

**Town Of Bedford
Board of Health
March 7, 2016, 7:00 PM
Town Center, Flint Room**

Members Present:

Beatrice Brunkhorst, Tom Kinzer, Caroline Donnelly, Anita Raj (belated arrival)

Absent: Sarah Thompson

Quorum Established: Yes

Others Present:

Staff Present: Heidi Porter and Katharine Dagle

Pizza Express Representative: Laura Hatziandreou

Lane School Representatives: Jean Mickle and Keith Kinney

Proceedings:

Meeting called to order at 7:04 by Beatrice Brunkhorst, Co-Chair

BOH Meeting Minutes

Motion: Movement by Caroline Donnelly to approve meeting minutes of Feb. 1, 2016, as amended. Seconded by: Tom Kinzer. Motion approved 3:0:0

Agenda Item A: Pizza Express - Discussion re: Correction of Food Code Violations

Katherine Dagle: Bedford Health Agent, provides background information to the Board.

Next, the Board discusses the new proposal recently brought forth by Mrs. Hatziandreou.

Ms. Dagle provides background information. She explains that the BOH decision made at the February 1, 2016 BOH meeting was to approve the Pizza Express permit renewal and temporary variance request which involved: 1) the use of the existing 2-bay sink for a) food preparation and b) washing, rinsing and sanitizing of equipment. Ownership must: 1) submit a procedure for sanitizing the sink before changing from one use to the next; and, 2) ownership must submit an appropriate plan of the kitchen showing the layout of the 3 required sinks.

Ms. Dagle indicates that the goal of this meeting is to determine a new floor plan for Pizza Express that will house the necessary equipment.

Ms. Dagle explains that the procedure required by the temporary variance request was first submitted to her on February 11th, edits were made under the supervision of Ms. Dagle and the final version was submitted on February 23rd. On the 29th of February Mrs. Hatziandreou submitted two proposed floor plans.

The operators of Pizza Express are proposing two plans. The first plan is not in full compliance with the food code and would require a formal variance; the second immediately satisfies the code.

Proposal #1: Temporary code compliance: Ms. Dagle describes the plan outlined in proposal one. It includes the purchase of a new two-bay sink, which would go alongside the existing 2-bay sink, drain board, and newly purchased hand sink.

This plan would utilize two, 2-bay sinks by putting them alongside each other, essentially creating four bays (three for wash, rinse and sanitizing and one for food prep). Aligning the three sinks (a total of 5 bays) creates three required washing segments (wash, rinse, sanitize), one food prep sink and one hand wash sink.

Ms. Dagle explains that because the second two bay sink is being used for multiple purposes, proposal plan one does not fully comply with food code requirements and would require a variance.

Proposal #2: Full code compliance: Next, Ms. Dagle reviews proposal two. The second proposal requires the purchase of a new 3-bay sink. Due to the limited space in the sink area and close proximity of all sinks, a partition would be required to be placed between the 3-bay sink and the food prep sink and between the food prep sink and the hand wash sink.

Ms. Dagle recommends proposal number two. She reasons that proposal one is not guaranteed to work as planned, given the use of improper equipment, and states the goal is to reach full compliance as soon as possible. Ms. Dagle explains the site layout to the Board through a prepared document, which contains photo images of the restaurant layout.

Mrs. Hatziandreou asks permission to speak expressing the food establishment's position. Mrs. Hatziandreou confirms that the Pizza Express is willing to comply, but hopes the Board can allow more time to implement the changes so they can be beneficial to the business as well (allow for renovations and removal/purchase of equipment). Mrs. Hatziandreou continues by explaining the pros and cons associated with each proposal, as they apply to the business. A main point is the fact that the business is located inside a former house, meaning that space (sq. footage and layout), as well as configuration of equipment are main issues. Cost is another concern for the business.

Mrs. Hatziandreou explains that due to the recent change in ownership, the proposal two renovation amounts to more capital than the company can now provide. She expresses that this option will still reach full compliance, albeit over a longer time period. The requested proposal and variance would provide the time necessary to gather the necessary funds as well as implement the changes.

Mrs. Hatziandreou continues by explaining why the additional time is necessary for the most efficient satisfaction of both food code and the business needs. Cost concerns are the prohibitive issue to implementing this plan immediately. Approximated costs run \$20,000. Expenses include the removal of a current walk-in unit, purchase of a smaller fridge/freezer unit, new flooring, plumbing and funds to meet sink requirements.

Mrs. Hatziandreou describes the long-term goal of eliminating the walk-in fridge/freezer, which would result in more floor space. Ultimately, this would allow for more efficient

equipment layouts. She states that the realization of this goal would allow for full compliance as well as Increased layout efficiency for the business.

The board discusses the two alternatives.

Mrs. Donnelly questions what the downsides of option one might be. Ms. Porter responds that there is an increased opportunity for violations to occur due to not using the proper equipment. She continues, stating that increased inspection by staff to mitigate this downside is an option, although it would be more costly to the town.

The Board members ask clarifying questions concerning sink installation and code requirements. Dr. Brunkhorst inquires regarding restaurant layout. It is determined that proposal one would be able to accommodate the necessary equipment and temporarily satisfy code requirements once completed. Mrs. Donnelly wonders what the timeframe necessary for achievement of proposal two might be. Mrs. Hatziandreou responds that after deliberation with her husband, they believe a year will be a sufficient timeframe for completing this proposal.

Mr. Kinzer states that he believes proposal one to be a plausible option for the Board to entertain if it were properly outlined and the goal of full compliance were the outcome. Dr. Brunkhorst states her inclination to grant the variance.

In response to Ms. Porter's request for a timeline for proposal one implementation, Mrs. Hatziandreou states it would take approximately 10 days to purchase and receive the new 2-bay sink. The plumber is harder to schedule however, she believes the installation can be completed with partition installation within one month. Mrs. Hatziandreou indicates the next step would be to raise enough funds for the removal of the walk-in units. Funds for the purchase of new equipment and replacement of flooring would be next. The last step would include final sink configuration and installation, which would reach full compliance.

The Board stresses the importance of adhering to the selected timeframe. Mrs. Hatziandreou believes the timeframes are reasonable and agrees to provide Ms. Dagle with regular progress updates, as well as communication prior to the purchase of new equipment.

Motion: Mr. Kinzer moves that the Board keeps the issued food establishment permit in effect, ending 2-28-17, with a variance modified as follows:

A. An additional 2-bay sink shall be purchased and installed (a total of two, 2-bay sinks) with the new hand sink by 4-7-2016.

B. On the date of 2-28-17 (expiration of 2016 food establishment permit), the restaurant will be in full compliance with regulations (3-bay sink, food prep sink and hand wash sink in place). In addition, the Board will be provided with enough planning and compliance information to ensure the process is carried out according to a timeline.

Seconded by: Caroline Donnelly

Motion approved 4:0:0.

Agenda Item B: Keeping of Animals Application - Lane School 66 Sweetwater Ave. *The Lane Elementary School Chicken Coop Plan is distributed. Details of the plan are presented and discussed.*

Ms. Dagle updates the Board regarding a permit application submitted by the Lane Elementary School requesting to keep 10 chickens at the school property. The Lane Elementary School has received a grant to begin a chicken life cycle and organic fertilization program. The program will oversee chickens from egg to maturity. They plan to maintain up to 10 chickens; any roosters will be exported out of Bedford.

Assistant Principal Keith Kinney and Green Team Coordinator Jean Mickle will be in charge of oversight. The chickens will be seen at least every other day; the current goal is to see them every day. The proposed plan includes detailed standards including coop disinfection and sanitation procedures that exceed requirements. The coop is securely located behind the school and cannot be viewed from abutting properties.

The Lane School representatives are requesting a variance in regard to the composting aspect of the program. The school has developed a detailed composting plan and schedule. Mr. Kinney explains that a compost bin method will be used. The bins will be strategically located far from abutting properties and within view from Mr. Kinney's office. The resulting compost material will be utilized in the school's existing flowerbeds; it will also be distributed within the community.

Ms. Dagle recommends approval of the variance. She states that the proposed location is the farthest distance from the abutting properties. She also notes that there are many uses for the resulting compost and mentions the school's detailed composting plan and schedule.

As deliberation amongst the Board begins, Ms. Porter informs that as part of the permitting process the property owners around Lane School were notified regarding the plan. The concern was that the coop could create a potential coyote attraction. Hawks and predator birds are also mentioned as a concern by the Board.

Mr. Kinney mentions that a potential solution to deterring coyotes includes a "night watch" system, which will flash lights to scare potential predators. Shrubbery will also be planted with the knowledge that predators prefer prey to be in full view. The chicken coop will be fully enclosed, preventing predator birds from contact. It was noted that wildlife is prevalent in Bedford and it was unclear if the presence of the chickens would increase prevalence or appearance.

Safety concerns are noted regarding the proposed distribution of eggs. Ms. Porter indicates that the Food Protection Program will need to be consulted. Mr. Kinney states that the Lane School representatives will continue to research this matter as well. In response to Ms. Porter he confirms that non-distribution of eggs will not deter the purpose of the program. Mrs. Mickle states that there is time to investigate this matter since the chickens will not be able to produce eggs until at least September or October.

The Board chooses to make the motion without allowance of egg distribution. Ms. Raj states that the permit will have the ability to be modified regarding distribution of eggs in the future, after more information is obtained.

Motion: Anita Raj moves for permit approval of 66 Sweetwater Ave. to keep 10 chickens per the March 7th proposal with the requested composting variance, with no allowance of egg distribution.

Seconded by: Caroline Donnelly

Motion approved 4:0:0.

Nominations: Inspectors of Animals

Nominations are motioned.

Ms. Porter requests that the nominations for the inspectors of animals be made official with a motion. Caroline Donnelly makes the motion.

Motion: Caroline Donnelly moves that in accordance with Massachusetts's General Laws, Chapter 129, Section 15, the Bedford Board of Health nominate the three following town employees as the Inspectors of Animals for the year ending April 30, 2017. Mike Leskowski, Inspector of Animals Bedford Police Department. Katharine Dagle, Public Health Agent under the Bedford Board of Health and Heidi Porter, Director of Public Health.

Seconded by: Anita Raj

Motion approved 4:0:0.

Agenda Item C: Keeping of Animals Regulation - Review of Draft Revision

Ms. Porter distributes "Minimum Standards for the Keeping of Animals" Packet.

Ms. Porter indicates that no major changes have been made since the last review but definitions have been enhanced and wording has been streamlined.

Adjustments are noted and discussed among the Board.

Ms. Porter will request that the Regulation be forwarded to Town Council for final review and comment before the Board takes a final vote.

Agenda Item D: *Board of Health- Old and New Business*

The next Board of Health meeting will occur April 4, 2016. Further meeting dates include: May 2, and June 6, 2016. Meetings for July and August will be determined at a later date.

*Issue is raised regarding a potential animal-hoarding situation. The concern involves a trailer and office full of homing pigeons located behind a local business: Invisible Touch Body Shop. This matter will be further investigated.

Agenda Item E: *Director's Report*

Ms. Porter reviews the Director's Report.

Ms. Porter attended a Tick Task Force meeting. Discussion included the hosting of a forum to inform the public regarding the status of tick-borne illness and emerging diseases in our area.

Ms. Porter also reports on the MA Department of Transportation public hearing concerning the Safe Routes to School project. She relays that a light will be installed at Great Road and Mudge Way, connecting through Jenks trail to the Middle School with a crosswalk to be installed from the library to the playground across the street. The trail will be made ADA compliant.

Ms. Porter assisted Ms. Dagle in an inspection of the animals outside Concord Field Station. This was done on behalf of the Department of Agriculture and an inspection will be conducted annually.

Ms. Porter has made revisions to the Keeping of Animals Regulation. Citizen inquiries regarding the regulation were addressed. During the last School Wellness Council meeting, it was decided that a newsletter would be established. The BOH will provide an article regarding tick bite prevention.

Ms. Porter has been awarded a scholarship to attend the 2016 Preparedness, Emergency Response and Recovery Consortium and Exposition in Orlando at the end of March. She is hoping her participation in this consortium will provide insight to address the recent concerns regarding emergency preparedness and volunteer management in Bedford.

An article was submitted to the Bedford Byline by Ms. Porter concerning the AEDs managed by the BOH.

The report also notes that:

- The Finance committee has approved the FY17 BOH budget.
- Biosafety IBC meetings have been scheduled at Beryllium and Joule.
- Dr. David Geller of Patriot Pediatrics has agreed to serve as the BOH physician for the purpose of purchasing vaccine and signing standing orders.
- Application reminders have been sent for Contingency Plan and Biosafety permit renewals (Due by March 31st).
- Ms. Porter has been invited to weigh in on the Department of Public Health's swimming pool regulations.
- Ms. Porter submitted an application for a Department of Public Health summer intern. The intern would obtain Bedford specific data on opioid addiction, medical responses, and treatment referrals. The findings of the research will be the basis for a community forum.

Motion: Movement made by Caroline Donnelly for adjournment made at 10:28.

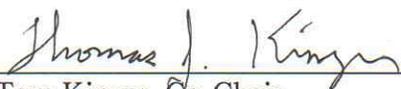
Anita Raj Seconds

Motion approved 4:0:0

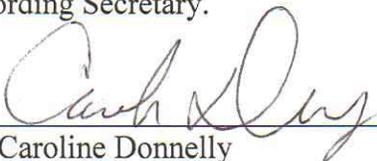
Minutes submitted by Michelle Racette, Recording Secretary.



Bea Brunkhorst, Co-Chair



Tom Kinzer, Co-Chair



Caroline Donnelly

Anita Raj

Sarah Thompson