

**Newburyport Board of Health Public Meeting
February 18, 2016**

Date of Approval: 4/21/2016

Attendees:

*Chairperson of the Board: Dr. Robin Blair
Board Members: Patricia Lawrence, Daryl Colden
Health Director: Frank Giacalone
Note Taker: Pat McAlarney*

Call to Order: Meeting called to order at 7:09 pm

Approval of Minutes

- Minutes from the November meeting were unanimously approved by the Board
- Minutes from the January 21, 2016 were approved by Chairman Blair and Dr. Colden with the following corrections
 - Spelling of names should be - Dr Gastman and Mike Guidi

Solid Waste and Recycling Update - Tabled until next meeting.

Body Art Regulation: Director Giacalone explained that the State Department of Public Health provides a model of a regulation for Body Art, Body Piercing and Tattooing which was amended by the City to develop the current local regulation. The Board is now considering further changes to the local regulation. It was noted that ear piercing on lower lobe is not covered by these regulations. It was also noted that micropigmentation is permitted by the State, (not the local Board of Health. The permit fee for a Body Art establishment is \$200; the license fee for a body art practitioner is also \$200.

The proposed regulations were reviewed by the Board and the following changes were made:

- 1) As previously discussed, and as stated in the proposed regulations, micropigmentation and permanent cosmetics are excluded and may not be performed by tattoo practitioners.
- 2) 3.14.002 Definitions - Scarification - change “product” to “produce”
- 3) 3.14.002 Definitions - Change reference to “universal precaution” to “standard precaution”
- 4) 3.14.004 (A) - Change “No tattooing, piercing of genitalia, brand or scarification shall be performed on any person under the age of 18.” to “No tattooing of any person under the age of 18; and no piercing of genitalia, brand or scarification shall be performed on ANY person.”
- 5) 3.14.004 - Change “activates” to “activities”
- 6) 3.14.004(C) - delete
- 7) 3.14.005 (7) - Change “preferably equipped with “foot operated controls” to “equipped with hand free controls”. Add “alcohol hand rubs should also be readily available for use when hands are not visibly soiled.”
- 8) 3.14.005 (8) - Add after “There shall be a sharp’s container in each operator area and cleaning area”...“in accordance with OSHA Blood Borne Pathogen’s Standards”

- 9) 3.14.005 (14) - change “The establishment shall have a cleaning area” to “The establishment shall have a designated cleaning area”
- 10) 3.14.005 (C) (1) - Insert “soaking in an enzymatic solution.” The sentence shall read: ...shall be cleaned thoroughly after each use by “soaking in an enzymatic solution” and then scrubbing with an appropriate disinfectant solution....
- 11) 3.14.006 (E) Change “hot running water” to “lukewarm running water”
- 12) 3.14.011 (3) - Change “grade of C” to “grade of B”
- 13) 3.14.016 Inspections - add “inspections shall be performed quarterly for first year in business”

Public Health Nurse Update:

- The Public Health Nurse will be holding clinics to vaccinate Department of Public Service workers for Hepatitis B. The Health Department will be reimbursed for the cost and administration of the vaccine
- A list of MAVEN events for the month of January was provided.
- The City received a \$2500 Grant from Massachusetts Association of Health Boards that will be used to develop policy and procedures associated with Nourish the North Shore. The grant will provide funding for an intern, supervised by the Public Health Nurse, who will hold focus groups for seniors to identify obstacles to obtaining healthy foods.
- Patricia Lawrence requested that the Community Health Assessment that was performed by a previous intern be shared with the Board.
- An Automated External Defibrillator (AED) was donated to the City by Cataldo Ambulance in 2015; however, there is no protocol in place for maintenance and usage as required by Mass General Law. Director Giacalone will meet with the Fire and Police Chiefs to consider appropriate protocol. It was noted that technology may have exceeded protocol since the intent of the AED is that it can be used by a lay person in the event of a cardiac emergency.
- The Public Health Nurse held two CPR courses this past month.

Weights & Measures: As requested, the Health Department received a contract from State Weights & Measures to perform the City’s inspections. The services may cost Newburyport an additional \$1000 annually; however, utilizing the state’s inspection services instead of a private contractor will allow the City to avoid the expense of purchasing testing equipment which is estimated at \$10,000.

Fee Schedule: Director Giacalone explained that Governor Baker requested that all towns review their current fee schedules. A copy of the changes proposed by a sub-committee of the City Council was presented to the Board for review. The result of the Board’s review and vote on each fee is as follows:

Snow Removal - Board of Health is no longer responsible for enforcement of snow removal.

Board of Health voted unanimously to remove this fee

Transient Vendor – Transient Vendor license does not fall under Board of Health. Board of

Health voted unanimously to remove this fee

Administrative Determination of Applicability - Board of Health voted unanimously to remove this fee

Burial Permit – Patricia Lawrence voted to keep the fee at \$10; Daryl Colden & Chairman Blair voted to increase to \$15. Permit fee will be increased to \$15.

Day Camps – Board of Health voted unanimously to raise the Day Camp Application Fee to \$100.

Document Preparation Fee - Board of Health voted unanimously to remove this fee

Enforceable Schedule of Compliance - Board of Health voted unanimously to remove this fee

Funeral Director License - Patricia Lawrence voted to keep the fee at \$25; Daryl Colden & Chairman Blair voted to raise to \$50. Funeral Director license fee will be raised to \$50.

Health Department Rules & Regulations - Board of Health voted unanimously to remove this fee

Hearing Request - Board of Health voted unanimously to remove this fee

Perc Test - Board of Health voted unanimously to increase fee from \$100 to \$150

Plan Review (Each Additional) - Board of Health voted unanimously to remove this fee

Stable Fee/Barn Fee - Board of Health voted unanimously to oppose the proposed increase in fee. The Stable Fee/Barn Fee will remain at \$25

Refundable Deposit for Temporary Food Permits - Board of Health voted to maintain the current fee schedule (\$500 and \$100)

Transfer of Permits - Board of Health voted unanimously to remove this fee

Bed and Breakfast - Board of Health voted unanimously to deny the proposed fee increase. Bed & Breakfast permit fee will remain at \$50.

Day Care Service for Children - Board of Health voted unanimously to deny the proposed fee increase. Bed & Breakfast permit fee will remain at \$50.

Food Establishment Permit Fee - Board of Health voted unanimously to increase the Food Establishment Permit Fee from \$100 to \$230 to cover the cost of bi-annual inspections of the food establishments. Inspection fees have previously been paid directly to the Food Inspector by the food establishment. The Board also voted unanimously to approve the \$35 Reinspection Fee that will be charged to a Food Establishment only if a re-inspection is necessary

Frozen Desserts - Board of Health voted unanimously to approve an increase from \$10 to \$25

Food Truck - Board of Health voted unanimously to approve combining of the Mobile Food Truck Permit Fee (\$100) and the Mobile Food Truck Annual Fee (\$250); Mobile Food Trucks will be charged an annual fee of \$350 which will be termed “Permit Annual Fee.”

Skating Rink - Board of Health voted unanimously to increase the permit fee from \$50 to \$100

Swimming Pool - Board of Health voted unanimously to increase the permit fee from \$100 to \$110

Special Purpose Pool - Board of Health voted unanimously to increase the permit fee from \$50 to \$110

Budget FY2017

- **Animal Control** – Director Giacalone explained that this line item was increased to cover the cost associated with the ACOs overtime (ie emergency call-outs that occur during non-work hours.) Previously, expenses for overtime had been paid out of the Assistant ACO line item; however, in FY2017 the Animal Control Officer will qualify for ten vacation days and the Health Department will need to utilize the funds in the Assistant ACO account to pay the Assistant ACO to provide coverage during these times. All other Animal Control line items remain level funded.
- **Personnel Services** - The personnel line item is decreased due to a reduction for the Health Director salary. Salary for other (union) staff members is anticipated to increase by 2% (the contract is currently under negotiation). Weights & Measures will increase to \$7000, as

previously discussed. Travel stipend is increased due to union contract, as is clothing allowance stipend. The Public Health Nurse currently works 35 hours per week; with 20 hours (six months of the year) and 25 hours (six months of the year) spent working for the Health Department and 10 hours (six months of the year) and 15 hours (six months of the year) spent working for Human Resources completing Healthcare Reimbursements and overseeing the City's Wellness Program (MIIA). Director Giacalone explained that optimally, the Public Health Nurse would work exclusively for the Health Department (35 hours per week); however, the Mayor's Office felt that City Council would not approve an increase to 35 hours for the Public Health Nurse position. As a compromise, Director Giacalone proposed that five hours be added to the hours worked at the Health Department and five hours be removed from time allocated to Human Resources for Healthcare Reimbursements. The Director also asked the Board to support an additional 2% increase in the Public Health Nurse's salary. He explained that although she has consistently received a cost of living increase, she has not received any merit increase since she began working for the City. The Board agreed that Pam Palombo has gone above and beyond the requirements of the Public Health Nurse position and asked the Director Giacalone to express their support for a salary increase to the Mayor and City Council.

- **Essex Greenhead** – This line item was increased to accommodate a contractual 2% annual increase in the fee charged by Northeast Mosquito Control. The base fee is determined by the number of greenhead traps in the City. Director Giacalone also explained that residents wishing to opt out of ground spraying of pesticides (on an annual basis) must submit a certified request to the City Clerk by March 1 of each year. Residents are notified of this deadline via flyers, newspaper announcements, cable news and the City website.
- **Medical Consultant** -The Board agreed to maintain the line item for the Medical Consultant which compensates Dr. Navarra for signing the standing orders necessary for administration of vaccines by the Health Department and for providing consulting services, when needed.
- The Board agreed to level fund the remaining line items that were presented on the proposed budget.

Appointment of Chairman - Dr. Daryl Colden nominated Dr. Blair to serve as Chairman of the Board. The Board unanimously approved the appointment and Dr. Blair accepted and will continue to serve as Chairman of the Board.

Food Establishments Overview:

- Natural Grocer - The owner of the Natural Grocer has built a bakery with commercial kitchen above the Natural Grocer establishment on High Street. This bakery is a separate business entity permitted as Rand Realty.
- Dunkin Donuts is doing some renovation of counters and upgrading of equipment
- Pizza Factory - Has submitted an application for site plan review for a planned remodel of the establishment. We are currently awaiting submission of stamped plans for the renovation.
- Souffles - Mike Roy has purchased this establishment. A site plan review is underway and will include the addition of a grease trap, hand sink and mop sink.

- Metzzy's Taqueria - Erik Metzdorf, owner of Metzzy's Taqueria, is opening a new food establishment to be located at Train Station. This is a state owned property that is not permitted by the City.

Director Giacalone announced that March is Substance Abuse Prevention month and several events are planned by the Beacon Coalition including a screening of the film, "Hungry Heart" hosted by the Health Department. At the Mayor's request, Director Giacalone will be attending a seminar on March 2 related to substance abuse prevention.

Inn Street Fountain - The Board has voted and approved the plans for the Fountain. Director Giacalone is in contact with the state and is researching the filtration system, etc. The fountain will be permitted as a Special Purpose Pool which will require more constant water circulation than a regular pool (once every .5 hour vs once every 8 hours.) There is a cartridge system with ultraviolet. It is not clear whether the disinfectant will be bromine or chlorine. Aerosolized water that can be inhaled and, specifically, Legionellosis are two concerns that need to be considered.

The next Board of Health meeting and public hearing regarding amended regulations for tattoos and piercings will be scheduled for March 17, 2016.

Meeting adjourned at 9:16 pm.