

BOARD OF HEALTH MEETING

October 16, 2017

Watertown Administration Building, Lower Level Hearing Room

PRESENT: Dr. John Straus, Chairperson; Dr. Barbara Beck, Secretary; Richard Arnold, Member; Deborah Rosati, Director of Public Health; Kristel Bennett, Chief Environmental Health Officer; Vivian Zeng, Health Officer

CALL TO ORDER: Dr. John Straus called the meeting to order at 7:04 pm.

Minutes

There were no minutes presented for approval.

Public Comment: No Comments

Department Updates

Regional Tobacco Control Funding – D. Rosati advised that the five town collaborative is facing losing tobacco control funding unless they partner with communities of need. The communities of need such as Waltham, Framingham, Marlboro, Norwood, Everett, Somerville and others, must constitute at least 40% of the collaborative in order to qualify for funding. None of the five towns currently meets that criteria. Newton will not reapply with the five town collaborative as they have partnered with Waltham. Deborah presented appendices from the grant showing the ranking of communities, and showing that Watertown ranks fourth out of 54 communities in Middlesex County for youth retail tobacco density, which is defined as the number of tobacco retailers per 1,000 youth below the age of 18.

99 Pleasant St., Apt. A-5 – K. Bennett indicated that this project is moving forward. The occupant has been compliant with the conditions of the Board, and has been working with the professional organizer.

Steam Flavor – This restaurant was closed on an emergency closure for a number of violations. The inspection was initiated by a refrigerator burning, and it was noted that there was new equipment, a revised menu, and may be in the process of being sold. Dr. Beck asked when the next inspection would occur. K. Bennett advised that they will be placed on a quarterly inspection schedule. They are currently back to their original menu until a plan review application is submitted and approved. The kitchen is not large enough to accommodate the larger menu.

St. James Armenian Church Annual Bazaar – The Health Department became aware that a raw ground beef item was going to be served at the annual bazaar. The Health Department approved this subject to a number of food safety conditions following discussion with a representative of St. James. V. Zeng inspected on Friday, noted concerns and provided education, and noted improvement with the preparation on Saturday. There will be follow up with this to ensure that there are no issues in the future.

9 York Ave. – Keeping of Hens Hearing

Peter Knapp, resident of 9 York Ave., submitted an application to keep two hens at his property at 9 York Ave. All neighbors were notified and several relatives/neighbors appeared at the hearing in support of Mr. Knapp's request. K. Bennett visited the site and found one aspect not in compliance with our regulations – the need for hardware cloth below the coop. Instead, the coop was constructed with a wooden board on top of a concrete slab. There is no space between the surrounding structure and the concrete that might allow animal or rodent entry. The top is covered thus no rain will enter from above. D. Rosati reported that the hens were brought in without the benefit of a permit. Mr. Knapp indicated that he knows a breeder who gave him the chicks for a school project, but he wasn't prepared to obtain approval before he was given the chicks. The Board further discussed the structure and established that a variance would be needed. Mr. Knapp indicated that his brother-in-law will assist with caring for the hens and will maintain the area free of rodents and in a clean condition.

Dr. Beck offered a motion to grant a variance to the “Regulation Governing the Keeping of Hens and Honey Bees,” Section E.4., to waive the need for hardware cloth around the coop, and to allow the coop to have a concrete floor. The motion was seconded by Richard Arnold, and approved unanimously.

Deluxe Town Diner – Food Permit Suspension Hearing

Mr. Donald Levy, owner and operator of Deluxe Town Diner, appeared pursuant to the Health Department's notice of an Administrative Hearing. K. Bennett reported that this restaurant has been operating with expired ServSafe, Food Allergen, and Choke Saving Certificates. The ServSafe certificates expired on May 9th and March 26th, the Allergen Awareness expired on June 23, 2016 and January 31, 2017, and Choke Saving expired on August 21, 2016. An inspection was conducted on May 1, 2017 and Deluxe was advised about the needed renewals. A re-inspection was conducted in June 2017, and still noted non-compliance. Allergen Awareness was received on August 15, 2017, ServSafe was scheduled for August 25, 2017 and Choke Saver was scheduled for September 8, 2017.

Mr. Levy indicated that 7 employees have taken CPR/Choke Saver, Oscar is the only ServSafe Certified person. D. Rosati indicated that it is Mr. Levy's responsibility to ensure that all certifications are obtained and up to date.

Dr. Beck offered a motion that Deluxe Town Diner provide documentation for all required trainings by November 15th, and if not done then the Board will consider additional action including suspension of the Food Service Permit. Richard Arnold seconded this motion, and it was voted unanimously.

Elan Union Market, 130 Arsenal St. – Swimming Pool Supervision and Lifeguard Hearing

Pat Quinn and Mike Miller from Greystar Development presented their request for relief from having lifeguards present at the Elan Union Swimming Pool during all hours of operation.

Mr. Miller indicated that they have strict procedures for operating pools and Greystar national standards for recording logs. The main superintendent of the complex must be a Certified Pool Operator (CPO). The hours of operation are from Memorial Day to Labor Day, seven days per week, from 10:00 am to 8:00 pm. They have split shifts for three maintenance personnel. They hire lifeguards for Saturdays and Sundays, who must be CPOs. Resident access to the pool is with a key fob at the stairs and ramp. Only residents with one guest each are allowed. They have 282 units total, but maximum occupancy of the pool is 40. The standard residency is 1 ½ persons per unit.

There is a good line of vision from the amenities space to the pool. Dr. Beck asked how they deal with not exceeding the max occupancy. Mr. Miller indicated that they only have so many chairs around the pool.

Following further discussion, Dr. Beck offered a motion to approve the applications for a swimming pool for 130 Arsenal St. with the determination that lifeguards are not necessary for the operation of the pool but the Board appreciates the commitment from Greystar to staff with lifeguards on Saturdays and Sundays. Richard Arnold seconded the motion, and it was voted unanimously.

Meeting was adjourned at 9:00 pm (Motion – Dr. Beck, Second – Richard Arnold, 3-0)

Respectfully submitted: Deborah M. Rosati, Director of Public Health

Approved: November 15, 2017