

City of Somerville  
Board of Health Meeting  
February 23, 2006

Present: Brian Green, M.D., Chairman  
Babette Mello, Board Member  
Maria Luisa Parra, Board Member  
Noreen Burke, Director  
Kathy Henkle, Administrative Assistant  
Brian Almeida, Owner – Mongo Tattoos  
Jason Zube, Co-Owner – The Painted Bird  
D.J. Wilson, Tobacco Control Director - Mass Municipal Association  
Cesar Pungirum, Tobacco Control Director

Dr Green called the meeting to order at 5:00 p.m.

Introductions were made for all who attended this meeting.

**Accept Minutes** – January 19, 2006

Upon review of the January 19, 2006 Board Minutes, Ms Mello made a motion to accept the minutes as presented. Dr. Green seconded the minutes. Minutes accepted 2-0.

**Body Art Working Group Discussion and Update:**

The Director Ms.Burke read part of the Law Departments opinion as to whether the Board may amend the so-called Body Art Rules and Regulations so as to allow apprenticeships but limit the number of apprenticeships or otherwise establish a quota, i.e. limit the number of apprentices one body art practitioner may supervise and train at one time. The Law Department opinion stated, “ so long as the Board of Health seeks to achieve a reasonable public purpose it may limit the number of apprentices that may be supervised and trained by one licensed practitioner”. The Director also spoke with Mr. Vaughan Senior Sanitary Inspector. Based on his experience and our lack of capacity he suggested that the Apprenticeship Program should limit each establishment to one apprentice at a time. He also favored the longer 2400-hour apprentice training which Cambridge adheres too, rather than the 1700 hours in 18 months period followed by Quincy. The Director and Jason Zube also met as part of the Body Art Working Group. They discussed a couple of issues that are important to clarify before developing an apprenticeship process for Body Art businesses in Somerville. One concerns the length of experience required of the body art practitioner who oversees the apprentice. How much experience should such a practitioner have? . The Cambridge Regulations call for supervising practitioners to have at least 3 years experience. Jason Zube recommends that the Somerville Regulations require 4 years experience. Jason also recommended that 2 apprentices be allowed in each establishment. Another recommendation to have the licensed practitioners pictures attached on their licenses. The Health Dept is in the process of purchasing a laminating machine for this purpose. The Director met with

Stephanie Almeida. Ms. Almeida recommended creating a quota for apprenticeship program attached to the practitioner not the establishment. Much discussion ensued about all these issues. The Board members came up with the following criteria to add a limited apprenticeship process to the current Body Art Regulations. Subject to final legal approval the following was accepted and approved:

1. No more than 2 apprenticeships in any shop/location
2. No more than 6 total in the City of Somerville, until we revisit the issue
3. Body Art Practitioner who supervise apprentices should be professionally licensed for 4 years and can show evidence of full time experience during that time
4. The length of the apprenticeship process will be 2 years or 2400 hours of training

Dr. Brian Green made a motion on the above recommendations. Babette Mello seconded the motion.

### **Tobacco Control Updates:**

Mr. Pungirum, Program Director, provided updates on two issues. First, he reminded the board of the issue involving Good Time Emporium. Without consulting the health department, Good Time had built two smoking rooms in 2004, contrary to the intent of the board of health regulation and impending state law. Good Time exploited a flaw in the definition of the word “enclosed” contained in both laws, and built the rooms with walls that don’t meet the ceiling—leaving an approximate 10-inch gap all around—in order to bypass the smoking ban. Good Time was notified in January/06 that the rooms didn’t meet criteria for outdoor smoking contained in state regulations passed last year and therefore needed to be smokefree. Good Time’s attorney, Richard DiGirolamo, called Mr. Pungirum’s office to request an extension of time before his client complied with the laws. Mr. Pungirum asked that the request be sent in writing, but explained that the board lacked the authority to deviate from the state laws. Subsequently, Mr. Pungirum mailed attorney DiGirolamo and his client information he’d received from the state on the matter, confirming the board’s lack of authority to grant a variance or extension on the matter. A written request was never received from Mr. DiGirolamo. Next step would be to inspect Good Time and issue a fine if it’s found in violation. To be in compliance, all Good Time needs to do is to put up a “no smoking” sign and prohibit smoking in the room.

Noreen also mentioned the political context involving the redevelopment of Assembly Square. She explained that the Mayor and this administration want to make Somerville a business-friendly city and would like us to find a way to work this out. D. J. Wilson, attorney with the Mass. Municipal Association, added that the new state regulations were passed last year specifically to deal with situations such as the one involving Good Time. Dr. Green agreed that an inspection would be a reasonable step to take. The second issue brought to the Board was the proposed changes to Youth Access Regulations. Mr. Pungirum explained that some of the changes are necessary to ensure compliance with the state law. Others are necessary to make enforcement more effective and efficient. Cesar presented an overview of the proposed changes. Motion was made by Dr. Green to go over the proposed changes and vote on them at the next regular scheduled meeting. Babette Mello seconded it.

### **Director’s Updates:**

**Mutual Aid Agreement:**

Noreen discussed the Mutual aid Agreement which allows other Health Departments from Region 4B communities to come to our aid during a major crisis or emergency event and vice-versa. Dr. Green proposed that we endorse the concept of mutual although some details still need to be worked out. One concern is that we have mutual aid with Medford as well. The members think that overall mutual aid is a strategy that is very good for Somerville Public Health. Ms.Parra seconded Dr.Green's motion

**NIMS/ICS Training:**

The Director gave an overview of the NIMS/ICS Training to the Board. Dr. Green has already signed up and wants to be in compliances. We would like all health department employees to be in compliance by September 2006.

**Farewell To Dr. Osler:**

The Board of Alderman gave Dr Osler a citation on February 16, 2006. Friends, family, co-workers were there to give him thanks for all the years he served on the Board.

**Coffee Hour:**

We would like to do a meet and greet before a board meeting to have the board meet the staff at the health dept. Also we would like to invite Dr. Osler to come so staff can wish him well.

**Planning Issues:**

Noreen continues to meet with Eileen on planning issues.

City Web Page

We continue to work with limited resources to update our web page.

A Motion was made by Dr. Brian Green to adjourn meeting 2<sup>nd</sup> by Babette Mello.

Meeting adjourned at 6:50 pm.

The next Board of Health meeting will be held on March 16, 2006 @ 5:00 pm

Respectfully Submitted:

Kathy Henkle  
Administrative Assistant  
Health Department