

**Burlington Board of Health  
Minutes – Regular Meeting  
Tuesday, May 26, 2009**

**Board Members Present:** Terry McSweeney, Chair; Ed Weiner, Ph.D, Vice-Chair; Jim Dion; Cathy Read, Ph.D; Wayne Saltsman, M.D., Ph.D

**Staff Members Present:** Sharon Walker Mastenbrook, Director of Public Health; Heidi Porter, Environmental Engineer; Marlene Johnson, Health Agent; Andria Nemoda, RN, Supervising Nurse

Mr. McSweeney called the meeting to order at 7:00 p.m.

**APPROVAL OF MINUTES**

**April 28, 2009**

**Motion:** To approve the minutes of the regular meeting of April 28, 2009 as submitted (Dr. Saltsman; second: Mr. Dion. **Approved: 4-0-1**

**REORGANIZATION OF THE BOARD OF HEALTH**

**Chair**

**Motion:** To re-nominate Mr. McSweeney as Chair of the Board of Health (Dr. Weiner; second: Dr. Read).

*Discussion: Mr. McSweeney thanked the members and accepted the nomination.*

**APPROVED: 5-0-0**

**Vice Chair**

**Motion:** To nominate Dr. Weiner as Vice-Chair of the Board of Health (Mr. Dion; second: Dr. Read).

*Discussion: Dr. Weiner accepted the nomination.*

**APPROVED: 5-0-0**

**KENNEL LICENSE**

▶ ***54 Chandler Road***

Thomas Vakalfotis, resident at 54 Chandler Rd. six dogs on the premises. Ms. Johnson reported that Burlington's Animal Control Officer had conducted an inspection and recommended favorably that the kennel license application be approved.

**Motion:** To approve application for kennel license for 54 Chandler Road (Dr. Saltsman; second: Dr. Read). **Approved: 5-0-0**

## HEARING

### ▶ ***Ginger Pad, 4 Wayside Road, Sushi Operation: Food Code Violations***

Argishti Gukasyan, General Manager and Mike Halkiotis, Director of Operations were present. Ms. Johnson reviewed the history of violations found during inspections at the Ginger Pad Restaurant. As of this date, she said, all violations were corrected. Ms. Johnson recommended they replace their two door refrigeration, located next to the hand wash sink, with a one door refrigerator so the hand wash sink cannot become blocked.

Ms. Johnson recommended that the board issue a \$50.00 fine with the understanding that the permit to sell sushi shall be suspended if critical violations are found on any future health inspections.

Mr. Halkiotis apologized and explained to the Board that they are renewing their focus in order to keep employees and guests safe. He added that the violations would not occur again.

Mr. McSweeney stated that the Board of Health takes food business very seriously, and Dr. Weiner and Dr. Saltsman voiced their concern about proper procedures not taking place.

Management replied that they understood and will abide by the food handling process for sushi.

**Motion:** To issue a \$50.00 fine to the Ginger Pad Restaurant with the understanding that the permit to sell sushi shall be suspended if critical violations are found on any future health inspections. (Dr. Weiner; second: Dr. Saltsman). **Approved: 5-0-0**

## VARIANCE

### ▶ ***Dunkin Donuts, 85 Wilmington Rd., External Grease Trap***

Chris Sargent, Director of Operations, was present. He was not present at the previous meeting, he said, because of a family emergency. Ms. Johnson explained that Mr. Sargent and Steve Catalano are the seeking a variance for an external grease trap. Ms. Johnson's recommendation was to deny the variance because this food establishment prepares foods containing fats, oils and grease but provided conditions should the board choose to grant the variance.

The Board agreed to grant a one-year temporary variance and requested that the proponents come before the BOH after that one-year period. A permanent variance would be considered if they remain in compliance with the conditions of the variance.

**Motion:** To issue a temporary, one-year variance for an external grease trap with the stipulation that the proponent appear before the BOH in one year (Mr. Dion; second Dr. Saltsman). **Approved: 5-0-0**

## VARIANCE

### ▶ ***Indian Grocery, 120 Cambridge St., External Grease Trap***

Tanya Williams, Manager, was present. Ms. Johnson described this Indian Grocery as a retail market which will sell pre-packaged foods. The owner also is asking to sell prepared Halal meat. A ware wash sink with an internal, passive grease trap will be installed.

Johnson's recommendation was to deny the variance because this food establishment will be preparing foods containing fats, oils and grease but provided conditions should the board choose to grant the variance. .

The Board asked if the conditions were understood, and she responded that they were.

The Board agreed to grant a one-year temporary variance and requested that the proponents come before the BOH after that one-year period. A permanent variance would be considered if they remain in compliance with the conditions of the variance.

**Motion:** To issue a temporary, one-year variance for an external grease trap with the stipulation that the proponent appear before the BOH in one year (Mr. Dion; second Dr. Saltsman). **Approved: 5-0-0**

## **STAFF REPORTS**

### **▶Environmental Engineer's Report**

Mosquito Plan: Ms. Porter reported that the mosquito season has commenced and that the required traps have been set. The contractor is very responsive to the concerns of residents, and their surveillance will continue.

Grandview Farms, 55 Center Street: The Board requested that the Environmental Engineer send a follow up letter to the office of the Town Administrator for information about demolition that had take place at this address without a permit to do so.

44 Burlington Mall Road: Ms. Porter said she reviewed the application for the installation of an irrigation well and recommended that they consult with an environmental professional regarding the viability of a well in this area due to past contamination in the proximal area. Dr. Weiner requested that the applicant come before the Board if it is recommended that they move forward with the project.

**Motion:** To accept the Environmental Engineer's report as submitted (Mr. Dion; second: Dr. Saltsman). **Approved: 5-0-0**

### **▶ Health Agent's Report**

Kennel: Ms. Johnson reported that there are currently five locations on record as having a kennel license.

Farmers Market: A farmers market has opened on Center St. near Warehouse Flowers. A farmers market does not require a permit because they sell whole fruits and vegetables. If they were to sell cut pieces of fruit and vegetables or pastry, they would then need a license. Ms. Johnson said she spoke with the proprietor who stated that he would not leave any debris from his business in the area.

Student Government Day: Ms. Johnson stated that she, and other members of the department, participated in Student Government Day. The student accompanied the Health Agent on various inspections.

**Motion:** To accept the Health Agent's report as submitted (Dr. Weiner; second: Dr. Saltsman).  
**Approved: 5-0-0**

### **› Nurse's Report**

Seminars: Ms. Nemoda stated that she was invited to attend, as a guest as one of fifty invitees, a Public Health Nursing Leadership Seminar. She presented, as a supplement to the MAPHN 13th Annual Conference, her work with the blood pressure screening at Burlington High School. She also attended a Mass. Department of Public Health Immunization Update Seminar.

Schools: Ms. Nemoda said that she worked with the Director of Burlington Public School Nurses, Trish Peach, and the Department of Public Health, Director of School Health Services, Anne Sheetz, on an absenteeism survey as it relates to H1N1 and ILI.

Blood Pressure Screening: Dr. Weiner announced that a BP screening clinic will be held at the Burlington Food Pantry. Ms. Nemoda remarked that this particular clinic is for residents who are assisted by the Food Pantry.

**Motion:** To accept the Nurse's report as submitted (Mr. Dion; Dr. Read). **Approved: 5-0-0**

### **› Director of Public Health's Report**

Burlington MRC: Ms. Mastenbrook was pleased to report that the MRC received official Federal recognition as an independent MRC unit on May 1, 2009. She thanked those who had supported the MRC in this endeavor. A new portion of the Director's report will include the activities of the Burlington MRC.

Dr. Weiner thanked the MRC President, Elizabeth Walendziewicz, for her outstanding work for the MRC. The remaining members were also thanked for their dedication.

Certified Professional/Food Safety: Ms. Mastenbrook stated that she is now a Certified Professional – Food Safety.

H1N1: Several cases of the influenza, Ms. Mastenbrook said, have been reported at the various schools. A joint PSA statement from the BOH and the School Department was prepared for the purpose of disseminating information. The statement was being released on the date of this meeting.

The National 211 Info Bank has been activated to include information on the H1N1 virus.

Student Government Day: Ms. Mastenbrook reported that the student assigned to the BOH appeared very interested in the work of the department.

Minutes: At Ms. Mastenbrook's request, the Recording Clerk notified the Board that all Commissions and Boards must submit a set of minutes to the office of the Town Clerk in a timely fashion. For almost two years, this Board has been sending the minutes to the Town Clerk and the minutes and agenda are being posted on the BOH website by Cathy Piccolo. Ms. McDonough added that the BOH was a contributor to the Town's receipt of the extra-credit, e-government award for open government from Common Cause.

Archive: The BOH recommended that an archive page be set up on the Department's website.

**Motion:** To accept the Director of Public Health's report as submitted (Dr. Read; second Dr. Saltsman). **Approved: 5-0-0**

## **DISCUSSION**

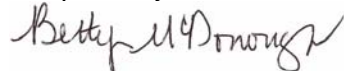
- **Policy on Installation of Wells for Use in Closed-Loop Geothermal Heating Systems - Revised**

Ms. Porter explained the policy stating that it is only for closed loop systems and she said that there is an automatic shut off requirement in the policy. This policy sets a fee for the installation which is in line with irrigation well and portable well policies.

**Motion:** To approve the Policy on Installation of Wells for Use in Closed-Loop Geothermal Heating Systems (Dr. Weiner; second: Dr. Saltsman). **Approved: 5-0-0**

**Motion:** To adjourn at 8:45 p.m. (Dr. Saltsman; second: Jim Dion). **Approved: 4-0-0**

Respectfully Submitted,



Betty McDonough  
Recording Secretary