

**Board of Health  
Meeting Minutes  
June 16, 2014**

Members Present:

Tom Kinzer, Co-Chair  
Caroline Donnelly  
Sarah Thompson  
Bea Brunkhorst  
Anita Raj

Staff Present:

Heidi Porter, Director  
Mary Firestone, Recording Secretary

Also Attending:

Peter Connelly, 45 Pine Street, Bedford  
Arthur Jewett, Foxboro, MA

The meeting was called to order at 7:07 P.M. Dr. Brunkhorst chaired.

Smoking in Private Clubs:

This issue was raised by the visitors. Both Mr. Connelly and Mr. Jewett are military veterans and are concerned about smoking in private clubs, specifically, the veterans' clubs: The American Legion, whose members are any veterans who have been on active service, and the Veterans of Foreign Wars (VFW), whose members have served in conflicts abroad. They expressed a wish to familiarize themselves with procedures of the Board. Members of the Bedford lodge of the American Legion have just passed a rule, effective July 1, 2014, prohibiting smoking on the premises with a vote of 11-6; four of the eleven who voted to eliminate smoking in the club are themselves smokers. The VFW has no such regulation. Mr. Connelly and Mr. Jewett are seeking opportunities to eliminate smoking in all such closed environments. They expressed special concern about bringing new members into an environment where they would be exposed to tobacco smoke. Because of the smoke-filled room at the VFW lodge, members who preferred a smoke-free environment had to move a meeting to the Officers' Club at Hanscom which, as a federal facility, is smoke free. It was noted that cigarettes are still being sold at the Hanscom commissary. It was also mentioned that non-veterans groups, such as the Boy Scouts, sometimes use veterans' club facilities for their events. They thanked Ms. Porter for her assistance in dealing with their concerns.

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Ms. Donnelly moved to accept the minutes of the May 12, 2014, meeting as amended; Ms. Thompson seconded the motion. Vote count: 3-0-2.

Keeping of Animals Regulation – Discussion:

Ms. Porter said that she is preparing a draft of the proposed revision and that it is not yet ready but she welcomes a discussion of the topic. She provided copies of the current regulation. She said that one complaint about a noisy rooster has been received this year. Some communities do not allow keeping of roosters, though some do. Mr. Kinzer said that noise is the main reason why roosters are not welcome in some towns. Ms. Porter said that no one in Bedford has been permitted for keeping a rooster; 4 chickens may be kept without a permit. She proposes that everyone who keeps non-pet animals should be required to have a permit. Language is needed in the regulation to prohibit slaughtering of animals. Every resident who does not have 5 acres (an area which can be defined as a farm) needs a variance. She said that she is looking at regulations used in other towns. Mr. Kinzer said that complaints start with waste and manure problems. Ms. Porter said that she has to use nuisance law to enforce animal problems since the current regulations do not provide for enforcement, so new regulations need to have enforcement built in. Ms. Thompson asked when a distance of 15 feet from neighbors is okay or not. Ms. Porter said that it is a matter of noise, odor, and waste. Mr. Kinzer asked what we are encouraging people to do; he said that the old regulations were written expressly to

discourage the keeping of animals. Ms. Porter said that nuisance conditions can have an effect on residents' mental health. Ms. Kinzer said that the most powerful thing in the regulations is the requirement for hearings; relationship of the variance application with neighbors is often a factor. Ms. Thompson asked about current numbers. Ms. Porter said that there are currently 8 permittees and there has not been a new one for 4 years. Ms. Thompson asked if any of the permittees' sites are inspected. Mr. Porter replied, all of them. Ms. Donnelly asked about the procedure in event of a violation. Ms. Porter said that if non-compliance remained an issue after a hearing with the Board of Health she would need to take the case to court with an attorney. She wants to build in a civil penalty procedure. She said that we need to be mindful whether permits would be required for exotic pets, a term which should be defined in the revised regulations. Ms. Raj asked whether she wanted to keep the 4-chicken provision. Ms. Porter said, let me continue with my process and get back to you; she said that she will talk to the town counsel about civil disposition.

#### Board of Health Action Items --- Old and New Business:

##### *Update on BOH Liaison Assignments:*

Due to lack of meetings in the summer, there were no meetings to report on. Mr. Kinzer received a letter from the town manager confirming his continued membership in the Financial Planning and Coordinating Committee (FPCC) committee.

##### Director's Report:

Ms. Porter reported on public health concerns involved in the recent fatal aircraft crash at Hanscom; due to concerns about fuel and fire suppression chemicals entering the water supply, the Shawsheen wells were shut down to prevent contamination. The Board of Health office issued the burial permits for the victims.

On the same weekend, there was a near drowning event in the pool at the Doubletree Hotel. The victim was attended by an EMT who happened to be present, but she died a few days later at Lahey Clinic. It was found that no problem with the pool itself was related to the event. Ms. Porter was among those who viewed the surveillance video at the hotel. There is currently no requirement in the state pool code for a lifeguard to be present. Mr. Thompson asked whether this sentinel event would bring about a change in pool regulations. Ms. Porter said that the Doubletree pool did not have the required 4 foot wall between the pool and the neighboring spa. Ms. Porter said that all pools in Bedford are required to have anti-entrapment devices on their drains. She said, now that the pools are opened, BOH personnel will go out and do audits.

Ms. Porter said that a tobacco sting (compliance check) had been conducted last week and half of businesses permitted to sell tobacco products in Bedford had sold to the youth, including several gas stations and the liquor store. All admitted to selling and one establishment fired the employee responsible on the spot. It had been 3 years since the last check. For offending stores, tobacco permits will be revoked for 7 days and a fine of \$100 will be levied for all stores; these events were regarded as first offenses. For a second offense within 2 years, penalty would be a 14 day revocation of the permit and a fine of \$200. One of the stores had had a previous offense, but not within 2 years. There will be a hearing for all offenders at the next BOH meeting on July 28 and inform them of a mandatory tobacco training session. Dr. Brunkhorst explained the process for the benefit of members who had not been on the Board at the time of previous such hearings.

Ms. Porter had coordinated and attended a seminar at the meeting of the Massachusetts Environmental Health Association on Local Health Involvement in Death Registration, Burial and Caring for the Dead at Home. The seminar served as the annual meeting of MEHA, of which she has been president; her term ends in July. Also at the meeting, she received the Sanitarian of the Year Award.

The School Health Program Review by a consultant took place on June 2 and 3 and included meetings with the school nurses and School Department personnel. The consultant's report will be received sometime in the coming weeks and will be shared with the BOH, the nurses, and the school superintendent.

A physician from UMass Medical Center, interested in nutritional education, is interested in volunteering with the BOH on some grant programs.

Interviews for a part-time school nurse replacement will begin soon; the new hire will come aboard in the fall term.

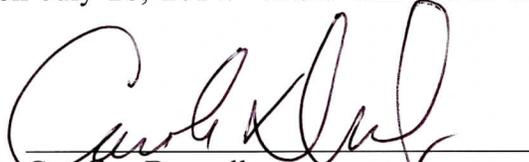
Ms. Porter reviewed with the Board her FY2015 managerial goals.

Ms. Raj moved to adjourn the meeting; Ms. Donnelly seconded the motion. Vote count: 5-0. The meeting was adjourned at 9:27 P.M.

The next meeting of the Board will take place on July 28, 2014. There will not be a meeting in August.

  
Bea Brunkhorst, Co-Chair

  
Tom Kinzer, Co-Chair

  
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