regular Meeting of the Peabody Board of Health,
October 20, 2022 4:30 pm**

In Attendance: Chairperson Thomas J. Durkin III, Members Anthony Carli and Julia Fleet, D.O.; Health Department
Director Sharon Cameron, and Recording Secretary Lisa Greene

The meeting was held in the City Hall Lower- Level Conference Room at 4:30 p.m.
with public access also available remotely Via Zoom

Subject: Meeting called to order

Discussion: At 4:30 Mr. Durkin opened the meeting and read the meeting notice. Ms. Cameron appeared via zoom from her office.

HEARINGS

Hearing 1: Scheduled for 4:30 pm - Hearing re: Application for Permit to Keep Certain Animals at 13 Bradford Rd. Vote anticipated to grant or deny permit.

Discussion: Applicant Mathew Bonfiglio was in attendance via zoom. Mr. Durkin said this is a continuance from last month and asked him for info. Mr. Bonfiglio said he got hens during the pandemic and his family found it very interesting and wanted to continue. Mr. Durkin said he saw the map with the coop and their ranging lines. Inspector Yale reported that the property looks good and has been inspected by pest control and passed. Any questions? No. Mr. Durkin said we have a big concern about pests and asked him to be aware of that. Mr. Bonfiglio said he has pest control and cameras and hasn't had any issues, has pest control come every three months. Mr. Durkin asked if anyone wants to speak on this matter. No responses were received. Mr. Durkin closed the hearing. Mr. Carli made a motion to approve the permit. Dr. Fleet seconded. A vote was taken and it was voted unanimously to grant the permit.

Hearing 2: Scheduled for 4:35 pm – Hearing re: Application for Permit to Keep Certain Animals at 37 N. Central St. Vote anticipated to grant or deny permit.

Discussion: Mr. Durkin opened the hearing and read the hearing notice. Applicant Domingos Furtado was not in attendance so the board deferred. The Board returned to the hearing at 5:44 after Mr. Furtado appeared via zoom. Mr. Durkin asked Mr. Furtado why he is applying to keep chickens. Mr. Furtado and his wife Lucinda said they got chickens and like them and want to keep them. Inspector Yale told that they had chickens in the past and we used to permit him years ago but said they had not reapplied for a permit and we didn't know they had them again. Yale reported that they have rabbits as well and are good care takers. He explained that the property abuts Dunaski dairy farm, and that the chickens are near the Dunaski land so it is a good location if no one opposes. Mr. Durkin asked if anyone had any questions. Dr. Fleet asked how the chickens were brought to his attention. Inspector Yale reported that he had received a call with a complaint about a rooster there. Inspector Yale said that he had told him them that roosters are not allowed due to neighbors. They replied that they have one rooster on the property and said that he protects the hens. Furtado said that if they have to get rid of the rooster they will because they are here to comply with the law. Mr. Durkin said that he recalled another applicant in the past who showed that there is a tool or technique on how to stop a rooster from crowing, stopping the noise and asked Ms. Cameron if that would bring them into compliance. Ms. Cameron said that it doesn't comply with our guidelines but we have allowed a variance in one case where someone had a type of a collar for the rooster to stop the noise. Mr. Furtado replied that he would look into it. Ms. Cameron said that Inspector Yale can help you get information. Mr. Durkin reminded him that if granted tonight the permit is for 12 hens, no rooster yet, but we will allow some time to work on obtaining the device. Mr. Furtado said he would work with Inspector Yale, and said it is no problem, and that they will do what they can to quiet him down. Mr. Durkin asked if there was anyone present or on zoom who wants to speak in favor or opposition to this application. He reminded that people can use the raise hand feature to speak on zoom and said he would give a moment. No responses were received. Mr. Carli made a motion to approve the permit for 12 hens. Dr. Fleet seconded the motion. A vote was taken and it was unanimously agreed to approve the permit. Mr. Durkin said be particularly careful about rodents. Mr. Furtado replied saying we are and said thank you.

Hearing 3: Scheduled for 4:40 pm - Hearing re: Notice of Violation and Fine issued for 54 Paleologos St. Vote anticipated to uphold, modify, suspend or revoke Notice and penalty.

Discussion: Mr. Durkin opened the hearing and read the hearing notice. Property owner Gabe Sade was not in attendance. Mr. Durkin asked Inspector Randy to speak. Mr. Suckney reported that on August 13th he came across a pile of trash at this address and added that this house has been spoken to about this issue before. He said that he had issued a \$100 fine then and yesterday he again saw trash piled up with no barrels again. Ms. Cameron told that they had received a handwritten note from Gabe Sade detailing his trouble with tenants there. Mr. Durkin asked if all notices were sent out about the hearing. Ms. Cameron said yes and added that he had been invited to last month's hearing as well and he did not appear then either. Mr. Durkin asked if anyone wished to speak on this, and instructed anyone on zoom to use the raise hand feature. No responses were received. Mr. Carli made a motion to uphold the fine. Dr. Fleet seconded the motion. A roll call rote has taken and it was unanimously voted to uphold the fine.

Hearing 4: Scheduled for 4:50 pm – Hearing re: request for Variance from lifeguard requirement of 105 CMR 435.000 at Choice Fitness, 194 Newbury St.

Discussion: Mr. Durkin opened the hearing and read the hearing notice and asked if anyone from Choice Fitness was present. Phil Touchette, Certified Pool Operator, was in attendance. Inspector Pasquale told that the former Boston Sports club on Route One has a pool on the 4th floor and the facility is being taken over by new ownership, Choice Fitness, and that they are now seeking a lifeguard variance. He went on to tell that they also have a spa but they shut it down due to covid and it is still closed but if they are to reopen said that it is his recommendation that they need to install cameras to cover that area as well. He added that there was also an issue with the fire department. During covid they shut down the pool at times. We asked them to keep the pool area locked up, but the fire department said that they cannot keep one of the doors locked. Chris Dowling of PFD said a simple Knox box would be sufficient on that door. He added that Phil Touchette has been the CFO for all of Boston Sports Clubs, and that we have issued a lifeguard variance there before. Ms. Cameron asked if they planned on allowing pool parties at this location, and said if so, we would want a lifeguard in place for those events. Mr. Touchette replied that they would not be allowing parties, only swim lessons with an instructor, but added that if that changes they will hire a lifeguard. Inspector Pasquale said that they may opt to do tanning and a smoothie bar later but are not before us today for those things. Mr. Durkin asked if Phil will be staying on. Mr. Touchette replied yes saying he chose to transition to Choice Fitness, adding that Peabody is his home club so every day he has started his day here and does the pool testing as he lives in Wakefield. He added that he trains staff on water treatments. He reported that Choice Fitness will be mounting a new camera system with one camera to view the entire pool and a separate one for the spa. Inspector Pasquale said the set up they have was good. Mr. Touchette reported that the Knox box will be installed in the next few days and said that the door below and above will have a Knox box. Inspector Pasquale replied that is fine as long as Chris Dowling has approved it. Ms. Cameron said that when the new cameras are installed we want to ensure that someone can view it at all times of the day, adding that at another pool they found that at certain times of day the sun cast a shadow so a portion of the pool was not visible. Also in some cases, the monitoring was done only at the front desk, and if the staff had to step away they left the camera unmonitored, so they instead gave everyone a phone app, adding that may not be applicable there, but if it is we'd like to see that. He added that they are thinking of putting a computer at the front desk, but presently have a tablet so they can take that with them if they need to step away. Mr. Durkin asked if anyone wished to speak in favor or opposition to the variance. No responses were received. Mr. Carli made the motion to approve the variance pending the Knox box installation. Dr. Fleet seconded the motion. A vote was taken and it was unanimously agreed to grant the variance pending the installation of the Knox box as directed by the PFD.

Hearing 5: Scheduled for 5:00 pm – Hearing re: Application for Use of Land for Human Burial (Cemetery), 530 Lowell St. Vote anticipated to grant or deny approval for use.

Discussion: Mr. Durkin opened the hearing notice and read the hearing notice. Attorney John Keilty was in attendance on behalf of the property owners. He said no vote was needed today, that he had discussed several issues with cemetery consultant Mr. Daly, and now his clients would like to build grave sites sized 8 x 3 so they will now be creating a new plan showing the number of grave sites at that size. He said that one Muslim tradition is of a walkaround around the graves but said that they no longer need that. He added that he has met with title insurance people, that there is language in the deed they got that says we do have an easement to get through to Peabody Road, and they did build out that connection and there is a small parking lot, so we satisfied that condition. He said that they have also changed the corporate structure so they will be a cemetery corporation 501 c13 and there will be a non-profit corporation that can raise money. He went on to explain that the Conservation Commission determined that they can seek a second amendment rather than filing a whole new notice of intent; this will address areas marked no disturb and no build. There is a meandering line along the wall but the difference is minimal, and the ConComm will address that in their second amendment, which should satisfy those concerns. He is hopeful to have a finalized plan for next meeting, but they cannot go before Conservation Commission until their December meeting, so he is hopeful that the Board of Health can approve them conditionally and then they can go to Con Com for their approval. Mr. Durkin asked if there were any questions from the board. None were received. He asked if there were any questions from the public. None were put forth. Ms. Cameron asked, since they are proposing 8x3 graves, will that be able to accommodate the vaults available. Attorney Keilty replied yes. Mr. Durkin suggested continuing this matter to the next month. Dr. Fleet said she is concerned that there is no sidewalk and asked how they are going to handle parking. Attorney Keilty replied saying that they have put up a chain link fence and intend to replace some shrubbery, but the shrubs are not as practical a solution, but they are going to give it another shot, and said their parking will be in the back. Ms. Cameron asked about their appearance before city council for special permit. Attorney Keilty replied that they got their approval. Mr. Carli moved to continue this matter until the next meeting. Dr. Fleet seconded the motion. A vote was taken and all agreed and the matter was continued to next month.

BUSINESS

Subject 1. Approval of Minutes of August 18, 2022 and September 15, 2022 - Vote anticipated to approve or amend minutes.

Discussion: Mr. Carli made a motion to approve the minutes for both meetings, Dr. Fleet seconded. A vote was taken and it was unanimously agreed to approve the minutes.

Subject 2. Update on COVID-19 response actions

Discussion: Ms. Cameron reported that we are not seeing any uptick in new vaccinations but some people are getting boosters. Wastewater tests are showing that levels are still elevated. She reported that we are offering covid vaccines twice a month, and said that North Shore Medical Center is doing weekly pop up clinics at the Peabody library so there are plenty of vaccine opportunities available.

Subject 3. Environmental Updates a. Rousselot update b. Rodent control update c. 67 Pulaski St – Pioneer Charter School d. Follow up request from Clean Power Coalition

Discussion: d. Jerry Halberstadt from Clean Power Coalition was in attendance and thanked the board for allowing him to present. Mr. Halberstadt showed a presentation about clean power. He explained that air pollution is a toxic cloud over Peabody and the North Shore. He explained that he is leading an initiative to reduce the use of oil and gas, the major sources of air pollution. He said that the main point is that air pollution harms people, children and elderly especially, but everyone is exposed, and it is caused by burning oil and gas, with 70% coming from cars and 30% coming from industries, and he wants to work together to start a city-wide public health campaign to inform, to get people healthcare, and to mobilize to stop the burning of fossil fuels. He explained that air pollution gets deep into the lungs and can transfer into the blood, causes disease and death, and is the reason for climate change. He showed slides with info from a medical

report that stated that air pollution is responsible for premature deaths in every Massachusetts city and town, and said that 49 deaths were caused by pollution in Peabody last year. He stated that the levels of some toxins in the air in Peabody are above what the WHO says is safe. Last month we saw a speaker discuss the environmental justice neighborhoods, and we need some guidance, education and resources to help them. He thanked Ms. Cameron for helping get the air monitors installed. He said these cover West Peabody the shopping mall, Pulaski Street, and the area near the Welch School, and these give us a snapshot for PM2.5 from those monitors. They show we have toxic pollution hanging over Peabody, and all of Peabody is exposed to dangerous levels. He explained that for each monitor you can go online and get real time data and graphs. He explained that he asked Phillip Landrigan, of the Boston University School of Public Health. He said the PM2 spikes as we are seeing in Peabody are responsible for increased heart attacks, cardiac arrhythmia, increased cardiac episodes, and asthma in adults and children. Effects in children include premature birth, still birth, low birth weight, asthma, and impaired lung development. The elderly get dementia. We are all motivated to avoid sickness and death, together we can inform the community empower residents, and encourage citizens to take steps to address this.

Mr. Durkin thanked Mr. Halberstadt for the presentation and said this was a lot of information and we will need some time to digest. He commented that there is so much traffic coming through Peabody, and that maybe we can come up with a better solution for commuting. He said that this is not an overnight solution but it may be one way to approach the problem. Ms. Cameron said that she agrees that it is a good idea to take a look at the data, She said that these air monitors have just been installed, and some have had a problem with wi-fi, but we now have an epidemiologist who works through the North Shore Shared Public Health Services project, and said this would be a good project to have her look at. She added that it would help to look at emergency room and hospital visits frequency in relation to air pollution spikes. Mr. Halberstadt said that if she can't we can ask Landrigan who has students who can help. Mr. Halberstadt asked how they would feel about doing an educational program city wide, give short talks to get people interested. Mr. Durkin said he can take a portion of our regular meetings and make it an agenda item. Mr. Halberstadt said yes but he can work with the board and might be able to get someone like Phil Landrigan to give a 20 minute presentation would have a dramatic impact in Peabody, Salem and Danvers. Ms. Cameron said that having experts is a good idea, and would make it more compelling if we were able to, adding that we could also share local data and let people know about the availability of this data in real time on the web and see some of the data, see why they should care, and the things they can do to protect themselves while working to get policy change and other steps, but she proposes to wait until we have the local data. Mr. Halberstadt said that people need to know how to protect their kids, we need to get info, put it into different languages, one thing is get an air filter, and said that he has one, it cost \$250, so we may need to get an agency to get involved and buy air filters for those children. First step is to get some more info, bring in a group of experts in. Mr. Durkin said he would leave it to Ms. Cameron to coordinate this. Mr. Halberstadt said thank you to the board for their time and attention to this matter. Mr. Durkin thanked him for joining them.

Discussion: a. Ms. Cameron reported that Rousselot has had a few odor complaints last month. She said they also got another violation from SESD on total suspended solids (violations in February, April, May, and August), so now the SESD is requiring Rousselot to do a plan and to lay out steps to prevent any reoccurrence and will require an in-person meeting on or before October 1. She said that since there may be a relationship between TSS and odor complaints, we would like them to follow up with us about coming into compliance with SESD standards. Ms. Cameron said that on the Washington St. side the odors tend to often be from manufacturing, but on the Emerson Park side the odors are typically wastewater associated, which represents the majority of the odor complaints and the worst odors. She added that they have also started using screw presses instead of centrifuges in new system to get water out of residuals to cart off site.

Discussion: b. Ms. Cameron reported that on the rodent issue, they now have smart boxes which electrocute rats, and so far we have had over 400 captures. She explained that there is no mechanism in the fertility control boxes to capture data on how many rodent enter the box, but they can look at the bait to see if it is being consumed, but this is ineffective because the bait also evaporates. She said that it is an imperfect way to track, but we are going to see what we can do, and she added that surrounding communities are watching and are interested to see how this goes.

Discussion: c. Ms. Cameron reported that at 67 Pulaski Street the Pioneer Charter School has done some preliminary testing on the site since it was historically farm land and the 3rd party reviewer is concerned about possible pesticides on

property, and they didn't think the first review addressed it, so her letter expanded the parameters, not only to have the soil evaluated, but to review for the possibility for offsite migration. Subsequent to them having received the peer review, the developer hired a licensed site professional who will be overseeing all of the soil management on the site, and the planning board and ConComm were satisfied by that development.

Subject: Other

Discussion: Ms. Cameron reported that they have received the South School indoor air quality report from the state health department. She explained that a parent was concerned about air quality in the school and complained to the state. She said that MDPH did identify some minor concerns but nothing significant, just the things they expected to see in an older school. She said there is a longer recommendation, to do an assessment of the ventilation system which seems to be past the lifespan expected, and said that they would conduct a second assessment when the building is fully occupied.

Subject 4. Code Enforcement Updates a. Housing: 124 Foster St; 8 Margin St; 25 Oak St; 20 Central St. b. Nuisances: 7 Perley Ave; 5 Fulton St; 286 Newbury St; 0 Goodale St; 288 Washington St; 4 Lowell St. Ct; 150 Main St; 135 Washington St; 145 Summit St; 672 Lowell St; 4 Troy St; 33 Holten St; 6 Magnolia Ter; 65 Walnut St; 261 Newbury St; 76 Fairview Ave; 27 Caller St; JRM Hauling/Republic Services

Discussion: a. Ms. Cameron said that in the packets there are letters from tenants about Fairweather apartments and a response from a state senator. She said that we have had a number of complaints over the years about pests, and many of their tenants require a higher level of assistance, and Fair Weather has promised to provide more support around extermination but it has not been effective. Now some residents are losing their home health aides due to them not wanting to work in a building with this level of infestation.

Discussion: b. Ms. Cameron reported on the transition from JRM to Republic Services. She said that there have been ongoing issues with early pick up by JRM, since 2012 there have been 20 complaints of early pick up, and there have been 12 recent complaints about vehicles leaking hydraulic fuel, most recently across 17 streets in South Peabody, when the DEP had to get involved. When we have historically reached out to JRM to provide systematic response to prevent these issues, their response was not effective. Why are they not monitoring times vehicles are leaving their lot, what kind of maintenance plan do they have to prevent/address leaks? She said she asked them to submit inspection reports and inspection plans but haven't heard back.

Subject 5. Permitting updates a. List of permits issued in September 2022

Discussion: Reviewed.

Subject 6. Public Health Nursing updates a. August and September 2022 Surveillance Report

Discussion: Reviewed. Ms. Cameron reported that after this issued we had a campylobacter case with someone in food service. She said that it is important that management would know enough to exclude someone from working with food, and we reinforce this on routine inspections as well as complaint follow up.

Subject 7. School Nursing

Discussion: Ms. Cameron reported that they are having significant staffing issues due to a retirement and a resignation so we are short two nurses, and there are not a lot of nurses looking for work.

Subject 8. Opiate Response Updates

Discussion: The mayor convened a meeting to discuss the possible use of opioid funds. She told that there are three items that have been agreed to: to hire a case manager or care navigator to help people navigate the treatment system; expand community access to naloxone; provide small scholarships for people trying to get access to treatment. She said the mayor is putting together a proposal for the city council.

Subject 9. Capital Budget Request

Discussion: Ms. Cameron reported that the Health Dept is asking to purchase electronic permitting software to allow them to do permits online and make data collection easier and improve customer service. The other request which is a bit of a pie in the sky request, was to build a school based health center at Higgins Middle School like the one at the high school. The health center would be a place where we would have community health workers and mental health workers. She explained that a school based health center is like a primary care office, and kids can get shots and physicals there. She added that at the nurse's office the nurses can't diagnose but they can at a health center and can provide treatment to treat kids quickly and keep kids in school. She said that this is a big ticket item so we will see what happens with that.

Subject 10. Correspondence: a. From Coneco re: 535 Lowell St. b. From Tighe & Bond re: Peabody Whole Site Landfill c. From Brown & Caldwell re: Peabody Ash Monofill d. From Sitec re: Wood Recycling Transfer Station e. From CJW re: 300 Forest St.

Discussion: Reviewed

Mr. Carli made a motion to adjourn at 6:13 p.m.; Dr. Fleet seconded the motion and all agreed to adjourn.

Next Meeting Date: November 17th 2022 @4:30

Adjournment: 6:13 p.m.