



TOWN OF TEWKSBURY BOARD OF HEALTH

Raymond Barry, Chairman
Robert Scarano, Vice Chair
Melissa Braga, Clerk
Charles Roux, Member
Susan Amato, Member

DEPARTMENT OF COMMUNITY DEVELOPMENT

MEETING MINUTES October 20, 2022

The meeting was called to order by Raymond Barry, Chairman, at 6:02 p.m. Present at the meeting were Robert Scarano, Vice-Chair, Melissa Braga, Clerk and Charles Roux member. Also in attendance was Shannon Gillis, Director of Public Health. Also in attendance was Pamela Thomas, Animal Inspector and Ashley Chmiel, Animal Control Officer. Member Susan Amato was not in attendance.

Approval of Meeting Minutes

- **September 15, 2022 meeting minutes presented for approval**

MOTION: Mr. Scarano made the motion to approve the September 15, 2022 meeting minutes as submitted; seconded by Mr. Roux and the motion unanimously carried 4-0.

New Business:

- **Substance Abuse Awareness Month** – Maria Ruggiero, Substance Abuse Prevention Coordinator. Narcan administration training.

Mr. Barry stated that October is Substance Abuse month. Present was Maria Ruggiero, Substance Abuse Prevention Coordinator. Ms. Ruggiero gave statistics of overdoses/fatalities. The numbers have gone down which could be because of Narcan being used more often before the first responders arrive on the scene. Ms. Ruggiero stated that administering the Narcan is extremely simple. She gave the Board members some boxes of Narcan and demonstrated how to administer it. Trainings are still going on to bring awareness to the epidemic. Even though numbers are going down, it is still a massive problem. Ms. Ruggiero asked that when Narcan is used to let her know as this information is given to the District Attorney. Ms. Ruggiero stated that they have given out seventy-eight boxes in the last thirty days. She explained that people need to know that calling 911 is critical as those that have received Narcan come out of it unaware that Narcan was used, and their lives were saved, or they could come out a bit combative. The highest risk factor is those who use alone. If anyone has family or loved ones who are in the throes of addiction it is best to keep an eye on them as using alone is very concerning. Anyone who is in recovery is at high risk for overdosing. People with health problems such as asthma, diabetes, heart conditions can lower someone's tolerance and increase risk of overdosing. The amount of Fentanyl that would fit on a tip of a pencil could bring someone into a fatal overdose. Ms. Ruggiero stated that we need to break the stigma since addiction is not a moral failing but a disease. There needs to be more education and understanding and asking for help is a strength not a weakness. Ms. Ruggiero stated that they work with Front Line and there are many services available. She stated that if someone is not responsive, it's very important to call 911 first before performing any help to make sure the professional help is on the way. A discussion ensued regarding what happens during an overdose and how Narcan works, how to administer it and what to do afterwards. Mr. Barry stated that it is vitally important for people know how to administer Narcan and other life

saving measures. Ms. Ruggiero stated how important is to get the Narcan out to the community and approach people with kindness and love. Addiction is a disease.

Ms. Ruggiero stated that she is working on a grant “Substance as a first use within our youth”. This is being worked on with Billerica, Chelmsford, Dracut, Tyngsboro, Tewksbury, Westford, and Wilmington. The substances include alcohol, nicotine, and cannabis. Although these substances are known to be dangerous, why do the youth continue to try them/use it? A discussion ensued. Residents can get in touch with Ms. Ruggiero by calling her at the Police Station. Ms. Ruggiero showed cards that have a checklist that help go through the steps of calling 911 if they think someone is overdosing. She suggested keeping it with the Narcan. Middlesex District Attorney Marian Ryan purchases the Narcan with money taken from forfeiture from criminals. The money does not come from taxpayers. There is no charge for the Narcan through Ms. Ruggiero. It is given as a public service. There may be a slight cost if Narcan is acquired through a Pharmacy depending on the Pharmacist and the insurance. A discussion ensued on parent awareness. Mr. Roux asked Ms. Ruggiero if the Town asked what her position was on the recently adopted retail marijuana shops being allowed in town. Ms. Ruggiero stated she was not. Mr. Roux thought that the BOH and Ms. Ruggiero would be intensely involved especially with Ms. Ruggiero being the Substance Abuse Coordinator. Ms. Ruggiero stated that this will make an impact in addiction as it will be easier for people to get it. It’s important to make sure our kids do not try marijuana until they are old enough. Mr. Roux stated that there is a financial cost as well as a cultural and health cost to retail marijuana. Mr. Roux ask why the BOH wasn’t intensely involved with this? He attended the meetings and was under the impression that the discussions were on medical marijuana not retail marijuana. Mr. Ruggiero stated that she is already planning on how to get out education quicker and sooner and would love to see a certain percentage of the profits from these shops go to prevention. More discussions ensued. Ms. Braga thanked Ms. Ruggiero for her time and asked a few questions regarding procedures for administering Narcan and asked about any training for parents? Ms. Ruggiero will do any trainings and help in any way. She also asked what the age was for students to be able to carry Narcan with them. Ms. Ruggiero stated that the age is eighteen. Mr. Scarano asked about the recent seizure of Fentanyl in Texas as an example and the importance of Narcan. More discussions ensued. Ms. Ruggiero stated that it takes a village and the more we learn about addiction the more we understand it. The Board thanked Ms. Ruggiero for her presentation.

➤ **2023 BOH Meeting Calendar**

MOTION: Mr. Scarano made the motion to approve the 2023 BOH meeting calendar as submitted, if any member has a conflict, they should notify the Chairman; seconded by Ms. Braga and the motion unanimously carried 4-0.

- **Amendment of fee schedule** – Body Art apprentice wording change from max of one year to no more than two years to coordinate with Tewksbury Body Art regulations

Mr. Roux asked Ms. Gillis if the BOH will have any oversight on the retail marijuana. She stated that this falls under Zoning and Selectmen. Mr. Scarano asked about edibles and if they would need a permit from the Health Department. Ms. Gillis stated that everything is pre-packaged and retail operations with pre-packaged food do not need a permit.

MOTION: Ms. Braga made the motion to approve the updated fee schedule as submitted; seconded by Mr. Roux and the motion unanimously carried 4-0.

Public Hearing:

- **Public Hearing** – Keeping of Animals Permit Requested by Roberto Ingoglia, 1015 South Street.

Ms. Braga read the legal notice into record. A picture from Google Earth was projected on the screen.

MOTION: Mr. Scarano made the motion to open the public hearing for Keeping of Animals permit request; seconded by Mr. Roux and the motion unanimously carried 4-0.

MOTION: Mr. Scarano made the motion to open the public portion of the public hearing for Keeping of Animals permit request; seconded by Ms. Braga and the motion unanimously carried 4-0.

Mr. Barry stated that the zoning issues at this property have no impact on the animal permit request. Mr. Scarano stated that the application to the Board has the variance box checked off. He stated that the application is not for a variance but a permit. He wanted to clarify that the applicants are looking for a permit and not a variance. He would like this amended for the record. The applicants stated that they are applying for a permit. Mr. Barry asked if it was correct that there should be two applications. One with a \$50 fee for the keeping of animals and one for \$100. Ms. Gillis stated that a hearing before the BOH is \$100 fee. The form is a standard form for all Boards. Mr. Scarano suggested adding a check box for a request for a public hearing.

Present were Roberto and Stephanie Ingoglia. The applicants are owners of the property. Ms. Thomas stated that she first met the homeowners in August. They are new to the neighborhood. They came from a right to farm town and was not aware of the process. Ms. Thomas went over the permitting process with them. They have a small group of hens, three ducks and a couple of goats. The goats have since been rehomed. They were given the option of just having the hens with a registration however, they wanted to go through with the permitting process as the ducks are pets. Ms. Thomas pointed out on the location of where the animals are on the screen. They have a great set up and are very clean and Ms. Thomas approves the permit application. Mr. Ingoglia stated that they have previously lived in Plymouth, MA for five years and had around fifteen hens and multiple goats. He stated that they have many years of experience with animals. Mrs. Ingoglia stated that the ducks are pets to the family, and they get eggs from the hens. Mr. Barry stated that the Board's view is on the public health aspect and are they're to make sure the addition of the animals doesn't become a public health nuisance. Mr. Scarano asked the size of the lot, and the owners stated a little less than an acre. There is a chicken coop on the far-left side of the property. The ducks are kept on the other side of the property. Mr. Barry asked if there was anyone in the audience who would like to speak in favor of the applicant. Angela Starke, 1011 South Street approached the podium to say that the applicants are great with animals, and she supports them. Mr. Barry asked if there was anyone in the audience to oppose the keeping of animals' permit. There were none.

MOTION: Ms. Braga made the motion to close the public portion of the public hearing; seconded by Mr. Roux and the motion unanimously carried 4-0.

MOTION: Mr. Scarano made the motion that the application is complete and to approve the animal permit for eight hens and three ducks for 1015 South Street; seconded by Ms. Braga and the motion unanimously carried 4-0.

MOTION: Ms. Braga made the motion to close the public hearing; seconded by Mr. Roux and the motion unanimously carried 4-0.

Old Business:

- **175 Kendall Road** Michele & Giuseppina Saladino – non-compliance with order letter from Health Department in 2019

Ms. Gillis stated that in 2019, the animal permit for 175 Kendall Rd. revoked. There were multiple animal structures in the backyard that was ordered to be removed. To date, that has not been completed. They do not have a permit to keep any animals. On September 23, 2022, Animal Control went out to the property on a call and noticed that there were chickens and rabbits to which they confessed to having. There are animals on the property without a permit. Mr. Barry projected on the screen a picture of the property from Google Earth from October 12, 2021. This will help the Board be familiar with the layout of the yard. Ms. Chmiel, Animal Control officer, was called to residence on September 23, 2022, regarding multiple dogs that were unrestrained. Animal Control had been involved in the past with multiple dogs living in the garage that had since been removed and surrendered to Animal Control. When the dogs were returned during that call, Animal Control was made aware that the unrestrained dogs did live in the garage at 175 Kendall Rd. When asked if there were other animals on the property, they confirmed that there were fourteen chickens and twenty-five rabbits. She was not allowed in the back of the property but from the gate she could see the structures in the back yard. Ms. Chmiel asked the Saladinos if there were any changes to the garage for the dogs from the last time, they were there to which they stated no. Mr. Barry asked what the courts decided on for the future ownership of dogs there. Ms. Chmiel has asked Lieutenant Stevens for a copy of the court report on what was decided. There was an agreement that there were not to be any dogs on the property aside from the small dogs that reside in the house. The remaining dogs they had (six) could be issued a personal kennel until the small dogs passed. He was not to breed any more dogs. It was agreed that his wife could own the small dogs in the house, but he would not own any dogs. There were to be no dogs or animals housed in the garage area except for a few feral cats. None of the structures on the property were to be used to house livestock. Ms. Chmiel stated that she wasn't sure if this agreement was part of the court document or a separate agreement. Mr. Barry asked Ms. Chmiel about the status on the removal of the dogs. Ms. Chmiel stated they were waiting on the paperwork. Mr. Scarano asked if the dogs were being breed to which Ms. Chmiel stated to her knowledge they were not. There are two intact female dogs. Part of the agreement with the inside dogs was that once the dogs passed and they were down to a few inside dogs if they got any other inside dogs they needed to be spayed/neutered by six months old as well as no breeding on the property. None of the dogs on the property are licensed, but the dogs in the garage are up to date on their vaccines and are looking to get the rest of the dogs in the house vaccinated. Mr. Scarano asked which dogs were allowed under the previous order. Ms. Chmiel stated that the previous agreement allowed the small dogs in the house with a temporary small kennel license being granted to allow the six dogs (one has past so there are now five dogs remaining). It is her understanding that the two intact female dogs in the garage should not be there at all. There is currently a process going on to deal with the two dogs in the garage. The dogs in the garage are used by Mr. Saladino for hunting and reside in the garage with a space out back for them to urinate/defecate. The space is not safe for the dogs.

Present were Mr. & Mrs. Saladino and their son Ignazio Saladino. Also present was Giovanna Angelo, interpreter for the Saladino's. A discussion ensued regarding the notice that was sent to the Saladino's and whether they understood the notice and the violations that was in the notice. It was Mr. Saladino's understanding that he was on probation and after his probation time was done, he could have the animals back. Mr. Scarano asked Mr. Saladino's son Ignazio if he read and understood the notice to which Ignazio stated he did. He explained the notice to his mother who then explained it to his father as Ignazio does not speak Italian. Mr. Scarano stated that the meeting was not a public hearing but a hearing to talk about non-compliance with the previous

order from 2019. A discussion ensued regarding the violations in the notice and non-compliance in regard to the livestock animals since there isn't a permit for them. Mr. Roux stated that he was on the property back in 2019 and Mr. Saladino was well aware that the permit was pulled due to the animals not being taken care of properly and the deplorable conditions. He is aware he is not to have animals as he does not have a permit. Ignazio stated that it is very hard dealing with his father. Mr. Scarano stated that he wanted to make sure that everyone understands what the hearing is about which is the enforcement of a 2019 order and bringing the Saladino's back into compliance. Once the property is in compliance, the Saladino's can go back before the Board for a permit for the animals. A discussion ensued regarding getting the property into compliance. The interpreter stated that Mr. Saladino said that all the chickens are gone off the property and there are only eight rabbits remaining. Mr. Scarano asked how many days it would take before all the rabbits are removed from the property. The interpreter stated that Mr. Saladino said they would be off the property within ten days. Mr. Scarano stated that the Board of Health Agent, Pam Thomas and the ACO will go to the property on November 1, 2022, to confirm the rabbits are removed. Mr. Saladino agreed that they would have access to the back yard to confirm that the rabbits are removed. Mr. Scarano stated that part of the order also referred to the buildings that housed the animals. As part of the order the buildings were to be removed from the property. The buildings will be inspected and marked on November 1st. The marked buildings will be removed from the property. Mrs. Saladino stated that the buildings were supposed to be marked but no one from the Building Department came to the property to mark them. Mr. Scarano stated that the Health Agents will tag the buildings that house the animals for removal. After the buildings are tagged, the Saladino's will get a dumpster, a contractor, or someone to assist in removing the buildings/structures and the property near the dog run will be cleaned up. The rabbits will be removed by November 1st and then the buildings and clean up of the property will be completed by November 14th. If there are other violations, it will be noted, and the order will be amended to include those violations. The Saladino's will be requested to attend the next BOH meeting on November 17, 2022. Compliance will then be reviewed at that meeting. Mr. Scarano stated that once in compliance, the Saladino's can then apply for a permit for the chickens and rabbits. Ms. Braga stated that there needs to be communication. She understands that this is Mr. Saladino's joy, and the Board isn't just trying to take away his animals but trying to get him to do things appropriately and follow the regulations so he can keep the animals the correct way and get his joy back. This is for the good of public health as well as the health of the animals. Ignazio asked if the fines would be waived. Mr. Scarano stated that when the Saladino's come to the BOH meeting on November 17th the Board will determine if they are in substantial compliance or non-substantial compliance. Mr. Barry stated that the Board will look at it favorably if these deadlines are met. The Director will send out an updated order letter with all the target dates. A copy of the letter will also be sent out to the interpreter as well.

Director Reports:

➤ 199 Marston Street

Letter was sent to Dinis Oliveira and Tina Pacheco regarding the animals and ongoing fines. Our town counsel and the Oliveira counsels have been in communication. There are ongoing court cases regarding the property, and they are working on the removal of the animals. There are two ponies and two goats remaining on the property as well as limited foul from the slaughter chain.

➤ Flu & Covid vaccinations

Flu does were given to 87 residents at the Senior Center, 25 employees at Town Hall and 35 residents at Senior housing as well as 5 homebound residents.

After today we should have 18 regular dose shots left if anyone needs one, please contact the Health Department.

COVID vaccines- Town nurse started vaccinating homebound residents today and then we have our planned COVID booster clinic at the Senior Center on November 4th. If anyone needs one, please sign up or contact the Town nurse or the Senior Center.

➤ Covid at home tests

The Health Department has free covid test kits are available downstairs at Town Hall outside the nurse's office if any resident needs some. The Town Nurse has been dropping of covid test kits to residents who cannot get to Town Hall.

➤ OpenGov permitting

We are transitioning our current permitting system to OpenGov. This will be an online permitting system where businesses will renew their permits, apply for permits, renewals etc. all online. They will be able to see the process once they submit their application as well as communicate with staff through the program. Permit applications are currently being built.

Food permit renewals are due by 12/1 to avoid a double fee. Mr. Barry stated that member Amato who is not present tonight, had concerns of the amount of paperwork that is required for renewals and the double fee issued if even a day late. Mr. Barry stated that the mail has gotten slower, and the Tewksbury post office will be closing their sorting department and it will be done regionally. Mr. Scarano stated that it would more than likely be in North Reading. Mr. Barry stated that Ms. Amato's concern was that once the renewal is mailed, the recipient is unaware if the renewal was received. Mr. Barry stated that with the new permitting system, this will be a welcomed step for the applicant as they will be more aware of the status of the renewal. The new system will be up and running for the next permitting season. Ms. Gillis stated that the office assistant reaches out to all applicants if their paperwork has not been received a few days to a week before the deadline so they are aware that the fee will be doubled if not renewed on time.

➤ West Nile Virus cases

There are three cases in Middlesex county in the past month. Until the temperature goes below 32 degrees you are still susceptible to mosquitos.

Regional Inspector: Arielle Castro started today in Tewksbury. Her hours are Thursdays & Fridays 8:30-4:30 & every other Wednesday in Tewksbury. She did food inspections in the Army. We are excited to have her start. Arielle is replacing Vincent Goo and is funded by the Public Health Excellence Grant. She works part time in Tewksbury and Tyngsboro.

Jade East was closed on Tuesday. They are working with Health, Building and Fire departments on re-opening. The Director and Inspector met there today with all other departments and the owners to go over what each department need for them to reopen. There were many food code violations as well as Building and Fire concerns. They were recommended to hire a food consultant and they are currently working with a food consultant and had training today which shows that they want to comply. They were closed a year ago with the same type of issues and there hasn't been any improvement. Mr. Gillis stated that she is hoping they can come back to standards and not put the public at risk. Until all departments are satisfied, they will not be re-opened. This is a group effort with Health, Building and Fire. A letter was sent out and the letter was also sent over to the food consultant as well. Mr. Barry stated that they can request a hearing

with the Board if they are aggrieved with the closing notice and the department is waiting to see if they want a hearing or not.

Board Reports:

Mr. Barry stated that he would like the have next month's topic be on hoarding and have folks come in to address when a hoarding case becomes known what the resources or solutions are to help with the issue. Ms. Gillis stated that there is a hoarding respond group our of Chelmsford which includes nine towns. A grant in the amount of \$50,000 has been received for the issue. The Public Health Nurse attends these monthly meetings. The funds are available if problems arise regarding hoarding. A discussion ensued. Ms. Gillis stated that she will ask Ashley, Public Health nurse and the outreach worker from the Senior Center to attend the meeting.

Mr. Barry stated that Ms. Amato thought that December's topic could be on food safety. With the holidays coming soon, it will be good to discuss how about food safety in hosting parties. Also, with the winter months and power outages occurring, it will be good to know how to keep food safe.

Ms. Braga stated that she met with the Wellness Committee on October 5th. They are reviewing with a wellness specialist and coach from DESI to help them dissect through the current policy and what is needed to be in compliance with the federal regulations. They have a new dietician that's working on a new gluten free menu for students that have a written doctors note requiring them to have a gluten free diet. Any students with a gluten allergy and a doctor's note can take advantage of the gluten free menu. The minutes from the Wellness Committee can be looked up to find more information. The next Wellness Committee meeting is on December 7, 2022, at 3:30pm in the large group instruction room at the High School. Safe Halloween is this Sunday from 1-3pm at the High School. October is Breast Cancer Awareness. Breast cancer is the second most common type of cancer among women. It is important to have your screenings. Ms. Braga also stated that she is looking for volunteers to help get Tewksbury Cares restructured and up and running. If interest, please reach out to support her.

Announcements:

Adjourn:

MOTION: Mr. Roux made the motion to adjourn; seconded by Ms. Braga and the motion unanimously carried 4-0. Meeting adjourned at 8:21 pm.

Approved on: 11/18/22

List of documents for October 20, 2022
Documents are located at the Tewksbury Health Department

Approval of Minutes:

September 15, 2022

Public Hearing:

1015 South Street packet

New Business:

2023 BOH meeting calendar

Fee schedule

Old Business:

175 Kendall Rd. letters dated 10/12/22, 7/29/19

Director Reports:

Board Reports:

Announcements: