

Lynn Board of Health

Meeting Minutes

February 13, 2018

A meeting of the Lynn Board of Health was held on Tuesday, February 13, 2018 at 6:30 p.m. in Room 302 of Lynn City Hall.

Chairman Ronald Dupuis called the meeting to order at 6:34 p.m.

Members present: Dr. John Steriti, Michael Dewan and Ronald Dupuis.

Staff present: Michele Desmarais, Director of Public Health, Lisa Tobin, Sanitarian, Clint Muche, Deputy Building Commissioner and Mary Fountain, Public Health Coordinator.

Minutes

Motion to accept the minutes from the November 14, 2017 Board of Health meeting made by Michael Dewan, seconded Dr. John Steriti.

MOTION PASSED

Hearing: La Parada Restaurant, 22 Union Street

Mr. Tolentino appeared before the Board with Frances Martinez of the North Shore Latino Business Association. This was Mr. Tolentino's request to appeal the suspension that was given to him by Lisa Tobin, for a number of food code violations, to be served starting on February 5, 2018. This suspension was held in abeyance, pending the outcome of this hearing. Ms. Tobin reports that all of the violations previously cited had been rectified and supplied proof of this information. Three of the employees at the restaurant took a Certified Food Manager Protection course since the time of the last inspection. Mr. Tolentino and Ms. Martinez both had a chance to speak and are thankful for the cooperation of Inspectional Services and the Board of Health in allowing his business to remain open. The landlord is also actively committed to keeping the restaurant open and up to the food code standards.

Motion to remove the suspension previously handed down for February 5, 2018 made by Michael Dewan, seconded by Dr. John Steriti.

MOTION PASSED

342-344 Parkland Avenue

The tax-taking process is still ongoing. Clint Muche suggested that this property not be monitored by the Board of Health monthly since it is secure and cleaned to the satisfaction of Inspectional Services.

Late Commercial Report/Restaurant Closure Memo

A late commercial report was presented to this board for review. Lisa Tobin supplied a list of establishments that were closed since the last Board of Health meeting. These were as follows:

- Benjy's Convenience Store, 850 Western Avenue, three day closure: repeat violations including a cat being kept on the premises and a gas stove being used for food preparation, which is not within their permitted use. Reopened.
- La Parada, 22 Union Street: for repeat violations. Reopened.

Quarterly Food Establishment Update

Lisa Tobin hosted the first of what will be quarterly food establishment meetings in city hall.

Due to the above convenience store closure and other food establishments with similar violations or reports, an email was circulated by Ms. Tobin, in addition to discussion at the quarterly meeting, regarding the keeping of animals in food establishments. Service animal laws were further clarified for owners.

Other items discussed at this meeting included hand washing, sick employee reporting, CFPM requirements and slicer topics.

Fees

The subject of health fees was brought up by Michele Desmarais. These fees should be increased to cover the cost of the inspections and administrative tasks associated with the health permits. Examples of a neighboring town and a comparable city were provided to this Board. Clint Muche reports that he has a presentation for this Board on the fees and the suggested increases that he created for the Director of Inspectional Services last year. Suggestions were also made to consolidate some of the health permits to streamline the process of opening and renewing permits. The report by Mr. Muche will be presented to this Board at the next meeting. A public hearing will be set down in the future for any fee changes in addition to legal advertising.

Listeria Outbreak

Michele Desmarais discussed the listeria infection advisory that came from a Stop and Shop in Rhode Island. This advisory was communicated to operators of slicers in Lynn. Operators shall clean the slicer every 4 hours or more frequently, as needed. Stop and Shop in Lynn was

contacted and they will continue to follow the established protocols on slicing. All slicer operators were encouraged to keep a log for the cleaning of the machines.

Smoking Definition

The Board of Health adopted the definition of smoking to match that of the Commonwealth's:

Smoking (or smoke): The lighting of a cigar, cigarette, pipe or other tobacco product or possessing a lighted cigar, cigarette, pipe or other tobacco or non-tobacco product designed to be combusted and inhaled, included but not limited to, marijuana.

Motion made by John Steriti and seconded by Michael Dewan to adopt this definition.

MOTION PASSED

Influenza Update:

302 confirmed influenza cases were reported to the health clinic from the MA Department of Public Health. Aborn and Sacred Heart Schools were named as 2 schools that were heavily affected by the flu. Michele Desmarais stated that kids were returning to school prior to being fever-free for 24 hours.

Opioid Update

In January of 2018, there were 32 reported overdoses and 8 fatalities due to overdosing on opiates. The City of Lynn is not seeing a decrease in overdoses or fatalities. City of Lynn continues to address this crisis from a number of angles. The recovery coaches at Union Hospital will branch over to Salem once Union closes. The Peabody door knocking program, of which Michael Dewan is a part of, has also indicated a need for more resources. Door knocks are something that has come up in various discussions with outside agencies.

Lisa Tobin brought up an issue with regard to the opioid crisis affecting businesses. Public bathrooms must be available to food service establishments that have seating. Ms. Tobin has been suggesting to business owners that have overdoses in their bathroom to stack the chairs after a certain hour. The use of a timer and controlled locks was encouraged.

Recreational Cannabis

A local regulation model for recreational cannabis will be presented to this Board within the first 2 weeks in March. This is a fluid subject due to the final state laws not being released until mid-March.

A motion to set down a public hearing for local regulations for recreational cannabis was made by Michael Dewan and seconded by John Steriti. This hearing will be scheduled for March 27, 2018 at 5:30 p.m. at Lynn City Hall and will be advertised.

MOTION PASSED

Old Business- Dumpster Identification

The Inspectional Division requested a regulation by the Board of Health to have dumpster keepers identify their dumpster. This regulation was passed in the fall of 2017. Clint Muche reports that he has been told that businesses may not apply a sticker or a tag to their dumpster. Clint Muche asked the Board to have this regulation dissolved. Ronald Dupuis asked for this to be submitted to the Board in writing for consideration. This will be addressed at a future Board of Health meeting.

New Business- Blighted Properties

Michael Dewan inquired to the staff present if the Board of Health should be doing more about the blighted properties throughout the City. Mr. Dewan's concern came about some media reports about blighted properties, an issue at a home at 7 Fuller Street and the City Council addressing a property at 7 Chancery Court. Michael Dewan wants to ensure that the Board of Health is doing everything they can, within their scope, on blighted properties.

The 7 Chancery Court property was explained to be more of a City Council leverage opportunity by Michele Desmarais due to the behavior happening at the address and not health code violations. Clint Muche echoed Michele Desmarais' account of 7 Chancery Court and indicated that the building is structurally sound.

7 Fuller Street was described to be full of human waste and had squatters present. The Lynn Police Department gained access to this house with the execution of a search warrant and were able to get the squatters out of the home. This property is bank-owned and secured.

Mr. Muche suggested the Board vote to condemn 7 Fuller Street. This was not advertised on the agenda so it will be taken up at the next Board of Health meeting.

Adjournment

Motion made by Michael Dewan, seconded by John Steriti to adjourn.

MOTION PASSED

The meeting adjourned at 7:37 p.m.

Next meeting will be Tuesday, March 27, 2018