



**DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF THE BOARD OF HEALTH**

Town of Arlington

27 Maple Street
Arlington, Massachusetts 02476

Christine M. Connolly Bongiorno, MPH, CHO
Director of Health and Human Services

Tel: 781 316-3170
Fax: 781 316-3175

**Board of Health Meeting Minutes
Wednesday, June 25, 2014
Ground Floor Conference Room
Arlington Senior Center
5:30pm**

Board Members in Attendance: Dr. Michael Fitzpatrick, Dr. Marie Walsh Condon, Mr. Kenneth Kohlberg

Staff in Attendance: Christine Bongiorno, Director of Health and Human Services, James Feeney, Health Compliance Officer, Shawn Freund, Public Health Associate

Others in Attendance: Zdravko Pashev

Recording Secretary: Laura Munsey, Health & Human Services Administrative Assistant

Meeting called to order by Dr. Michael Fitzpatrick at 5:30 pm.

A Motion was made by Dr. Marie Walsh Condon, which was seconded by Mr. Kenneth Kohlberg, to accept the May 21, 2014 Board of Health Meeting Minutes as submitted.

Vote: Motion Approved Unanimously (3 -0)

Hearing: Variance Request – Pizza Mia 1345 Mass Ave.

Pizza Mia has applied for a variance in accordance with 105 CMR 590.004(H) to use time as a public health control (< 4 hours), rather than temperature, to control the growth of pathogens on cooked, ready-to-eat potentially hazardous foods. Pizza Mia intends to display pizza, immediately after cooking, outside of temperature control for a period not to exceed 4 hours. Mr. Feeney informed the Board that the food safety consultant working on Mr. Pashev's behalf has submitted written procedures for how to monitor the length of time foods are out of temperature control, and that index cards/labels will be used to mark the time, and logs will be kept. Mr. Feeney stated the variance is only for the display of pizza, and no other food products. Dr. Fitzpatrick informed Mr. Pashev that the procedures submitted with the variance request must be strictly followed and any violations found during a routine inspection could result in suspension or revocation of the variance. He further suggested Mr. Pashev review and fully understand the policies submitted by his food safety consultant. Mr. Feeney further informed Mr. Pashev that the pizza cannot be used for delivery as it is intended for immediate consumption. Mr. Pashev informed the Board the pizza would be displayed for less time than the variance would allow as the pizza loses quality over time, and he takes pride in the quality of his

food products. Mr. Feeney stated the variance applies only to the establishment of Pizza Mia under the ownership of Zdravko Pashev.

Motion: A Motion was made by Mr. Kenneth Kohlberg, which was seconded by Dr. Marie Walsh Condon, to approve a non-transferable variance to Pizza Mia, under the ownership of Zdravko Pashev, to use time as a public health control, rather than temperature, for the display of ready-to-eat pizza for a period not to exceed 4 hours.

Vote: Motion Approved Unanimously (3 - 0)

Hearing: Housing Code Violations – 292 Summer Street

Mr. Feeney informed the Board the property owner of 292 Summer Street, Mr. Thomas Doherty, submitted a request to the Board of Health on May 30, 2014 for a hearing regarding housing code violations identified at 292 Summer Street. Mr. Doherty called the office today, prior to the meeting, to state he would not be able to attend. Mr. Feeney will be following up with Mr. Doherty and the hearing will be rescheduled if necessary.

Discussion: Flavored Tobacco Products

Ms. Christine Bongiorno passed out an information packet to the Board regarding regulation of flavored tobacco products. The City of Newton recently regulated the sale of flavored tobacco products. The Board discussed how flavored tobacco products are considered starter products and target children. Ms. Bongiorno informed the Board that a recent Providence RI court ruling against the National Association of Tobacco Outlets upheld the right of communities to regulate flavored tobacco products.

The Board has requested that language be drafted regarding the regulation and/or ban of flavored tobacco products, which will be submitted at the September 10, 2014 meeting for review and inclusion in the Town's existing Regulations.

Environmental Updates

Based on the Regulations Restricting the Sale of Tobacco Products and Nicotine Delivery Products, effective July 1, 2014 through July 1, 2015, no person shall sell tobacco products or nicotine delivery products or permit tobacco products or nicotine delivery products to be sold to anyone under the age of twenty (20) or not being the recipient's parent or legal guardian, give tobacco products or nicotine delivery products to anyone under the age of twenty (20). Signage and Stickers regarding these regulations have been purchased and will be distributed to tobacco retailers in Town.

Reservoir Beach in Arlington has opened, and all semi-public pools who submitted applications have been opened. Old Colony Lane has not submitted an application to date.

The Arlington HRC (Health, Recreation, Cops) program will run from June 30th – July 2nd. The Board of Health will be sending staff to provide education regarding Lyme Disease and sun safety.

The East Arlington Mass Ave Rebuild has begun, and the Board of Health is prepared to monitor any public health complaints regarding this project, and work with food establishments regarding policies and procedures for water or power interruptions.

The Town is awaiting a final report from MassDEP regarding the most recent round of sampling at Arlington High School.

Restaurant Updates

Voluntary Closures:

- Mr. Feeney informed the Board that Sabatino's voluntarily closed on June 19th and reopened the next day.
- Mr. Feeney informed the Board that Sweet Chili voluntarily closed on June 19th and reopened the next day.

Temporary Food Permits:

- The Farmer's Market has opened and Board of Health staff have issued permits and conducted inspections.
- Board of Health staff issued temporary food permits and conducted inspections at the Greek Festival and The Feast of the East.
- Two temporary-mobile food permits have been issued since the creation of the new permit at the last meeting.

Plan Review Applications have been received for:

- Za'atar (formerly Loukoumaki Bakery)

Public Health Nurse Updates

Ms. Bongiorno informed the Board that flu clinic preparations have begun. She also informed the Board that some vaccines may have issues at manufacturing and orders have changed to obtain different vaccines this year. Additional outreach will be made to seniors regarding vaccinations this year.

Public Comment:

No public comment.

Meeting was adjourned at 6:05 pm.

Next Scheduled Meeting: September 10, 2014 (please note this is a change of date)