

**BOARD OF HEALTH MEETING MINUTES
SPECIAL MEETING
MAY 24, 2010**

Marie O'Rourke, Chair, called the Special Meeting to order at 7:00 p.m. Also in attendance were Robert Reader, Vice Chair, Fred Kenyon, Richard Berube, Director, and Joanne White, Recording Clerk. Sandra Giroux, Secretary and Dan Kane were absent.

The Board was given a copy of the current Board of Health Regulations with the revisions printed in blue.

Mrs. O'Rourke explained that the Special Meeting is being held to discuss the revisions to the Board of Health Regulations Chapters 2, 3, 4 and 5.

Mr. Berube explained this is the second update (this year). The Executive Summary explains the changes in each chapter. In Chapter 2 there is a minor change. Section 2.3.002 has been amended to clarify the requirements for employee and patron restroom facilities.

Mr. Kenyon read Section 2.3.002 item b and asked if there are any establishments that violate that regulation now. Do we have any establishments where patrons have to walk through a food preparation area before they get to the restrooms?

Mr. Berube replied not that he is aware of. However when we perform some plan reviews we felt that it was necessary to make that regulation clear. Especially when an applicant or a potential applicant submits a plan and wants to renovate the building but has limited space. The second item under Chapter 2 that is changed is the requirements for permit holders and what their responsibilities are. There is some confusion with applicants regarding the transferring of permits and the permit renewal process. So we thought we would clarify that in Section 2.8.001. Mr. Berube asked the Board Members if they had any other questions regarding Chapter 2.

Mr. Reader moved to adopt the changes to Chapter 2 Regulations as proposed.

Mr. Kenyon seconded. So voted unanimously.

Mrs. O'Rourke stated next is Chapter 3.

Mr. Berube explained that there are a number of changes in Chapter 3. The first is to repeal the regulations for Massage Therapy because the State is governing the licensure of massage therapists and massage therapy establishments so the sections for massage therapy have been deleted.

The Massachusetts Division of Professional Licensure and the Board of Registration of Massage Therapy were given authority to regulate and license massage therapists. We recodified the other sections so Section 1 is now Suntanning Salon Establishments. A few changes have been made in Section 2 Public and Semi Public Swimming Pools. We clarified the conditions for the use of pool attendants and the training requirements for pool attendants.

Mrs. O'Rourke asked are the hotels and motels in Billerica inspected every six (6) months as stated in the regulations.

Mr. Berube replied the hotels and motels are inspected at least once a year.

Mrs. O'Rourke stated but the regulations state every six (6) months.

Mr. Berube explained we inspect the food service operations, pools and the rooms so we are inspecting them often. Mr. Berube asked if the Board Members had any questions. Mr. Berube stated the last change in Chapter 3 is the Body Art Regulations. We deleted the entire Body Art Regulation and replaced it with the new regulations. The old regulations were based on model regulations suggested by the Department of Public Health. The new regulations are based upon the City of Quincy Body Art Ordinance and are far more comprehensive and detailed. During the course of licensing the second Body Art establishment in Billerica a number of questions came up and we did not have the answers for so we decided to look at other communities and the City of Quincy had the best regulations in the state.

Mr. Reader asked does the City of Quincy have any Body Art Establishments.

Mr. Berube replied they have several Body Art Establishments. They do a good job of regulating the establishments because of these comprehensive regulations. They also ensure the safety of the public.

Mr. Kenyon asked a question about the age requirements of a client for ear piercing.

Mr. Berube explained that anyone under age has to have parent with them when they want to have piercing done. Mr. Berube explained that Dan Kane could not be present tonight but he sent an e-mail regarding Section 3.3.014 where it refers to "medical doctor" in some sections and "doctor" in others. I think Dan is suggesting some language change to make the references consistent throughout the section. Mr. Berube stated that the word medical can be added to all the doctor references to make it more consistent.

Mr. Kenyon moved to repeal Chapter 3, Sections 1-9 and 12 and adopt the changes to Chapter 3 Regulations as proposed.

Mr. Reader seconded. So voted unanimously.

Mrs. O'Rourke stated the next is Chapter 4.

Mr. Berube explained that Angela Braun and I started to revise the existing regulations and then decided to delete them in its entirety. The new regulation incorporates the minimum standards required pursuant to the Attorney General's regulations on youth access and Massachusetts General Law Chapter 270, Section 6 as well as the State's Smoke-free Workplace Law. There will probably be more changes

and additional regulations that will address the new products that are emerging.

Mr. Kenyon explained that there is a Health Club at the Senior Center. They have bikes, treadmills and weights. Should the Board of Health be involved with inspections at the Senior Center?

Mrs. O'Rourke asked if the Board of Health inspects the health club at Shawsheen Tech.

Mr. Berube replied we inspect the health club along with the pool at the Shawsheen Tech. Mr. Berube asked Mr. Kenyon if there were any shower facilities at the Senior Center.

Mr. Kenyon replied there is no shower facilities there.

Mr. Berube stated that the health club at the Senior Center is not like the other health clubs in town so that is not a problem.

Mr. Reader moved to repeal Chapter 4 Regulations in its entirety and adopt the new Chapter 4 Regulations as proposed.

Mr. Kenyon seconded. So voted unanimously.

Mr. Berube stated lastly is Chapter 5, Section 5 Flood Plain Regulations. That regulation has been amended in order to ensure Billerica remains in compliance with the National Flood Insurance Program (NFIP). FEMA has revised the National Flood Insurance Maps and therefore we were required to change some of our language. The changes reference the new maps. We added some new sections at the suggestion of FEMA. Mr. Berube asked the Board Members if they had any questions on Chapter 5.

Mrs. O'Rourke asked Mr. Berube who worked on these regulations with him.

Mr. Berube stated that Angela Braun worked on Chapters 2, 3 and 4 and I worked on Chapter 5.

Mr. Kenyon moved to adopt the changes to Chapter 5 Regulations as proposed.

Mr. Reader seconded. So voted unanimously.

The Board Members complimented Angela and Rich on a job well done.

Mr. Reader made a motion to adjourn. Mr. Kenyon seconded.

The Board adjourned at 7:30 p.m.

Respectfully submitted,

Sandra Giroux
Secretary

Joanne M. White
Recording Clerk