



# Town of Barnstable

## Board of Health

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### BOARD OF HEALTH MEETING MINUTES

**Tuesday, March 10, 2015 at 3:00 PM**  
**Town Hall, Hearing Room, 2<sup>ND</sup> Floor**  
**367 Main Street, Hyannis, MA**

A regularly scheduled and duly posted meeting of the Barnstable Board of Health was held on Tuesday, March 10, 2015. The meeting was called to order at 3:00 pm by Chairman Wayne Miller, M.D. Also attending were Board Members Paul J. Canniff, D.M.D and Junichi Sawayanagi. Thomas McKean, Director of Public Health, and Sharon Crocker, Administrative Assistant, were also present.

#### **I. Hearing – Fee Schedule:**

Proposed revisions to Chapter 318 Fee Schedule - establish a monthly inspection fee – inspections ordered by the Board of Health at public hearings.

The Health Division proposed two new fees. First, a fee of \$100 is proposed for a return inspection – necessary within one to three months after there is a failed inspection. Second, a fee is proposed with the following conditions: 1) an establishment fails two or more inspections, and 2) the Board of Health orders monthly inspections – the fee of \$500 will cover up to three monthly inspections, plus \$100 for each additional monthly inspection required beyond three.

Upon a motion duly made by Dr. Canniff, seconded by Mr. Sawayanagi, the Board voted to adopt the Revised Fee Schedule Revised 3/4/15 (Unanimously voted in favor.)

#### **II. Show Cause Hearing: Food Code Violations:**

Bhom Banta, International Inn Bar and Grill - 662 Main Street, Hyannis recurrence of food violations (both critical and non-critical) during inspections on August 26, 2014 and February 12, 2015.

Mr. Bhom Banta and Mr. John Evi were present.

Health Inspector Marybeth McKenzie read the critical violations on two inspection reports: 4 critical violations on 8/26/14 and 9 critical violations on 2/12/15.

John Evi, Vice President, said that the restaurant hours are 7am-10am for breakfast. Then the diner reopens for dinner from 5pm-10pm. John Evi said that the staff was short-handed on 2/12/15 due to a snow storm.

Mr. Banta wanted to acknowledge that they are responsible for their inspection violations. They did correct them all immediately and upon the inspector's return 2/13/15, there were no violations.

Upon a motion duly made by Dr. Canniff, seconded by Mr. Sawayanagi, the Board voted to grant the International Inn to continue operations with the following conditions: 1) They must come before the Board of Health at the August 18, 2015 meeting for a follow-up, 2) There will be three unannounced food inspections prior to August 18, 2015, and 3) If there is another failed food inspection prior to August 18<sup>th</sup>, the facility must come back to the Board at the next meeting following the food inspection. (Unanimously, voted in favor.)

**III. Sewer Connection – Stewart Creek:**

Janis Gold representing Mary Grace Tavares, owner – 61 and 67 Betty's Pond Road, Map and Parcel 290-088 and 290-089, Hyannis, financial hardship to connect to sewer.

Janis Gold representing Mary Tavares, owner, who is 85 yrs old and has financial hardship. Mary Travares lives in one unit and her brother lives in the other. Bortolotti did an estimate of \$7,500 per unit and the estimate did not include the cost of work on the electrical board work for the grinder pumps needed.

Mr. McKean said the staff did not have an issue with waiting until it transfers ownership and Mr. McKean suggested wording be recorded on the deeds. Dr. Canniff suggested we make sure it is not owned in a trust.

Upon a motion duly made by Dr. Miller, seconded by Mr. Sawayanagi, the Board voted to treat each of the properties separately and granted a deferment of five years from sewer hook-up for each property until the ownership of property is transferred with the following conditions: 1) if the property has not transferred ownership within five years, they will return to the Board, and 2) if the septic system fails, the property must hook up to town sewer. (Unanimously, voted in favor.)

**IV. I/A Monitoring Plan (Test Results):**

Winston Steadman, representing Oyster Harbors Club – 170 Grand Island Drive, Osterville, results of I/A Monitoring results.

Postponed until April 14, 2015 meeting as Mr. Steadman was not able to attend.

**V. Food Guide:**

Proposed changes to list of foods acceptable without a grease trap variance.

Mr. McKean reviewed the staff comments for the Board. The grilled hot dogs were proposed over the steamed hot dogs as the water they are steamed in goes down

the drain and into the sewer system. Grilled hot dogs generally have the grease end up on the bun or the paper plate.

Sandwiches with mayonnaise used only as a condiment (as in a ham and cheese with mayonnaise on the bread) would be allowed. Sandwiches in which the filling was made with mayonnaise (as in chicken salad or tuna salad) would not be included on the list.

Upon a motion duly made by Dr. Canniff, seconded by Mr. Sawayanagi, the Board voted to adopt the changes in the "List of Foods Acceptable Without a Grease Trap Variance". (Unanimously, voted in favor.)

**VI. Old / New Business:**

A. Approval of the Minutes: February 2015.

Upon a motion duly made by Dr. Canniff, seconded by Mr. Sawayanagi, the Board voted to approve the minutes for the February 10, 2015 Board meeting with the added notation (Item IV. B. Board inquired into the cost of operating the IA system). (Unanimously, voted in favor.)

B. Draft – Body Artist Permit: Variance from Code Requirement to take a College Accredited Course in Anatomy and Physiology – Variance Guide.

Board showed support for the draft. (See Attachment#1). This item will be moved to the April 14, 2015 meeting for a vote. The body art establishments in town will be notified of the meeting.

**BODY ARTIST PERMIT VARIANCE GUIDE****CRITERIA FOR OBTAINING A VARIANCE FROM CODE  
REQUIREMENT TO TAKE A COLLEGE ACCREDITED COURSE IN  
ANATOMY AND PHYSIOLOGY FOR TATTOOING ONLY**

- I. Only one variance may be granted for each fully licensed, full-time tattoo artist at one time.
- II. If applicant has no tattoo experience, he/she should be trained for 18 months.
  - A. Trainee shall acquire the following before applying to the Board of Health for a variance from the Anatomy and Physiology Course:
    1. Start series of Hepatitis B shots. (Three shots are required to be completed within a six (6) month period.)
    2. CPR Class (to be done in person)
    3. Blood-borne Pathogens course (can be taken on-line)
    4. Tattoo Artist Skin Course (Quincy BOH)
  - B. For the first six (6) months of training, the trainee shall:
    1. Draw, color and shade tattoo stencils. Learn how to make stencils.
    2. Practice lettering.
    3. Observe other licensed artists in the following manner:
      - a. Set up of machines, needles and inks.
      - b. Break down of machines, needles and inks.
      - c. Proper techniques of needle depth and speed for shading, coloring and outlining a tattoo.
      - d. Proper disposal of contaminated gloves, needles, tubes, inks and work surfaces.
      - e. Proper training for the prevention of cross-contamination of all the above.
      - f. Proper instruction of aftercare of tattoo with client.

During this time, apprentice shall observe and ask questions. After six (6) months, the trainee's skills shall be reviewed by the owner.

If the owner feels confident, then the trainee will begin the tattoo process.

- C. For the first three (3) months of the tattoo process:
  1. The trainee will tattoo only selected customers.
  2. These customers will be told, in advance, that they are being tattooed by a trainee and will sign a waiver.
  3. No tattoo shall be done without a licensed artist observing.
- D. After the first three (3) months of tattooing (item C above):

1. The trainee will, again, be reviewed.
2. If tattoo work is acceptable, the trainee shall be allowed to tattoo regular clientele provided:
  - a) The clientele knows up front that they are being tattooed by a trainee.
  - b) All tattoos done by a trainee are to be checked by owner/licensed artist.
  - c) The trainee should perform a minimum of one tattoo/week for a minimum of one year.
  - d) A licensed body artist shall be on premises at all times the trainee is tattooing.

III. Criteria for Reduction in Training Period:

If applicant has tattoo experience, he/she may be trained for a shorter period of time but with a minimum of one year. The time frame will depend upon the artist's skill level and tattoo portfolio\*

\*The Board of Health may request to see a tattoo done physically in front of a Board of Health member, or someone they have appointed, to ensure that the portfolio presented by the trainee actually belongs to said trainee (and they haven't simply printed one out from the internet, etc.) The tattoo should reflect the artist's skill level.

1. A minimum of one year should be standard for an experienced but unlicensed tattoo artist. The tattoo shop owner must check artist's understanding of:
  - a) cross-contamination,
  - b) blood borne pathogens, and
  - c) related tattoo skills.
  - d) A licensed body artist shall be on premises at all times trainee is tattooing.
2. A tattoo experienced applicant may start at the 3-month or the 6-month training level depending on skill level.
  - a) the trainee should perform a minimum of one tattoo/week for a minimum of one year.

IV. Cosmetic Tattoos:

It is understood that an applicant for cosmetic tattoos may not have the opportunity to complete one cosmetic (fixing scars, etc..) tattoo a week as the demand appears less at this time. The Board will review each cosmetic tattoo trainee applicant individually.