

DATE: November 16, 2021
TIME: 2:30 PM

Board of Health Meeting Minutes
October 4, 2021

The Board of Health Meeting was called to order at 4:41 pm by Donna S. David.

In keeping with Chapter 20, of the Acts of 2021, the extension of the remote participation portion of Governor Baker's Executive Order from March 12, 2020; - "Order Suspending Certain Provisions of the Open Meeting Law" – The Board of Health Meeting of October 4, 2021 was held by Remote Access through ZOOM.

Those present were Donna S. David, R.N., M.N., Chair; Julie C. Lemay, MPH, Vice Chair; Adrienne Allen, M.D., M.P.H., Member; Wesley B. Chin, Health Director; Diana Ekman, Assistant Health Director; Lindsey Sharp, Health Agent; Suzanne Trasavage, Animal Care and Control Officer; Maria Reddington, Clerk.

The Meeting was recorded.

There was no public participation.

The Board welcomed Bob Upton, Veterans' Services Officer, to the meeting.

- Bob reviewed the number of cases he is presently involved with, mostly to provide benefits to Veterans.
- Donna David is pleased to know the monthly Coffee Hour at Beech Street Center has resumed.
- Julie Lemay appreciated the Purple Heart Day observation, as well as the 9/11 observation held at the Belmont Veterans' Memorial.
- Adrienne Allen looks forward to meeting with Bob one on one, as she has done with other Health Department staff. She asked Bob if there's anything he needs from the Board, and if there are any barriers or health concerns of Belmont Veterans.

The next agenda item concerns a plumbing code variance at 525 Common Street:

- Tom Curtin, Senior Plumbing Engineer, WBA Engineers and Associates, Inc., and Jacob Butterworth, Licensed Site Professional, Sage Environmental Inc. were present to provide an overview of the variance requests, and to answer questions presented by Board of Health members.
- Board of Health members reviewed 2 applications, describing 2 plumbing variance requests. One application is for a variance of the plumbing code that pertains to the sanitary vent system regulation. The other application is for a variance of the plumbing code that pertains to sanitary waste and storm drainage/groundwater directed to the municipal sewer and storm drainage systems separately.
- Mr. Curtin and Mr. Butterworth provided an overview of the current treatment system in place. The variance request seeks to redirect less than 1000 gallons of wastewater per year to the treatment system. The existing treatment system will scrub contaminants from the wastewater prior to discharging it into the municipal storm water drain system. The other variance request seeks to use an existing sanitary venting system to discharge contaminated vapors, using radon style fans on the roof. The proposal seeks to run vent piping through carbon-filled drums to eliminate contaminated vapors prior to discharge to the atmosphere.
- Julie Lemay asked if 1000 gallons per year is in addition to the number of gallons currently being discharged. The answer is yes.

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- Adrienne Allen asked if the current system is capable of scrubbing e-coli prior to discharging the overflow to the storm drainage system. She explained that Belmont is under an EPA Order to clean up its storm drain system, noting there is a major river pollution/e-coli problem. Although an additional discharge of 1000 gallons doesn't seem to be a lot, it's adding to an already polluted system. Jacob Butterworth explained the treatment system does remove chemicals of concern prior to being discharged to the storm drain system.
- Diana Ekman and Dan MacDonald explained the matter will go before the State Plumbing Board for their review of compliance in connection with both variance requests. Diana also explained the variance requests to do not seek a vote by the Board of Health as the requests relate to the plumbing code. Rather, the Board of Health can offer comments/recommendations pertaining to the variance requests, which will be brought forth to the State Plumbing Board hearing.
- Adrienne Allen said there is not enough information contained in the variance requests concerning the chemicals being discharged, the effect this request will have on the rivers, and occupants of the property. Julie Lemay also asked about the steps being taken to redirect the vapors so they don't enter the garage space.
- The comments as discussed will be included in the Applicants' variance requests to the State Plumbing Board.

Agenda item to review/discuss the metric for the use of Face Coverings in Town and Schools:

- Wesley Chin thought this was a good opportunity for the Board to discuss the reasons for maintaining the mask mandate in Town and schools. Members of the public question why it's necessary to continue the mask mandate when the case numbers seem to be leveling off.
- Pursuant to Adrienne Allen's suggestion, Lindsey Sharp, Health Agent, was able to pull together some data. Lindsey shared the report on screen for the Board members to offer comment.
- Donna David said it's clear that towns with a mask mandate in place have lower positivity rates. It's a small price to pay to wear a mask, and she said Belmont should continue with the mask mandate.
- Adrienne Allen said the mask mandate helps to protect everyone, prevents major surges, and keeps hospitals from being overwhelmed.
- Julie Lemay said Middlesex County remains in the "High" category.
- Jeff Liberty said he generally supports the mask mandate, but the metrics need to be communicated to the public. He asked if the end date for the mandate is tied to the vaccination rate, or CDC.

Agenda item to amend the School Face Covering Mandate, to include language for enforcement and/or fines:

- Donna David is not in favor of fines.
- Adrienne Allen favors having a public discussion for repeat offenders.

Agenda item for recommendation of COVID-19 Vaccine Mandate for eligible K-12 students:

- Donna David said Town Counsel advised it is not the job of the Board of Health to add this vaccine as one of the vaccines required for school attendance. That requirement would have to come from an authority higher than a local Board of Health (MDPH).
- The Board of Health believes in the value of getting the vaccine.
- Adrienne Allen asked George Hall, Town Counsel, what is meant by an authority under a different statute. Mr. Hall said possible authority under Chapter 111, Section 31, whereby the Board(s) order a local mandate, or adopt a regulation, much like the indoor face covering

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mandate. He does caution this is untested, vaccine requirements are typically done on the state level. He also said the School Department/School Committee may have broader authority in this regard, but this is also untested. Mr. Hall does not recommend a mandate come from only the Board of Health.

- Julie Lemay asked Mr. Hall about authority under Chapter 176, Section 15 list of conditions for DPH to institute vaccine mandates versus Chapter 111, Section 181 and local authority to mandate vaccine. Mr. Hall provided detail about the statutes, and said if Belmont wants to institute a vaccine mandate he would recommend it be done collaboratively with the School Committee.
- Donna David would make the recommendation to the School Committee to mandate vaccination for eligible students. She also said she realizes not everyone is going to run out and get the vaccine, which is why she is a big proponent of educating the public about the value of this vaccine.
- Adrienne Allen would like a joint meeting with the School Committee.
- Julie Lemay asked where the State is headed to add this vaccine on the schedule of student vaccine requirements. George Hall said it unknown at this time.

Motion: To recommend to the school committee a vaccine mandate for eligible students following FDA approval.

The Motion passed by a vote of 3-0.

The August 6, 2021 Meeting Minutes were reviewed. The September 13, 2021 Meeting Minutes were reviewed.

Motion: To approve the Meeting Minutes of August 6, 2021 and September 13, 2021. The Motion passed by a vote 3-0.

The Receipts report was reviewed.

The Direct, Assistant Director, Public Health Nurse and Public Health Agent report was reviewed.

- There have been 2 new housing cases referred to the Health Department since last month's meeting. One case was closed today.
- The MA Attorney General's Abandoned Housing Initiative awaits conclusion of legal action concerning the ongoing housing matter the department has been working on.
- The rat concerns continue – staff have received five new complaints. Staff are still working with the Grove Street neighborhood.
- Trash issues and rats in public spaces – conversation with DPW, need a timeline, need to educate the public about disposal of pizza boxes..
- Food establishment inspections for complaints received included Lisa's Pizzeria for a report of improper handwashing, and Gen Sushi for a DPH report of possible food borne illness.
- The Tobacco Control Coordinator interviews are complete. An offer was proposed to one of the applicants. The Collaborative await response.
- Plumbing variances – to be reviewed in the department, except for exceptional matters requiring Board of Health review and comment.
- Indoor mask mandate – 3 warnings have been issued to date.
- Town employee vaccine mandate – this item is on the Select Board meeting agenda for tonight. The vaccine survey was answered by 33% of town employees.

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- Staff are working with Town Administration, Human Resource Department, and the Lexington Health Department for a community-wide COVID testing opportunity.

There was no Youth and Family Services report to review.

The Animal Care and Control report was reviewed. Suzanne Trasavage reported the snake found at the incinerator site was non-venomous.

The next Board of Health meeting is scheduled for November 8, 2021 at 4:30 pm.

The Meeting adjourned at 6:07 pm.

Respectfully submitted,

Donna S. David, Chair