

**Meeting Notes from the Regular Meeting of the Peabody Board of Health,
May 13, 2021**

In Attendance: Chairperson Thomas J. Durkin III, Dr. Leigh Ann Mansberger, Anthony Carli, Health Department
Director Sharon Cameron, and Recording Secretary Lisa Greene.

The meeting was held remotely at 4:00 p.m. Via Zoom

Mr. Durkin called meeting to order at 4:00 p.m. Ms. Cameron explained that the minutes were unfortunately not ready for the Board's review in time for this meeting but told that they would be available for next meeting.

HEARINGS

Subject: Application for permit to keep up to 6 hens at 8 Collins St.; Vote anticipated to grant or deny permit

Discussion:

Mr. Durkin opened the hearing and welcomed the owner of 8 Collins Street, Ms. Bettencourt, and then asked why she wanted a permit to keep chickens. She replied that she liked them and had had them for a very long time and wants to keep them. Mr. Durkin asked if an inspector would speak on this application. Inspector John Yale explained that he learned that chickens were being kept at this residence due to a noise complaint filed by a neighbor because the Bettencourts also had a rooster. He told that Inspector Randy Suckney was the one who had gone out on the initial investigation and that he had started the process of getting the hens permitted. The rooster was removed from the property. He told that the family had kept chickens for years and had not been aware that a permit was required. Mr. Yale said that he had gone to the property on May 6 and found it to be very well maintained, with the yard in pristine condition. He said that he did find a few things to discuss though. The first issue is that the coop itself is located right against their property line, and it is a concrete block structure, which is not movable. Since this is not in accordance with city code, he asked the owner, Maria, to speak with two rear abutters to have them say if they are ok with the coop being there, which they reported they did and the neighbors are fine with it. They have already done rodent control, and bait boxes were seen on the property, but no evidence of rodents. The second issue is that while only 6 hens are allowed for properties smaller than 10,000 feet, but they had more. He explained to the homeowner that she can petition the board about that if she chose to. Mr. Durkin told the homeowner about the rodent problem in Peabody, and that the Inspector says she is doing a good job with that and asked that she continue to do so. She agreed. Mr. Durkin asked if anyone was present who wished to speak. A neighbor, Jocelyn Hanoi, of 71 Northend Street, along with her partner Chuck, were present and spoke on behalf of the applicants, saying that they have no issues with the coop, and added that she thinks they keep their yard in amazing condition and told that she had asked the applicant for hints to help with their yard as a matter of fact. No other persons were in attendance to speak on this matter. Mr. Durkin closed the hearing and asked for a discussion among the board members. He said that it appears that the board is willing to approve the hens, but a second issue has arisen, since the homeowners have 10 hens and our local regulation only allows six for a property of this size. He asked was the board willing to allow the 10 chickens. Mr. Carli replied that by doing so they might create for themselves a slippery slope, adding that to allow a greater number of chickens in this case may open the door to others asking for larger numbers of hens as well. Dr. Mansberger agreed saying that she believes that the board should stay with the number approved in the regulation. She said that she wondered about timing, and added that she recalls that once in the past we allowed a household to keep the extra chickens until they died, and wondered if we would do something similar here, where the number could naturally reduce until they are at 6. Ms. Cameron said that in the most recent past the Board has voted to allow a reasonable time to rehome the birds, for example, a month, and ask that they inform the Board when rehoming has been completed. Mr. Durkin asked Ms. Bettencourt if she would accept reducing down to having the 6 hens. She replied that she would be happy with keeping six. Mr. Durkin said that is great, so the only matter to discuss is the permitting of those 6 hens. Mr. Carli made motion to approve the permit for 6 hens. Dr. Mansberger seconded. A roll call vote was held and was unanimously approved. Ms. Bettencourt will have up to 6 weeks to rehome the extra birds and will inform the board when she has reduced the number.

BUSINESS

Environmental updates

Subject: Rousselot update

Discussion: Mr. Durkin reported that it was too early to begin the next hearing so asked if there was any business that we could take care of until it is time for that next hearing. Ms. Cameron told that Linda Sapienza of Rousselot was present so we could discuss the Rousselot item. Ms. Cameron reported that the city had received two recent complaints about Rousselot. She explained that this time is was a little different than the usual odor issues, where sludge produces an odor. She told that the PMLP does a periodic testing of the electrical grid at Rousselot which requires them to power off for a period of time. She told that they have a protocol in place where they stop the manufacturing process in advance of this so that no product is in mid process when the shut-down occurs, but this time Rousselot did not have adequate time to shut down manufacturing and convert to back up power system when the shut-down happened, so the gelatin being manufactured began to degrade when the power was down and that produced an odor. As a follow up to that event, the plant manager has said that they are revising their protocols to allow enough lead time to shut down the production and switch over to back up power. Ms. Cameron told that she stressed to the plant manager the need for contingency plans to be built in to ensure that things like this do not occur and that they do not create nuisance in the neighborhood. She added that she did issue a \$300 fine, which she said she feels is warranted since the Board has been asking them to update operating procedures for some time. Mr. Durkin thanked Ms. Sapienza for being willing to sit in and said that he hopes that Rousselot is revising protocols. Ms. Sapienza said that the plant manager has built in an extra day now to begin the back up process so that it will not happen again.

HEARINGS

Subject: Application for Permit to Perform Body Tattooing (micropigmentation only) submitted by Julie Michaud. Application for Permit to Operate a Body Tattooing Establishment at 58 Pulaski St submitted by Julie Michaud. Votes anticipated to grant or deny permits.

Discussion: Mr. Durkin explained that the hearing was combining the two permits being requested. Applicant was asked for statement. She reported she has been doing permanent makeup, licensed since 2005, on Newbury Street, Boston, decided to move business to North Shore, Mills 58. Her business will do permanent make up and teach permanent makeup to other professionals.

John Yale told that her planning started last year, Julie was very cooperative with us. Some things had to be adjusted, design has been changed a few times, being built out now, to specs of plan we agreed on. The academy is one part of the studio which is separate from area where she performs the permanent makeup. A third area is for cosmetology because it is required to be separate by our local regulation. The unit is not finished but is looking good, the only thing they had issue on was that there is no bathroom in the space but added that they are shared bathrooms outside the space and told that this was approved in the planning phase. He told that Ms. Michaud has the most comprehensive training manuals he has ever seen, and said that we are lucky to have her here, and added that another permitted client also speaks very highly of her. Mr. Carli asked if she had ever taught classes before. Ms. Michaud said she has been teaching since 2017, and actually helped in City of Boston to come up with the regulations for her field. Boston Public Health are often referring people to her. Also is a certified trainer with the academy of micropigmentation and permanent makeup.

Dr. Mansberger said she had not seen the medical portion of the application. Mr. Yale said it is forthcoming. Julie said she has an appointment tomorrow in Danvers and will submit paperwork on TB and immunizations tomorrow. Mr. Durkin asked if anyone else was present who wanted to speak. Ms. Cameron told that she had inquired of the Boston Public Health Commission and they said they had no compliance issues or any concerns about the applicant. Mr. Durkin again asked if anyone had any further comments. Since there was no reply, Mr. Durkin closed hearing and invited the board to make a motion or discuss.

Dr. Mansberger made motion to approve the permit application to perform body tattooing (micropigmentation only), and Mr. Carli seconded. A vote was taken, and it was approved unanimously. Dr. Carli then made a motion to grant the permit to operate a tattoo establishment (micropigmentation only), and Dr. Mansberger seconded it. A vote was

taken, and the permit was unanimously approved. Ms. Michaud again promised to deliver documentation of immunizations tomorrow or Monday at the latest.

BUSINESS

Subject: Update on COVID-19 response actions- Data update, vaccinations, equity/outreach initiative

Discussion: Ms. Cameron reported that the Covid metrics are moving in right direction, that the average incident rate is down to 14, and that we had our first day last Sunday with no new cases, which was the first such day in over a year. She told that they are continuing to make progress with vaccination, but have a lot to do still. The under 18 age group has just become eligible, so there is a lot of work to do there. She reported that there is a concern because the black and Hispanic populations are getting vaccinated slower than the overall population and she hopes to do outreach to change that. She reported that they have done 30 Covid vaccination clinics but told that we are now part of the North Shore collaborative which is administering vaccinations at Salem State University. She told that they would be transitioning to a walk in model and that people can also go to their local pharmacies, etc., which is a good direction. She said that we would be moving our strategy to a more directed outreach, and plan to hit some of the churches and some other areas to target specific populations, adding that these should be much smaller events going forward. The CDC has changed recommendation for mask use for fully vaccinated people so it hopefully may incentivize getting immunized. She told that she will soon hire 7 part-time people to work as vaccination ambassadors, so hopefully within the next couple of weeks we will have them out visiting homes, social clubs, corner stores promoting vaccination. She told that they are working with businesses to promote it, and they may possibly be offering a discount to people showing a vaccination card, or doing a decal saying all employees vaccinated. Another tactic is to highlight some well-known business owners to tell why they got vaccinated. The first such clip is up on the Facebook page, and it is Corey Jackson, Director of Inn Between and Haven from Hunger. She said that his clip came out really well, and it was just a 20 second clip, but they are hoping that lots of other people come on board to support this strategy. Also the state is promoting this, and they will now allow businesses to have mobile vaccination sites set up for employees, or, if they have fewer people, they can request a block of appointments at a vaccination site be put aside for their employees. Dr. Mansberger said this sounds fabulous. A woman in attendance for another matter, Jocelyn Hanoi, commented through the chat feature and said that she speaks Spanish and Portuguese fluently and would be happy to help out in any way. Ms. Cameron thanked her and said she would speak with her after the meeting. Ms. Cameron told that the State has not given any reports about waits for getting vaccinations through the state portal, but added that in the past we have heard from residents when they have had difficulty accessing appointments and they haven't been receiving those calls lately so she assumes that it hasn't been too difficult for people to get appointments. Ms. Cameron reported that they are now partnering with Curative who runs the Doubletree vaccination site. She explained that she is hoping they will work with us to go to the middle and high schools and administer the vaccinations right at the school. The only worry is that timing is tight to get a second shot in before end of the school year, but they are still hoping to do it.

Subject: Update on COVID-19 response actions- Revisions to state directives

Discussion: Ms. Cameron advised that the State has increased the allowed capacity for large scale events, and are now allowing events like road races. She also told that they are allowing singing, as long as distance limits are met, so entertainment is back, which may not work for small restaurants due to space limitations, but it will help with the larger ones and wedding venues who feature live entertainment. She went on to report that as of May 31st, people will be allowed to hold street festivals, block parties and such, with certain protocols in place. The Board of Health will not be expected to monitor each of these but will receive a log from the event organizer. She pointed out that the requirements put a lot on the event organizer, including creating a safety plan and to monitor attendance. Since new guidelines regarding masks are now being put forth, it may be easier soon. The state is also going to allow bars to open as of that date as well, and will serve only to seated patrons, but from that date people will not be required to buy food to be served alcohol. The state plan says that as of

August 1st, all businesses will be allowed to open at full capacity. Still best practices will be in place, but all other venues that are closed will be allowed to open August 1 or earlier, including hot tubs, water parks, steam rooms, etc.

Subject: HHW day

Discussion: Ms. Cameron reported that Household Hazardous Waste day is being held on June 5, and that there may be a larger turnout than normal since it was cancelled last year. Mr. Durkin asked if they ever have to turn people away, but Ms. Cameron said that she has never had to, but one time the truck from Clean Harbors was almost full before the end of the event which would have forced them to turn people away but that didn't happen. She explained that they must close gate at 1:00, but will take everyone who is already in line.

Subject: Code enforcement updates- Chapter II; Nuisances (16 Donna St; 252 Newbury St; 134 Newbury St); Chapter X.

Discussion: Reviewed

Subject: Tobacco (15 Central St; Compliance checks)

Discussion: Prior to COVID, tobacco vendors were being checked two times per year, so we had high compliance. Tobacco control staff are reporting that since compliance checks haven't been done for a while, compliance rates are expected to be lower. Of the 45 Peabody tobacco permit holders checked in the most recent compliance checks, there were 8 failures. One place of concern was the store that received a 7 day suspension last month was inspected the day after their suspension ended, and failed the compliance check. They will be subject to a 30 day suspension and \$5,000 fine. Mr. Durkin said what is cause of failure, are they really tricked? SC said it is not about being tricked, the staff are required to tell their age if they are asked and they say they don't have an ID if asked. The program doesn't seek out to hire staff who look older than their real age. She said it is not an issue of being tricked but rather of staff being lax in terms of asking for ID. Mr. Durkin said that it doesn't make sense to him, but said the issue must simply be the desire for profit. Ms. Cameron said she can only assume that might be the case.

Subject: Other: Republic Services

Discussion: Reviewed

Subject: Permitting updates

Discussion: Reviewed

Subject: List of permits issued in April 2021

Discussion: Reviewed

Subject: Public Health Nursing updates

Discussion: Reviewed

Subject: April 2021 surveillance reports

Discussion: Reviewed. Ms. Cameron explained that the measles case reported was revoked. She told that there were suspected cases, and the patients were quarantined and released without symptoms.

Subject: School Nursing update

Discussion: Reviewed

Subject: Budget update

Discussion: Ms. Cameron told that fortunately the Cares act allows them to do some of their work under Covid-related expenses. Mr. Durkin said he would be curious about the Federal government's reimbursement for costs, said that he had heard that they won't reimburse for contact tracing or case management. Mr. Carli said he has heard that is true, they will pay for public services workers to work over time to clean things but will not pay for the boots on the ground who do the important contact tracing work with Covid cases. All agreed that it was unfortunate.

Subject: Correspondence

Discussion: Reviewed. Ms. Cameron told that Salem has been doing monitoring for levels of viral load in wastewater. We share a body of water, so they are sharing the data with us. Levels have come down from 51,000 copies of viral particles to just detectable levels.

She also explained that every year state offers opportunity for opt-out if your community want to exclude itself from application of pesticides for mosquito control. A recommendation of the BOH is needed and a vote of City Council. If we want to opt out, we would have to come up with an alternative plan, do lots of community outreach. We in the past have not wanted to opt out of spraying done for public health reasons, not nuisance control reasons, if numbers of EEE or West Nile Virus are going up. Individual property owners can opt their property out from spraying if the local district does it. Not sure if they can opt out of an aerial spray, but that really has only happened on south shore, after their EEE numbers were very high. Dr. Mansberger said she is comfortable with the status quo, believes it is a public health issue and we should remain part of it.

Ms. Cameron told the Board that there have been concerns expressed about a proposed power plant on property owned by the city. The purpose of the plant is to deal with peak electrical load. PMLP is required to generate extra energy for times of peak demand. The proposed plant would operate by oil or natural gas. She told that this has wound through the permitting process at DEP but is not required to be permitted by BOH. People are raising concerns about particulate issues, environmental justice, global warming, having another power plant built that uses oil and gas. The project is on pause now, and new technology has come out over past 5 years, so they are re-evaluating this and the City Council is looking at it. She said that she wanted the Board to be aware in the event that we wanted to speak on this issue. Mr. Durkin said that he is glad they are looking into other options, and said that he is hopeful that the concept of battery storage will be looked into, with possibly a new renewable technology for peak times. Mr. Carli said that in Everett at the new casino they use solar panels on the roof with energy saved in batteries. Mr. Durkin told that the giant wind turbine near there is MWRA's wind turbine. Mr. Durkin said that he is not sure if board wants to take a position but that they will take this under advisement.

Mr. Durkin asked if there were any other items for discussion, and all replied no.

Meeting Adjourned: 5:01 p.m.

Next Meeting June 24 , 2021@ 4:00 p.m.