

BOARD OF HEALTH MEETING

September 17, 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 August 21, 2013 meeting. Dr. Barbara Beck made a motion to accept the minutes of the August 21, 2013 meeting. Dr. John Straus stepped down as Chair and seconded the motion. All were in favor.

Alta at the Estate: Kristel Bennett informed the Board that Adam Guild and Carolyn Zern of Wood Partners were before the Board for an Administrative Hearing to determine if lifeguards and pool supervision will be required at the Alta at the Estate swimming pool located at 200 Waltham 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, Richard Arnold made a motion that Alta at the Estate swimming pool located at 200 Waltham Street must provide at least one trained person on the premises at all time 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.

In addition, no lifeguard supervision will be required for the operation of the Alta at the Estate swimming pool located at 200 Waltham Street. Alta at the Estate swimming 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”. Dr. Barbara Beck seconded the motion. All were in favor.

Pizzeria Regina: Kristel Bennett informed the Board that Stephen Napolitano and Ronald Herzberg of Pizzeria Regina were before the Board for an Administrative Hearing to discuss Pizzeria Regina’s request for a variance from Food Code 3-501.19 to utilize Time as a Public Health Control for ready to eat potentially hazardous food specifically pizza at the establishment. Mrs. Bennett reviewed with the Board the requirements for a variance from the Food Code 3-501.19 for Time as a Public Health Control. Mrs. Bennett also reviewed Pizzeria Regina’s submitted procedures for Time as a Public Health Control for pizza. Mrs. Bennett informed the Board that Pizzeria Regina’s Time as a Public Health Control procedure for pizza was in compliance with Food Code 3-501.19 and was approved. After hearing the findings and after much discussion thereof, Dr. Barbara Beck made a motion to approve the variance for Time as a Public Health Control for pizza as specified in Food Code 3-501.19 to Pizzeria Regina located at 485 Arsenal Street, Watertown, MA. The reasons for granting the variance are as follows:

1. The Health Department has received a completed procedure for a request for Time as a Public Health Control for pizza. The Health Department has reviewed and approved of the submitted procedure.
2. The approved procedure and records must be maintained for a period of ninety (90) days in the establishment and must be readily available for review by the Health Department or its agents.
3. Employees who are conducting Time as a Public Health Control operations must be trained in accordance with the approved procedure; and the documentation of employee training must be maintained and readily available in the establishment.

4. The establishment must maintain compliance with the approved procedure for Time as a Public Health Control for pizza.

The variance for Time as a Public Health Control for pizza as required under 3-501.19 may be revoked for repeated violations with the approved procedures. Violations include but are not limited to:

- Approved written procedures not available during inspection
- Time as a Public Health Control operations not used in accordance with approved procedures such as
 - o Time as a Public Health Control is used for foods not approved in this variance or as allowed in Food Code 3-501.19.
 - o Pizza is not properly time marked to indicate the 4 hours after the pizza is removed from the temperature control.
 - o Pizza is properly marked, but not discarded after the 4 hours.

The variance for Time as a Public Health Control for pizza, as specified under 105 CMR 590.010 (H)(1)(2) shall be null and void in the event of change in ownership, renovation or remodeling, or deviance from approved plans. The variance shall be in writing. A copy of any such variance shall, while it is in effect, be available to the public at all reasonable hours in the office of town clerk, or in the office of the Board of Health. Richard Arnold seconded the motion. All were in favor.

623 Tattoo LLC: Kristel Bennett informed the Board that Michael Bailey and Lawrence McFiniggan representing 623 Tattoo LLC were before the Board to discuss a request for a variance from the *Watertown Board of Health Rules and Regulations for Body Art Establishments and Practitioners*, Section 6(A)(14) and Section 6(D)(1)-(4) for providing a cleaning area for placement of an autoclave and ultrasonic cleaning unit in a tattoo establishment. Mrs. Bennett reviewed with the Board the requirements for a variance from the *Watertown Board of Health Rules and Regulations for Body Art Establishments and Practitioners*, Section 6(A)(14) and Section 6(D)(1)-(4) for providing a cleaning area for placement of an autoclave and ultrasonic cleaning unit in a tattoo establishment. Mrs. Bennett informed the Board that 623 Tattoo LLC submitted application and documentation was in compliance with the *Watertown Board of Health Rules and Regulations for Body Art*

Establishments and Practitioners. Mrs. Bennett informed the Board that 623 Tattoo LLC was conditionally approved for construction of the proposed tattoo establishment. After hearing the findings and after much discussion thereof, Richard Arnold made a motion to approve a variance from the requirements of the *Watertown Board of Health Rules and Regulations for Body Art Establishments and Practitioners*, Section 6(A)(14) and Section 6(D)(1)-(4) for providing a cleaning area for an autoclave and ultrasonic cleaning unit, providing an autoclave, and providing an ultrasonic cleaning unit at the proposed tattoo establishment 623 Tattoo LLC located at 276 Orchard Street under the conditions that only single use sterile instruments and products will be stored, kept, and used on the premise. The reasons for granting this variance are as follows:

1. The Health Department has received a completed Body Art Establishment application for 623 Tattoo LLC.
2. The Health Department has conditionally approved the Body Art Establishment application for 623 Tattoo LLC.
3. Section 6(D)(7) of the *Watertown Board of Health Rules and Regulations for Body Art Establishments and Practitioners* states in part that “If the body art establishment uses only single-use, disposable instruments and products, and uses sterile supplies, an autoclave shall not be required.”
4. The owner of 623 Tattoo LLC proposes to use only single-use disposable sterile instruments and supplies. The owner proposes that all hazardous waste generated from use of the instruments and supplies will be disposed by B&D Associates.

The variance for 623 Tattoo LLC from the requirements of the *Watertown Board of Health Rules and Regulations for Body Art Establishments and Practitioners*, Section 6(A)(14) and Section 6(D)(1)-(4) for providing a cleaning area for the autoclave and ultrasonic cleaning unit, providing an autoclave, and providing an ultrasonic cleaning unit in a tattoo establishment may null and void in the event of:

- Change of ownership
- Renovations or remodeling to establishment
- Deviance from approved plans

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- Violations of the *Watertown Board of Health Rules and Regulations for Body Art Establishments and Practitioners* including but not limited to the presence or use of multi-use instruments and products which have not been sterilized at your establishment.

The variance shall be in writing. A copy of the variance shall, while it is in effect, be available to the public at all reasonable hours in the office of the town clerk or in the office of the Board of Health. Dr. Barbara Beck 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: October 16, 2013

Adjourn: 9:00 PM

Minutes: Submitted by Kristel Bennett, Chief Environmental Health Officer