

# Advisory Council on Public Health | Meeting Minutes

Public Hearing | [Link to recording](#)

**Location:** In Person | Denny Room, 11 Pierce Street

[ACPH – March 22 Meeting Related Files](#)

**Date:** Wednesday, March 22, 2023

**Time:** 5:30 – 7:00 PM

**Attendees:** Natalia Linos, MSc, ScD, Chair  
Andy Epstein, RN, MPH  
Charles Homer, MD, Vice Chair  
Leonard Jokubaitis, MD, MPH  
Peter Moyer, MD, MPH, Affiliate Member  
James Perrin, MD

**Absent:** Rosemarie Roque Gordon, MD, MPH

**Attending staff:** Sigalle Reiss, MPH, RS/REHS, Director of Public Health & Human Services  
John Kleschinsky, DrPH, Assistant Director, Programming & Policy  
Roland Lankah, PhD, Assistant Director, Chief of Environmental Health  
Elizabeth Bennett, MSN, RN, CARN, Public Health Nurse  
Darlene Johnson, MS, Administrative Coordinator

A hybrid public hearing of the Advisory Council of Public Health (ACPH) was held via zoom and in person at the Health Building Denny Room on March 22, 2023. It began at 5:34 pm and was presided over by Dr. Charles Homer, Vice Chair of the ACPH. Dr. Roque Gordon did not attend. Dr. Perrin had to leave before the meeting adjourned.

## Agenda Items

### Announcements

ACPH Member, Andy Epstein, will be awarded the Lemuel Shattuck Award for her outstanding contributions to public health during Massachusetts Public Health Association (MPHA) Spring Breakfast Awards on June 2, 2023.

### Public Comment

No general public comment.

### Approval of minutes

A motion to approve the minutes for November 16, 2022 is made by Dr. Jokubaitis, seconded by Dr. Linos. The motion to approve the meeting minutes from the previous meeting passes unanimously, with all members in favor.

A motion to approve the minutes for December 14, 2022 is made by Dr. Jokubaitis, seconded by Dr. Linos. The motion to approve the meeting minutes from the previous meeting passes unanimously, with all members in favor.

A motion to approve the minutes for January 18, 2023 is made by Dr. Jokubaitis, seconded by Dr. Linos. The motion to approve the meeting minutes from the previous meeting passes unanimously, with all members in favor.

February minutes will be approved during the next meeting.

### **Warrant Articles Public Hearings**

Public Hearing, discussion and possible vote on the following Warrant Articles for the May 23, 2023 Town Meeting.

#### **Article 13: Office of Housing Stability**

*Presenting petitioners: Chi Chi Wu, John Card*

Petitioner, Chi Chi Wu and co-petitioner, John Card, present details on Warrant Article 13 to develop an Office of Housing Stability within the Department of Public Health (DPH). Chi Chi begins by describing the housing crisis, access to safe and decent housing, sweeping the nation, particularly following the pandemic with rising cost of rent and households in the red. The situation in the Greater Boston area is bad, with Boston competing with San Francisco for second highest rent and New York topping the list.

Brookline is no exception, with more than 50% of residents being renters. While the median income is higher at \$120,000, 10% of the residents live under the poverty level and 45% are rent burdened (spending more than 30% of their income for housing). Residents are facing similar issues to other communities in Greater Boston and Boston. Other communities have responded by developing an Office of Housing Stability, including Boston in 2016, Somerville in 2018 (with 9 staff), and recently Malden and Revere. The Office of Housing Stability would ideally be located within DPH, but the decision of what department it would be in is the Town Administrator's. The office would serve as a resource for residents who need housing related assistance and involved in list of other potential services.

John Card, co-petitioner, introduces himself, as a staff attorney at the Center for Health Law and Policy Innovation at Harvard Law School. He also shares his previous professional experience working as a housing attorney. The Office of Housing Stability could be a critical tool in pushing back on displacement and the housing issues in Brookline. As a tenant in Brookline, he hopes to stay for many years and wants others in the community to be able to do the same. He stresses the need to keep people out of housing court, which is overwhelmed with cases as a result of backlash from the

pandemic. The courts are dealing with record high evictions and do not have the resources to successfully mediate housing issues. It is during these times that John saw Boston's Office of Housing Stability step in to provide services, including rental assistance. While rental assistance and state protections, they are often not able to meet the deadlines and he has had clients who need more immediate assistance. He believes this is a solution to support Public Health in Brookline.

**Public Comment:**

*John VanScoyoc*

*John VanScoyoc says that he is pleased to hear all aspects of this discussion. He wants to bring attention to the partnership with Brookline Center for Community Mental Health and shares that they have a very active housing assistance program. To Commissioner Reiss point, Brookline has services, but they are not easily located. Other resources in town include the Council on Aging that has social workers and Veterans Services that provide housing assistance. One of the biggest challenges is going to be assessing where the assistance comes from currently and whether within that range of services, an additional or coordinating role is required.*

**Discussion and Possible Vote**

*What is your definition of a resident? Is someone who has resided for at least a year under a lease eligible for services? (Dr. Jokubaitis)*

The warrant article does not define a resident. It would be up to the Office of Housing Stability to set its priorities and scope. She feels that a resident is someone who lives in Brookline, regardless of them being a student or the length of time they are living in the area. Students could run into conditions leading to a need for housing assistance.

*In a statement sent earlier, it was mentioned that 3 or 4 towns of similar size have have similar offices. Do you know how they work, how large they are, utilization or other things that could give some sense of the demand and what it would cost? (Dr. Perrin)*

The Office of Housing Stability in Somerville has 9 staff members and contracts with other organizations to provide direct services, like legal services and rental assistance. It was a city initiative to provide resources to ensure the stability to their residents. The City of Malden is taking a different approach by contracting with a non-profit organization to run their office. The non-profit has a long history of supporting renters in the Malden-Medford area. They are familiar with the area and the services.

*Dr. Linos agrees that housing is a policy for public health initiatives and personally thinks it makes sense for the office to operate within Public Health because housing stability is not a typical building issue. It is about the context and the social determinates of health. She asks how we can make sure this is well funded. If it falls under the Health Department and is not adequately funded then it overstretches the existing staff. Are the budgets provided from other towns annual or multi-year budgets?*

The budgets provided are an example of other municipalities with this office comparable to Brookline in population with smaller budgets. The numbers provided are the overall town budget, not just for housing stability. The warrant article is flexible and it would be up to the Town to decide the budget and staffing. They hope that there will be at least 1 full-time staffer, possibly around \$80-100k. Chi Chi acknowledges the concerns about the budget, but feels this is an underserved population. She also feels that the office should be housed within Public Health because it provides a social service.

John adds that a large amount of what these offices do is connect people to resources that already exist. Many tenants do not know how to navigate the systems; they need a navigator. He continues by stating that lots of housing displacements and these issues cost lots of money. There are a number of elderly residents who will continue to experience housing issues, will continue to have health issues, and they will continue to rely on a number of social services bringing up the cost of services in town. This is an upstream response building on services that are already out there.

*Commissioner Reiss also responds by sharing that they are doing work to map out and understand the existing services, and better connect residents to those services. She has had conversations with the Town Administrator, Dr. Linos and Dr. Homer to understand the best role of Health Department and looking at the bigger picture of Human Services and delivery as a whole.*

*Dr. Homer comments that housing is a critical determinant of health. The cost of housing in Brookline, the housing burden is causing significant harm to people who live here. He mentions the Boston Foundation's housing report and the difficulty in navigating and finding affordable housing. Dr. Homer agrees that there is a need for this, that it is well within the scope of Health and Human Services, and funding is critical. There is hope for long-term funding. He concludes by stating that this is really timely.*

*Dr. Jokubaitis asks if there any towns that have established these offices that have done it through any levy against landlords. He also adds that he knows this could be a double-edged sword that leads to landlords increasing rent.*

*Dr. Homer says that the closest to that is real estate transfer funds that Brookline has put in for a home rule petition. The legislature and its wisdom is not yet approved. That would go to the town's affordable housing trust. He questions if this is a legitimate use for the affordable housing funds. He shares details about inclusionary zoning, requiring people with multi-unit housing of more than 4 units to put affordable housing on site or alternatively give money to the fund. It is worth exploring this with the Housing Advisory Board.*

After John VanSoyoc's public comment, Chi Chi emphasizes her desire to have this role within the town. While the Brookline Center for Community Mental Health is a well-known organization and has an emergency rental assistance program, there is a need for language assistance. The town is working on providing more language access. John shares more of his experience to stress that there is a need for an expert in housing. He

talks about the burnout among social service providers and this being a possible way to support and assist with their bandwidth.

*Dr. Linos adds that the Brookline Center for Mental Health is dealing with a huge workload dealing with the mental health crisis. She has called and feels that they are only able to respond to urgent needs at this time. She asks if they have a separate phone line for homelessness risk to triage these issues. How do we ensure that this is well placed and receives adequate funding? She stresses advocating for adequate funding.*

*Dr. Homer states his takeaway from John VanScoyoc's comments being that there are a number services around that are fully connected and integrated and the potential role being discussed is not to recreate all the wheels. There is a possibility that some wheels will be created to fill current gaps.*

*Dr. Lankah brings up the issues faced during code enforcement, particularly hoarding cases dealing with mental health, when residents are displaced. The Council on Aging is a resource for residents over 65, but there are younger residents who also have issues with overaccumulation. He asks if the department has to issue a condemnation, could this bylaw provide immediate assistance, temporary housing to these residents?*

The bylaw allows flexibility and this would be up to the town to decide. The office would be central to identify these types of gaps. John talks about the challenges when addressing hoarding cases, which often include mental health, substance use and other health issues which often require wraparound services.

*The Council discuss the desire to support this article, but want to make sure it can be well executed with adequate funding. The Department is currently conducting a Community Health Assessment and Improvement Plan over the next 2 years. This will provide robust information to inform the needs and reach this goal. The group agrees with the concept of the warrant article, but there are concerns about the level of need, demand, and funding for the office.*

*The group firmly supports the creation of such an office and appreciate the flexibility that the warrant article provides, and look forward to further defining and determining funding that is necessary to put this in place. With this being said, Dr. Jokubaitis motions to support the Warrant Article 13 with these caveats, seconded by Dr. Homer.*

**Vote:** Natalia Linos, MSc, ScD, Chair – aye, Andy Epstein, RN, MPH – aye, Charles Homer, MD – aye, Leonard Jokubaitis, MD, MPH – aye, James Perrin, MD – absent for vote, Rosemarie Roque Gordon, MD, MPH – absent for vote.

## **Article 18: Refuse Fines**

*Presenting petitioner: Alec Lebovitz, TMM Precinct 8*

Petitioner, Alec Lebovitz, begins by discussing the rat activity in North Brookline, the epicenter for rodent activity in Town, which has had a 125% increase in activity over the

last few years. After speaking with constituents, there are reports of several repeat offenders, including food establishment operators. He consulted with Town Counsel, Erin Gallentine, Commissioner of Public Works, and Sigalle Reiss, Commissioner of Public Health & Human Services to develop the warrant article. This bylaw proposes restructuring fines levied for food operators and multi-unit dwellings (more than 4 units), which provides stronger enforcement tools for Departments of Public Health and Public Works. The current fine for food operators is \$100 per offense. Under warrant article 18, the initial fine is \$100, second offense is \$200, and the maximum for any subsequent fine is \$300.

**Public Comment:**

*Fran Perler, local grassroots rat warrior*

*Fran Perler has a petition with 1300 signatures for more rat activity response from the Town. She spoke to over 100 businesses, 300 residents, Commissioners Gallentine and Reiss. She applauds Alec for the proposal to increase fines because some of the feedback she received was that it costs more to have your trash picked up twice as often as it does to get a fine. Fran would have also suggested earmarking the funds. She asks if they can consider this as a source of funds for the departments.*

*Sean Lynn-Jones*

*Sean begins by thanking Alec and his co-petitioners for bringing this warrant article forward. He believes it is a great addition to a multi-pronged strategy including adding staff, revising regulations, gathering data, and increasing fines. While it is tempting to use the fines within the budget to offset additional costs for rodent control, he hopes that will not just be collecting lots of money and that the new bylaw will deter reoccurring violations in the future.*

**Discussion and Possible Vote**

*What determinates a violation? What elevates a violation? (Andy Epstein)*

The article does not make this determination. It is at the discretion of the staff in Public Health and Public Works to determine what elevates a violation. Commissioner Reiss adds that staff conducts routine inspections for food establishments, but also respond to complaints. During these inspections, they might find violations, which they will re-inspect for compliance.

*How do you define a repeat violation? Is it that they have shown no effort? (Dr. Natalia Linos)*

This is not prescriptive in what constitutes a repeat violation leaving it to the discretion of the departments again.

*Could we earmark those fines to go back toward rodent control through the warrant article? (Dr. Natalia Linos)*

Town staff and Town Counsel warned that it might not be permissible to earmark funds outside of the budget process. It is frowned upon and legally questionable, which is why left it out of the warrant article.

*Is there anything in the bylaws that requires someone to expand their trash capacity?  
(Dr. Len Jokubaitis)*

Commissioner Reiss says that food establishment dumpster size and frequency can be regulated by the Department after multiple violations, but suggests asking Public Works about residential regulations.

Alec adds that the bylaw has language that includes how refuse can be stored and disposed.

*It was earlier stated that the language used in the bylaw would allow Public Health and Public Works flexibility. However, there is a question around the language that has not been revised in the by-law stating that says “each day a violation is committed or permitted to continue shall be punishable as a separate offense.” He interprets it to mean that on the 1<sup>st</sup> day of an offense you are fined \$100, on the second day \$200, and on the third day \$300. (Dr. Homer)*

Alec clarifies that the reason this has not been changed in this draft of the bylaw is out of a desire to make the minimal changes required to the bylaw because they do not want to disrupt the current enforcement of Public Health and Public Works.

Commissioner Reiss suggests confirming the language with Town Counsel ahead of the meeting because the word “may” is used above and “shall” below. She wants clarification on whether what is written above applies to the entire section.

*Dr. Jokubaitis motions to support Warrant Article 18, seconded by Andy Epstein. The vote is unanimous with two absent.*

***Vote:*** Natalia Linos, MSc, ScD, Chair – aye, Andy Epstein, RN, MPH – aye, Charles Homer, MD – aye, Leonard Jokubaitis, MD, MPH – aye, James Perrin, MD – absent for vote, Rosemarie Roque Gordon, MD, MPH – absent for vote.

## **Article 20: New By-law on Reproductive & Gender Health and Equity (presented first)**

*Presenting petitioner: Rebecca Stone (TMM Precinct 3) on behalf of the Brookline Commission for Women*

Petitioner, Rebecca Stone, provides a brief summary of the goals for the warrant article. She shares the steps that the State of Massachusetts has taken to protect reproductive justice and gender affirming care while stressing that they also rely on municipal cooperation. This is the reason petitioners feel the Town has a special responsibility to make clear and unambiguous its commitment to enforce Roe and the expanded protection.

The article makes clear the commitment of the Town to support and protect those seeking full-spectrum, compassionate, and safe pregnancy and gender affirming care, including legal abortion. It is important that this bylaw outlines consequences for non-compliance to provide additional protection to providers. It also seeks to create space within the general bylaws for reproductive health and create a place in our bylaws for related policy subjects as well as any future actions we may take to protect safe reproductive and gender health care. There is no cost to the Town for this bylaw change and minimal burden for implementation. It has been reviewed by Town Council and approved by both the Chief of Police and Commissioner of Public Health.

**Public Comment:**

*Arden Reamer, co-petitioner, TMM Precinct 8 in support of WA-20*

*Arden Reamer thanks ACPH members and Public Health staff and shares a personal story about an unplanned pregnancy and the impact reproductive justice has in her experience. Arden also discusses the shootings at Planned Parenthood and Preterm Life in Brookline during the 90s to stress the need to protect both patients and healthcare providers. She also discusses the current case in Texas seeking to ban the sale of an abortion pill. She asks for the Council's unanimous support for WA-20.*

*Alec Lebovitz, co-petitioner, TMM Precinct 8 in support of WA-20*

*Alec Lebovitz mentions the Texas case and discusses the current hearing for a case in Florida on gender reaffirming care and the harm they pose to reproductive justice and gender affirming care. We are fortunate to live in a state that supports reproductive care, but reproductive and gender affirming care are under attack. There are actions that municipalities can set up to provide protections beyond state and federal policies. Alec supports WA-20 and urges the Council to support the bylaw.*

**Discussion and Possible Vote**

*Other than this being a statement, what does the warrant article provide? (Dr. Homer)*

The warrant article sets up a local accountability structure enforcing consequences to those who violate policies protecting reproductive and gender affirming rights. While there are state level protections in place, this bylaw will protect people from out of state who are provided care and providers in Brookline from being prosecuted by other state law enforcers. Texas holds the board certification. It would not protect practitioners, particularly OB-GYNs who perform abortions, going for recertification in Texas. They could be arrested and jailed in Texas for their practice in Massachusetts, which is also very concerning.

*Dr. Jokubaitis mentions that if an entity like Walgreens decides to make their prohibition nationwide, this bylaw has no standing to prevent it from happening in Brookline. Ms. Epstein adds that there is an effort to deal with Walgreens nationwide.*

Rebecca Stone agrees, but states that having this bylaw on the books strengthens the efforts of Brookline DPH. She also adds that Walgreens has already refused to



implement the access law in Massachusetts. She believes that having a bylaw named Reproductive and Gender Access and Equity is extraordinary for a municipality and only strengthens our structural ability to take action.

*What are your views on the harassment happening outside of the clinic on Harvard Street? And when the police are called, what should they be doing? Does this warrant article address any responsibilities or could it be used in that sense? (Dr. Linos)*

The Brookline Police Department has been very supportive of the Harvard Street women's health services and have a good relationship with them. This article does nothing about the enforcement of harassment policies. Those are all State and Federal laws. The Police Department respond well, when and if they are called. There is a group of volunteers who have asked that they not do counterprotests outside of the clinic. She wishes they could do more, but we are fortunate to have a great provider and the Police help thing operate smoothly.

*Dr. Homer moves to endorse Warrant Article 20, seconded by Andy Epstein. The vote is unanimous with two absent.*

**Vote:** *Natalia Linos, MSc, ScD, Chair – aye, Andy Epstein, RN, MPH – aye, Charles Homer, MD – aye, Leonard Jokubaitis, MD, MPH – aye, James Perrin, MD – absent for vote, Rosemarie Roque Gordon, MD, MPH – absent for vote.*

## **Director/Division Reports**

Commissioner Reiss shares upcoming Public Health Open House during National Public Health Week and a webinar the following week on PFAS: The Forever Chemicals with Dr. Wendy Heiger-Bernays. She provides information on the end of the Public Health Emergency Order, which will end masking in hospitals and state distribution of COVID-19 test kits.

Full reports are available in the [meeting folder](#).

## **Other business**

No other business.

## **Adjournment**

Dr. Jokubaitis motions to adjourn the meeting, seconded by Ms. Epstein. The meeting adjourns at 7:15 pm.

## **Action Items**

<b>Action Item</b>	<b>Owner(s)</b>	<b>Deadline</b>	<b>Status</b>
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