TOWN OF BURLINGTON, MA  
BOARD OF HEALTH  
MINUTES  
Main Meeting Room, Town Hall  

TUESDAY, April 9, 2019  

Board Members Present:  Ed Weiner, PhD, Vice Chairman; David McSweeney; Libby Walendziewicz, RN, MSN; Maribeth Welch, Dr. Wayne Saltsman, Ph.D., Chairman  

Staff Members Present:  Susan Lumenello, REHS/RS, CHMM, Director of Public Health; Christine Mathis, Environmental Engineer; Christine Paulik, RN, Supervising Nurse  

Dr. Saltsman called the Board of Health meeting to order at 7:00 pm followed by the Pledge of Allegiance.  

Citizen's Time:  No one spoke  

Chairman's Report:  None  

Subcommittee Reports:  328-330 Cambridge Street – – Reports held until discussion of applications.  

I. Applications  

   • Application for Approval of a Special Permit– 328-330 Cambridge Street  

Frank DiPietro, BSC Group, was present on behalf of the applicant.  Christine Mathis stated a limited subsurface investigation was conducted and the Board of Health requested additional sampling and analysis following building demolition.  Frank DiPietro gave an overview of the project.  All of the structures will be raised on the site except the cell tower.  A one story 21, 500 square foot office building to be utilized by a state agency will be built on the Site.  Some plan modifications have been made due to discussions with other Boards. They are proposing a land bank some of the requested parking spaces.  Land bank is a policy that states that, if you need more parking, you don’t build it right away but account for those parking spaces in the plan design.  Frank DiPietro explained the traffic patterns going into and out of the site. There is an underground infiltration area located on the property where almost all of the drainage from the site goes except for an area along the side of the building where the flow goes into the wetlands. All of the drainage from the land bank areas has been included in the design.  

There is a shallow depression to the front of the property that was included in the plans after the Board of Health Subcommittee meeting due to comments from abutters and the Planning Board.  Water will drain
into the shallow depression/basin and overflow will go onto Cambridge Street. Dr. Weiner expressed concern about water over flowing and causing ice on the sidewalk and Cambridge Street. Dr. Weiner asked Mr. DiPietro if there were any public health or safety issues that would come up due to the purpose/use of the building. David McSweeney and Maribeth Welch stated that they would not be able to support any plans of standing water on the property at this time. Dr. Saltsman stated that he would not support anything that allowed for the overflow of water onto the sidewalk or Cambridge Street. Susan Lumenello suggested that this matter be continued and a Subcommittee meeting with the Board of Health and the Planning Board be conducted. David McSweeney would like to better understand the effects of the land banking. Susan Lumenello stated that if the land banking caused any effects on the drainage, then it would fall under the purview of the Board of Health.

**Motion:** David McSweeney moved to continue the application for a special permit. Seconded by Libby Walendziewicz and approved. (5-0-0)

II. Variances

- **The Okipoke Restaurant, 19 Third Ave. – external grease interceptor**
  Tao Zheng, Owner of the Okipoke Restaurant, was present to request a variance for Section 4, Part A of the Burlington Board of Health Grease Interceptor Regulations. Marlene Johnson stated that the restaurant does not produce much fats, oils, and grease and recommended that the variance be approved with one condition. Mr. Zheng stated that he has worked with internal grease interceptors before and knows how to complete the required log.

**Motion:** Dr. Weiner moved to approve the variance for the external grease interceptor with one condition. Seconded by Maribeth Welch and approved. (5-0-0)

- **The Okipoke Restaurant, 19 Third Ave. – acidification for sushi rice**
  Mr. Tao Zheng is requesting a variance to use acidification to store sushi rice out of temperature control. Marlene Johnson reviewed and approved the hazard analysis of critical control points (HACCP) plan. The restaurant provided a recipe for the rice that was tested at a laboratory. Ms. Johnson recommended the approval of the variance with 9 conditions.
  The restaurant uses paper to test the pH of the sushi rice and utilizes farm raised salmon.

**Motion:** Ms. Walendziewicz moved to approve the variance for acidification for sushi rice with 9 conditions. Seconded by Ms. Welch and approved. (5-0-0)

III. Discussion
● **Community EMS Program**
Lt. Mark Saia, EMS Coordinator, Burlington Fire Department was present to discuss the DPH OEMS program, to work together in partnership with the Board of Health to collaborate on public health programs in the community. Lt. Saia stated that all EMTs are licensed by the DPH OEMS office which has recently created a Mobile Integrated Health (MIH) Program to encourage EMS to work with their local Board of Health to promote health and wellness. They would expand to do more on Narcan training, vaccination clinics, and various ways to keep people out of the emergency department. Dr. Saltsman asked if this included fall risk assessment. Lt. Saia stated that this would fall under a MIH license and the application today is not for a license, however, this is something that could be done in the future. Curriculums are approved by OEMS. Vehicles are not required for the Community EMS programs, however, under a MIH license there are requirements for vehicles. Dr. Weiner thanked the Burlington Fire Department and Lt. Saia for bringing this to the Board of Health.

**Motion:** Dr. Weiner moved that the Board of Health enter into the Community EMS Program with the Burlington Fire Department. Seconded by Ms. Walendziewicz and approved. (5-0-0)

● **Sarah Courtemanche, BOH Administrative Assistant**
Sarah Courtemanche, BOH Administrative Assistant, was introduced to the Board of Health members and the community. Sarah has been administrative staff member for various companies for the past twelve years. She has a passion for health and safety and is excited to be a part of the Board of Health. Dr. Saltsman thanked Sarah for being the official representative of the BOH.

● **Matt Jaffari, BOH Intern**
Matt Jaffari, BOH Intern, is working on his Masters in Public Health from UMass Lowell and has been interning with the BOH since February. Matt conducted a short presentation on the projects in which he has been involved, including the Health Fair and analyzing date on tobacco compliance checks and flu clinics. The Board thanked Matt for his work with the Board of Health.

● **Neil Pandit, BOH Intern**
Neil Pandit is a High School student who has just begun his internship with the Board of Health. Neil has been actively involve with the Burlington Volunteer Reserve Corps for some time and has attended numerous training and events. Neil is also a part of the Burlington High School Medical Careers Club. Neil will be working on the Community Health Fair and will doing a project on antibiotic resistance to display at the Health Fair. The Board thanked Neil for his work.

● **Reorganization of the Board of Health**
Dr. Weiner and Dr. Saltsman were re-elected to the Board of Health. Dr. Weiner has been on the Board of 31 years and Dr. Saltsman for 13 years.
Motion: David McSweeney nominated Dr. Weiner for Chairman of the Board of Health. Seconded by Libby Walendziewicz and approved. (5-0-0)

Motion: Dr. Weiner nominated David McSweeney for Vice Chairman of the Board of Health. Seconded by Dr. Saltsman and approved. (5-0-0)

IV. Staff Reports

• Environmental Engineer

Household Hazardous Day is this week on April 13. There was a grease release at Wendy’s and the spill was cleaned up. Susan and Christine attended a magistrate hearing at District Court last week and the resident was required to pay their fines.

Motion: Ms. Walendziewicz moved to approve the Environmental Engineer’s report. Seconded by Dr. Weiner and approved. (5-0-0)

• Health Agent

Ms. Johnson discussed a complaint regarding a back up of grease in the vicinity of a Chinese food establishment. Ms. Johnson did not find any violations other than that the log was not maintained. The annual swimming pool operator’s seminar has been scheduled. Ms. Johnson conducted a webinar on flotation tanks and hopes that the state will look at the Model Aquatic Health Code when updating their regulations.

Motion: Ms. Welch moved to approve the Health Agent’s report. Seconded by David McSweeney and approved. (5-0-0)

• Director of Public Health

Samantha Hardy has been trained and will become a Certified Pool Operator. The Active Bystander training is full. MRC volunteers from other units have also been invited to attend. The BOH is collaborating with Lahey Health to train MRC volunteers on the “Matter of Balance” program. Lahey will train the volunteers and the program can be run out of the Human Services building. Lahey’s Community Needs Assessment survey is located on the BOH website. The warrant article for the BOH vehicle has been submitted and will go to Town Meeting in May. David McSweeney commended the BOH staff.

Motion: Libby Walendziewicz moved to approve the Director of Public Health’s report. Seconded by Dr.
Weiner and approved. (5-0-0)

Adjourn

Motion: Dr. Saltsman moved to adjourn at 8:45pm. Seconded by Libby Walendziewicz and approved. (5-0-0)

Respectfully Submitted,

Manisha Parwani  
Recording Clerk
BURLINGTON, MA BOARD OF HEALTH

DOCUMENTS REVIEWED AT MEETING – TUESDAY, FEBRUARY 13, 2018

Agenda


Subcommittee Reports:  BOH Subcommittee Minutes dated January 31, 2018 for Patricia Way; BOH Subcommittee Minutes dated January 31, 2018 for 50 South Avenue; BOH Subcommittee Minutes dated January 31, 2018 for 145 South Bedford Street

Applications

Application for Approval of a Definitive Subdivision, 6 & 8 Patricia Way:  Commonwealth Engineering Plan set dated December 7, 2017

Application for Approval of a Special Permit, 50 South Avenue:  Decoulos & Company Plans dated December, 2017

Application for Site Plan Approval, 145 South Bedford Street:  Haley & Aldrich Figure 2 dated June 2012; Nitsch Engineering Plan Set dated January 25, 2018

Application for Approval of a Special Permit, 279 Cambridge Street, Unit 10A:  memo to BOH from SL re proposed recommendations;  Materials provided by Tyler Falconer re operating procedures; website information from falck9boston.org; Town of Burlington bylaw on kennels; appearance letter to Tyler Falconer from SL

Permits

55 Network Drive, Shire, rDNA Permit:  Shire permit application for the use of rDNA technology; Institutional Biosafety Committee Charter; IBC meeting agenda; appearance letter to SM from CM; January 23, 2018 Shire Power point presentation

Variances

Black & Blue Steak and Crab, 400 District Ave. – external grease interceptor:  Variance Request memo prepared by MJ; Grease Interceptor Variance Application; Black & Blue Menu

Shaw’s Supermarket, 180A Cambridge St. – time as a public health control:  Variance Request memo prepared by MJ; letter from Shaws to BOH re variance request; pizza log

Sammy’s Deli & Catering, 59 Winn St. – time as a public health control:  Variance Request memo prepared by MJ; letter from Sammy’s Deli to BOH re variance request; time as a public health control log

Hearings

0 Hearthstone Drive, trash: memo from SL to BOH re recommended options; letter to WD from SL dated 1/24/18; pictures of 0 Hearthstone; letter to WD from SH dated 11/2/17; letter to WD from SH dated 12/8/17

Proposed Burlington Board of Health Floor Drain Regulations: Proposed regulations; Burlington Aquifer Map; memo to commercial and industrial facilities within the Aquifer District from SL dated 2/2/18; legal notice
Proposed Burlington Board of Health Regulations Restricting the Sale of Tobacco Products: Proposed Regulations: Presentation on Scientific Reports, Samantha Hardy; Presentation on Proposed Regulations, Susan Lumenello; Town Comparisons; Information provided by Dr. Lester Hartman, Tobacco21; Information provided by DJ Wilson, MA Municipal Association; Letter of Support to BOH from AHA; Attorney General Regulations (940 CMR 21.00); Legal Notice
Rescind Regulations of the Burlington Board of Health Sale and Use of Non-Tobacco Nicotine Delivery Products:
Legal Notice
Rescind Regulations of the Burlington Board of Health Sale and Use of Non-Tobacco Nicotine Delivery Products: Legal Notice
Discussion
Kennel License Recommendation, 279 Cambridge Street, Unit 10A: Materials provided by Tyler Falconer re operating procedures; website information from falcok9boston.org; Town of Burlington bylaw on kennels; appearance letter to Tyler Falconer from SL
FY19 Board of Health Budget: FY19 Budget Spreadsheet; FY 19 Budget Cover Sheets; SL power point presentation; EMMCP Report
Staff Reports: Environmental Engineer’s Report; Health Agent’s Report; Supervisory Nurse’s Report; Director of Public Health’s Report