

BOARD OF HEALTH MEETING

March 19, 2008

Council Chambers, Administration Building

CALL TO ORDER: Dr. Straus called the meeting to order at 7:30 PM.

PRESENT: Dr. Carl Brownsberger, Dr. John Straus, Steven Ward, Kristel Bennett, Mark Waksmonski, and Michael Cabral Esq.

Minute Review: The Board of Health reviewed the minutes of February 20, 2008. Dr. Brownsberger made a motion to accept the minutes of February 20, 2008. Dr. Straus seconded the motion, and all were in favor.

100 Warren Street: Kristel Bennett informed the Board that this case had been withdrawn due to compliance with the State Sanitary code. Mark Waksmonski went onto outline the sanitary history at 100 Warren Street, and described the process which led to the Administrative Hearing. Mr. Waksmonski presented information on the current condition of the dwelling unit and stating the violations no longer exist.

266 Belmont Street, Unit #2, Administrative Hearing: Kristel Bennett updated the Board on the status of the condemnation at 266 Belmont Street, Unit #2. Dr. Straus made a motion to sustain the condemnation order of the Board's decision on January 14, 2008, due to non-compliance with the order letter dated November 8, 2007. Dr. Brownsberger seconded the motion, and all were in favor.

100 Dexter Avenue: Kristel Bennett informed the Board that this was an emergency condemnation to vacate and secure the dwelling at 100 Dexter Avenue, Unit 1, 2, and 3. Mark Waksmonski outlined the sanitary history at 100 Dexter Avenue and described the outstanding sanitary code violations. Arthur and Joseph Papazian, represented the owners of 100 Dexter Avenue, and updated the Board on the progress that has been made to abate

the sanitary violations. After some discussion, Dr. Brownsberger made a motion to ratify the order of condemnation at 100 Dexter Avenue, Unit 1, 2 and 3. Dr. Straus seconded the motion. All were in favor.

78 Main Street, Apartment 8: Mark Waksmonski outlined the sanitary code history at 78 Main Street, Unit 8 and described the outstanding sanitary code violations against Ms. Darcelle Lavalley, the tenant of 78 Main Street, Unit 8. The tenant, Darcelle Lavalley, was present for the condemnation hearing and presented information on the condition of 78 Main Street, Unit 8. After some discussion, Dr. Brownsberger made a motion to issue a condemnation order to vacate and secure the dwelling unit within 14 days of the hearing. Dr. Straus seconded the motion, and all were in favor.

Sushi 21: Kristel Bennett updated the Board on the status of the suspension of the permit to operate a food establishment. After some discussion, Dr. Brownsberger made a motion to sustain the decision of the November 14, 2007 hearing to continue the suspension of Sushi 21's Permit to Operate a Food Establishment for serious and repeated violations of the State Sanitary code Chapter X 105 CMR 590.000. The suspension shall remain in effect until all violations listed in the order letter dated November 14, 2007 are corrected. The Boards noted that Sushi 21 is in the process of selling the business to Super Fusion and the Watertown Health Department is currently in the Plan Review process. Dr. Straus seconded the motion. All were in favor.

Arsenal Lobby Shop: Kristel Bennett presented the plan review documentation for Arsenal Lobby Shop located at 311 Arsenal Street. Mrs. Bennett informed the Board that Mr. Dadvik Raha was representing Arsenal Lobby Shop and requesting a Retail Food Establishment Food Establishment Permit and Tobacco Sales and Location Permit. Mrs. Bennett informed the board that the applicant is seeking a variance for a three bay sink and grease since there is no food preparation, only sale of prepackaged food. Dr. Brownsberger made a motion to approve the issuance of a 2008 Retail Food and Tobacco Sales and Location permit to Arsenal Lobby Shop, and to grant a variance from the requirements of a grease trap and 3 bay sink under Food Code 5-402.10. Food code 5-402.133 states that food

establishment drainage systems, including grease traps, that convey sewage shall be designed and installed as specified under ¶ 5-202,11 (A) which states a plumbing system shall be designed, constructed, and installed according to law. The reasons for granting the variance are as follows: No food preparation, sale of prepackages food only. The variance, as specified under 105 CMR 590.010 (H)(1)(2) shall be null and void in the event of: a) change in ownership, b) menu change, and c) renovation or remodeling. Dr. Straus seconded the motion. All were in favor.

160-162 Arsenal Street: Steven Ward presented the documentation submitted to the Board of Health concerning the YRT Corp connection to the Town of Watertown's sewer system. After much discussion, Dr. Brownsberger made a motion to table this matter until the April 16, 2008 Board of health meeting. The Board also discussed plans submitted are incomplete since they did not list the detail of the sewer connection to 160-162 Arsenal Street including, but not limited to the following items: location of bathroom, potable water (hot & cold) connection, and oil and water separator. The Board also questioned the status of decommissioning the Clivus toilet. The Board requested the approval of all involved department prior to the next Board of Health meeting on April 16, 2008. Dr. Straus seconded the motion. All were in favor.

Massage Regulations: Steven Ward updated the Board about the new state regulations regarding massage therapy licensure. The Board discussed the option of not regulating therapists and possibly rescinding the massage regulations. After further discussion, Dr. Brownsberger made a motion to table the decision to rescind the massage regulations until the next Board of Health meeting, so that the Health Department may be able to research surrounding communities current massage regulations. Dr. Straus seconded the motion. All were in favor.

Next Meeting Date: April 16, 2008

Adjourn: 10:30 PM

Minutes: Submitted by Steven J. Ward