

**Board of Health Meeting Minutes
February 7, 2022**

The Board of Health Meeting was called to order at 4:34 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 February 7, 2022 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.

Public Participation:

- Ms. Catherine Bowen asked the Board of Health for a letter of support to the Metropolitan Planning Organization for the Community Path Project. The letter is forthcoming.
- Mr. Alex Thurston spoke about continued, uncontrolled emissions in a residential area from the business Purecoat North. Mr. Thurston is unable to get in contact with DEP staff. Julie Lemay has never received an answer from the email she sent to DEP. Donna David suggested Senator Will Brownsberger be contacted for assistance.
- Two residents were going to speak about masks which is an Agenda item and will be discussed at that time.

The Hearing for a Housing Code Complaint at 19 Burnham Street was called to order at 4:41 pm. The Hearing was recorded:

- Donna David reviewed the Hearing rules. All participants who will speak were sworn in.
- Diana Ekman provided an overview of the complaint received by Health Department staff for sewerage backups in the complainants Unit.
- An Order letter was issued to the Condominium Trustees to correct the violation of the State Sanitation Housing Code 105, Section 410.351 – sewer line free from defects. The Trustees made a request for a Board of Health Hearing.
- Mr. Niman Kenkre, a trustee representative, was the first speaker to provide testimony:
 - Plumbing professionals have determined the sewer line sag is normal, and recommend to pro-actively snake the sewer line. The two backups into Dr. Zebediah Kimmel's unit were a result of improper use of the toilet.
 - Preventative maintenance of the sewer was conducted four days prior to the second backup.
 - Dr. Kimmel's assertions of flood and fire hazards are a gross exaggeration.
 - Dr. Kimmel does not have back up documentation from vendors stating the sewer line is defective.
 - This is not a health and safety issue. The water line does not reach the curb of the showers.
 - Alternative solution may be to install a catch valve in Dr. Kimmel's unit.

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- Allan Levin, Esq., representing Dr. Kimmel was next to speak:
 - Mr. Levin referenced an email dated December 3, 2020, 2 weeks after the first backup in Dr. Kimmel's unit. In the email the Trustees asserted there have been a number of backups in the Unit but the repair is too costly.
 - The sewer line is under Building C, and the sag is not minor, it is approximately 13 feet.
 - Dr. Kimmel added he has a four year old son who lives in the Unit 50% of the time. He was home when the second back up occurred and was able to shut off the main water line.
- John MacDonald, Belmont Plumbing Inspector said the pipe is defective and must be repaired in accordance with section 10.05 of the current plumbing code.
- Ms. Monica Battista, representative of Trustee representative Vincent Battista, said permits were not obtained for a bathroom remodel that was completed days before the first backup, and asked if the remodeling project could have caused the problem.
- Ms. Tracy Dudevoir said Attorney Levin has no personal knowledge of the Unit, and testimony by Dr. Kimmel is contradictory.
- John MacDonald said installation of a backflow valve would not solve the problem. Future backups would find the next lowest point.
- Diana Ekman explained the sewer line needs to be addressed. Health Department staff understand the cost concern, but the housing codes says defects have to be resolved, it does not provide instruction on how to resolve it.
- Julie Lemay and Adrienne Allen said they would defer to John MacDonald, Belmont's Plumbing Inspector, as to what should be done to resolve this problem.

A Motion to uphold the Health Department's Order to Correct dated January 20, 2022 passed by a vote of 3-0 (Donna David - yea; Julie Lemay - yea; Adrienne Allen – yea).

The Hearing adjourned at 5:25 pm.

The next Agenda item is to discuss metrics for the use of Face Coverings in Town and Schools:

- Wesley Chin reports there have been many calls and emails received concerning this matter.
- Lindsey Sharp reviewed the data, noting there was a significant drop in the number of cases from the week before (86/156).
- Adrienne Allen asked Lindsey if the data included hospitalization data. Lindsey said it does not but she can include that data going forward.
- Public participation comments:
 - Ian Grimaldi reviewed CDC guidance with the board members, noting there is no asymptomatic spread of the virus, and people should not be required to wear a face covering.
 - Patrick Whittemore said face coverings should be voluntary, the time is now to stop the mandate, and social and emotional well-being needs to be considered.
 - John Link agrees with Patrick Whittemore, stating children have a near zero chance of death, and may be falling behind in school.

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- Antonio Robert Molle said lift the mask mandate. He also sent an email to Board members requesting the Board resolve any possibility of a vaccine mandate/passport in Belmont.
- Marina Atlas said masks provide many benefits, including health equity, are good for walking by cars, and work to avoid breathing in air pollution, citing a number of scientific publications. Ms. Atlas also said she would like a leaf blower discussion to be included on a future agenda.
- Chris McLaughlin said masks should be optional. The case comparison from last year includes more testing this year. Schools are 94% vaccinated. Two years of face coverings are wearing on the kids.
- Brian Brady asked about hospitalization/ICU rates in Belmont. He said there is little risk to children and feels masks should be optional. He said there is a greater risk of adults sitting together at Il Casale than children at school at desks.
- Chris Grande said he was paranoid at the beginning of the pandemic, but has learned a lot since. He said people should focus on what you should do if you get COVID, walk, eat right, take vitamins. Masks should be optional.
- Phil Thayer urged the Board members to stand firm on the mask mandate and follow the science.
- Daniel McLaughlin said there are mental health dangers, and it's hard to teach kids how to read with masks. He said masks should be voluntary.
- Wesley Chin said the cases are still on a downtrend.
- Julie Lemay said we should start to consider adjusting, if trend continues over the next few weeks, perhaps two weeks after school break.
- Adrienne Allen said we need to continue to watch hospital rates, and we must keep the entire community safe.
- Donna David said expectation will be that the Town face covering mandate will be adjusted next month during a joint meeting with the Select Board. The School face covering mandate requires only a Board of Health vote, but we need to send notice to the School Committee.

The January 10, 2022 Meeting Minutes were reviewed.

The Motion to approve the Meeting Minutes of January 10, 2022 passed by a vote of 3-0.

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

- There was one housing matter referred to the department for a burst pipe in an unoccupied home. Health Department staff did not gain access to the property.
- Food establishment update – Aram's Coffee Café had to close due to an oil spill. DEP will oversee the clean-up.
- There was only one rodent complaint since the last meeting.

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- Approximately 1750 COVID-19 test kits were received. Initial distribution included Belmont Housing, Council on Aging, and School Teachers. Approximately 800 test kits remain and will be announced to the public through social media.
- Brookline, Boston and Salem have instituted vaccine mandates.
- The COVID-19 vaccination clinic held today had low attendance.
- The Testing clinic attendance was a little better. The Town will offer another testing clinic after school vacation.
- Staff met with Academic Public Health Corp (APHC) for help with public health topics and social media postings.
- The Health Department will host another Summer Intern from June through August.
- Wesley Chin reviewed procedures to be used by Board members when answering emails.

The Receipts report was reviewed

The Youth and Family Services report was reviewed.

The Animal Care and Control report was reviewed.

The Veteran's Services report was reviewed.

The next Board of Health meeting is scheduled for March 7, 2022 at 4:30 pm.

The Meeting adjourned at 6:37 pm.

Respectfully submitted,

Donna S. David, Chair