

Board of Health Meeting Minutes
November 8, 2017

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The Board of Health Meeting was called to order at 5:30 pm by Donna S. David, R.N., M.N., Chair.

Those present were Donna S. David, R.N., M.N., Chair; Julie C. Lemay, M.P.H., Vice Chair; David B. Alper, D.P.M., Member; Wesley B. Chin, Health Director; Maria Reddington, Clerk. John Maguranis, Animal Control Officer (part of the Meeting)

Board Members provided an overview of their attendance at the annual Massachusetts Association of Health Boards. The following are some highlights they shared:

- Ms. Lemay (and Ms. David) attended a Food Composting Management class. They learned composting done correctly is complicated, and there is much to learn about the science and recordkeeping of it. They wanted to know if there are any food establishments in Town which generate more than a ton of food waste per week, such as at the schools or health care institutions. Ms. Lemay also attended Gathering Local Knowledge In Preparedness from Vulnerable Populations. This class focused on identifying communication barriers, such as the elderly population and access to and familiarity with electronic devices, the native language spoken by residents, immigration status issues. Board members said Belmont Religious Council may be able to aid in identifying vulnerable populations. Belmont Emergency Management Agency could send quarterly reminders to residents to sign up their mobile device numbers with Belmont Police for reverse 911 calls.
- Dr. Alper reported his attendance at the class entitled Foot Care and More for At Risk Homeless Veterans. The class speaker talked about 10 years of Operation Stand Down, a privately funded annual event held at Boston City Hall and hosted by the New England Center and Home for Veterans. Dr. Alper also attended the Legislative Update class, which included the Special Commission on Local and Regional Public Health, Adult-Use Marijuana Law and status of the Comprehensive Tobacco Bill. Dr. Alper said medical marijuana dispensaries will be allowed to sell recreational marijuana effective July 1, 2018, and the Health Department will be charged with inspection of food products. State level tobacco regulations will be in line with the 40% of cities/towns which already adopted stricter regulations, i.e., age 21 years to buy tobacco products/e-cigarettes.
- Ms. David summarized her attendance at the following classes: Human Trafficking and Local Boards of Health. The presenter, Mike Hugo, Esq., has developed protocol for the opening of bodyworks businesses, working with former Attorney General Martha Coakley; Opioid Crisis – BOH Role in Prevention. Many helplines and resources were presented, and should be posted on the Health Department's webpage; and Gas Leaks – Potential Health Impacts. Ms. David provided a handout of a map of National Grid Reported Gas Leaks in Belmont. Class discussion focused on potential health hazards from gas leak exposure over a number of years.

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The Dangerous/Nuisance Dog Hearing Igo vs. Klimasmith was called to order at 6:08 pm. Wesley Chin, Health Director, read the rules for the Hearing. All speakers were sworn in by Mr. Chin. See sign in sheet for list of names.

Mr. John Igo, owner of "Vince," told Board of Health Members that canine "Olaf" Klimasmith is vicious toward "Vince" and would kill Vince if given the chance. He summarized specific incidents between Olaf and Vince. Mr. Igo further stated the Klimasmith's are irresponsible owners, and only react after each incident. He also said the Klimasmith's are not attentive toward Olaf. Dr. Alper asked Mr. Igo if Vince also attacked during the incidents, to which Mr. Igo replied that Vince only barks. Ms. David asked Mr. Igo if bite wounds have occurred, to which Mr. Igo replied there have been no bite marks because Mr. Igo is able to fend off Olaf.

Ms. Klimasmith, owner of "Olaf," told Board of Health Members that she has not witnessed an interaction between Olaf and Vince. Problems are fixed after an incident happens, for instance a gate that was opened has now been tied shut. She will secure the entire perimeter of her property. Ms. Klimasmith said Olaf is not vicious, he has never bitten anyone. Olaf is a basset hound/shepherd mix and would not be able to climb over the current chain link fence because of his short legs. However, Ms. Klimasmith is willing to install a plywood wall so the dogs cannot see each other. Ms. Klimasmith also said she was willing to get Olaf and Vince together in an attempt to socialize, as well as pay for professional dog training, but Mr. Igo refused.

Mr. Klimasmith, owner of "Olaf," told Board of Health Members that there is a problem between Olaf and Vince, but Olaf like other dogs and children. He said his family does not want there to be a problem, but disagreed that a Hearing was the correct form for this problem. Mr. Klimasmith asked what is the ultimate goal of this Hearing? A solution? Destroy Olaf? Mr. Klimasmith hoped to work with Mr. Igo rather than use this form.

There were a number of audience members who spoke in support of the Klimasmith's. A summary of their testimony follows:

- Olaf is not a nuisance.
- Olaf is important to the Klimasmith family.
- An incident was witnessed and Mr. Igo spoke much profanity.
- Olaf did run toward Vince near a fence.
- Owner of 3 dogs has never had an issue with Olaf, they play, bark, run, fetch, etc.
- Parent of "high octane" boys are fine being around Olaf.
- Olaf is not a dangerous dog, there is a problem between 2 dogs.
- Owner of "Joey" said his dog plays with Olaf, normal dog wrestling, Olaf is well socialized.
- A neighbor is not a frequent visitor, yet Olaf is fine with him. The Klimasmith's are engaged dog owners.

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John Maguranis, Belmont Animal Control Officer, told Board of Health Members that he received four phone calls from January 2015 to present concerning dangerous encounters between Vince and Olaf. John told both dog owners that he felt professional dog training may be beneficial. John was able to negotiate a half price offer for the service. Mr. Igo refused the offer for professional dog training because Vince is always on leash and in control.

Mr. Igo spoke again and asked Ms. Klimasmith if she held the front door open at her home on October 14, 2017, which resulted in Olaf escaping from his home. This action was acknowledged. He also asked to whom he can file a law suit with when his dog is attacked or killed. Dr. Alper asked Mr. Igo why he won't engage in professional dog training. Mr. Igo said he doesn't have the time and is not confident training would work.

Ms. David said this Hearing must be difficult for Mr. Igo because so many supporters are present for the Klimasmith's. She also said it was magnanimous that the Klimasmith's offered to pay, in full, for the professional dog training.

Dr. Alper said an amiable solution must be found for the two dogs. He also said good dog ownership is needed by the Klimasmith's.

Mr. Igo said he wants the Board of Health members to witness an incident. This request was refused.

Members agreed this is not a case of a dangerous/nuisance dog as defined under MGL Chapter 140 Section 136A.

Ms. Klimasmith said Olaf is walked 3 times per day by herself, Mr. Klimasmith, a dog walker, or their 20 year old son. Olaf is leashed with a Martindale collar and does not escape the leash.

The Board of Health members voted 3-0 to dismiss the Complaint alleging "Olaf" Klimasmith is a dangerous/nuisance dog.

The Board of Health members voted 3 to 0 the following Order:

1. "Olaf" Klimasmith must be secure while in the gated area of 17 Edward Street.
2. The Klimasmith's must install an auto close mechanism on the outside gate(s) of their property.
3. The Klimasmith's and Mr. John Igo must engage in an assessment for professional dog training. The professional dog trainer's report must be submitted to the Board of Health within 30 days.
4. A non-criminal notice of violation will be issued by John Maguranis, ACO to the Klimasmith's each time it is verified that "Olaf" Klimasmith is off leash in Belmont. "Olaf" Klimasmith is permitted off leash while visiting an approved off leash Belmont athletic field, with proof of a valid Off Leash Permit issued by the Belmont Department of Public Works Recreation Division.

The Dangerous/Nuisance Dog Hearing Igo vs. Klimasmith concluded at 7:07 pm.

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The Animal Control Officer's report was reviewed. Ms. Lemay noted John's above and beyond involvement with a homeless person, and the care and attention John provided to the animals. The off-leash tags are not visible enough. The tags need to be bigger and brighter. John will soon provide training to all Belmont Police officers to teach proper hazing of coyotes.

The interviews for the Assistant Health Director position began.

Ms. Vivian Zeng was the first candidate to meet the Board members. There was discussion surrounding Ms. Zeng's work and education background. The Board also presented some common situations to Ms. Zeng to gain a sense of how she would resolve each. The Board members thanked Ms. Zeng for attending the Meeting.

Ms. Daniella Wodnicki was the final candidate to meet the Board members. She summarized her work and education background. The Board also presented some common situations to Ms. Wodnicki to gain a sense of how she would resolve each. The Board members thanked Ms. Wodnicki for attending the Meeting.

The Board voted 3-0 to enter into Executive Session at 8:21 pm.

The Board voted 3-0 to adjourn the Executive Session, and return to Public Meeting at 8:33 pm.

The Board voted 3-0 to offer the Assistant Health Director position to Ms. Daniella Wodnicki.

The October 11, 2017 Meeting Minutes were approved by a vote 3-0.

The Receipts report was reviewed.

The Financial report was reviewed.

The Director's report was reviewed, with the following topics discussed:

- The Chenery Middle School food inspection will be resolved soon.
- The Belmont High School food inspection was more problematic. A punch list was emailed by Dustin O'Brien, Director of Food Services.
- El Centro food inspection was discussed. Ms. David is very concerned and asked what if no inspection were done that day? Board members want a one year history of El Centro's food establishment code violations emailed to them.
- Stone Hearth Pizza will have new owners. The Board members want the new owners at an upcoming Board meeting.
- Wes told Board members the Cambridge District Court dismissed the non-criminal violation notice issued to ABC Ice Cream for serving unpackaged frozen dessert, an unapproved operation.
- There is a Housing Court meet and greet opportunity scheduled for next week.
- The ongoing housing cases were reviewed.

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- Rodent concerns were discussed. The rat brochure needs a couple of edits before distribution to residents. Is it necessary to set up a hot line for resident's to leave their name/address/phone number when a rodent inspection is needed?
- The proposal to the Board of Selectmen to increase the Veterans' Services Officers' hours was discussed.

The Food Inspection report was reviewed.

The Disease/Nurse report was reviewed. The Shingles Vaccine report was interesting.

The Youth and Family Services was reviewed. Dr. Alper wants the girls group and/or boys group started up again. Does CHNA have grant money available for cluttering assistance?

The next Board of Health Meeting is scheduled for December 6, 2017 at 5:30 pm.

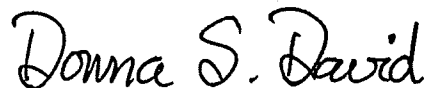
Maria Reddington, Clerk, was excused from the Public Meeting at 9:10 pm.

The Board voted 3-0 to enter into Executive Session at 9:10 pm.

The Board voted 3-0 to adjourn the Executive Session, and return to Public Meeting at 9:30 pm.

The Meeting adjourned at 9:30 pm.

Respectfully submitted,



Donna S. David, R.N., M.N., Chair