1. **Administrative Tasks:**
The meeting was called to order at 7 p.m. The Board reviewed the June 25, 2020 Minutes and no changes or edits were noted. A vote to approve the Minutes was postponed until the next Board of Health meeting as said Minutes were incorrectly dated on the Agenda.

2. **Citizen Speak:**
Erica Max, Program Director from Wakefield Estate spoke in response to the #6 Agenda item for tonight’s meeting regarding the 102 Brook Road chicken coop and *Keeping of Animals in Milton* regulations. Ms. Max spoke in favor of the condition of the chicken coop owned by Ms. Diana Hatcher of 102 Brook Road. Ms. Max stated that workshops on the joys and challenges of chicken raising have been taught at the Wakefield Estate for 10 years and that it is an important educational component. Ms. Max spoke highly of Ms. Hatcher’s commitment and abilities to raise chickens properly and responsibly.

3. **631 Blue Hill Avenue variance request for local upgrade and sieve analysis**
Peter Collins from Collins Engineering spoke regarding the need for this variance for a local upgrade stating that there is a high water table and that there is no way to avoid a pump system. Mr. Collins stated that setback requirements have been met and that the plan is straightforward. Member Musto inquired as to whether there is a barrier surrounding the septic system and Mr. Collins confirmed that there is. The Board unanimously approved.

4. **102 Brook Road chicken coop and Keeping of Animals in Milton regulations.**
The Health Director presented an overview of this case which began with an inspection on June 3, 2020 following a complaint of a rooster crowing. The inspection found the chickens to be in good condition. No smells were noted and there were no roosters crowing. Following another inspection on June 22nd, Ms. Kinsella reiterated that the Health Department is satisfied with the condition of the coop. She stated that there is no evidence of smell or noise as reported by the Health Agent, Laura DelleChiaie who has visited the property on seven occasions.

Ms. Hatcher addressed the Board stating that five out of eleven chickens have been butchered. Ms. DelleChiaie viewed a Zoom video which confirmed the slaughter of the roosters. The water runoff issue
was remedied and there are no smell issues reported by the Health Department. A privacy fence has been installed and Ms. Hatcher stated that neighbors cannot see, smell nor hear her chickens.

The complainant, Sara Houlihan from 7-9 Austin Street spoke next. She stated that chickens are defined as animals and where they live is considered a structure. She stated that she appreciates the mitigation attempts, however, the chickens can still be seen and heard. Her husband, John Barrington spoke in reference to *The Keeping of Animals in the Town of Milton Regulations*. They seek clarity in the language which constitutes a private stable vs. coop. The language states that no person shall keep an animal outside their dwelling unit anywhere in the Town of Milton until a license has been issued by the Board of Health. Licenses are not issued for fowl. The Health Director suggested a clarification in the language and stated that the regulations do not define the word stable/structure. Mr. Barrington stated that chickens are *animals* that are housed outside. He asked for setback requirements to be rewritten and enforced. Joseph Andrews from 11 Austin Street expressed his concerns as well. He stated that he would like to live in harmony with his neighbors in a peaceful setting. He expressed both concern about the precedent of a tight neighborhood with undomesticated animals and his frustration with the lack of clarity with the regulations. Ms. Kinsella stated that she contacted Michael Cahill from the Massachusetts Department of Agricultural Resources for guidance. Mr. Cahill informed her that local Boards of Health must define stable versus structure. The Board agreed that they will conduct research, take everything into consideration and make a determination at their next meeting. Mr. Andrews inquired about the process for coming to a conclusion. Ms. Kinsella informed him that since the Regulations are loosely defined, they will need to be amended and the Board will need to consult with Town Counsel. A hearing notice will be placed in the newspaper and the Board will take a vote on the Regulations. The Board agreed to a 60-day correction order for the structure to comply with the setback requirements and the Health Agent will work on rewriting the language for new regulations. The Board plans to amend the Regulations at their next meeting. 102 Brook Road must comply in order for the chickens and coop to remain on said property.

5. **237R Hillside Street horse stables**

The Health Director provided a chronology of events dating back to December 2, 2019 with the Homeowner, John Powell expressing concerns about a variety of issues including, but not limited to, manure, mice, odor, noise and traffic from horses and their owners at said location. Mr. and Mrs. Powell attended the February 10th Board meeting to voice their concerns and the Board put forth the following proposals:

- To limit hours of operation to 9 a.m. to 8 p.m.
- To determine correct property lines
- Monthly manure removal
- Require dogs to be leashed.

The Health Director and Health Agent responded to a mice complaint at the property on February 25th. They required that there be quarterly rodent treatment by managers Jodi Harris and Janine Kelly. The Stoeckles are the new owners of the stable as of July 1st. They are being represented by attorney Marion McEttrick. The Powells are represented by Attorney Douglas Troyer.
Research showed that a permit was issued on September 23, 1997 which listed hours of operation until 10 p.m., allowing 16 horses and manure removal every three months or longer. Following a June 23rd inspection, stables were found to be clean and the small manure pile was covered. There were 12 horses and no odors or rodent activity were noted. An unannounced inspection on August 26th found the manure pile covered with no offensive smells. The Health Director and Health Agent consulted with an agriculture professional, Masoud Hashemi from UMass Amherst Stockbridge School of Agriculture. He suggested that the barn operator construct a concrete pit to prevent runoff and secure storage with a tarp. He also suggested keeping manure tarped and that manure be removed more frequently than once per month. Attorney Troyer also expressed concerns about the practice of leasing horses occurring at the barn. Mr. Stoeckle stated that barns allow leasing to offset costs. Mr. Troyer questioned if this practice is appropriate and suggested that they reapply if they prefer to switch to a commercial stable permit. Mr. Troyer added that leasing is in violation of a private stable operation. Mr. Troyer stated that he would like to see an application submitted which states exactly who is operating the stable so that the Board can make an informed decision. Mr. Troyer proposed more appropriate hours of operation, suggesting the hours be from 9 a.m. to 7 p.m. He also proposed zoning/parking enforcement. It was noted that barns are inspected annually unless there are complaints.

Attorney McEttrick spoke next stating that the Stoeckle’s are trying to avoid as many expenses as possible with regarding to maintaining the stable. She stated that she will address the leasing of horse and manure issues with her clients and report back to the Board. She also inquired about the new application process. She acknowledged that unrestrained dogs need to be reported to Animal Control and that overall safety is paramount. She noted that horse owners need enough evening hours to ride after work. Attorney Troyer stated that the Powells want the regulations to be complied with and stated that he is hopeful that the two parties will come to an agreement.

The Health Director listed Board of Health Keeping of Animals Regulations that must be enforced and complied with. She asked for the current operators to submit a new application to the Board. She stated that leasing and rentals of animals are not allowed at this stable which is a private stable. She also noted that fences and mailboxes do not fall under Keeping of Animals Regulations and that abutters’ letters of support were not requested prior to the June 2020 Board meeting.

6. **Face covering zones in the Commercial Districts**

   The Health Director stated that the Select Board has proposed that face coverings be worn in Milton’s commercial districts. The Health Director informed the Board that the Town of Chatham has implemented this policy due to their busy downtown area. The Milton Select Board and Town Counsel proposed this Emergency Order as outside diners and sidewalk pedestrians cannot maintain the six foot social distancing requirement. Board members shared different views on the proposal. The following points were raised:

   - **Who would enforce this order?** The order is being urged. The use of face coverings is a suggestion rather than an order.
   - **What has changed in Milton to warrant this order now?** Have the numbers of COVID-19 increased recently? No they have not; Milton is seeing 0-2 cases per day.
Residents may become confused as to why the Board of Health is implementing this order now. The COVID-19 numbers have not increased to warrant this change and this order may cause more anxiety among residents.

The Health Department has not received any complaints of people not wearing masks on the business district sidewalks. People should be routinely wearing a mask when they cannot social distance.

None of the surrounding Norfolk-8 Communities have instituted additional face covering orders in their business districts. The Board of Health asked the Health director to reach out to Norfolk 8 communities to ask this question.

The Town of Chatham instituted this order as they have a busy downtown area where people would not be able to social distance as the streets are narrow. In addition, they have a fish pier observation deck that has 3,000 visitors per day. The Health Director reached out to Director, Dr. Robert Dunkinson per request of the Board of Health to find out why the Town of Chatham has enacted this order and those are the reasons he stated.

The Board of Health thought the patrons dining at Abby Park may be violating this order while eating and sitting unmasked at tables and therefore would not be in compliance themselves if somebody walked by.

They discussed placing extra signage while Health Advisor Dr. Compagnone promoted the continued need for good messaging from the Board. The Health Agent commented that the language is poor and that this is an Advisory, not an Order. The Health Director stated that there is no present emergency to implement this policy and language can be changed to make it an advisory. One action item that the restaurants which have outside dining, such as Abby Park and Coffee Break Café could do is to post more signage reminding people to wear a mask when they cannot social distance. Health Agent Laura Dellechiaie will contact those restaurants with this recommendation. Taking these points into consideration, the Board decided to postpone action and may revisit if needed a later date.

7. Covid 19 update

The Health director informed the Board that Milton has zero to two cases per day and that she is still posting the number of cases daily and on weekends. She informed the Board of a slight uptick in cases due to Curry College students returning to campus. She also stated that retired nurses Mary Beechinor and Karen Regan are still assisting the Health Department. They are being paid from the $22k grant which is extra funding to support the Health Department during the pandemic. School nurses volunteered in the Spring months when schools were required to be closed. Ms. Kinsella informed the Board that three nurses have been hired to assist per diem if numbers should increase. The CARES ACT is paying for their professional services. Additionally, Town Engineer Alan Bishop assisted with a report showing a racial breakdown of covid 19 cases. Robert Rosofsky of Principal Health Information System Consulting LLC assisted with the COVID-19 data powerpoint, analyzing racial disparities in COVID cases in Milton and the analysis of monthly data. The Board informed the Health Director that she does not have to post daily cases on the weekends.
8. **Job description**  
The Health Director discussed the possibly of hiring additional staff, possibly an Assistant Health Director, with a focus on Emergency Preparedness. She noted that most department heads/directors have an assistant.

9. **Old Business**  
The Health Director informed the Board that two camps opened in Milton this summer and that there were no complaints regarding Cunningham Pond. Ms. Kinsella listed many accomplishments by the Milton Substance Abuse Coalition, some of which include: the production of a new video; the hiring of new staff members; the “Mind Matters” article submitted regularly to the Milton Times; boosting Facebook pages; Webinar Wednesdays and $27,000 awarded by Senator Timilty. Ms. Kinsella noted that the Drug Free Communities Grant is now under the direction of the Centers for Disease Control.

10. **New Business**  
The Health Director informed the Board that the Health Department will be hosting an intern, Rachana Tuladhar, from Worcester State University. Ms. Tuladhar will be creating a Maternal Health tab for our website. The Health Director also informed the Board that flu clinics are not planned yet and that she is trying to determine the best way to conduct this year’s flu clinics. The Health Department is still receiving many calls regarding best opening procedures during Covid 19.

11. **Next meeting and Adjournment**  
The next regular meeting of the Board of Health is scheduled for October 5, 2020. The meeting adjourned at 9:35 p.m.

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Mary F. Stenson  
Secretary