

**MEETING NOTES OF THE GENERAL MEETING
OF THE PEABODY BOARD OF HEALTH
Lower- Level Conference Room, Peabody City Hall
Remote participation also available via Zoom
July 25, 2024 4:30 pm**

In Attendance: Chairperson Thomas J. Durkin III; Member Julia Fleet, D.O., Member Anthony Carli (via Zoom); Health Department Director Sharon Cameron.

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

At 4:30 pm Mr. Durkin opened the General Meeting, read the hearing notice, and welcomed everyone.

HEARINGS

Subject: Hearing re: Application to Perform Body Tattooing submitted by Anisa Contreras. Vote anticipated to grant or deny permit.

Discussion: Ms. Contreras attended via Zoom. Mr. Durkin asked Ms. Contreras to tell the Board about herself and her experience. Ms. Contreras explained that she had worked at a few other shops in Lynn and Chelsea, and was licensed in Lynn and is now trying to become an apprentice in Peabody. Mr. Durkin noted that this is an application for a full tattoo permit and not to be an apprentice. She explained she had been previously licensed as an apprentice in Lynn. She said she believes that she completed far more hours than the required 200 hours, but there was an issue with their tracking of her hours and because of the confusion she is starting here seeking an apprentice license. Mr. Durkin noted that she will be working at Intricate Ink, and Ms. Contreras replied that is correct. Mr. Durkin asked if any Board members had any questions. Dr. Fleet asked if Ms. Contreras had her full license in Lynn. Ms. Contreras replied yes, as of September of 2022. Ms. Cameron said regardless of her previous license Ms. Contreras plans to work as an apprentice at Intricate Ink. Ms. Contreras replied that is correct, and said she will apprentice just to be safe and to prove that she has the required hours. Ms. Cameron asked Ms. Contreras to tell about her procedures to prevent cross contamination. Ms. Contreras explained that she will wash her hands and put on gloves before she does her set up, then afterward she will put on gloves to clean and uses madacide on all surfaces. Ms. Cameron asked what type of needles she will use and how she would prevent ink contamination. Ms. Contreras replied that she only uses prepackaged needles and inks, always uses gloves, wipes everything down, and deep cleans the booth to make sure everything is sanitary. She said the needles are single use disposable and are disposed in a sharps containers. Ms. Cameron asked for clarification on how she prevents cross contamination of inks. Ms. Contreras replied that she will only pour out ink from the ink bottles into an ink cap that is disposed of after. Ms. Cameron asked if Ms. Contreras had ever been subject to any disciplinary actions in Chelsea or Lynn. Ms. Contreras replied that she had not. Mr. Durkin asked if anyone present had any questions. None were put forth. He asked if anyone on Zoom had any questions. None were put forth. Mr. Durkin closed the hearing at 4:43 pm.

Dr. Fleet made a **motion** to approve the permit to perform body tattooing- apprentice only for Ms. Contreras. Mr. Carli seconded the motion. A roll call vote was taken and it was agreed unanimously to grant the permit to perform body tattooing as an apprentice at Intricate Ink.

Subject: Hearing re: Application to Perform Body Tattooing submitted by Emily Belanger. Vote anticipated to grant or deny permit.

Discussion: Ms. Belanger attended via Zoom. Mr. Durkin asked Ms. Belanger to tell the Board about herself and her experience. Ms. Belanger replied that she is currently a licensed tattoo artist in New Hampshire at Scorpion Tattoo in Derry. She said she also completed her 1500 hour apprenticeship on January 10th of this year. Mr. Durkin asked if she plans to leave Scorpion Tattoo. Ms. Belanger replied no, she only plans to work as a guest artist here pretty regularly but will continue working in New Hampshire since she lives in New Hampshire. Mr. Durkin asked if the Board had any questions. None were put forth. Ms. Cameron asked Ms. Belanger to tell about her procedures to prevent cross contamination. Ms. Belanger explained that she wears gloves, does frequent hand washing, uses Cavacide spray before and after each procedure, does regular glove changes, uses single- use sterilized needles, sterile ink caps, and tongue depressors. Ms. Cameron asked what medical conditions would make her question doing a tattoo on a client. Ms. Belanger replied any blood thinning disorder, diabetes, or high blood pressure. Ms. Cameron asked if she intends to perform any body modification besides tattooing. Ms. Belanger replied that she did not. Ms. Cameron asked if Ms. Belanger had been the subject of any discipline in any other locations. Ms. Belanger replied no. Mr. Durkin asked if the paperwork was in order. Ms. Cameron replied that it was. Mr. Durkin asked if there were any further questions or comments. None were received. Mr. Durkin closed the hearing at 4:48 pm.

Dr. Fleet made a **motion** to approve the permit to perform body tattooing. Mr. Carli seconded the motion. A roll call vote was taken and it was unanimously agreed to approve the permit to perform body tattooing.

Subject: Hearing re: Order to Correct Violations issued to Jason Bugg for Public Health Nuisance conditions at 116 Foster St. Vote anticipated to uphold, modify, suspend, or revoke Order and/or associated penalties.

Discussion: Mr. Bugg was present in person and explained that the reason he is appealing the penalty is because he had proactively shared a plan to address the trash issues at this location less than a year ago. He said he had hired a new property manager and had evicted the problem tenants and added that it had taken a year to evict them. He said a pest plan is in place and has been for years but added that they are next door to a restaurant so they will likely continue to have rodent issues there because of that. He said that, given the proactive actions he has taken, he would like to appeal this fine. He said he had provided all of the information over a year ago. He said the health inspectors want to deal directly with him, but he travels frequently, so he wants

them to reach out to the property manager to have things addressed right away. He said if there are any issues he assumes the goal is to address it as soon as possible and contacting his property manager will accomplish that. He reported that he had also paid twice for his fine because the property manager took care of it and he also paid it. He noted that he had been told that someone called to file a complaint and he cannot be told who it was but said he said he expects that it was one of the tenants who was being evicted. He also added that he was told that the Health Inspector lives across the street from the property so that is why the issues would be noticed more quickly. He said in some e-mails from the inspector some inflammatory language was used, but said he wants to fix the situation and doesn't want to get into an argument. He explained that someone dumped a mattress into the alley between 118 Foster and his property and the city made a law that said if people dump mattresses there it becomes his problem.

Mr. Durkin asked Inspector Suckney to speak on the matter. Mr. Suckney explained that this situation has been ongoing for several years and was handled by former inspector Bill Pasquale as well as Inspector John Yale. He said he is often on Foster Street as he has to drive by to get to city hall and added that he just drove by a short time ago and even now there is improperly-stored trash there. He said every notice that goes out says to contact us but we don't hear back. He said he has the property management plan that Mr. Bugg referenced, but that document indicates no onsite presence of the property manager other than to collect rent. He added that other properties in the area are also in the same situation and are being addressed accordingly. He explained that all violation notices and notices by state law must be sent to property owners. He concluded by saying that he shouldn't have to tell their property manager when to manage his property.

Mr. Durkin asked if it was Mr. Bugg's expectation that the inspectors should inform him of the condition of his property. Mr. Durkin said he has an obligation to know the condition of his property, and not to rely on the inspectors - it is not their role, their role is to enforce the ordinances and it is the owner's job to ensure that he is monitoring conditions at his property. He asked how in the future Mr. Bugg would be more involved in monitoring his property. Mr. Bugg replied that it is too cost prohibitive to have someone go to the site every day, adding that it is just a 3- unit building. He said on the illegal dumping issue he plans to speak with the owner of the neighboring property to see if they will agree to put in a gate to stop people from cutting through the property. He said he believes those two things should help. He said he asked before for any suggestions the inspector had, but the only response was that they are not the property managers and he said it would be great if they could work together.

Mr. Durkin replied that it comes down to what is the role of the health department. He said they are not your consultants, not your agents. He suggested that Mr. Bugg plan to have an on-site presence more often, or perhaps buddying up with other property owners to monitor each other's properties.

Ms. Cameron said in terms of the inspector living near the property, the property is located on one of the main thoroughfares of the city and all Health Dept staff drive by it

multiple times a day. She said nobody gets a ticket right out the gate, there is always a written warning first, then fines are assessed when a long-term problem exists. She said the mattress ban is imposed by the state, not the city. She said Inspector Suckney is correct that they are required by state law to send notices and violation orders to the owner of the property, adding that it is not appropriate to expect that the Health Dept monitor who is on his payroll as property manager, as this can change. She said she has some recommendations that might be helpful. She said they know it is challenging with the rodent issues, the area is very dense, it is near restaurants, but she said part of the permitting of restaurants is that they are required to have a pest control plan as well, so he is not alone in managing pests in the neighborhood. She said her suggestions include putting in the management plan that the property manager will be on site at least once a week, particularly the day after trash day every week, and have him monitor that the trash was put out, the bins brought in, any incidental trash was picked up. She also advised that the manager be on site following tenants moving out, since that tends to generate a lot of trash and the Health Dept get lots of complaints. Mr. Bugg asked if penalties reset and if so how long do they stay before he gets a "clean slate" with respect to follow up violations. Ms. Cameron replied that it is not reset after a certain number of months/years, but if it had been a while without any problems they would reset. She said in the case of this property he hasn't really gotten a handle on it, and the situation is ongoing.

Mr. Durkin asked if anyone present or on Zoom had any questions. Paul Rutherford attended by zoom and explained that he is with Charles Gates Property Management and is the property manager for this location. He said they are going to be out there once a week to make sure this isn't happening going forward. Mr. Durkin asked if any board members had any questions. None were put forth. Mr. Bugg said he has spent a lot of money getting the tenants out to address these issues, and said he is not looking the other way. Mr. Durkin asked if anyone wished to speak on this matter. No responses were put forth. Mr. Durkin closed the hearing at 5:07 pm.

Dr. Fleet made a **motion** to uphold the penalties that had been imposed. Mr. Carli seconded the motion. Dr. Fleet said staff and board members had given some great recommendations, and added that from the correspondence she had been sent she would say there was no harassment. Mr. Bugg said he can share some e-mails. A vote was taken and it was unanimously agreed to uphold the order. Ms. Cameron said on the one fine that was paid twice, they will repay the overpaid fine. Mr. Bugg said alternatively he will pay the net amount due.

BUSINESS

1. Approval of Minutes of June 24, 2024- Vote anticipated to approve or amend minutes.

Discussion: Dr. Fleet made a motion to approve the minutes as presented. Mr. Carli seconded the motion. A vote was taken and it was unanimously agreed to approve the minutes.

2. Surveillance Needs – Regional Epidemiologist Laura Nash

Discussion: Ms. Cameron explained that she had asked Ms. Nash to attend tonight to give an update on some of the infectious diseases in the region. Ms. Nash shared a power point presentation addressing a few recent issues from the press. She said avian influenza is the biggest thing in the news. Also referred to as bird flu, this strain is the H5N1 strain, and is circulating worldwide in animals. She said the outbreak is linked to dairy cows in Texas and a few days before there were 150 effected dairy herds, and that number is 169 now. They are in 13 different states and they are trying to deduce where cows are getting sick from but they think that it may be from milking machines that were not cleaned between milkings. She said in this type of factory farming, disease can spread quickly, and if a herd becomes infected they have to unfortunately cull the herd. She explained that 10 people have tested positive for avian influenza, but they are all people who work in dairy and poultry industries. She explained that if pigs test positive that is a major issue as pigs can serve as a host for both human and animal viruses, and allow for mutation into a virus that is easily contagious to humans. She said ferrets are also good indicators. She said it is likely that we will have some sort of immunity from our regular flu vaccine. Mr. Durkin said they have 200 cows in the city, will there be any problem here. Ms. Nash replied that the FDA requires that any cows that go across statelines must be tested.

Ms. Nash explained that there is monitoring of wastewater data for covid, and the rates at the end of the month started to really go up. She said they have been unable to get state wastewater information but are using Boston wastewater data as a proxy. She said that while case numbers are up, hospitalizations are down. She explained that the new Flirt variant which is descended from the omicron variant and is noted for its ability to evade prior immunity so it is thought to be more contagious, but less severe, with the same symptoms, usually cough, chills and cold symptoms. A new vaccine was approved recently for Pfizer and Moderna, and both will be coming out in the fall.

Ms. Nash went on to discuss Pertussis, also know as whooping cough, also known as the 100 day cough. A larger outbreak of pertussis is going on than they had seen in recent times, but at levels normal for pre-covid times. Pertussis was unheard of during the pandemic because of masking and other precautions, but now it is back. People are very concerned, but there have been no deaths, severe cases, or hospitalizations. In its first stage, people often think it is covid, the flu or a cold, then it progresses into huge uncontrolled coughing fits, hence term whoop from a whooping noise made, and the last stage is a cough on- and- off which can last several months. It is spread through respiratory droplets. The incubation period is ten days, so with the first day of coughing they then consider the ten days prior to be the infectious period. Most cases have been in older teens and young adults. They are advising adults to take a prophylaxis dose of pertussis vaccine even if they are not having symptoms. They also recommend a dose to anyone over 65. Vaccines wane over time but people who have had vaccine in the past will have cases that are not as severe. She said they are working with their community health worker and social worker to create infographics to distribute to providers to allow for better education of them and their patients.

At this point, arborvirus is not as big an issue as last year since we have not had as much rain, so there have been no human or animal cases so far. EEE presents similar to the flu or the common cold, with headaches and general malaise; with EEE there is also a very high temperature, up to 106 degrees. This can effect anyone of any age group but those under 15 and older adults and those with underling conditions are most at risk. As of today 14 mosquitos tested positive, mostly in western ma. Mr. Durkin recalled how, in the past, in Peabody the high school cancelled events in the evening due to a high risk. Ms. Cameron explained that we are low risk right now. If we were at high or extremely high risk levels we would discuss cancelling events. Ms. Cameron added that virus levels peak typically late August or September. Ms. Nash explained that with West Nile Virus a majority of people don't know they have it because there are no symptoms for 80%. She said we don't know the true case burden and only know of those who went to the doctor. Symptoms include fever, chills, and body aches. There have been no human or animal cases so far this year. As of yesterday, 27 positive mosquitos were identified, which more than doubled since the week before. Ms. Nash offered some precautionary information. She said if people are worried about getting mosquito bites they should try not to go outdoors after dark. When outdoors they should wear long socks and sleeves when possible, adding that this is also helpful for preventing tick bites. CDC recommends to use repellants with DEET, except DEET shouldn't be use in infants, and only used in concentrations below 30% on children. People should repair screen doors and windows and get rid of any standing water as it is a breeding ground for mosquitos.

The board agreed that this information was very helpful and thanked Ms. Nash. Ms. Cameron explained that a grant had been received for the region for the Epidemiologist's services and said it is such a boon to have an epidemiologist to work with.

3.a Regulatory Updates - Nicotine-free generation

Discussion: Ms. Cameron reminded the Board that last month they had discussed the Nicotine Free Generation policy concept. She said she had sent draft language to the members and had highlighted areas that would need to change if the Board wanted to move forward. She explained that there were not that many changes. She pointed out on page 9 section D it would change to "tobacco sales to persons born on or after 1-1-2004." People who had not attained the age of 21 by the 1-1-25 implementation date would not ever be allowed to purchase tobacco products in Peabody. She said she has learned that since adult only retailers sell other product, most communities continue to allow them to enter if over 21, they just can't purchase tobacco if they weren't born before the implementation date. Mr. Durkin said he recalled discussing that they would deal with this matter after Labor Day. Ms. Cameron agreed, but wanted to be sure if that is the direction the Board intends to take. She said any public hearing would be after Labor Day, but they want to have time to do direct outreach to retailers who might be affected so they can be prepared to review the proposed changes. Ms. Cameron said that section D on page 9 would be the only major change and said on page 4 in the preamble she added two whereases to reflect Dr. Fleet's comments regarding smoking

being the leading cause of preventable deaths. Mr. Durkin said that Board members will be prepared to go through the draft at next month's meeting. All agreed.

3.b Regulatory Updates - Hemp-derived Products

Discussion: Ms. Cameron explained that she had spoken to the assistant city solicitor about the Beverly regulation, and the solicitor said she would go through the Beverly regulation to adapt it for Peabody's use. Mr. Durkin asked for clarification, if Delta 8 and 9 are illegal. Ms. Cameron replied yes but said they have found them in Peabody establishments. Mr. Durkin asked what could they add to the state regulation on this then. Ms. Cameron explained that this new memorandum from the state is not really a state regulation, just an interpretation. She said a local regulation would put out a very clear enforcement mechanism to impose fines etc., since the state makes it clear it is not legal but doesn't provide much guidance about how to enforce. Mr. Suckney said these products not just in tobacco products, but are also in alcoholic beverages and gummies, and are against the food code to sell, but it gets more challenging every day. He said they don't go into liquor stores to inspect non-alcoholic beverages, but the state has advised that we do so. He said he was also told that they are being sold at some restaurants. Mr. Durkin said he is in favor of adopting this regulation. Dr. Fleet and Mr. Carli agreed. Ms. Cameron will work with solicitor to get proposed regulation ready for public hearing in fall.

4.a Environmental Updates - Rodent Control

Discussion: Ms. Cameron explained that their contracted exterminator is having some data issues, but their records show about 1000 kills since October. She said they are receiving a lot of inquiries recently about rodent issues. She explained that the City of Boston has recently issued their rat control plan development by a renowned rodent consultant and that our regional shared staff are now reviewing the Boston plan to see if there are recommendations that we can implement here. The goal is to create best practices to use across the region. If we have a consensus around best practices it could help.

4.b Environmental Updates - Rousselot

Discussion: reviewed

5.a Code Enforcement Updates: Housing: 176 Newbury St.; 20 Aberdeen Ave; 90 Aborn St; 52 Granite St; 165 Newbury St; 11 Carlton St.

Discussion: Ms. Cameron explained that 176 Newbury Street is down to eight occupied units and they are making progress towards decommissioning the park. They send us monthly reports about cesspool levels and pumping records, and have not seen any recent issues. She said the state has a manufactured housing commission, and this quarter they held their quarterly meeting in Peabody as we have one of the higher numbers of mobile homes in the state. They asked us to share experiences and to make recommendations. One of the issues with mobile home parks here in Peabody is that

there is a lot of deferred maintenance, so park owners end up with a huge need for emergency repair work with a significant cost that they can't fund because they have to go through rent control to get rent increases. She said the Chairperson of the Rent Control Board told the commission that, in his 24 years on the board, some parks never came for a rent increase even once to finance a capital project. Ms. Cameron made a suggestion that the commission require every five or ten years that owners bring in a qualified engineer to inspect and set up a capital improvement plan to avoid such long term deferred maintenance. There are concerns about costs going up for property owners and residents. Mr. Durkin said it would benefit the residents. Ms. Cameron said it would also prevent a huge cost at one time. Mr. Durkin suggested this plan would be similar to what happens with the landfill where the Board gets a report to see the status of the site. Ms. Cameron said that when the city licenses the manufactured housing communities they could inquire about capital improvement plans.

5.b Code Enforcement Updates: Nuisances: 69 Central St; 153 Washington St; 8 South St; 18 Northfield Rd; 2 King St; 48 Home St; 8 Sophie Rd.

Discussion: Reviewed.

5.c Code Enforcement Updates: Food: 4 Lake St; 200 Washington St; 227 Andover St; 71 Wallis St.

Discussion: Reviewed.

5.d Code Enforcement Updates: Other: Republic Services

Discussion: Ms. Cameron reported that the City's trash hauler, Republic Services, continues to violate city ordinance over pick up times. She said they still have a number of unpaid fines, and wondered if the Board members have any direction they would like her to take or about appropriate next steps. Mr. Durkin suggested that he would support the use of progressive fines. All agreed.

6.a Permitting Updates - List of permits issued in June 2024

Discussion: reviewed

7.a Public Health Nursing Updates - June 2024 surveillance report

Discussion: Reviewed. Ms. Cameron noted that there were 42 cases of Covid shown as well as a couple of cases of Listeriosis.

8.a School Health updates - SY 2023-2024 report

Discussion: Ms. Cameron explained that she had given the board the annual report that the school health leader submits. She said she doesn't have any concerns but thought it

would interest the Board. Discussion ensued about how it was an interesting read and how a lot of kids go into the nurse for a variety of issues.

9. Social service updates

Discussion: Ms. Cameron reported that their Social Worker resigned a few weeks ago which was unfortunate. She said they do have a case manager who is still working, accompanying police on calls that may have a behavioral health component. She added that Lahey has funded them for a multi-lingual case manager, and they are hoping for that job to be posted soon.

10. Correspondence: a. From DEP re: 300 Forest St.; b. From Tighe & Bond re: PMA/Covanta; c. From CEC re: Peabody Ash Monofill; d. From Brown & Caldwell re: Peabody Ash Monofill

Discussion: Reviewed. Mr. Durkin noted that DEP approved the variance for the trash compactor.

Next meeting date: August 15, 2024

Other Business: Mr. Durkin noted that in tattoo applications the entire SS # is included in the document given to the Board, and said they should get rid of that. Ms. Cameron agreed and said they would omit that. She asked if the Board wants to see the applicant's medical records or are they satisfied to hear that the Public Health Nurse has reviewed it and approved it. Dr. Fleet said she is satisfied with just seeing that Chassea had reviewed the file and approved it. All agreed.

Mr. Carli made a **motion** to adjourn at 6:02 p.m. Dr. Fleet seconded the motion. All were in agreement, and the meeting was adjourned at 6:02 pm.

Next meeting date: August 15, 2024