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Board of Health Meeting Minutes
September 12, 2016

The September 12, 2016 meeting of the Belmont Board of Health was called to order at 5:30 pm by David B. Alper, D.P.M., Chair.

Those present were David B. Alper, D.P.M., Chair; Donna S. David, R.N., M.N., Vice Chair; Julie C. Lemay, M.P.H., Member; Angela Braun, R.S., Director; Wesley Chin, M.P.H., Assistant Director; Maria Reddington, Clerk.

Also present for part of the Meeting were John Maguranis, Animal Control Officer; approximately 7 members of the public (see sign in sheet).

The Public Hearing for William Russo, Owner of canine "Louis" began at 5:32 pm. Angela Braun explained the rules for the Hearing, and swore in participants who were to offer testimony at the Hearing. John Maguranis summarized his report for the Board Members to include details of three incidents involving Louis.

1. August 10, 2016, Louis bit canine "Dooley" who required treatment as a result of his injuries. John Maguranis issued a quarantine order by phone, with a follow up home visit. Louis did not display aggressive behavior toward John.
2. August 18, 2016, Louis bit a neighbor, Ms. Marr, who sustained injuries to her arm. John Maguranis issued another quarantine order, as well as a muzzle and leash order.
3. September 6, 2016, Louis ran down the street and attacked a woman and her dog. Louis was muzzled, and did not inflict any bites. The unidentified woman was so frightened she could not speak and left the scene.

John suggested Louis needs assessment by a professional behaviorist. Mr. William Daniel Russo ("Mr. Dan Russo") said Louis' original trainer will work with Louis at his home. Mr. Dan Russo said he has worked with dogs for the past 18 months. Dr. Alper said something is setting Louis off, and Mr. Dan Russo answered he just moved back to Belmont with Louis. Ms. Julie Lemay asked if Louis' trainer is licensed. Mr. Dan Russo said the trainer was not a behaviorist. Dr. Alper asked if Mr. Dan Russo's father, Mr. Joe Russo, is able to place a muzzle on Louis. Mr. Dan Russo said he is able to place a muzzle on Louis. Ms. Lemay asked if the fence is secure. Mr. Dan Russo said the driveway portion of the property is open. Dr. Alper asked if Louis is exercised daily, to which Mr. Dan Russo replied Louis is exercised 2 to 3 times per day. Louis is 3 years old.

Ms. Mary Fohlin of 34 Francis Street described 2 incidents involving Louis:

1st incident she heard screaming, and noticed Louis had taken off, unleashed, and ran toward a dog walker walking two dogs.

2nd incident, she was alerted by her tenant, who was out with her dog and afraid because Louis was out loose. Ms. Fohlin described seeing an unidentified woman so terrified she was unable to speak, and subsequently left the scene. Louis was muzzled but not leashed.

Ms. Fohlin stated there is no problem with Louis if he is being walked by Mr. Dan Russo, problems surface when Mr. Joseph Russo is caring for Louis.

Dr. Alper said he is reluctant to order a dog euthanized, but feels something is setting Louis off.

Dr. Alper feels a behaviorist is not enough, and wants guaranteed training, a muzzle, leash, followed by another evaluation by a behaviorist.

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Ms. Lemay said Mr. Dan Russo needs to obtain training for Louis by a certified trainer, perhaps through Tufts, and retain the services of an animal behaviorist. Ms. Lemay said Mr. Joe Russo cannot control Louis, recommends the yard be completely secured, and recommends a Martingale collar be used for leashing Louis.

Ms. Donna David wants John Maguranis to match up the trainer with Louis' needs, and also recommends the yard be completely secured, as well as tethering Louis while in the yard.

Dr. Alper said to hire a professional walker until training is over in lieu of Mr. Joe Russo walking Louis. Mr. Dan Russo has already instructed his father not to walk the dog.

John Maguranis summarized his thoughts by saying the biggest issue for Louis is Mr. Joe Russo being unable to handle the dog, and that Mr. Dan Russo must be the sole caretaker of Louis.

Ms. Angela Braun reminded the Board that regulations require the Board to vote a declaration of a dangerous dog, a nuisance dog or neither.

The Board voted 3 – 0 to declare canine "Louis" Russo a dangerous dog, with the following Order effective immediately:

- Louis must have a muzzle securely and humanely fixed on his mouth to prevent him from biting any person or animal.
- Louis must be effectively leashed.
- Louis can only be walked by William Daniel Russo or a professional dog walker. Mr. Joseph Russo is not permitted to walk Louis.
- Louis must be confined to the premises at 36 Francis Street, securely enclosed in a pen. If a fenced in yard is used as the enclosure, the fence must be approved by the Belmont Animal Control Officer.
- A professional animal behaviorist, approved by the Belmont Animal Control Officer, must be retained.
- After an evaluation by a professional animal behaviorist, a plan must be submitted to the Belmont Animal Control Officer, to include continual dog training sessions that address prevention of aggressive behavior. The Animal Control Officer must approve the dog trainer you will use.
- Obtain a second evaluation by the animal behaviorist, and submit the report to the Belmont Animal Control Officer.

The Public Hearing concerning canine Louis Russo concluded at 6:05 pm.

Board members welcomed Mr. Huang, owner of Shine's Bistro, and asked him about future renovations, hours of operation, and the menu offerings. Mr. Huang also told the Board about his prior restaurant experience. The variance request for HACCP (Hazard Analysis Critical Control Point) Plan for Shine's Bistro began with a brief summary from Mr. Wesley Chin. He concluded his presentation with two additional Health Department recommendations for Shine's Bistro HACCP Plan variance request:

1. Include the brand of rice used.
2. Written procedure for parasite destruction of fin fish.

The Board voted 3 – 0 to approve the variance request for Shine's Bistro.

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The Public Hearing for Mary Bradley, Owner of canine "Bassanio" began at 6:16 pm. Angela Braun explained the rules for the Hearing, and swore in participants who were to offer testimony at the Hearing. John Maguranis summarized his report for the Board Members to include details of two incidents involving Bassanio:

1. May 5, 2016, Bassanio jumped his backyard fence and bit neighbor Ms. Randi Bussin of 10 Leslie Road, Belmont, MA.
2. September 8, 2016, Bassanio bit Mr. Michael Burke at Beech Street Town Field. Mr. Burke was transported by ambulance for multiple bites to his arm, leg and buttocks.

Ms. Mary Bradley made a presentation of Bassanio, which included prior puppy training; description of children offering treats to Bassanio, with no aggressive behavior displayed; elbow dysplasia surgery in December 2015 which required 4 months of restrictive movement; subsequent pain medication changes; Bassanio's behavior following surgery, including lunging at Ms. Angela Braun during an assessment of property at 16 Leslie Road for possible rat infestation; going over the fence to Ms. Randi Bussin's yard at 10 Leslie Road, Ms. Bradley said the fence area which Bassanio was able to escape through has been repaired; Bassanio is engaged in professional animal training; an appointment is scheduled for September 26, 2016 at Tufts with an animal behaviorist for an evaluation. Presently, a typical day for Bassanio includes access to his yard through a pet door, and continued socialization efforts with a muzzle securely fixed to his mouth, pursuant to an order issued by John Maguranis, Animal Control Officer. Dr. Alper questioned if a 4 foot fence is adequate to contain Bassanio. He was assured there should not be another fence incident. A Board member asked Bassanio's age. Bassanio is two years old.

John Maguranis assessed Bassanio for issuance of an off leash permit while in the presence of 8 or 9 other dogs, and he did not exhibit undesirable behavior at that time.

Ms. Donna David questions the safety of Bassanio being allowed to come and go out of the house to his yard through a pet door. Ms. Bradley said Bassanio is with her 90% of the time. Ms. Bradley is a dog walker.

Ms. Randi Bussin provided testimony on behalf of herself and a former neighbor, Ms. Hannah Li. The incidents are as follows:

September 2015, Ms. Bussin sent a text message to Ms. Bradley concerning excessive barking by Bassanio.

November 2015, Ms. Bussin said Bassanio escaped from his front door. As a result of his behavior, Ms. Bussin's friend was unable to visit with Ms. Bussin, and left the neighborhood.

May 19, 2016, Ms. Bussin said, Bassanio went into her yard and bit her while she was tending to her large garden. She filed a report with Belmont Police Department. She visited her primary care doctor the following day. Ms. Bussin said she is terrified of Bassanio, and cannot garden.

Ms. Bussin testified that Ms. Bradley denied Bassanio bit her.

Ms. Bussin relayed former neighbor's (Hannah) story concerning Bassanio attacking her elderly father.

Ms. Bussin said Bassanio's barking issue has improved.

Ms. Bussin said she is concerned that Bassanio can jump over the fence.

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Ms. Casey Williams of 46 Wiley Road has a 6 year old dog name Joy who doesn't like dogs but will play with Bassanio. Bassanio doesn't display aggression problems when with her or her dog. Bassanio's surgery was very painful, but barking seems much improved.

Dr. Alper asked if the bark is aggressive. It is not an aggressive bark. Dr. Alper asked if there has been a personality change since Bassanio's surgery. Reply was Bassanio is high energy but it was clear he was in pain post-operation.

Ms. Val Sapozhwickova of 770 Belmont Street, Watertown said Ms. Bradley is dog walker for her dog "Zoe". Zoe and Bassanio play well together.

John Maguranis reminded those in attendance that barking dog complaints are all handled the same. Complainant is given John's work cell phone number to report barking. Ms. Bussin said she called when Bassanio was barking at 2 a.m. John said reports of barking at that hour should be directed to the police. John also observed pain issues suffered by Bassanio during a recent home visit to the family. John recommends follow through with scheduled Tufts appointment. John said the recent bite incident was concerning to John because Bassanio bit and did not retreat. Bassanio is a family dog, and should be worked on to improve behavior.

Ms. Julie Lemay said Bassanio appears reactive to strangers, and it is imperative Bassanio always be on leash. Bassanio should not be allowed in yard unsupervised.

Ms. Donna David agrees Bassanio should not be allowed an Off Leash Permit. Ms. David questions Bassanio's quality of life, perhaps an answer will be found at Tufts appointment.

Dr. David Alper said pain equals unpredictability. He recommends a behaviorist evaluation, as well as a report regarding pain control from a professional veterinarian. Bassanio must be walked by Ms. Bradley and Mr. David Hurley only. Continue muzzle order issued by John Maguranis until Bassanio is evaluated by Tufts professionals. No further recommendation until a report is reviewed by John Maguranis and Board of Health members.

Dr. Alper encouraged Ms. Bussin to call Belmont police concerning excessive barking.

The Board voted 3 – 0 to declare canine "Bassanio" Bradley a nuisance dog, with the following Order effective immediately:

- Bassanio is not allowed to have an off leash dog permit.
- Bassanio must be muzzled and supervised by Mrs. Bradley or Mr. Hurley while in the backyard, and when not confined to the interior of his home at 12 Leslie Road.
- Submit to the Animal Control Officer a professional behaviorist evaluation from Tufts.
- Submit to the Animal Control Officer a medical evaluation, which must include information concerning pain and the affect it may have on Bassanio's temperament. The evaluation must include a prognosis for permanent relief from pain, or medication to be used to keep Bassanio pain free.

The Public Hearing concerning canine Bassanio Bradley concluded at 7:16 pm.

There was a brief update concerning a request for John Maguranis, Animal Control Officer, to carry a firearm. The Human Resource Department will contact legal counsel.

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The Sewer Connection at 106 Juniper Road was approved by a vote of 3-0.

The July 11, 2016 Meeting Minutes were approved by a vote of 3-0.

The Receipts and Expense reports were reviewed.

The Director's Report was discussed:

- Joint meeting with Recreation Commission/Board of Health is scheduled for September 27, 2016 to discuss the Off Leash Permit program, and allowing personal flotation devices in Underwood Pool. Angela will advise Board of Health members of the scheduled time.
- Dr. Alper said the Board of Health letters of support concerning both topics should be mailed to Recreation Commission members directly.
- Dr. Alper wants Board of Health members to meet in the Health Department at 6:30 pm on September 27, 2016.
- Angela suggested meeting for the Belmont Center Grand Re-opening on Saturday, September 24, 2016 to show support to Belmont Center businesses. Dr. Alper and Ms. Lemay are not available that evening.
- Dr. Alper said an upcoming meeting should be held at Patou restaurant.
- Dr. Alper shared a conversation he had with a husband and wife, both veterans, who offered many compliments about Belmont's Veterans' Services Officer, Bob Upton.
- Ms. David said Belmont Hill's B-Flats chorus will be available to sing at the annual Veterans' Day Breakfast.
- There was a brief discussion concerning rats in Belmont.

The Assistant Director's report was discussed:

- Abbie Atkins, Summer Environmental Health Intern conducted a routine food inspection at LC Variety. Ms. Atkins immediately discovered out of temperature dairy coolers and many expired foods. She contacted the department for assistance. Angela assisted with the food inspection.
- Routine food inspections and re-inspections at Linda's Donuts, and Pho and Thai were discussed.
- Green Light Juice Bar's owner will meet and greet the Board at the October meeting.
- Wesley said the Health Department received exceptional help from both interns this summer. Kelsey Prendergast, intern from MA Department of Public Health, worked on bringing awareness to the opioid epidemic. She obtained opioid abuse related data from Belmont departments, which will assist Jill Block, Substance Abuse Consultant, in September.

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- Abigail Atkins, Summer Environmental Health Intern, worked on a variety of Health Department matters. She developed a goose management plan and education flyer, as well as education posters concerning rats and ticks/mosquitos. Her posters are on display at the Belmont Public Library.
- Dr. Alper would like Certificates of Appreciation, to be signed by Board of Health Members, mailed to Kelsey and Abigail.
- Wesley reported that Seta's Mediterranean Restaurant made progress at the last food establishment re-inspection.
- The property at 65 Gale Road has been partially cleaned up, following a resident complaint received.

The Veterans' report was reviewed. Dr. Alper said the Eagle Scout Project is a very good project. Dr. Alper would encourage future inter-generational projects with the Boy Scouts, too.

Board members would like open and interesting Complaints emailed to them for their review.

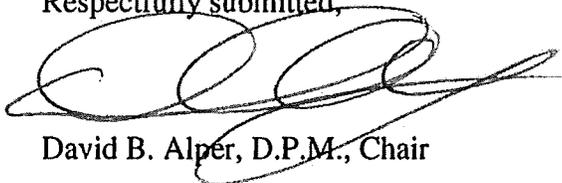
Ms. Donna David provided a report concerning goose management on school property (High School). Ms. David contacted several school department personnel, all of whom were extremely receptive and pleased with the Board's concern of this issue. Ms. David was directed to contact other school and town personnel.

Include an Agenda item for Bee Regulations discussions.

The next Board of Health Meeting is scheduled for October 18, 2016 and November 16, 2016 at 5:30 pm.

The Meeting adjourned at 8:20 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David B. Alper', written over a horizontal line.

David B. Alper, D.P.M., Chair