

## BOARD OF HEALTH MEETING

June 18, 2008

Town Council Chambers, Administration Building

CALL TO ORDER: Dr. Beck called the meeting to order at 7:45 PM.

PRESENT: Dr. Barbara Beck, Dr. John Straus, Steven Ward, Kristel Bennett, Mark Waksmonski, and David Neylon.

Minute Review: The Board of Health reviewed the minutes of May 21, 2008. Dr. Beck made a motion to accept the minutes of May 21, 2008. Dr. Straus seconded the motion, and all were in favor.

District 2 Presentation: David Neylon, the Watertown Public Health Nurse presented two presentations before the Board on the Vaccine Management Business Improvement Plan (VIMBIP) and the Community Health Network Association (CHNA) -17 mini-grant. Mr. Neylon presented an overview of the VIMBIP, effective June 23, 2008, the Massachusetts Department of Public Health (MDPH) will transition to a national centralized vaccine ordering and distribution system (VIMBIP). Mr. Neylon presented an overview of the mini-grant received from CHNA-17. Five thousand dollars has been awarded to the Watertown Health Department for a program entitled the Elder and Disabled Wellness and Awareness Program. This program will be developed with a three pronged approach: 1) screening, 2) healthy activity promotion; and 3) education/awareness/emergency preparedness. The Health Department will seek to work with elder and disabled in Watertown (homebound, senior center, and public housing) to improve oral health, screen for diabetes, manage stress and increase awareness of emergency preparedness. Program components include visiting, monitoring stress and glucose levels, and providing education and exercises that will enable elders to continue on their own once the CHNA program is completed. This

program will be intended to begin in the fall of this year, and further updates will be given to the Board.

Boston Sports Club: Mr. Ben Valentino, Ms. Lauren Taylor, and Ms. Jill Sheehan, managers of Boston Sports Club, were present to represent Boston Sports Club. Kristel Bennett stated that Boston Sports Club was before the Board for violations of the Swimming Pool – State Sanitary Code, 105 CMR 435.00. Mrs. Bennett reviewed the history Boston Sports Club has had with the Health Department, Mark Waksmonski gave an overview of the recent violations of the State Sanitary Code, 105 CMR 435.00 including but not limited to cloudy water and chemicals standards off.

After hearing the findings of the Boston Sports Club General Manager, Pool Manager, and regional Pool Manager, and of the May 21, 2008 Health inspection, and after much discussion thereof, Dr. Beck made a motion that, "As a result of a history of serious and repeated violations in which the health and safety of the public has been compromised, the Watertown Board of Health hereby suspends the Boston Sports Club permit to operate a Swimming Pool for a period of two consecutive business days. Suspension of the Permit to Operate the Boston Sport Club pool shall commence on Wednesday, July 9, 2008 and end on Thursday, July 10, 2008. In accordance with 105 CMR 435.42 (2) – such an order shall be complied with in accordance with its direction and no person shall be permitted to enter the water of the swimming pool unless and until the Permit has been reissued or the Order has been revoked in writing by the Board of Health". Dr. Straus seconded the motion, all were in favor.

Super Fusion II: Kristel Bennett presented the plan review documentation for Super Fusion II located at 54 Mt Auburn Street. Mrs. Bennett informed the Board that Mr. Sam Huang the owner of Super Fusion II was requesting a Food Service Establishment Permit and a variance for the acidification of sushi rice. Mrs. Bennett informed the Board that the applicant has received the in-service training regarding the requirements of the State Sanitary Code 105 CMR 590.000 and has been instructed as to his responsibility concerning the inspection process. After some discussion Dr. Straus made a motion to approve the issuance of a 2008 Food Service Establishment permit to Super Fusion II, and to grant the variance for the acidification of sushi rice as required under Food Code 3-502.11. The

request for a variance from the requirements of hot holding for potentially hazardous food. Food Code 3-501.16 stated that "Except during preparation, cooking, or cooling, or when time is used as the public health control as specified under § 3-501.19, potentially hazardous food shall be maintained: (A) At 60°C (140°F) or above." The reasons for granting the variance are as follows: Approved Hazard Analysis Critical Control Point (HACCP) Plan reviewed by the Health Department. Applicant has accumulated years of experience in preparing and serving sushi in Brookline, MA. The owner or person in charge must adhere to the HACCP plan that was submitted to the Health Department. 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, or c) Deviance from HACCP plan. Dr. Beck seconded the motion, all were in favor.

Sushiya Restaurant: Kristel Bennett presented the plan review documentation for Sushiya Restaurant located at 600 Mt Auburn Street. Mrs. Bennett informed the Board that Mr. Chun Rong Chen the owner of Sushiya Restaurant was requesting a Food Service Establishment Permit and a variance for the acidification of sushi rice. Mrs. Bennett informed the Board that the applicant has received the in-service training regarding the requirements of the State Sanitary Code 105 CMR 590.000 and has been instructed as to their responsibility concerning the inspection process. After some discussion Dr. Straus made a motion to approve the issuance of a 2008 Food Service Establishment permit to Sushiya Restaurant, and to grant the variance for the acidification of sushi rice as required under Food Code 3-502.11. The request for a variance from the requirements of hot holding for potentially hazardous food. Food Code 3-501.16 stated that "Except during preparation, cooking, or cooling, or when time is used as the public health control as specified under § 3-501.19, potentially hazardous food shall be maintained: (A) At 60°C (140°F) or above." The reasons for granting the variance are as follows: Approved Hazard Analysis Critical Control Point (HACCP) Plan reviewed by the Health Department. During preoperational inspection observed compliance with HACCP plan previously submitted to the Health Department. The owner or person in charge must adhere to the HACCP plan that was submitted to the Health Department. 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, or c) deviance from HACCP plan. Dr. Beck seconded the motion, all were in favor.

41 Katherine Road: Kristel Bennett outlined the sanitary code history at 41 Katherine Road and described the outstanding sanitary code violations against, Ms. Barbara Dziewanoski, owner of 41 Katherine Road. Mark Waksmonski reviewed the documentation provided by Captain Walsh, Fire Inspector for the Watertown Fire Department which described the Fire Code violations. The owner, Ms. Barbara Dziewanoski was present for the condemnation hearing and presented information on the condition of 41 Katherine Road. Robert Brown, representing Ms. Dziewanoski, gave information regarding the status as 41 Katherine Road. After hearing the findings of the owner, the witness, and the June 9 Fire and Health Inspection, and after much discussion Dr. Straus made a motion for a condemnation order, "As a result of serious and repeated violations of 105 CMR 410.000, "Minimum Standards of Fitness for Human Habitation," as documented in the Order letter dated June 12, 2008 the Board of Health hereby condemns the dwelling at 41 Katherine road as Unfit for Human Habitation. As part of the Order of Condemnation the owner of the dwelling is hereby order to vacate and secure the dwelling within forty-eight hours upon service of the of the Order. No dwelling or portion thereof which is ordered to be secured shall be occupied without the prior written permission of the Board of Health based upon the board's written finding that the dwelling or portion thereof to be occupied is fit for human habitation". Dr. Beck seconded the motion, and all were in favor.

Miscellaneous: Dr. Beck made a motion to enter into Executive Session at 9:30 PM. Dr. Straus seconded the motion. A role call vote was taken and all were in favor. Steven Ward reviewed the submissions of 160-162 Arsenal Street, then the Board discussed the submission. Dr. Beck made a motion to come out of Executive Session at 10:20 PM. Dr. Straus seconded the motion. All were in favor.

Next Meeting Date: July 16, 2008 Adjourn: 10:30 PM

Minutes: Submitted by Steven J. Ward, Director of Public Health