

DATE: April 27, 2021
TIME: 9:41 AM

Board of Health Meeting Minutes
February 22, 2021

The Board of Health Meeting was called to order at 4:32 pm by Stephen M. Fiore, Chair.

In keeping with Governor Baker's Executive Order of March 12, 2020, "Order Suspending Certain Provisions of the Open Meeting Law" – The Board of Health Meeting of February 22, 2021 was held by Remote Access through ZOOM.

Those participating were Stephen M. Fiore, Esq., Chair; Julie C. Lemay, MPH, Vice Chair; Donna S. David, R.N., M.N.; Member; Wesley B. Chin, Health Director; Diana Ekman, Assistant Health Director; Suzanne Trasavage, Animal Care and Control Officer; Lindsey Sharp, Environmental Health Intern; Maria Reddington, Clerk.

There was no public participation.

The K9 "Mookie" Dunn Hearing was called to order for an incident involving a dog owned by Elizabeth Dunn and Richard Johansson of 160 Goden Street. The Hearing was requested by Quynh Dang and Keith Thoresz of Belmont. Quynh Dang and K9 "Bader" were victims of the incident. The Hearing was recorded.

- The following participants were present for the Hearing: Quynh Dang, Keith Thoresz, Elizabeth Dunn, Richard Johansson.
- The Hearing Authority are Stephen Fiore, Julie Lemay, Donna David, the Panel are Wesley Chin, Diana Ekman, Suzanne Trasavage.
- Stephen Fiore reviewed the rules of the Hearing. Diana Ekman swore in the participants.
- Suzanne Trasavage, Animal Care and Control Officer, summarized her report relating to the incident. The incident at Chenery Middle School took place on December 30, 2020 between 5 to 6 pm. No dogs are allowed to be on this property, signage is clear. The incident happened after sunset. Bader required substantial veterinarian treatment. Ms. Dang and Ms. Dunn also required medical attention for puncture wounds. The parties have conflicting stories.
- Suzanne met with Mookie Dunn for about 20 minutes. There was no aggression noted during the visit. There is no history of other incidents involving Mookie Dunn.
- Ms. Quynh Dang said as she approached Ms. Dunn and Mookie, while she was walking Bader, Ms. Dunn yelled to her that Mookie was not friendly. Mookie latched on to Bader's neck, and bit Bader's legs and stomach. Bader required 22 stitches. Bader was 5 months old at the time of the incident.
- Ms. Elizabeth Dunn said she was holding Mookie by the collar. Bader came up to Ms. Dunn and bit her. Ms. Dunn said Mookie was adopted from another state and his history is unknown.
- Mr. Thorez said Bader did not bite Ms. Dunn. He said Mookie is a reactive dog and should not be let off leash.
- Ms. Dunn said Mookie was trained 4.5 years ago, and trainer said Mookie had a soft mouth. Mookie was enrolled in day care but isolated himself from the other animals, so she unenrolled Mookie and hired a dog walker. Mookie will not be off leash again.
- Steve Fiore said the posted signage at Chenery states that dogs should not be on the grounds, and never should be off leash there.
- Donna David said it was troubling that Mookie held on to Bader. The Board/Hearing Authority has no jurisdiction for reimbursement of medical bills incurred by either party.
- Julie Lemay said dog fights do happen but not always indicative of future problems. Ms. Dunn's comment that Mookie will always be leashed is the way to go.

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- Suzanne Trasavage recommends that Mookie always be on leash in public. Mookie is not a good candidate for the off-leash permit program offered in Belmont. Dogs should not be at Chenery School, it is not property approved for dog use and it is not a well-lit area. Suzanne does not recommend a muzzle for Mookie. A leash and better management by the owner should be enough.

The Hearing Authority vote was 2 to 1: Stephen Fiore and Julie Lemay voted to dismiss the case; Donna David voted to deem Mookie Dunn a nuisance dog. A written decision will be mailed to the parties.

The Hearing was adjourned.

The next Agenda item concerns nuisance odors at 63 Concord Avenue. The following was discussed:

- Wesley Chin said this issue was first brought to the department's attention on or about March 2019. At the conclusion of the investigation by Health Department staff, the parties mutually agreed to resolve the issue. The next complaint was filed in December 2020.
- Diana Ekman said the complaint originates from Belmont Dental Group. During inspection, an intermittent food odor, low to medium in intensity, was noted. There are no other similar complaints on file from other abutters to Spice Delight.
- The dental office has been keeping an odor log, as recommended by Health Department staff. The log indicates there is a noticeable odor beginning at noon, and lasting at least 3 hours.
- Dr. Lapidus said his voice is hoarse when he arrives home, and he has received some medical care. His doctor said the symptoms are being caused by the odor.
- Dr. Nager noted that no other food establishment at this address has been a problem. Patients complain and the dental group is willing to share in the expense to resolve the issue.
- Rusty Gill, co-owner of Spice Delight, said everything in the establishment met building code requirements when Spice Delight first opened.
- Wesley Chin defined a nuisance to be constant and persistent. Due to length of time of the problem it should be resolved between the parties.
- Dr. Lapidus said the odors are constant and persistent.
- Julie Lemay asked if the dental group's HVAC contractor can inspect their system.
- Rusty Gill suggested both parties have their HVAC contractor inspect the systems, and provide their recommendations for a mutually agreeable solution.
- Board members are hopeful the parties will resolve the concern soon, and asked the parties to follow up with Wesley Chin.

The Board voted 3-0 to approve the January 25, 2021 Meeting Minutes.

The Receipts and Financial reports were reviewed.

The Director/Assistant Director/Public Health Nurse/Environmental Health Agent report was reviewed with the following discussed:

- Staff at the Attorney General's Abandoned Housing Initiative continue to work with a housing matter. The property owners were given a deadline date of January 31, 2021 to complete exterior work. Re-inspection of the property revealed no progress was made. On February 9, 2021, Health Department staff met with the Chair of the Select Board, the Town Administrator, and Director of

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Community Development. This meeting confirmed that no repair progress had been made, and no communication from the homeowner had been initiated to any town department. It was also decided at this meeting to authorize the Attorney General's Office to initiate receivership proceedings in order to begin repairs to the property.

- Wesley Chin provided a COVID vaccine update. Belmont, Arlington, and Lexington Health Departments worked together to vaccinate a small number of eligible residents (75+ years old) at two clinics. The names and contact information were obtained from completed online vaccine surveys. The clinics were a success, with many residents complimenting the Town for vaccinating this eligible population. Health department staff are grateful for the scheduling help received from the Recreation and Police departments, as well as Election workers. Mid-February proved to be a challenging time when the State announced that vaccine distribution to local boards of health would stop.
- Lindsey Sharp continues to update the online data dashboards, provides contact tracing assistance, broadcasts weekly COVID-19 updates for Belmont Media Center, is typically the first contact for assistance to the Belmont Public School, and is a member of the Return to In-Person Learning Working Group, along with Board of Health Vice Chair, Julie Lemay.
- Fire Department and EMS are ready to vaccinate when needed. Vaccine distribution for homebound residents is being planned.
- Town Hall and Homer Building will return to 100% in office staffing on Monday, March 1st.
- We have received a number of questions relating to the travel order for those who have been fully vaccinated. At this time, all travelers must comply with the current travel order.

The Youth and Family Services report was reviewed. Health Department staff is working with Janet on a self-neglect case.

The Veterans Services report was reviewed. Bob is working on a number of new and pending claims, as well as Memorial Day Parade options.

The Animal Care and Control report was reviewed. Suzanne Trasavage will begin offering monthly ZOOM meetings to "Meet Your Animal Control Officer." Suzanne feels this will benefit the community, especially owners of newly adopted/purchased pets.

The next Board of Health meeting is scheduled for March 29, 2021 at 4:30 pm.

The Meeting adjourned at 6:00 pm.

Respectfully submitted,



Stephen M. Fiore, Chair