

BOARD OF HEALTH MEETING

August 21, 2013

Town Council Chambers, Administration Building

CALL TO ORDER: Dr. John Straus called the meeting to order at 7:10 PM.

PRESENT: Dr. John Straus, Dr. Barbara Beck, Richard Arnold, and Kristel Bennett.

Minute Review: The Board of Health reviewed the minutes of the July 17, 2013 meeting. Dr. Barbara Beck made a motion to accept the minutes of the July 17, 2013 meeting. Dr. John Straus stepped down as Chair and seconded the motion. All were in favor.

69 Elm Street: Kristel Bennett, Chief Environmental Health Officer informed the Board the owner of 69 Elm Street, James Delleville was before the Board for an administrative hearing to request a hearing to withdraw the Health Department order letter dated July 29, 2013. Kristel Bennett provided a chronology to the Board. James Delleville informed the Board that violation one had been corrected. Mr. Delleville requested to withdraw violation #2 since the tenants are responsible for paying the gas utility bill. Mr. Delleville presented a photo of the stove to the Board. After hearing the Health Department findings and after much discussion thereof, Dr. Barbara Beck made a motion to deny the request to withdraw the order to correct letter dated July 29, 2013. The property owner must comply with violation #1 in the order to correct letter dated July 29, 2013 by providing an operating lock and door knob on the A side entry door from the main common entryway to ensure the door is capable of being secured from unlawful entry. The key for the lock must be provided to tenants of the first floor dwelling unit. Compliance with violation #1 in the order to correct letter dated July 29, 2013 must be achieved by August 26, 2013. Should violations #1 remain unabated by August 26, 2013 then a court complaint shall be filed against the owner of 69 Elm Street in Waltham District Court for non-compliance with the order letter dated July 29, 2013.

In addition, pending determination of who is responsible for payment of the gas utility, should the tenants be responsible for payment of the gas service at 69 Elm Street then violation #2 of the

order to correct letter dated July 29, 2013 will be withdrawn. Then the tenants residing at 69 Elm Street must provide gas utility service to ensure the stove functions properly. The property owner must provide written notification to the tenants to provide gas utility service to the dwelling unit located at 69 Elm Street, first floor. The property owner must provide this written notification to the Health Department by September 3, 2013. Failure to provide this written notification to the Health Department by September 3, 2013 shall result in a court complaint being filed against the owner of 69 Elm Street in Waltham District Court for failing to comply with a Board of Health order. Dr. John Straus stepped down as Chair and seconded the motion. All were in favor.

Mixstir's: Kristel Bennett informed the Board the Mixstir's Administrative has been withdrawn since the establishment owner had complied with the June 11, 2013 Health Department administrative order letter.

MEWS Pool: Kristel Bennett informed the Board that James Lambert of Mill Creek Residential Trust LLC was before the Board for an Administrative Hearing to determine if lifeguards and pool supervision will be required at the swimming pool located at 555 Pleasant Street, Watertown, MA as required by Chapter V of the State Sanitary Code, 105 CMR 435.00 Minimum Standards for Swimming Pools. Mrs. Bennett presented the plan review documentation to the Board. After much discussion thereof, Dr. Barbara Beck made a motion that MEWS Pool located at 555 Pleasant Street must provide at least one trained person on the premises at all times that the pool is open. This individual shall be the pool supervisor, who shall be responsible for all phases of the pool operation. The pool supervisor shall be available to respond to mechanical and maintenance problems, and to detect the potential of such problems before they occur. The pool supervisor shall be at least 21 years of age, knowledgeable of 105 CMR 435.00, and responsible for all phases of the operation. The pool supervisor shall have successfully completed a course in the safe and effect operation and maintenance of the swimming pool as evidenced by certification as a Pool Operator from YMCA or the National Swimming Pool Foundation. The pool supervisor shall ensure that on-site pool personnel are adequately trained in the safe, sanitary and effect operation of the pool and its equipment.

Board of Health
Minutes: August 21, 2013

In addition, no lifeguard supervision will be required for the operation of the MEWS Pool. The MEWS Pool must comply with 105 CMR 435.23(2) by posting the following warning signs in a conspicuous location, the sign must state “WARNING – NO LIFEGUARD ON DUTY” in easy to read, legible letters which are at least four inches high. In addition, there shall be signs which are readily visible stating “CHILDREN UNDER AGE 16 SHOULD NOT USE SWIMMING POOL WITHOUT AN ADULT IN ATTENDANCE” and ADULTS SHOULD NOT SWIM ALONE”. Richard Arnold seconded the motion. All were in favor.

Metrics & SOP Update: Peter Wilner updated the Board of his progress in the development of an electronic tracking system to capture needed metrics for the Health Department and to generate reports. Mr. Wilner reviewed the spreadsheet that captures inspection dates. Mr. Wilner and the Board discussed the spreadsheet. The Board will continue to discuss this at the next Board meeting.

Grant Updates CCIII, Region 4b: Kristel Bennett provided updates to the Board regarding the status of the Compassionate Connections III, and the Region 4b grants.

Next Meeting Date: September 17, 2013

Adjourn: 9:00 PM

Minutes: Submitted by Kristel Bennett, Chief Environmental Health Officer