

# ***Board of Health***

**November 16, 2000 - Minutes**

**6:30 P.M. at the Water Department Conference Room, 1105 Shawmut Avenue.**

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Present:

Dr. Patricia L. Andrade, Chairperson  
Barbara A. Silva, R.N.,B.S., Member  
Victor F. Rebello, Jr.,R.Ph.,Member

1. 29 Mosher St, 2nd Floor, Rosa Marques, Owner, Kenneth Lipman, Atty., Ann Gagne, Inspector

Ann Gagne, inspector, gave the background of the case. This inspection was basically a parental request who called for a lead determination. She cited the homeowner with a order to correct. Right after this the tenant called her and told her that someone was scrapping the interior door. She went by the house and found that someone did scrape the door after her order to correct. The owner of the property ended up getting a UD (unauthorized deleading.)

Attorney Kenneth Lipman, spoke for Rosa Marques, owner. Ms. Marques was cited for lead paint early in April 2000. After that the first floor tenant Mr. Silva started doing work on the exterior door. The owner was given a notice to stop. The tenant did not do anymore work. Mr. Faria did the work for deleading and he was finished in August of 2000. Mr. Marques told Mr. Silva in the summer of 1999 to paint the first floor door. Both Ms. Marques and Mr. Silva did not try to beat the de-leading. The place cited was on the second floor. It was just an inopportune time they happen to be doing the first floor door. He would ask that the UD of October 8, 2000 be waived so the landlord could get a full compliance letter.

John Silva, 29 Mosher Street, tenant. The landlord did not know about the lead. He didn't know the second floor had been cited for lead. If he would have known he would have stopped work.

Ann Gagne: Mr. Belanger told her to tell the Board that this matter should be tabled because we don't have the right to overturn a UD letter because it comes from the State.

Dr. Andrade felt that there was no real mal-intention here and it was just poor timing. The fact, too, that there was nothing else they were attempting to de-lead. I think it is fair and reasonable to allow them to go to the next step.

MOTION by Barbara Silva to allow for an appeal for the unauthorized deleading at 29 Mosher Street.

SECONDED by Victor Rebello.

UNANIMOUSLY APPROVED.

MOTION PASSES.

3. 131 Hathaway Street, Rui Campos, Owner, Jurissa Forty, Tenant, Renee Stevens, Inspector.

Renee Stevens, Inspector, gave the background of the case. Mr. Campos is out of State. The property manager Jesse Faria is at the hearing. The tenant is not present. Seven violations were found on her initial inspection of October 10, 2000. She did a re-inspection today and out of the seven violations, one has been corrected. Apparently these tenants are under eviction. She thinks Mr. Campos is looking for time until the tenants vacate the property because he has also been cited for lead and he cannot do a lot of repairs until the lead is abated.

Jesse Faria, spoke. The tenant was given an eviction notice and she called the Board of Health. In retaliation. After she moves out he is going to make the repairs and delead the apartment.

The Board discussed the nature of the violations.

MOTION by Barbara Silva gave the owner thirty days to replace the outlet cover and the other violations to be corrected after the lead issue is addressed. The apartment is not to be rented until all violations are in compliance.

SECONDED: Victor Rebello

UNANIMOUSLY APPROVED.

MOTION PASSES.

4. Motion to Accept Minutes of October 16, 2000

Dr. Andrade asked if there were any corrections or omissions to the minutes of October 16, 2000.

Dr. Andrade noted that on those members listed as present at the meeting that the Acting Chairperson should be typed as Chairperson.

Dr. Andrade asked for any other additions or corrections.

None noted.

MOTION made by Barbara Silva to accept the minutes of October 16, 2000 as corrected.

SECONDED: Victor Rebello

UNANIMOUSLY ACCEPTED

5. Application for License to Practice Massage, Lynn Rose

Ms. Rose plans to work at St. Lukes hospital. The Board reviewed Ms. Rose's credentials.

MOTION by Victor Rebello to grant Lynn Rose a massage license.

SECONDED; by Barbara Silva

UNANIMOUSLY APPROVED.

New Business

a. Waiver of Permit Fees

A memo was received from Mr. Belanger concerning the waiving of permit/license fees. A list of those establishments and/or agencies who have had their annual food service permit fees waived in the past. This past summer, the Health Department also received two requests to waive the fees for the vendors participating in special events that were fund raisers for two different organizations. As of now there has been no protocol upon which this decision is based.

The Board discussed the issue. A policy is set for schools and non-profit organizations. The wording of any policy would have to be worded very carefully. The Board decided to make a motion that the policy is clear.

MOTION: made by Barbara Silva that we allow a waiver of permit license fee to schools and non-profit organizations.

SECONDED: Victor Rebello

UNANIMOUSLY VOTED.

All in favor.

b. Tattoo Regulations

Mr. Belanger had inserted the word "tattooing" in the body piercing regulations. Dr. Andrade felt it would streamline the regulation if instead of stating body piercing and tattooing regulations to replace "Body Art Regulations". In the definitions we need to define what body art is. NEHA guidelines on page 1, Body art is defined. The practice of physical body adornment by permitted establishments and operators utilizing body piercing and tattooing. This definition does not include branding, scarification or

practices that are considered medical procedures by a state medical board, such as implants under the skin, and shall not be performed in a body art establishment. Nor does this definition include, for the purposes of this regulation, piercing of the outer lobe of the ear using pre-sterilized single use stud and clasp ear piercing systems.

The Board can incorporate this into our regulation.

The Board reviewed the qualifications of any persons wanting a body art establishment permit and procedures.

The Board questioned where are these courses at? Mostly likely Rhode Island where they have been doing it for years. Mr. Rebello was opposed to the use of the word "technician". Dr. Andrade read the definition of technician. He would go for the word artist or operator. Operator was agreed upon.

Dr. Andrade stressed that just because the Board passes the regulation does not mean they agree with what is being done. There is no way we can control this without regulations.

A date for a public hearing needs to be established. The City is working on ordinances where these kinds of establishments can open. Tentatively scheduled for December 4 or December 11 at 7:00 the place yet to be determined.

MOTION made by Victor Rebello to adjourn the meeting

SECONDED by Barbara Silva

All approved.

A true record attest \_\_\_\_\_

Raymond A. Belanger