



Board of Health

August 20, 2013 – 6:30 PM - **Minutes**
1213 Purchase Street., New Bedford, MA

****View Agenda****

A public meeting of the Board of Health was held on August 20, 2013 in the Health Department conference room, 1213 Purchase Street, New Bedford.

Present: Patricia Andrade, M.D., Chairperson
Athena Xifaras, M.D., Member (Excused)
Craig Longo, M.D., Member

Also Present: Dr. Brenda K. Weis, Director of Public Health

CALL TO ORDER

1. Dr. Andrade called the meeting to order at 6:37 p.m with herself and Dr. Craig Longo; Dr. Xifaras was excused. Dr. Andrade called for a motion to accept and place on file the minutes of the regular meeting held on June 27, 2013.

MOTION: by Dr. Longo to accept and place on file the minutes of the regular meeting held on June 27, 2013. **SECONDED:** Dr. Andrade. All in favor. **MOTION CARRIES.**

ACTION

2. 99 Hazard St., 3rd Floor, Request for Hearing Re: Minimum Housing Violation Order #28185; Robert St. Amand, 141 Chipaway Rd., East Freetown, Owner; Paul Silva, Tenant; Renee Stevens, Senior Housing Inspector (not present), Mary Freire Kellogg, Sanitarian (present).

Mary Freire Kellogg appeared before the Board and stated she was assigned to conduct a re-inspection of this property for compliance on August 12, 2013. After the initial Correction Order (CO) was issued, the property owner contacted the Health Dept to challenge some of the citations included in the Correction Order which were inaccurately cited. Mary Freire Kellogg brought the issue to the attention of Dr. Weis and the City Solicitor's Office to see if we could amend the original CO to include accurate citations, and they agreed that she could. The violations included a small area of loose wallpaper, pooling water in the basement, and a violation concerning the plate on the heating system which had already been repaired. The previous CO included a violation for mold which was referenced incorrectly, the housing code does not have a specific regulation for mold.

Mr. Robert St. Amand's wife, Janet St. Amand, spoke to the Board regarding this matter. She stated that Mr. Silva, the tenant, never contacted them prior to contacting the BOH in regards to these issues. Once they found out about these issues they sent the plumber to fix the plate on the heating system. They are in the process of an eviction and there has never been any problem in the past 15 years. Ms. St. Amand would prefer to fix these violations after the tenant has left.

The tenant, Mr. Paul Silva, then appeared before the Board and stated that prior to June 13, 2013, he went to landlord and explained that he had mold in the house. The mason that did inspection on the house was given a letter notifying the landlord about the mold and they never made an effort to check it.

MOTION: by Dr. Longo for a re inspection at 99 Hazard St. New Bedford, MA for October 14, 2013 for the correction of the two violations that we have before us today. **SECONDED:** Dr. Andrade. All in favor. **MOTION CARRIES.**

3. Coggeshall St., Request for Hearing Re: Variance for one unisex bathroom at Little Caesar's Establishment at Riverside Landing Project at Market Basket Plaza; Charles J. Fougere, Senior Project Manager, Stephen Kelleher Architects, Inc., 57 Alden Rd., Fairhaven, Michael Antaya, Senior Food and Environmental Health Inspector.

Mr. Michael Antaya appeared before the Board and stated Mr. Fougere contacted him last week to notify him they were opening a Little Caesar's restaurant at the Market Basket Plaza and was requesting a variance from the BOH to put in a unisex bathroom in the establishment. The Massachusetts Plumbing Board requires two separate bathrooms for full-service establishments. This establishment will be carry-out only with no in-house seating. The food code requires only one bathroom for employees, so the owner needs a variance from the Board so they can supersede the plumbing code.

Dr. Andrade asked why not put two bathrooms since it is new construction?

Mr. Fougere explained that their floor plan would not accommodate the extra space needed for two bathrooms and all the other Little Caesar's carry-out establishments in the U.S. have one bathroom.

MOTION: by Dr. Longo for a variance for one unisex bathroom at Little Caesar's Establishment at Riverside Landing Project at Market Basket Plaza. **SECONDED:** Dr. Andrade. All in favor. **MOTION CARRIES**

4. Discussion on Non-Smoking Signage in the City of New Bedford

Invitees: **Brenda K. Weis, Director of Public Health**
Nic Charest, Compliance Officer, Health Dept
Stephanie Harrington, Asst Project Manager, Health Dept
Kerry Mello, Southcoast Hospitals Group
Donna Querim, Southcoast Hospitals Group
Maria Evora-Rosa, MSW/Community Liaison/Policy Coordinator
Judith Coykendall, Tobacco Free Partnership

Brenda Weis spoke before the Board about the Health Dept's leading the effort to establish non-smoking signage for the city of New Bedford based on the BOH's precedent-setting tobacco regulations. The signage would go up in public spaces such as beaches, parks, playgrounds and the local zoo. Dr. Weis, Nic Charest, and Stephanie Harrington have developed an image to use on the signage and met with other city Department involved (Parks and Recreation, Zoo, DPI, etc) to discussing some ideas on signage image and locations for placement. They are presenting those ideas to the Board to get their opinion.

Nic Charest discussed how previous discussions involved the Library and Mayor's office, and took a bit of time to schedule. There is a bit of urgency now since there are individuals smoking in the front entrances of City Hall and the Library buildings. We had some "no smoking" signage given to us by the MDPH, although they did not include the "25 foot no smoking buffer zone" around the buildings so we needed to make new signage. The Board reviewed two types of images and messaging for the signage and selected the image that was adapted from the Southcoast Hospitals Group's no smoking signage since it was simple and clear. The City of NB logo and words "New Bedford Health Dept." will be added to the signs. All historical buildings will have window decals since they cannot have large signage.

DEPARTMENTAL BRIEFING

Brenda Weis discussed the MDPH's Prevention and Wellness Trust Fund grant opportunity that we are applying for with the city of Fall River. The application focuses on application of evidence-based interventions to reduce the prevalence and cost of chronic disease and related health disparities. The program team meets weekly at the Health Dept. Also, funding for the HOWS dental program has been reinstated by the City Council, and will resume and expand in the fall.

Brenda also mentioned she is working on a grant submission to the National League of Cities together with the School Dept. and the Greater NB Community Center. They have been selected as one of the top 23 cities nationally to be compete for the grant. They attended a two-day Leadership Conference in Baltimore, MD, with the other competing cities. The goal is to design a program to boost insurance enrollment and retention for children and families.

She also mentioned that the Health Dept. has taken on a few case managers for the Police Dept's HOPE Collaborative Shannon Grant. The case managers deal with youth who have committed or are prone to commit gang violence. The Mayor expanded the Health Dept. to take over the other side of the first floor where we have placed the Public Health Clinic. It is working out very well.

DEPARTMENTAL ISSUES

CORRESPONDENCE

MOTION TO ADJOURN

The next meeting of the Board of Health will be Thursday, November 14, 2013, at 6:30 p.m.

MOTION: by Dr. Andrade to adjourn the meeting. **SECONDED:** Dr. Longo. All in favor. **MOTION CARRIES.**

Dr. Andrade adjourned the meeting at 6:55 p.m.



A true record attest:

Director of Public Health