

**Meeting Notes from a Meeting of the Peabody Board of Health,
Held remotely via Zoom Video Conference, Thursday, July 16, 2020 Participating in the Virtual Meeting:
Dr. Leigh Ann Mansberger, Thomas J. Durkin III, Tony Carli, Health Department Director Sharon
Cameron, and Recording Secretary Lisa Greene.**

Subject: Meeting to be called to order

Discussion: Member Thomas Durkin called the meeting to order at 4:30 and proceeded to explain that this open meeting of the Peabody Board of Health was being held remotely in accordance with Governor Baker's executive order of March 12, 2020 due to the current state of emergency in the Commonwealth due to the Covid-19 Virus, and that this meeting of the Peabody Board of Health is convening via video conference via Zoom, as posted on the City of Peabody website, identifying how the public may call in, and added that this videoconference is being recorded. He also explained that one person can speak at one time, and that everyone else should remain muted, and can use the "raise your hand" button or type in the Q& A section to indicate that they would like to speak on a subject, and the Board would get to those questions. Mr. Durkin then conducted attendance and all members and staff were present.

Subject: Designation of BOH Chairperson

Discussion: Sharon Cameron explained that since Bernie Horowitz had retired from the Board, it was necessary to name a replacement. Dr. Leigh Mansberger nominated Thomas Durkin. Tony Carli seconded the nomination, and Mr. Durkin accepted, so Mr. Durkin was named Chairperson to the Peabody Board of Health.

Subject: Hearing regarding a request for a variance regarding lifeguard requirement at the Eaves, 51 Keyes Drive.

Discussion: Mr. Durkin asked if anyone was present to speak on this request. The applicant, Mathew Mondo, was present and explained that the Eaves currently has a lifeguard but that they would be going back to school in the fall and they are hoping to receive the waiver to allow other staff to cover the pool once the lifeguard leaves. Mr. Durkin replied that the safety of swimmers is the Board's first priority, and asked what things are in place to keep people safe. Mr. Mondo replied that they have prepared signage telling that no lifeguard is on duty, and that there is a life preserver and a shepherd's hook on site. Mr. Durkin asked if a telephone is nearby. Mr. Mondo replied that there is a phone with a dedicated line to call for assistance. He told that he checks on the pool 6 or more times per day, and has cameras in his office and that staff are in the office until after pool closing. Dr. Mansberger asked if the gate is locked and who has keys. Mr. Mondo said that a staff person will be there to let people in and check them in for their designated time slot, explaining that he has set a schedule and residents must book appointments for 1 ½ hour slots for their families to swim. Mr. Carli asked if people had been trying to break the rules, and Mr. Mondo replied no, everyone had been very cooperative. Mr. Durkin asked if the signage is all ready to go if the variance is approved. Mr. Mondo said yes. Sharon Cameron reported that the health inspector Bill Pasquale supports approving the variance and said that this is a well-managed facility. Mr. Durkin asked if there were any interested parties on the meeting who wished to speak on this application either in favor or against. No response was received. Dr. Mansberger made a motion to approve the variance. All agreed and the variance was granted. Mr. Durkin closed the hearing at 4:43 p.m.

Subject: Hearing in regard to a request from Big Pig Barbecue for a variance regarding sale of reduced oxygen packaged food.

Discussion: Mr. Durkin asked if anyone was present to speak on this application. Gary Puluso, Kitchen Manager for Big Pig, indicated that he was in attendance. He explained that they would like to make their prepared foods available for people to cook at home, and would like to use cryo-seal packaging to do so. Mr. Durkin asked if the establishment sells any packed food aside for cooked takeout food now. Mr. Puluso said no. Mr. Carli asked if he or his staff has any experience with handling foods for sale like this, such as handling, packaging, etc.. Mr. Puluso told that one of the business owners, Chris LaBella, has ten years of experience in food packaging and had worked in the

past as a butcher and was well versed in temperature controls, etc. Dr. Mansberger asked to hear from Health Inspector John Yale on this application. Mr. Yale reported that he had read their HACCP plan and found that it was well written, references specific people who will do packaging, that the food will have a shelf life of a maximum of seven days, which is well below the 30 days maximum that is allowed, and they have good temperature limits, and will keep written monitoring logs. Tim Manning, Project manager for Big Pig, was also on the meeting, and said that he was involved in writing the HACCP and Food Safety Plan and would be happy to answer any questions. Mr. Durkin asked if anyone else present would like to speak either for or against this application. No one present had comment. Mr. Durkin asked the Board and staff if anyone had any questions or concerns. All present replied no. Mr. Durkin then called to close the hearing at 4:52. He asked if any members would like to make a motion. Dr. Mansberger made a motion to approve. All agreed, and the variance was granted.

Subject: Hearing regarding order to correct conditions at 51 Lowell Street

Discussion: Mr. Durkin asked if anyone were present to speak on this hearing. Kaitlin White replied that she was there to speak on behalf of her grandfather Robert Corbin, explaining that he is hearing impaired. She stated that she would like the order and fine removed. She explained that her father was the property manager for the site but had become very sick, and almost lost his life, and added that her grandfather is a survivor of non-Hodgkins Lymphoma. She told that the family had started to address the cleaning issues, which take time, but continued to receive complaints even though they addressed all of the issues. Sharon Cameron asked Health Code Inspector Randy Suckney, who had worked on this, to speak. Inspector Suckney explained that he had been called in by Building Commissioner Albert Talarico after he had been told of many neighbors' complaints by the Ward Councilor of the state of the property and things like the sale of screen doors and windows on the front lawn. He further explained that he and Building Inspector Dan Terrenzoni had arranged a date with the owners to conduct an inspection but they were not allowed on the site. He told that the property consists of two addresses, 49R & 51 Lowell Street, and that 51 Lowell appears to have several life safety issues, for instance, it is not water tight, it has boarded windows, and he has been told that there are two tenants living in that building. He also told that there is debris around the property, stagnant water, piles of junk, pallets, scrap wood, unregistered junk vehicles, a camper in which he was told someone lives yet he himself had not validated that report. Since he was not allowed to step onto the site, he stayed on City Property at Fire Prevention Headquarters and took photos from there. He added that the fine that Ms. White referred to was issued by the Building Department and not the Health Department, so he could not speak on that issue; however, he could report that even though the resident had agreed at a prior hearing to allow him, along with the building inspector, onto the site, they again cancelled. Mr. Durkin restated that this hearing was in regard to the Health violations and not building violations. Sharon clarified that the Health Department had issued a notice of inspection and order to clean up the site within 14 days, and requested to be allowed access to the building, adding that building and fire issues are not part of our purview. Ms. White responded, saying that both of her grandparents are elderly, that another tenant is going for surgery, and she does not want outsiders to come in due to the Covid pandemic. She suggested that she could take video of the building instead, and said that the inspectors are welcome to look from the yard. She again said that due to her family's high risk level, they are taking the global pandemic very seriously. Mr. Carli responded that he understands her perspective and wants to keep her family safe. He asked who is living there. Ms. White replied that she, her daughter, her father, her grandparents and one other tenant live on the property, and they have commercial tenants as well. She told that there are no junk vehicles, just one car that is currently unregistered. She added that no one lives in the trailer, and that that they are welcome to come look. Dr. Mansberger asked if the family currently is running a business. Ms. White replied that her grandfather had acquired a vendors license from the City many years ago and was just made aware that he now also needs a business license, and she will get the business legitimized. Dr. Mansberger replied that she is glad to hear that they are now willing to allow the inspectors on the property, Ms. White replied that they can enter the building as well if they are willing to take and show a negative Covid test. Ms. Cameron replied that she understands Ms. White's concerns, but added that testing of inspectors prior to inspection is not something that they will be doing. She added that most of the nuisance conditions are outside, so allowing inspectors onto the property outside will be sufficient for those, and if necessary they could get an administrative search warrant if they do not cooperate, but said that she would have to have some internal discussions on how to proceed. Ms. White told that there are no tenants in the back apartments, which have been boarded up to make them watertight. Mr. Durkin asked what exactly they are opposing. Ms. White replied that they oppose the statements that people live there in trailers, and that there are junk cars. She added that they understand the yard needed cleaning, so they did it. She told that scrap yards were closed down due to Covid so

some piles of those items remain. She added that it is a mixed-use property so some commercial things will remain on the property. Donald White, property Manager, also present added that they have been doing construction on the site so some of the materials there are related to the construction. He told that five years ago he was diagnosed with cancer, then had open heart surgery, and his father fell sick. Ms. White added that she is concerned that these violations might hinder their progress in getting financing for the project. Mr. Suckney stated that he is even more concerned now, because it appears that the entire first floor is boarded up. Ms. White replied that it is not. Mr. Suckney said that he is happy that he will be allowed to come inspect. Mr. White interjected that he feels that Mr. Suckney's attitude is poor, that he keeps saying that things are boarded up and they are not, and since he never got into the yard he has no way of knowing if they are or not so he should stop saying it. He added that they have done everything he has asked them to do. Ms. White told that her grandfather lives on the first floor and his windows are not boarded. Ms. Cameron noted that people become concerned when they see the standard penalty language in our orders to correct, but the goal of the Board of Health is not to give out penalties but to help to bring things into compliance, and added that she is happy that they are agreeing to allow the inspectors to go out for the compliance inspection so that we may learn more, and said that she appreciates their cooperation. Mr. Durkin advised that Mr. Suckney is the eyes & ears of the Board, so it makes it difficult for the board to make a decision when people do not cooperate. He went on to advise that they take a few steps forward to cooperate with Mr. Suckney so we are able to work with you. Mr. Whitney replied that, while the point is taken, this goes both ways as well. Mr. Durkin asked if anyone else participating in the meeting wished to speak on this matter. No one replied. Mr. Carli made a motion to table this hearing until the next meeting pending the site visit by inspectors. He also suggested that perhaps we could ask the Building inspector to speak to explain the issues that they are seeing as well. Dr. Mansberger said that she had thought the same thing would be a good idea. All agreed to table the hearing until the next monthly meeting of the BOH. The hearing was closed at 5:21 p.m.

Subject: Hearing regarding request for permit by Abigail Hunt to keep up to 4 hens at 15 Orchard Street

Discussion: Ms. Cameron reported that she had heard from the applicant and she has elected to withdraw her application. She added that Ms. Hunt has asked for some time to allow her to find good homes for her hens. Discussion ensued, and it was decided that it would be acceptable to allow up to two weeks for Ms. Hunt to find places to rehome her hens. No vote was necessary, and Mr. Durkin said that the Board wishes her well.

Subject: Application from Jonathan Hazel for a permit to perform body tattooing at Shining Star Tattoo Parlor

Discussion: Dr. Mansberger noted that in her review of the application she could not find information of Hepatitis B vaccination. Mr. Hazel replied that his doctor had faxed it over to the Health Department. Ms. Cameron confirmed the receipt of that confirmation as well as the Tb results, which the Public Health Nurse reviewed. John Yale reported that Mr. Hazel had provided everything requested, and had recently attended the required anatomy and physiology course online, as well as the Blood-born Pathogen class. He added that all documents are current. Mr. Durkin asked if anyone was present to speak on this. None responded. He asked if anyone had any more questions on this application. The members did not, so Dr. Mansberger made a motion to approve the permit. All agreed. Ms. Cameron noted that Mr. Hazel expressed that he understood the restrictions as to not allowing tattooing on certain areas of the body, and knows that this does not allow for the application of permanent makeup. Mr. Hazel said that he understood, and thanked the board. Mr. Durkin closed the hearing at 5:27 p.m.

Subject: Approval of Minutes

Discussion: The board agreed to defer the approval of minutes from last meeting until a later date.

Subject: Update on Covid-19 Response Actions

Discussion: Ms. Cameron reported that the City had gone several days with no new cases. There had been a slight uptick lately and are now seeing a few cases, but the greater worry is the upcoming fourth of July holiday combined with the fact that people are getting sick of staying indoors. She told that the % of positivity of those who have gotten tested has gone down, and this is one of the key metrics that the state uses when deciding to move to the next phase of opening businesses. She told that unfortunately 165 deaths have occurred in Peabody, which is higher than

across the state. 3% of cases are among people who are age 70 and above, and a significant % of those were in long term care facilities. Black persons account for 8% of cases in Peabody, even though that group makes up just 4% of the population in Peabody. 10% of cases are among Spanish speakers and 12% are among Portuguese speakers. Of the new hospitalizations, most have some sort of underlying condition. 14% of our cases are among Healthcare Workers, and thankfully 0 deaths have occurred among this group. 74% of cases are among persons 80 and above. Ms. Cameron reported that the City's contact tracing program has a 96% success rate, and that is much higher than the State's CTC contact tracing program, and this is in part due to people feeling that they can trust and call on the local public health nurses. She added that the model is a great one, and since some communities do not have a robust nursing team the state model is a help to them. She told that school reopening is a big issue, so they are looking at the number of school age children who have tested positive. Mr. Durkin asked if the same information is presented to the Mayor at his weekly conference call. Ms. Cameron replied yes, adding that she reports to him three times per week. She told that Phase 3 of the Governor's reopening plan was starting, so the Health Department was getting lots of calls from businesses asking for support on how to safely reopen, along with a continuing number of calls about people not wearing face coverings. She reported that there is a new school superintendent in the city, and that she, Brenda, and Chassea are working with him on the school reopening task force, and on the Mayor's city hall reopening task force. She told that she is also working with the City Clerk's office regarding voting safety. She added that they are looking to expand testing over the next few months, and said that free testing is available in some nearby communities which have been found to be Covid hotspots. Lynn Community Health Center has free testing, so their office is directing people there, but also wants to offer a local testing program, so they are talking with Lahey Health, Atlantic Ambulance & North Shore Community Health Center to put these plans into action. One hurdle is that they need to still purchase tests. Mr. Durkin asked if she receives a lot of calls about testing. Ms. Cameron replied yes, a lot about getting tested, but also a lot of calls from employers re: when to send someone home, how long to quarantine, etc.. so they are working to develop a protocol to distribute answering those questions. She added that with more businesses opening, there is a worry over more exposures. She told that they are receiving complaints about people not wearing masks, but also hearing from employers that are worried about the safety of their staff if requiring the public to wear their masks, so they tell staff not to press the issue. The City nurses continue to regularly contact the long term care facilities, and now the state is doing onsite audits for infection control. Mr. Durkin asked about the regular non-Covid monthly transmittable diseases report, and Ms. Cameron replied that there are 80 or so reportable diseases, and the public health nurse gives a list of just those with cases reported in a given month. He asked about the number of Coronavirus cases on this report. Ms. Cameron replied that she includes suspect cases as well so the numbers will not match the state's counts. Ms. Cameron told that last year the public health nurse conducted 22 Flu clinic, goes onsite to senior developments, to all schools at parent teacher nights, etc. but this year the strategy will be very different. There will be 2 or 3 large scale public clinics held at DPS. They did one drive through flu clinic several years ago and it ended up being more costly due to the need for public safety personnel to manage traffic, etc., but it will be the model used this year due to the pandemic and the need to maintain social distancing. They are getting the word out early that there will not be the same number of clinics as the past so that people can plan to attend one of these opportunities or can inform their doctor's office that they will need to get the vaccination there so that they can order enough vaccine. Even though not holding as many clinics, they will continue to push information on the importance of getting vaccinated against the Flu so that people will not be dealing with Covid as well as the flu. Mr. Durkin agreed that it is important to get that word out.

Subject: Permitting Updates

Discussion: Ms. Cameron explained that normally at this time they would be dealing with a great number of pool permits, but this year many pools made the decision not to open this summer. She added that many complexes are telling their residents that they are unable to get an inspection from the BOH, which is untrue. Mr. Durkin asked the status of the new Mall pool facility being built. Ms. Cameron replied that it is behind schedule after being shut down during phase one of Covid but is now moving forward.

Subject: Environmental Updates: Rousselot

Discussion: Ms. Cameron reported that Rousselot started putting in place improvements, but there had still been a fair amount of complaints and \$7,000 worth of fines from the Health Dept since May, and all neighbor complaints are forwarded to DEP as well since Rousselot is under a Consent Order from DEP.

Subject: Rodent Complaints

Discussion: Ms. Cameron told that they have received a lot of rodent complaints this month, at least ten per week. She explained that a lot of Covid safety recommendations are at odds with the recommendations for addressing rodents, like the suggestion of using only covered barrels to reduce available food to rodents, but using uncovered barrels is recommended due to Covid. High numbers of complaints are in Ward 1 and Ward 2 in highly congested areas.

Subject: Ash Metal Recovery Program

Discussion: Ms. Cameron reported that the ash and metal recovery processing project at Covanta's ash monofill was being decommissioned, and all ash was now going back into the landfill. The process of metal extraction required more processes and more energy than they had modeled for, so it was not financially feasible to continue.

Subject: Plastic Bag Ban

Discussion: Ms. Cameron told that the Governor had put a ban on communities' Plastic bag bans due to the virus, but that was sunseting as of July 10th, so she is now preparing a memo to businesses to inform them that it will be back in effect, and that they will be enforcing it as of September 1st.

Subject: Enforcement Update

Discussion: Ms. Cameron reported that one store that was recently found to be selling prohibited tobacco items is the City's only remaining adult only smoke shop and was found to have a lot of violations. She explained that they had been grandfathered in to allow them to keep their lottery sales, while all other adult only tobacco sales locations were not allowed to have lottery or to sell other items. Ms. Cameron proposed that the Board might want to consider revoking their grandfathered status and no longer allow the sales of lottery tickets. This item will be on next month's agenda for a thorough discussion.

Subject: Other Business

Discussion: Ms. Cameron told of an incidence of willful non-compliance regarding mask wearing at one restaurant. Mr. Yale had been out six times in response to customer complaints, and had issued verbal and written complaints and had fined them, but now they may be asking the state to step in. Mr. Durkin asked Ms. Cameron to be sure to tell Mr. Suckney and the other inspectors that they are appreciated.

Next Meeting: Thursday , August 27, 2020 at 4:30 p.m. **Meeting Adjourned:** 6:07 p.m.