

Board Members

John "Jack" Mill III

Khalid Abdi

Katherine Tonelli

Leanne Harris

Caryn Smith

Derek Kwok, Health Director

Justin Tucker, Night Board Secretary



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TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

BOARD OF HEALTH

MINUTES

Date/Time of Meeting: Monday, February 6th 2023**Location of Meeting:** Via ZOOM

Committee Members Roll Call Jack Mill ☒ Khalid Abdi ☒ Katherine Tonelli ☐ Leanne Harris ☒
and in Attendance: Caryn Smith ☒

Visitors Present: Greg Rucki, (Property Developer of Sterling Cir.)
 Dan Merrikan (Legacy Engineering)
 Andrew Salmon (Salmon at Medway)

Town Employees Present: Derek Kwok, Justin Tucker**Call to Order:** 5:30pm**Minutes Review:** Minute review for January 9th meeting TABLED until next meeting.**Agenda Item 1:**

Willows

Lifeguard Waiver Request

Mr. Salmon addressed the board about applying for a waiver of having a mandatory lifeguard. He stated that the semi-private pool is 4-feet deep and is only open for members who pay for access as part of their lease. Their group classes are always staffed. There is a sign stating that there is no lifeguard on duty and to swim at your own risk. They don't have much pool activity at night at all. Having a lifeguard on duty would change things for their members. Mr. Kwok stated that the concern is the Open 24/7 sign. Mr. Salmon stated that the sign is in place for the early risers. The building is staffed on site 24/7 with nurses and 7am-5pm with fitness instructors. The front desk is staffed 8am-8pm. Mr. Kwok asked about the camera at the pool and if it is possible for the feed to go to the front desk, maintenance, and nurses' office. Mr. Salmon stated that this is possible. Mr. Abdi asked about the visiting hours, which are 24/7, and Mr. Salmon informed that the outside doors were locked at 8pm. The entire building is fobbed at 8pm. This means that the residents in assisted living cannot enter spaces they don't have access to, like the pool. Ms. Smith asked about the pool area lights, and Mr. Salmon responded that they are always on and do not turn off. Mr. Salmon stated that the overnight hours are for the independent living residents who are paying to have access to the amenities. The advertising for the facility is for the residents to have access 24/7. Mr. Kwok stated that he does support the Board waiving the mandatory lifeguard, but the 24/7 access does scare him. Mr. Salmon suggested they could have the overnight staff pinged by the alert system if someone enters the pool area during overnight hours as a way of monitoring the area through the video feed. Ms. Harris reiterated her concern about the overnight hours being a dangerous time for the pool to be open. Mr. Salmon informed the Board that the residents all signed a waiver for them and guests, he understands the concern, but would rather utilize the alert system in place that would ping the overnight staff that the pool is in use. Ms. Harris expressed that she is more comfortable if the alert system is in place along with the waiver signed by residents.

A motion to approve the variance on the condition they get the monitoring system in place. and if not, the pool will be open from 7am-8pm is made by Mr. Mills, seconded by Ms. Harris; approved by all.

Agenda Item 2: Mr. Kwok gave some background on the situation. The Board approved the plans for an irrigation well about a year ago. The previous health director tried to get the construction manager, Larry Rucki, to attend meetings and change the location of the well, and no one showed. Since being hired, Mr. Kwok found that William Wallace had put the well where they were not supposed to. Mr. Kwok has now been dealing with Larry's brother, Mr. Greg Rucki, and communication has been much better. Mr. Merrikan, Project Manager commented that it wasn't clear if the regulations applied to this situation. The confusion was with the distance the well had to be from a private way. Mr. Merrikan commented that it wasn't clear how to measure the setback with no layout line. Mr. Merrikan proposed the new plan, but there were several utilities in the way. As a result, they decided to put the well in the original location from the original approved plan. It is an irrigation well only. Mr. Rucki and Mr. Kwok discussed ways to mitigate any kind of contamination from the well in the current location. Mr. Rucki wanted to put barriers up around the well to protect it and take measures to redirect water. Mr. Kwok stated that these issues should have been presented a year ago. Mr. Kwok stated the rationale from the Board of Health for wanting the well 25-feet from a private way is about run off and vehicle damage to the well. The curb and installation of bollards would help with these issues. Mr. Kwok stated that the bollards should be 5 feet away from the wellhead.
Ms. Harris made a motion to approve a variance of 25 feet with (2) bollards and curb, seconded by Mr. Mill; approved by all.

Agenda Item 3: Mr. Kwok stated that this well needs further evaluation by conservation. Item is tabled until Conservation's evaluation.
2 Franklin Creek Ln.
Irrigation Well

Agenda Item 4: Mr. Kwok stated that this address has been approved by Conservation. Conservation wanted a slurry pit added, so Mr. Kwok suggested making it part of the Board's approval.
6 Franklin Creek Ln.
Irrigation Well
Mr. Mill motioned to approve on the condition of the addition of a slurry pit, seconded by Ms. Smith; approved by all.

Agenda Item 5: Mr. Kwok stated that this address has been approved by Conservation. Conservation wanted a slurry pit added, so Mr. Kwok suggested making it part of the Board's approval.
14 Franklin St.
Irrigation Well
Mr. Mill motioned to approve on the condition of the addition of a slurry pit, seconded by Ms. Smith; approved by all.

Agenda Item 5: Mr. Kwok stated that this is a difficult site. They are using an elgen as an alternative system. Mr. Kwok said the plan looked good. Mr. Kwok stated there needs to still be some signatures added to Form 11.
235 Main Street
Title 5 Upgrade
Mr. Mill motioned to approve with the additions to Form 11, seconded by Ms. Smith; approved by all.

Agenda Item 6: Mr. Kwok stated that this is a difficult site. They are using an elgen, an alternative system. Mr. Kwok said the plan looked good. Mr. Kwok stated there needs to still be some signatures added to Form 11.
235 Main St.
Title V Upgrade
Mr. Mill motioned to approve with the additions to Form 11, seconded by Ms. Smith; approved by all.

Agenda Item 7:
YamaFuji
Updated Sushi
HAACP Plan
- Variance

Mr. Kwok inspected Yama Fuji in December. He had issues with the original HAACP plan. Yama Fuji has made edits to the plan, which Mr. Kwok is now satisfied with. The variance is centered around monitoring the sushi rice, which needs to be left out and temperature controlled. Adjustments to the HAACP have been made to monitor this process.

A motion to approve the variance was made by Ms. Harris, seconded by Mr. Mill; approved by all.

Agenda Item 8:
Body Art Practitioner Permit
Allie Vincent-Schults

Mr. Kwok has issued this permit and is asking for a ratification from the Board.

A motion to ratify the approval is made by Mr. Mill and seconded by Ms. Smith; approved by all.

Agenda Item 9:
Body Art Practitioner Permit
Inga Urbonaite

Mr. Kwok has issued this permit and is asking for a ratification from the Board.

A motion to ratify the approval is made by Mr. Mill and seconded by Ms. Smith; approved by all.

Agenda Item 10:
Bodywork
Establishment Permit
Jing Health Spa

Mr. Kwok defined “Bodywork” as not considered “massage” and is under separate regulations. Documentation was reviewed by Mr. Kwok who recommended approval.

A motion to approve was made by Mr. Mill, seconded by Mr. Abdi; approved by all.

Agenda Item 11:
Bodywork Practitioner
Permit
Jing Li

Mr. Kwok defined “Bodywork” as not considered “massage” and is under separate regulations. Documentation was reviewed by Mr. Kwok who recommended approval.

A motion to approve was made by Mr. Mill, seconded by Mr. Abdi; approved by all.

Agenda Item 12:
Bodywork Practitioner
Permit
Gunha Dong

Mr. Kwok defined “Bodywork” as not considered “massage” and is under separate regulations. Documentation was reviewed by Mr. Kwok who recommended approval.

A motion to approve was made by Mr. Mill, seconded by Mr. Abdi; approved by all.

Agenda Item 13:
Bodywork
Establishment Permit
Seven Body Works

Documentation was reviewed by Mr. Kwok who recommended approval.

A motion to approve made by Ms. Smith, seconded by Ms. Harris; approved by all.

Agenda Item 14:
Bodywork
Practitioner Permit
Jing Ping Wang

Documentation was reviewed by Mr. Kwok who recommended approval.

A motion to approve made by Ms. Smith, seconded by Ms. Harris; approved by all.

Agenda Item 15:
Medway Nutrition
New Ownership
- Ratification

Mr. Kwok informed the Board that the new ownership has filled out a plan review application and permit application for the Town. It is the same as before, but permits don't transfer. Mr. Kwok approved the permit.

A motion to ratify the approval was made by Mr. Mill, seconded by Mr. Abdi; approved by all.

Agenda Item 16:
Animal Regulations

Mr. Kwok stated that there was a note under household pet that if there is any question as to what qualifies as a household pet, it will go in front of the Board. The Board discusses various questions and clarifications regarding the regulations and the language within them. Any questions and further clarification will be brought to the attention of Conservation.

A motion to send the draft with corrections and clarifications to the Agricultural Committee for review, seconded by Ms. Smith; approved by all.

- Discussions:** 1. Tobacco Regulation Changes - The regulation changes were discussed. Mr. Kwok stated that he will update the current regulations regarding the suggestions made by MHOA. On Thursday (2/2/2023), a facility sold tobacco to a minor. They have a fine from the state and a permit suspension. Mr. Kwok would like to put this issue on the next agenda to determine a time frame of suspension. Mr. Kwok stated that he would like to give a first offense penalty of a 3-day permit suspension on top of the \$1,000 fine from the state. The second and third offense penalties can be discussed at the next meeting.

**Committee Member
Roll Call to Complete
Meeting:**

Jack Mill ☒ Khalid Abdi ☒ Katherine Tonelli ☐ Leanne Harris ☒
Caryn Smith ☒

Next Meeting Date:

Adjourn:

Respectfully submitted by