

BOARD OF HEALTH MEETING

March 19, 2014

Town Council Chambers

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

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**PRESENT:** Dr. John Straus, Richard Arnold, Donna Moultrup, Interim Director of Health, Health Officers, Dan Repella and Kari Sasportas.

**MINUTES:** The review and approval of the minutes of the February 25, 2014 meeting were tabled since Board member Barbara Beck was the second member present at that meeting and she could not attend this meeting.

**Vote for a New Burial Agent** - The Board received a request for a new burial agent to be added to the list. Mr. Arnold made the motion “that the Board of Health appoint Christine Nardone Cavanaugh, of the Nardone Funeral Home, 373 Main St., Watertown, as a Burial Agent, allowing her the ability to issue burial permits when Town Offices are closed for business.” The motion was seconded by Dr. Straus and voted unanimously.

**Body Art Regulations** – After discussion of the two suggested “housekeeping” changes to the current Body Art Regulations, Mr. Arnold made the following motions: “that the words, ‘other than piercing the genitalia’ in Section 5: Restrictions, Part C, be deleted” and “that the requirement in Section 12, Application for Body Art Practitioner, Part C requiring Advanced Cardiopulmonary Resuscitation be changed to certification in First Aid and adult Cardiopulmonary Resuscitation, so that Part C of the regulation will read: ‘For all Body Art practitioners, current certification in First Aid and adult Cardiopulmonary Resuscitation by a recognized training provider (American Heart Association or American Red Cross.)’” The motion was seconded by Dr. Straus and voted unanimously.

**Armenian Market & Bakery** – Kari Sasportas reported that there had been two inspections at this establishment and violations remain based on the comprehensive inspection done on 12/27/13. The owner was very confrontational during the inspections and she took another inspector with her for every inspection. Mr. Cinar explained that he has owned other stores and he works very hard to keep the store clean and in compliance. He felt that some of the violations were not as much of a problem as the inspector indicated in the inspection. He feels that there is some inconsistency in the inspection reports. There was considerable discussion concerning the situation and Dr. Straus explained that the regulations must be followed and that Mr. Cinar must work with the assigned inspector, Kari Sasportas. Mr. Arnold made a motion “that Jirayr Cinar, owner of the Armenian Market & Bakery, take the following steps to bring his establishment into compliance with State Sanitary Code 105 CMR 590.000:

- 1) All violations listed in the February 13, 2014 letter must be brought into compliance no later than Friday, April 11, 2014.

- 2) That Mr. Cinar, as the Certified Food Manager, train his staff members himself or seek outside training for them, so that they are aware of the Sanitary Code requirements and that the establishment is in compliance at all times.
- 3) Finally, but most importantly, Mr. Cinar must cooperate with the inspectors and be respectful at all times during interactions with Health Department staff. Not cooperating with inspectors by intimidation or loud and disrespectful language can be grounds for the loss of the permit to operate.” The motion was seconded by Dr. Straus and voted unanimously.

**164 Galen St.** – Roy Der Manuelian, tenant at 164 Galen St., was present at the meeting to report on the progress of his work with the professional organizer. This appearance was a continuation of the December 19, 2013 and February 25, 2014 hearings. Mr. Der Manuelian still believes that he is making progress and that he has met with the professional organizer twice since the last meeting. Kari Sasportas has inspected prior to the meetings and does not see any progress from her standpoint. Mr. Der Manuelian did say that a fuse had blown and that all the food in the refrigerator had been discarded. The Board would like to see the reports from the professional organizer. Donna Moultrup stated that she could get those for the next meeting. Mr. Der Manuelian agreed that he would create access to each room and clear the heating vent areas. He also agreed that the inspectors could take pictures during the next inspection. After discussion, Mr. Arnold made the motion “that we continue to work with Roy Der Manuelian, occupant of 164 Galen St., Unit #75, as long as he continues to work with the professional organizer. Inspections will be done as needed by the Health Officer and reports will be sent to the Board of Health. Mr. Der Manuelian will return on April 16, 2014 before the Board of Health for further evaluation.” The motion was seconded by Dr. Straus and voted unanimously.

**Joe’s Variety** – Alan Marchant, co-owner, of Joe’s Variety appeared before the Board. He explained that he understood that they had sold tobacco to a minor. He stated that he frequently hires high school and college-aged students to work in the store and on that particular day in question, the student had not been trained properly. It had been his first time at the cash register. He has told his employees that everyone must show identification from now on. The other co-owner, Jack Marchant attended the tobacco training offered by the Health Department yesterday, March 18<sup>th</sup>. Mr. Marchant stated that he has also sent in underage students, himself, to try to make sure that his employees were in compliance. Mr. Arnold made the motion “that Joe’s Variety’s Tobacco and Nicotine Delivery Products Sales Permit shall be suspended for seven (7) consecutive days, commencing Monday, March 24, through Sunday, March 30, 2014; all tobacco products shall be removed from the shelves, boxed and sealed, and stored out of sight of the public; and that all establishment employees involved in the retail sale of tobacco must attend a Tobacco Retailer Training program, conducted by the Watertown Health Department, the date of which shall be determined in consultation between Joe’s Variety and Health Department staff. The training must take place no later than April 11, 2014.” The motion was seconded by Dr. Straus and voted unanimously.

**Tobacco Regulation Discussion** – Wesley Chin, Watertown’s Tobacco Consultant, attended the meeting in order to be a part of this discussion. The discussion arose due to the receipt of an application for an electronic cigarette store. In discussing the regulations with the store owners, it became clear to Dan Repella and Donna Moultrup that we needed both sets of regulations in order to address the issues regarding electronic cigarettes as well as the possible hookah bar in Town. Dan, Donna and Wil VanDinter met with Wesley Chin in the Health Department shortly after receiving the application.

It was also discussed that there were questions at the last Department Heads' meeting about where electronic cigarettes are allowed to be used. It was brought up that there is a problem with the use of e-cigarettes at the High School also. Wesley Chin stated that he would e-mail Donna the contact information for Sarah Berkowitz from Wayside regarding what could be done at the High School.

After much discussion, the Board members answered the questions put to them by the staff and authorized Donna Moultrup to attempt to draft a single tobacco regulation for the Town that would incorporate all of the regulations in an easy-to-use format. The following informal votes were discussed:

- 1) We will allow hookah in Watertown.
- 2) Samples could be offered at the e-cigarette store, but not for free; must be a fee.
- 3) No drinks or food of any kind will be allowed in smoking bars, including cigar bars, e-cigarette stores or hookah establishments.
- 4) Watertown will remain at age 19 for purchase of tobacco products; will not raise it to 21.
- 5) We will not raise the fines for non-compliance.
- 6) We will not increase the time of permit suspension for violations.

Donna also stated that she did not include smoking in the parks in this list; that she wanted to discuss it with Peter Centola first before any recommendations were made. She will try to have a first draft ready for the April meeting.

**Farmer's Market** – Donna had not included this on the agenda because it was early in the discussion but Carolyn Reckman from athenaHealth attended the entire meeting out of general interest, so the Board took a few minutes to discuss the market. She described the very exciting plans for the space that athenaHealth occupies at the Arsenal and the Farmer's Market is just one of the many community benefits that she hopes they can offer. In general, the Board was very favorable towards the idea. Donna Moultrup stated that there would be additional information at the next meeting.

**Next Meeting: Wednesday, April 16, 2014.**

Adjourn: Meeting was adjourned at 9:10 PM

Respectfully submitted by Donna L. Moultrup, Interim Director of Health