Board Members Present: Wayne Saltsman, MD, PhD; Ed Weiner, PhD, Vice Chairman; David McSweeney; Maribeth Welch
Not Present: Libby Walendziewicz, RN, MSN;
Staff Members Present: Susan Lumenello, REHS/RS, CHMM, Director of Public Health; Christine Mathis, Environmental Engineer; Marlene Johnson, RS, Health Agent;

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

Open Meeting/Pledge of Allegiance

Approval of Minutes:

Citizen’s Time

Chairman’s Report

Hearings

- **Town Pantry, 85 Wilmington Rd. – 2nd violation; Regulations Restricting the Sale of Tobacco Products**
  Sandip Patel and Mo Patel were present to represent Harikrupa Inc. A compliance check was conducted at this establishment on June 6, 2018 and a juul pod was sold to someone under the age of 21. This was a second violation within the last 36 months, therefore, the tobacco sales permit may be suspended for 7 consecutive days. Dr. Saltsman asked what happened and Mr. Patel stated that he had a friend filling in for an employee. The Health Agent recommended that the suspension begin July 9 and end on July 15. All tobacco products must be removed from store shelves. Also, if any tobacco sales occur during this time, the BOH can suspend all issued permits for 30 consecutive days, including food permits. Ms. Welch asked if trainings should be conducted during the year, especially if someone is “covering” for a regular employee. Ms. Johnson replied that the manager should have trained anyone filling in for a regular employee.

  **Motion:** Dr. Weiner moved to suspend the tobacco permit for seven consecutive days, seconded by Mr. McSweeney, approved 4-0

- **One Stop Mart, 31 Winn St. – 2nd violation; Regulations Restricting the Sale of Tobacco Products**
Sanjay Patel and Ramchandra Parekh were present to represent One Stop Mart. A compliance check was conducted at this establishment on June 12, 2018 and a juul pod was sold to someone under the age of 21. This was a second violation within the last 36 months, therefore, the tobacco sales permit may be suspended for 7 consecutive days. The Health Agent recommended that the suspension begin July 9 and end on July 15. Dr. Saltsman asked if they had been before the Board before and if they stated that they would do their own compliance checks. Mr. Parekh said that they were before the Board before and, in the beginning, they did do their own compliance checks but stopped doing them.

Motion: Mr. McSweeney moved to suspend the tobacco permit for seven consecutive days. Seconded by Dr. Weiner, approved 4-0

Permits

- **28 Humboldt Avenue, Keeping of Animals**

Oscar and Maria Almeida were present to request a permit to keep six to eight chickens. They also requested a variance from part one, section three of the regulations for the setbacks from the property line and from a building used for human habitation. Waste products will be composted. There have been no complaints or concerns from abutters. The yard will be enclosed and Mr. Almeida understands that they can’t keep roosters. Dr. Weiner visited the property today and supports the issuance of a permit. Ms. Lumenello stated that since the coop was movable the distances to property lines and the home will change. There was discussion about the Board’s concerns about placing the coop too close to the property lines and keeping the coop within the back yard.

Motion: Mr. McSweeney moved to approve the permit for keeping 6-8 chickens. Seconded by Dr. Weiner, approved 4-0

Motion: Mr. McSweeney moved to approve the variance for placement of the coop no less than 15 feet from the property line with the condition that the coop stay on the grassy area. Seconded by Ms. Welch, approved 4-0

Variances

- **Feng Shui, 2200 District Ave. – acidification**

Charlie Chen was present to represent Feng Shui to request a variance to use acidification on sushi rice. A HACCP Plan was reviewed by the Health Agent. pH papers will be used and the rice needs to be at 4.6 or below. The Health Agent recommended approval of the variance with nine conditions which were received by the owner. The applicant stated that he and his staff know how to use the pH papers and know what to do if the pH is not where it should be. Fish is received frozen.

Motion: Dr. Weiner moved to approve the variance for acidification of sushi rice with the nine conditions. Seconded by Mr. McSweeney, approved 4-0.
**Café Escadrille, 26 Cambridge Street – Variance for Grease Interceptor Requirements for Food Service Establishments**

Michael Murray was present to represent the applicant, Café Escadrille. Also present were Dr. Christian Zeigler and Paul Denaro from Protein Matrix and John Sanchez, Director of Public Works.

On May 29, 2018, a Board of Health Subcommittee meeting was held in response to a request from the Board at the May 22, 2018 BOH meeting. At the Subcommittee meeting, Protein Matrix presented a Preliminary Report on what they believe to be the reasons for the excess grease in the main sewer line. The Director provided eleven recommendations if the Board decides to consider a modification to the variance.

Paul Denaro, Protein Matrix, provided an update to the Board. He stated that they came up with ideas on how to validate existing conditions before coming up with a remediation plan. At the Subcommittee meeting Protein Matrix said they would work with the DPW to help with the jetting of Ray Avenue by providing them with the Proten Matrix product and, in addition, will jet the lines at Café Escadrille. They will also camera the Café Escadrille line and the main sewer line to understand any issues with the existing system. They were unable to accomplish this before the meeting.

John Sanchez, DPW Director said that manholes were opened for the DPW and grease was noted and the lines are not clean right now in that area. He said that the DPW had to do a full clean out of their vactor truck after mixing the Protein Matrix product in their truck. Because they don’t want to damage their vehicle, they will not allow the product to be mixed in the vactor truck. Mr. Sanchez stated that the product has worked at the town’s pump station and it has worked for the Town.

Dr. Zeigler thinks that it’s possible, although unlikely, that there is some sort of chemical composition at Café Escadrille that is untreatable. He stated that fat that sits in a pipe for some time is different than fat that is fresh and it is possible that this fat has come off of the pipes. Dr. Weiner stated that another possibility is that the system was not being maintained properly and there is a question as to whether or not the other restaurant in the area is contributing to the problem.

Paul Denaro stated that the sewer lines will be jetted using the Protein Matrix product tomorrow. Susan Lumenello raised concerns about jetting the lines rather than conducting a heavy cleaning of the lines. John Sanchez stated that the only way to know if the cleaning is working is to camera the lines in Ray Avenue and the service line from Café Escadrille. Protein Matrix expressed concerns about the cost to camera the lines.

John Sanchez stated that the normal maintenance schedule for restaurant lines is yearly and the Ray Avenue line is jetted twice per month. The DPW can tell if there is grease in the line when they conduct cleaning.

Paul Denaro suggested that there may be an issue with the system. John Sanchez stated that all of the back ups that occurred in the Ray Avenue line was grease related. The Director recommended that the cleaning be conducted on June 27, immediately following the cleaning camera the lines to ensure
they are clean, and then camera the lines again within 30 days. The Chairman would like Protein Matrix to report back to the Subcommittee within 30 days (the first week of August). He also suggested that a formal discussion be conducted again at the August BOH meeting.

Protein Matrix was not sure if the product will work as well if it is dumped upstream in the line rather than being mixed in the truck prior to jetting. The Director raised concerns about the possibility that the initial cleaning may not remove all the grease. The DPW does not have a truck to do a heavy cleaning. Mr. Murray said the cleaning that will be done on the Café Escadrille lines will be a heavy cleaning using the Protein Matrix solution. Dr. Zeigler stated that they are not authorized to approve any work other than the cleaning on June 27.

Staff Reports

- **Environmental Engineer**
  Ms. Mathis gave an update on vapor barriers. In the past six months seven replacement buildings have gone onto six different MCP sites that now include vapor barriers.

  **Motion:** Mr. McSweeney moved to approve the Environmental Engineer’s report. Seconded by Ms. Welch, approved 4-0.

- **Health Agent**
  Ms. Johnson stated that all of the outdoor pools have been inspected, other than Simonds Park pool. The Health Agent is waiting for a laboratory report for the Simonds Park pool before issuing a permit. The Health Agent is training the Associate Health Inspector on Recreational Camp inspections.

  Dr. Weiner asked about the training “Building Understanding in our Community” for town employees. Ms. Johnson stated that representatives of different houses of worship did a presentation on their religions, customs and expectations to increase awareness.

  **Motion:** Ms. Welch moved to approve the report. Seconded by Dr. Weiner, approved 4-0.

- **Director of Public Health**
  Ms. Lumenello stated that the Board of Health is expected to move back to 61 Center Street by the end of July. $35,000 in grant funding has been awarded to hire a part time Emergency Preparedness Administrator to work on MRC activities and to support Region 4AB activities. The coordinator will conduct administrative tasks for Region 4AB including taking meeting minutes and distributing agendas. MRC activities will include such tasks as assisting with recruitment and the monthly newsletter. A space will be created in the main office for the part time administrator and for any interns. The administrator does not need a degree in public health but must be familiar with Microsoft Office products, be able to take meeting minutes, and perform other administrative tasks. Ms. Lumenello stated that this person will be taking on some of the administrative tasks she now does regarding the MRC. This is a one-year position that will be decided on an annual basis.
Ms. Lumenello is working with Region 4A MRC to meet the state required deliverable to review the MRC funding structure and methods to collaborate within Region 4A. Ms. Lumenello stated that the funding structures that have been discussed within Region 4A are population based. Dr. Weiner noted that even though the residential population of Burlington is approximately 23,000, the daytime population, considering all of the businesses/retail/medical institutions, is much higher and therefore we should be reimbursed at a higher level. DPH has said that individual MRCs within a Region must agree to how the funds are distributed. Dr. Weiner would like to emphasize that funding should not be based on population but on responsibility. Dr. Saltsman and Dr. Weiner would like to invite someone from DPH to come to a meeting to discuss the funding issue.

**Motion:** Mr. Weiner motioned to approve the Director’s report. Seconded by Mr. McSweeney, approved 4-0.
BURLINGTON, MA BOARD OF HEALTH

DOCUMENTS REVIEWED AT MEETING – TUESDAY, JUNE 26, 2018

Agenda

Hearings
Town Pantry, 85 Wilmington Rd. – 2nd violation; Regulations Restricting the Sale of Tobacco Products: Document dated 6/26/18 prepared by Marlene Johnson, Health Agent; June 7, 2018 letter to Sandip Patel from Marlene Johnson; May 10, 2016 letter to Sandip Patel from Marlene Johnson; Spreadsheet – Tobacco Compliance Inspections – Violations
One Stop Mart, 31 Winn Street – 2nd violation; Regulations Restricting the Sale of Tobacco Products: Document dated 6/26/18 prepared by Marlene Johnson, Health Agent; June 13, 2018 letter to Mr. Parekh from Marlene Johnson; May 10, 2016 letter to Sanjay Patel from Marlene Johnson; Spreadsheet – Tobacco Compliance Inspections – Violations

Permits
28 Humboldt Avenue, Keeping of Animals – Document dated 6/26/18 prepared by Susan Lumenello; 28 Humboldt Avenue Permit Application for the Keeping of Certain Domesticated Animals; June 7, 2018 letter to abutters from Samantha Hardy, Associate Health Inspector; MDAR Best Management Practices for Backyard Poultry Keepers; University of Minnesota Backyard Chicken Basics; USDA Backyard Biosecurity Practices to Keep your Birds Healthy

Variances
Feng Shui, 2200 District Ave. – acidification: Variance Request Acidification Document dated 6/26/18 prepared by Marlene Johnson; 2/1/18 letter from Charlie Chen to Marlene Johnson
Café Escadrille, 26 Cambridge Street – Variance for Grease Interceptor Requirements for Food Service Establishments: Café Escadrille Variance Modification for Grease Interceptor Regulations for FSEs Document dated June 26, 2018 prepared by Susan Lumenello

Staff Reports: Environmental Engineer’s Report; Health Agent’s Report; Supervisory Nurse’s Report; Director of Public Health’s Report