



Town of Westwood
Commonwealth of Massachusetts
BOARD OF HEALTH

Public Health
Prevent. Promote. Protect.

Jared Orsini, REHS/RS, Health Director
Jason Belmonte, Food Inspector/Sanitarian
Lorraine Donovan, Administrative Assistant
Tiffany McCarthy, R.N., B.S.N., Public Health Nurse

James M. O'Sullivan, J.D, Chairperson
Carol Ahearn, R.N., B.S.N
Roger L. Christian, M.D.

Minutes of the Westwood Board of Health meeting held on January 14, 2020

The meeting began at 5:10PM and was held at the Carby Street Municipal Office Building, 50 Carby Street, Westwood.

Members Present: Jim O'Sullivan, JD, Chairperson
Carol Ahearn, R.N., B.S.N
Roger Christian, M.D.

Staff Present: Jared Orsini, REHS/RS, Health Director
Jason Belmonte, Food Inspector/Sanitarian
Lorraine Donovan, Administrative Assistant

Others Present: Susan Langford, Manager, Courtyard Boston/Dedham/Westwood
Clint DeLee, Schulte Hospitality Group
Hasan Samrout, Route One Shell
Bill Bruce, Regional Mgr., Global Montello (Alltown Mobil)
Kiernan O'Donovan, Territory Mgr., Global Montello

Approval of Minutes: December 17, 2019

Dr. Christian moved to approve the minutes, Ms. Ahearn seconded, approved 3-0-0.

Public Hearing-Vote to revise the Westwood Board of Health Tobacco Regulation entitled "Regulation Restricting the Sale of Tobacco Products" and "Regulation Prohibiting Smoking In Workplaces and Public Places":

Mr. Orsini updates the Board on the proposed revisions to the Tobacco Regulations. Proposed policies in the draft regulation are:

Prohibit smoking bars in Westwood and lower the cap on retail tobacco permits from 10 to 4 permits.

Mr. O'Sullivan makes a motion to approve these 2 revisions to the regulations, Ms. Ahearn seconded, approved 3-0-0.

Mr. Orsini will place a legal ad in the paper and notify the current permit holders. These regulations will take effect after the legal ad has run for 2 weeks.

Public Hearing –Sale of Tobacco to an Individual less than 21 years of age Alltown Mobil, 710 High Street:

Elliot Brown, Tobacco Control Consultant, conducted compliance checks with 2 underage Youth Inspectors on December 14, 2019. A sale of tobacco to an individual under 21 years of age was made by a clerk at Alltown Mobil. This is the first sale in more than 2 years; therefore it is considered a first offense. Westwood's Tobacco Regulation states that the punishment is a \$300 violation and 7 day suspension of the permit to sell tobacco. Mr. Bill Bruce, a representative from Global Montello (corporate owner of Alltown Mobil) is here tonight to explain how the sale of tobacco was made. The cashier asked for an ID from the Youth Inspector and he said he did not have one. There is evidence that the cashier over-rode the cash register's automated system that asks for a date of birth and entered one for someone older, therefore, making the sale of tobacco possible. The employee was fired and Mr. Bruce would like the Board to understand that Global Montello takes this issue very seriously.

After Board discussion, Mr. O'Sullivan makes a motion to the suspend the tobacco permit held by Alltown Mobil for 7 days, Ms. Ahearn seconded, approved 3-0-0. The date of the 7 business day suspension to sell tobacco will be discussed between Mr. Orsini and the corporate office. Once decided, Mr. Orsini will send written instructions on what will need to be done to conceal tobacco products from view.

Public Hearing-Sale of Tobacco To an individual less than 21 years of age-Route One Shell, ~~75 Providence Highway~~, 394 Providence Highway:

Mr. Samrout is here to represent Route One Shell. He comments that Route One Shell is not located at 75 Providence Hwy. There was an error on the agenda, however, all documents including the compliance report from Elliot Brown note the correct address as 394 Providence Hwy. Ms. Orsini has the report from Elliot Brown, Tobacco Control Consultant, stating that the Youth Inspector purchased a package of cigarettes on December 14, 2019. This is the first sale in more than 2 years; therefore it is considered a first offense. Westwood's Tobacco Regulation states that the punishment is a \$300 violation and 7 day suspension of the permit to sell tobacco. Mr. Samrout apologizes to the Board for the sale of tobacco products to a person under the legal age and he asks the Board if they can reconsider the 7 day suspension. After Board discussion, Mr. O'Sullivan makes a motion to enforce the fine and 7 day suspension, Ms. Ahearn seconded, approved 3-0-0. The date of the 7 business day suspension to sell tobacco will be discussed between Mr. Orsini and Mr. Samrout. Once decided, Mr. Orsini will send written instructions on what will need to be done to conceal tobacco products from view.

Request from Shulte Hospitality (Courtyard Boston/Dedham/Westwood, 64 University Ave.) for the Board of Health to determine that Lifeguards not be required at the Swimming Pool pursuant to 105 CMR 435.23 (1). Representatives from Shulte Hospitality Group will attend:

The Courtyard by Marriott hotel has been acquired by new owners, Shulte Hospitality Group. The pool has been closed since December for repairs.

Ms. Langford and Mr. DeLee are here tonight to request that lifeguards not be required at the indoor pool at the hotel. Lifeguards were not required by the previous owners at this location and they would like the Board to allow them to have the same conditions that they allowed TMI Hospitality on July 11, 2017.

Those conditions are as follows:

- Provide insurance to indemnify the Town of Westwood from any liability;
- The swimming pool and spa will only be available to registered guests with key card entry privileges;
- The pool will not be available to the public, or rented or leased to private entities for birthday parties, swimming lessons, or fitness programs or any other programs; and,
- Provide the required signage in compliance with 105 CMR 435.23 (2).
- Agree to conduct property walks of the pool every 15 minutes

Mr. Orsini explains to the Board that he would prefer they have cameras installed in the pool area, rather than a walk-thru every 15 minutes. This camera would be monitored by a front desk employee. It is not possible to see the pool from the registration desk and Mr. Orsini believes cameras are more effective in monitoring the pool activity.

Ms. Langford explains the hotel does not use cameras, due to liability concerns. Mr. DeLee explains they are not liable for any damages, including in the pool area. Mr. O'Sullivan has concerns that staff will actually check the pool every 15 minutes. Ms. Langford stresses to the Board that she will ensure that staff check the pool every 15 minutes and she will have a timer system in place to ensure this. The pool is only open 6:00am-11:00pm and the pool locks on a digital system, which will ensure it cannot be used off hours.

Mr. Orsini reminds Ms. Langford that the pool water needs to be tested 4 times per day and he would also like the Board to require the daily pool walk-in logs be sent to the Health Dept. monthly.

Mr. O'Sullivan makes a motion stating the Board has made a determination that lifeguards are not required at the Courtyard Boston/Dedham/Westwood pool, 64 University Ave., and they must comply with the same conditions previously provided to TMI Hospitality. They must also send monthly pool walk-in and chemical logs, Dr. Christian seconded, approved 3-0-0.

Public Health Nurse Report:

A copy of the PHN report is in the meeting packet. Flu vaccine is still available to be administered by Ms. McCarthy during office hours.

Health Director Report:

Mr. Orsini updates the Board on the 70 Walker Road irrigation well issue. Mr. Orsini & Pat Ahearn, Town Counsel went to court on January 7, 2020 to resolve the outstanding violations that were issued to the homeowner last year. Between May and June 2019, 4 tickets were issued. The total came to \$900. At the hearing, 2 of the 4 tickets were dismissed. The homeowner agreed to pay the \$100 and \$200 tickets he was first issued and the (2) \$300 tickets were dismissed. He also apologized for the delay in doing the work to decommission the well.

The Rabies Clinic was held here a Carby Street on Saturday, January 11th. We have not heard the exact number of dogs and cats vaccinated. The Town Clerk's office was also present to license dogs at the clinic.

Meeting adjourned 5:45PM