

**Board of Health
Meeting Minutes
June 20, 2016**

Members Present:

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

Staff Present:

Heidi Porter, Director of Public Health
Katharine Dagle, Health Agent
Margaret Root, Recording Secretary

Others Present:

Nat Brown, Brad Mitchell, Steven Hagan, Ann Kiessling, Neil Couvee, Katie Chapman, Paul Couvee, Caroline Fedele, Rich Fedele, Lucy Hand, Janet Powers

The meeting was called to order at 7:00 pm. Mr. Kinzer chaired.

BOH Meeting Minutes

There was a correction to the minutes from the May 2, 2016 meeting. Instead of stating that Mr. Kinzer is up for reelection in 2017, it should state that Mr. Kinzer's term expires in 2017. Dr. Brunkhorst moved to accept the minutes with the amendment; Ms. Raj seconded the motion. The vote was 5-0-0.

New Food Establishment Permit

Ms. Chapman was present as the representative for Comella's, a new restaurant opening soon in the Bedford Market Place. This will be the chain's 13th location. So far, Comella's has had no issues with their certification and paperwork. A preoperational inspection will be performed before food can be brought into the restaurant. Once food is in place, a final inspection will be done before the restaurant will be allowed to open and the permit issued. Each year, the restaurant will have 2 unannounced inspections to make ensure compliance with the Food Code.

Dr. Brunkhorst moved to approve the Food Establishment permit for Comella's be issued pending a favorable pre-opening inspection by the Health Inspector; Ms. Raj seconded. The vote was 5-0-0.

Housing Code Violation Hearing

Mr. Brown was present for Hawthorne Holdings, the property owner of 3 Mudge Way.

Ms. Porter had been asked to do a limited inspection in April 2016 based upon a complaint from the tenant at the property. This inspection resulted in a letter being sent to Hawthorne Holdings with the violations found on the property. These violations including a malfunctioning heating system, which also caused the hot water to be shut off as the systems were linked, unstable stairs to the basement, water damage in front hall, non-functioning carbon monoxide alarms and smoke detectors, chronic dampness throughout the building, and evidence of rodents. As the chronic dampness and the presence of rodents violations were not addressed in the required timeframe, a

complaint has been filed with the Concord District Court. No hearing date has been set as of the date of the Board meeting.

The tenant also requested a comprehensive inspection, which Ms. Porter completed in May 2016. This inspection revealed two more violations, the failure to display landlord information and heat coming out of the baseboard when the thermostat was in the off position. The hearing before the Board of Health is in regards to these two new violations.

Mr. Brown addressed the violations on the property. The chronic moisture issues are believed to originate from a 2nd floor bathroom where shower spray is going onto the floor and seeping down to the 1st floor. Prior to the current tenant, the tile work and fixtures in this bathroom had been replaced. The house was built in the early 1950's.

Mr. Brown also explained difficulty in gaining access to the inside of the property to address the violations. He stated that the tenant's lease was up in December of 2015 and has accrued large amounts of unpaid rent, resulting in a notice to vacate being served by the sheriff in April 2016, shortly before a complaint was made to the Health Department. Each time an attempt was made to access the interior of the property, access was denied.

Mr. Brown asked that the Board of Health wait for correction of violations until the tenant vacates the property, at which time a full rehab of the property is planned.

Ms. Porter explained that the Health Department and Board of Health must follow the process put forth by the state Sanitary Code and cannot delay. Ms. Porter said she will send a letter from the Health Department to the tenant to remind the tenant that they have to provide reasonable access to the interior of the property in order for the violations to be addressed, given sufficient notice before the work is to be done. If the tenant does not allow reasonable access, the tenant can be found in violation. If the violations are addressed before any court date, a dismissal of the court case can be requested.

Revised Board of Health Regulation – Keeping of Animals

Ms. Porter provided the Board with the definition of a farm research she performed since the previous meeting. Defining a farm was necessary to make clear the new regulations govern non-farm properties. The definition of acre has been added. Mr. Kinzer suggested further clarification of acre as a realtor acre. He also reiterated that these regulations are meant to help guide the owning and taking care of farm animals not located on a farm.

Mr. Mitchell, Mr. Hagan, Dr. Kiessling, Mr. Couvee, Mr. Couvee, Ms. Fedele, Mr. Fedele, Ms. Hand, and Ms. Powers were all present to discuss the Keeping of Animals' regulation. Mr. Mitchell, from the MA Farm Bureau Federation, submitted a memo to the Board suggesting changes to the regulations. Each person present was able to contribute to the discussion. The consensus was that given how the regulations are written, they seem prohibitive to people starting to keep farm animals on their property. It was suggested that some of the regulations also go against regular husbandry practices. Suggestions from this discussion include re-examining acreage limits, eliminating the 4 fowl maximum allowed before falling under regulation, allowing the informing of abutters by regular mail instead of certified mail and make

sure education is included as part of good animal keeping. As part of this, asking for volunteers to act as referrals on animal care and the formation of an Agriculture Commission were also suggested. Relaxing the regulations was viewed by those present as favorable, as it would allow citizens to feel freer to start keeping animals, but would also make sure people who want to keep animals come to the Board with a plan on how to keep the animals and deal with all aspects of their care. Relaxing the regulations could also reduce the number of variances needed.

Once public input was received, the Board continued with the discussion. The Board agreed that the presence of the regulations make people interested in keeping animals come up with a plan explaining how the animals will be kept, as well as where on the property they will be kept. If the plan is accepted, variances can be issued as needed. The presence of regulations also helps neighbors communicate with each other, hopefully before a problem becomes out of hand. Ms. Thompson suggested that all the definitions be moved to the back of the regulations to make them more reader friendly. Ms. Raj suggested having the application start with a list of animals not allowed in the town, followed by the application with guiding questions in order for the applicant to develop a solid plan for the care of the animals. It was agreed that the language must be made very clear and simple so that what the Board is trying to convey in the regulations is actually being stated in the regulations.

In order to receive more feedback from citizens, a letter will be sent out to permit holders informing them that a draft of the regulations can be found online. The letter will request permit holders read over them, comment on them, and return the comments back to the Board by a date to be determined. This date will be early enough in the summer for the Board to review the comments before the September meeting. Once the regulations have been finalized, the next project suggested was to develop guidelines on how to prepare a good application.

Board of Health Action Items – Old and New Business

Ms. Porter reported that she attended the Safe Routes to School Committee. The walk/bike to school program was successful this year. The town is trying to increase and expand the Bedford Local Transit (bus service in Bedford). The MA Department of Transportation has approved a project slated to improve the walkability from the intersection of Mudge Way and Great Road, across the Jenks Trail to the Middle School. The town complex is slated to be paved this summer in preparation for improvements to Jenks trail, which will take place next summer.

Ms. Porter has an Institutional Biosafety Committee (IBC) next week at ArQule and has one more before the companies are up to date.

Ms. Raj went to the Selectmen's meeting. Seven Points wants to come in with a medical marijuana dispensary and put it in the old Dance Time Facility on Great Road. Cultivation would be in Ayer, which would source 3 towns, Bedford being the third. Seven Points is requesting either a letter of non-opposition or letter of support from the Selectmen. No vote was taken as discussion on this topic is just starting. While the schools are outside a set radius of 300 feet, the Bedford Family Connection playroom at the First Parish Church is not.

The School Wellness Council will have a presentation in January on the developing brain and marijuana and alcohol use. The Council has also sent out its first newsletter to parents.

Director's Report

The Board has a new intern, Shayla Brown, who will be collecting and analyzing data specific to Bedford residents to understand the town's opioid use. If possible, data on how many residents were discharged from the hospital with an opioid prescription would be useful to the study.

Ms. Porter attended a seminar by Dr. Kevin Hill on alcohol and marijuana use as gateway drugs to opioid use. He is working on a grant to bring a 9th grade health curriculum on drug use and abuse to area communities and the Bedford Schools have agreed to participate in the program.

Ms. Porter attended two Emergency Preparedness meetings with another one scheduled this week. The meetings are held for area towns to collaborate on how to respond and prepare for response in an emergency.

The Mosquito and Tick Talk was well attended. The video of the presentation will be available on the Board of Health's website.

Dr. Ippolit Matjucha gave a training session, coordinated by Ms. Porter, on preventing violence at emergency shelters and dispensing sites to the volunteers who work at these sites.

Ms. Porter attended the annual meeting of the Mosquito Control Project. There is a possibility of a bad West Nile Virus year, which will be monitored. So far, no disease has been identified in any Bedford mosquitoes.

Board of Health Reorganization

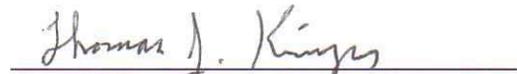
Ms. Donnelly informed the Board that she is moving out of Bedford, the exact date to be determined. She will submit a letter to the Selectmen, who will, with the remaining Board of Health members, choose her replacement, hopefully from multiple candidates.

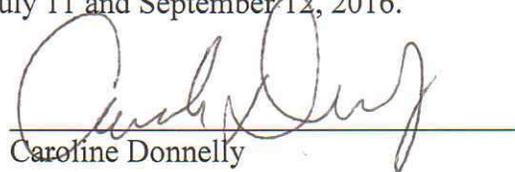
Ms. Raj moved to adjourn the meeting; Ms. Donnelly seconded. The vote was 5-0-0.

The meeting was adjourned at 9:43 P.M.

The next meetings of the Board will take place on July 11 and September 12, 2016.


Bea Brunkhorst, Co-Chair


Tom Kinzer, Co-Chair


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