



## CITY OF GARDNER

OFFICE OF THE  
BOARD OF HEALTH ROOM 29, CITY HALL  
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To: Jennifer A. Susen-Roy, BA. - Health Director  
Dr. John Mulqueen, Chairperson  
Susan Avallone, Member  
Atty. Geoffrey Tobia, Member

Minutes for Board of Health meeting held on Monday, January 7, 2019

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- 5:05 Meeting called to order.
- 5:08 Minutes from September 24, 2018 and October 29th meetings, reviewed, and both are signed. Minutes from December 3, 2018 meeting reviewed, discussed, and needs revision.
- 5:10 Old Business: Tattoo Apprenticeship: Jennifer states that about 1 week ago Eugene Guerra and Kevin McDermott came in to drop off a packet which contained regulations from several other communities. Jennifer did do some research about what Cambridge has done, and she did talk to Steve in Fitchburg.

Jennifer also wants to bring to the Board's attention an issue with one tattoo artists from Main St. Tattoo. He did not renew his license by the November 6<sup>th</sup> deadline, was mailed a *Cease and Desist* letter in December, she tried to reach him by phone twice in December. She called again on December 31<sup>st</sup> and she left a message that he needed to be in by 1:00 pm to renew. When he called back he was unhappy and threatening. He hung up on her when she told him to bring in his paperwork that day with the late fee. He then came to the office, adamant that he didn't have to pay the late fee because his license was good until Dec 31<sup>st</sup>. They had a lengthy discussion and Jennifer clarified the situation with him about when renewal forms were due, he did pay for his license and late fee. Every year several of the artists working there are mailed *Cease and Desist* letters.

Jennifer states that when Eugene Guerra from Main St. Tattoo came in with the packet of regulations from other communities, she again explained to him about what would be required with developing an apprenticeship program, that we don't have a public health nurse, and that ultimately it would be the Board's decision, but also involving other officials in the city to see if there are funds available for a program.

Susan states she is concerned that Eugene has said again and again that Kevin may do it "under the table".

Jennifer states that Cambridge Public Health Commission has over 17 people plus a public health nurse so they have the ability to oversee a program. Susan states that Fitchburg doesn't have an apprenticeship program. Jennifer replies that Steve in Fitchburg says they have put something in their regulations that people can start working under a licensed person, like Gardner did with the variance, but they do not have a full apprenticeship program. Susan states that she is concerned about how many people are doing it illegally out of their homes. John states that the information Eugene brought has nothing about an apprenticeship programs. They didn't provide what was asked for, the information Eugene provided highlights a practitioner's training and experience, this

does not explain how to run a program. It just says that training for all practitioners shall be approved by the Board and lists the minimum requirements.

Geoff states he does not understand why it is so disconnected, you would think that there would be something in place for an official apprenticeship program. That maybe you could get the background foundation work done and then serve out the rest of your apprenticeship where you want, rather than having to work for the duration out of one location. Geoff goes on to say that with only 3 cities in the Commonwealth that have apprenticeship programs, then you have to work in one of those 3 cities in order to become licensed does not make sense. He states that maybe the State should have more oversight and there should be a place where they can get foundational training at one of those few locations and then they can branch out under the supervision of a local practitioner. Susan asks about how nail techs are licensed, Jennifer states that with hair dressers and nail techs it is under the State, but the State reverts everything to the local on tattooing.

John reiterates that the paperwork that they were given is not what the board asked for, it's just other city's regulations about running a tattoo establishment. John asks if the Board thinks that Eugene and Kevin understand or if the Board is ready to vote.

A motion was made by Susan to not pursue an apprenticeship program for tattoo and body artists at this time, the motion was seconded by Geoff. John calls for a vote and the Board votes unanimously that they will not pursue an apprenticeship program at this time.

**5:32 New Business: Waste Management had reported 90+ overstaffs Saturday, lots of phone calls all day today due to that. Jennifer states that with the 2 holidays there was a lot of confusion, even though it's on their calendars, on social media, The Gardner News, and the City Hall web page.**

Jennifer is writing the annual report for the Mayor and City Council, and she will make sure that the Board gets a copy of the report.

She will be starting all the DEP reports for the Transfer Station, landfill and curbside pickup, which tells them the tonnage of everything so that we can renew the licenses to run our small scale Transfer Station.

Jennifer held the recycling coordinators meeting at the Police Station. Unfortunately the cost of recycling is increasing, and the amount of contaminated recycling is increasing along with cost of contaminated recycling. Jennifer met with Andrew Mansfield and did an article for The Gardner News to bring attention to the public again. If people are not more diligent in disposing of recyclables then we will have to increase the rates. This has brought more attention to social media as well as the office.

John asks if the fees from Waste Management will go up in 2020 when the contract renews, Jennifer states it has already started, that the fees for contaminated waste started with last month's bill. She explains that we had to do an amendment to the contract, we made Waste Management give us a new fee schedule, which had to go through the City Solicitor, the Mayor, the Procurement Officer and herself, to be able to bill us for the contaminated recycling.

Susan asks if the rates for curbside are going to have to go up now. Jennifer tells them that at this point the rates do not have to go up. If people cannot recycle correctly and we

keep getting the bills that we are getting, then eventually she would have to go to City Council and Finance to increase the rates. Jennifer informed the public with the Mayors support that the rates are going to increase if people can't follow instructions. John asks when the rates might go up, Jennifer states 2020.

The office is working on doing as much education as we can, that Friday morning she spent some time walking around lifting up lids and stickering contaminated totes so that we don't get the contaminated charge on the tonnage. She will be applying for a grant with DEP to pay for someone to come out and walk around doing door-to-door education and stickering totes so that contaminated items do not get disposed of.

Susan asks if they do any education in the schools, Jennifer states that they do a lot on recycling in the schools, we provide all the totes through the Life Skills program which supply the schools more recycling opportunities..

Lauren is busy with housing. John asks what remedy is there when there is a multifamily with an infestation of bedbugs. Jennifer states that we go in and do the inspection, we verify that there are bedbugs, with a black light that can be seen in the seams of the mattresses, or by seeing blood stains on the mattress or sheets. Landlords are then ordered to bring in a pest control company. Susan asks if they do every apartment at in a building the time, Jennifer states it's like with cockroaches, they are supposed to do above, below and adjacent. They have to notify tenants, but people have to let them in.

Susan asks why there is an increase, Jennifer responds that it could be multiple issues: awareness, economy, in and out of apartments, split homes; which also happens with lice a lot. John asks how we are notified, Jennifer responds that tenants call, typically it's when they have been given a 14-day notice to quit, and they've had bedbugs for some time but they now haven't paid their rent so they've been given a notice to vacate the apartment so they figure that if they call and report bedbugs then they can stay. Jennifer also states that about 98% of the housing calls are because they have been living the way they are living with broken this, non-working this, but suddenly they've stopped paying rent for a while and the landlord gives them a 14-day to quit and then they call us and the report all these violations, we have to go in, it holds up the eviction process. Tenants and squatters have rights.

John asks if a tenant is late paying rent, being evicted, calls to report bed bugs, they get more time? Jennifer states that is retaliation, and technically they can't, but we still have to do the inspection. It may give them more time once reviewed in court.

John asks if bedbugs are a reason that you can't be evicted, Jennifer clarifies that it depends what the judge says. Basically the code is minimum standards, the dwelling has to be in compliance with the minimum standards of human habitation for the state of Massachusetts, and so it can slow it down.

Jennifer is scheduling an EDS Drill at Waterford St School soon and will get the Board the information as soon as the date is set.

Jennifer states that Sanctuary opened up for medicinal marijuana sales. Susan states that they have applied for an adult only license, but nothing has been approved yet. The Fire Department came and made them move the propane tank.

Jennifer states that there is a draft for a host agreement for a cultivation site on Mill St on the old S. Bent property. There is also someone coming in from Colorado that wants to

**put one in at the Summit Industrial Park off Rt. 140, but there haven't been any meetings yet.**

**Jennifer states that all businesses licensed by the Board of Health have now been issued their licenses. The only one who has not re-opened is Crown Fried Chicken, they have not re-opened since the water main break in November.**

**5:45 Set next meeting for February 25, 2019, at 5pm, adjourn.**

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**Dr. John Mulqueen MD, Chairperson**

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**Susan Avallone, Member**

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**Atty. Geoffrey Tobia, Member**

**All conversations are documented on recording identified as B.O.H January 7, 2019.**