



**Town of Arlington, Massachusetts**  
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## Board of Health Minutes 02/02/2012

**Board of Health Meeting Minutes**  
**Wednesday, February 1, 2012**  
**Ground Floor Conference Room**  
**Arlington Senior Center**  
**5:30pm**

*Board Members in Attendance:* Dr. Marie Walsh Condon, Mr. Gregory Leonardos and Dr. Michael Fitzpatrick (Chair)  
*Staff in Attendance:* Christine Connolly, Director of Health and Human Services, Natasha Waden and James Feeney, Health Compliance Officers.  
*Other:* Rebecca Ryan Caruso, Biotechnology Consultant, Don Benjamin, Town Planning Department, Carol Kowalski, Town Planning Department  
*Public in attendance:* Jane Howard, Jacob Friis, Bill Eykamp, Brad Barber, Justin Frey, Gordon Jamieson, Paul Smith, Michael Ratner

The meeting minutes for December 7, 2011 were accepted on the condition that the phrase "where the" in the second sentence of the paragraph in item V be changed to "the source".

### Discussion: Spy Pond algae advisory policy

Inspector Waden provided the Board with a brief summary of the November 2, 2011 meeting. Waden reported that future testing of toxic algae levels by MDPH is unknown, as they will face budget constraints for the upcoming season and the grant funding for this project will end in 2013. Waden presented the Board with three recommendations on the development of a policy to inform the public about the presence of toxic algae. Recommendation 1: to follow the guidelines put in place by the MDPH, so that when laboratory testing results exceed the MDPH guideline levels of 70,000cells/mL, the office would post and remove the public health advisory in accordance with the guidelines. Recommendation 2: the Health Department develop a sign to be posted year round which would inform the public that toxic algae may be present in the water and that use or contact could cause serious harm to humans and animals. Said sign would not include information regarding levels detected. Recommendation 3: the Health Department would not address toxic algae, rather place better signage for the public informing them that "Swimming and wading" is not permitted at Spy Pond. Public comments and input was received from the following members of the Spy Pond Committee: Jacob Friis, Jane Howard, Bill Eykamp, and Brad Barber. Additional comments were made by Michael Ratner. Upon review and discussion with committee members, the Board unanimously voted to develop an advisory based off of the Delaware water advisory (attachment 3 in a memo addressed to the Board of Health). Additionally, a link to the Board of Health website will be included on the advisory where test results, when available, will be posted. Lastly, the Board requested that the Department take action to re-educate the public that swimming and wading are not permitted at Spy Pond.

### Presentation: Annual Report

Inspectors Waden and Feeney reported on the number of food, housing and nuisance inspections conducted, as well as the number of permits issued for food establishments, temporary food events, and residential kitchens in 2011. Waden and Feeney reported that because of the development of a better tracking system, the number of housing inspections increased, while the number of nuisance complaints decreased. Director Connolly reported on the communicable disease surveillance program. Dr. Walsh asked if outreach has been conducted with any of the Hep C. cases. Director Connolly stated she would get an update from the Public Health Nurse and report back to the Board.

### Public Hearing: Biotechnology draft regulations

Rebecca Ryan Caruso, Biotechnology consultant, presented a power point presentation outlining the history of rDNA and a summary of the proposed regulations for the Town of Arlington. Public comments and input on the draft regulations were received from the following people in attendance at the hearing: Paul Smith, Gordon Jamieson, Justin Frey, Carol Kowalski, Don Benjamin and Michael Ratner. Additionally, written comments were submitted to the Board of Health office from the following people:

Eugene Benson, Joey Glushko, Walter Philips, Morgen Sarpeshkar, Edmund Crouch, and two other individuals who did not identify themselves. All comments were provided to the Board for review. An in depth conversation regarding the definition of "biological agent" and "rDNA" was had with the public in attendance; however, no changes were agreed upon for either term. The Board requested the following changes in the draft regulations: Section 2: replace "hazard" in (OSHA) with health; Section 3: remove "facilities" at the end of the first sentence in the definition of BSL, and replace with "facility containment"; Section 4: the addition of language "to process or use" biological agents or rDNA in the first sentence; Section 5, item 2), removal of the word "final" as it relates to action on the application, item 8) the addition of language at the end of the sentence as it relates to the training of non-laboratory workers who may come into contact with these materials, item 9) the addition of language "at least annually" in the first sentence to specify a minimum requirement for meetings of the IBC and in the second sentence the removal of "surrounding community" and addition of "Town of Arlington" as it relates to an individual approved by the Board to serve on the IBC, Section 9, item 3) additional language allowing the Board to order the "necessary remedial actions up to and including" the immediate closure of any premises or laboratory. An updated copy of the draft regulations with all of the proposed changes will be provided to the Board for review and adoption at the next Board of Health meeting on April 11, 2012.

#### Restaurant updates:

Waden reported that Midami Cusine located at 444 Massachusetts Avenue has closed indefinitely and that a new establishment, The Savory Plate located at 1346 Massachusetts Avenue has opened for business.

#### Environmental updates

Inspector Feeney informed the Board of a recent complaint of illegal dumping in Mill Brook. Feeney explained that bundles of newspapers have been found in the water at Mill Brook Condos and that the Mass Department of Environmental Protection, Strike Force division has been contacted to help with the investigation. Additionally, Feeney provided a summary of his findings in the Boston Logan Airport Noise Study and its affect on the Town of Arlington.

#### Public Health Nurse Updates:

There were no updates.

#### Public Comment

Directory Connolly announced that Adam Chapdelaine has been selected as the new Town Manager effective February 24, 2012.

Meeting Adjourn at 8:19PM