

MEETING NOTES OF THE GENERAL MEETING

OF THE PEABODY BOARD OF HEALTH

Thursday, November 21, 2024

Peabody City Hall, Lower Level Conference Room

In Attendance: Chairperson Thomas J. Durkin III; Members Anthony Carli and Julia Fleet, D.O.; and Health Department Director Sharon Cameron.

At 4:31 pm Mr. Durkin opened the meeting, read the hearing notice and welcomed everyone.

HEARINGS

Subject: Hearings re: Application for Permit to Perform Body Tattooing submitted by Michael Christie and Application to operate a body tattoo establishment at 474 Lowell Street. Votes anticipated to grant or deny permits.

Mr. Durkin opened the hearing at 4:32 pm, read the hearing notice, and invited Mr. Christie to come forward and tell the board what his plans were. Mr. Christie said he plans to take over a studio in Peabody, Golden Cat. He read from a prepared statement explaining that he has opened two other studios, about his high standards for cleanliness and customer service, and his aim to work closely with the community. Ms. Cameron asked Mr. Christie to tell his procedures used to prevent contamination. He replied that his staff are all CPR certified, first aid and blood borne pathogen trained, and everyone is required to take a skin course on anatomy and physiology. He said they use antiseptic techniques, use all disposable products, coverings, plastic trays, and they wear gloves. Ms. Cameron asked if they will have two artists in addition to him at the shop. He explained that he lives in Wyndham NH and will split his time between there and here but will have two of his best people in Peabody full time there as well.

Ms. Cameron asked if he plans to have apprentices train there. He replied yes, he will have one to two there. Ms. Cameron explained that apprentices would have to get permitted by the BOH as well. She added that the region is creating a set of new regulations to create consistency across the region in how we address these applications, and while we have not adopted them yet, she anticipates that they will be adopting those in the near future and said he would be subject to them so she wanted him to be aware. Mr. Christie said he understands and said these two artists and potentially an apprentice will have to come to be permitted by the city as well. Ms. Cameron said that is correct. Ms. Cameron said the apprentices can be processed internally. They will fill out the same application but they wouldn't need to come before the board until they were ready to be fully licensed, but the two artists would need to come get permitted by the board. She asked what sort of training he provides to his artists about what conditions a client may have that would make them not a good candidate for a tattoo. Mr. Christie replied that of course they will never perform a tattoo on anyone under the influence. Otherwise if something is triggered during their completion of the consent form, like if a person notes they have diabetes, it will cause them to discuss whether the person is a good fit for a tattoo. Ms. Cameron said she also wanted to know if they have any written procedures in place for their staff. He replied yes and that he can supply that paperwork. Ms. Cameron asked if he has ever been the subject of any disciplinary action in any other jurisdictions where he has been licensed. He replied absolutely not. Ms. Cameron asked where he stood in the inspection of his space. He replied that it has not been inspected as he is taking over and the existing tattoo studio is already in operation. Ms. Cameron explained that if the board decides to take action on his application tonight then the decision would be pending a favorable outcome of the required inspection. Ms. Cameron said his bloodborne pathogen training looks like it will be expiring in December and asked if he plans to be renewing that. He replied absolutely, he and his staff take it annually.

Mr. Durkin asked if anyone online has any questions or comments in regard to these applications. No responses were received. Mr. Durkin closed the hearing at 4:44 pm.

Mr. Carli made a **motion** to approve the permit to perform body tattooing and to approve the permit to operate a body tattoo establishment pending the positive outcome of an inspection. Dr. Fleet seconded the motions. A vote was taken and it was unanimously agreed to approve the permits pending the positive outcome of an inspection.

Subject: 4Hearing re: Application for Permit to Perform Body Tattooing submitted by Manuel Pinales; Vote anticipated to grant or deny permit.

At 4:46 Mr. Durkin opened the hearing, read the hearing notice and welcomed Mr. Pinales who appeared via Zoom. Mr. Durkin asked Mr. Pinales to tell the board about himself and his plans. Mr. Pinales explained that he has been tattooing professionally since 2013 and got his first license in NY City where he learned to tattoo. He said his plan is to work at 4 Lake Street in Peabody. Mr. Durkin asked where he is working right now. He said he had been working at Boston Tattoo company in Somerville for five years and left to work at Lake Street. Ms. Cameron asked Mr. Pinales to tell his procedures to prevent cross contamination, and Mr. Pinales replied that he washes and gloves up, disinfects the area using cavicide or madacide, he covers his steel trays in barrier film and a dental bib and that is his surface to work from. He said he uses Vaseline or Aquaphor for smaller tattoos, and for larger tattoos he will use cocoa butter and shea butter products. He explained the types of inks he uses. He said all of his needles are single use. He said he does use standard needle bars but most of the needles he uses are cartridges and are fully disposable. Ms. Cameron asked what medical conditions would preclude him from tattooing someone. Mr. Pinales replied that he wouldn't tattoo someone who was pregnant, or under the influence, and in some cases he just gets a bad vibe about someone and will not do it. He said he has done tattoos on people with diabetes and who are on blood thinners and explains that those conditions can impact how the tattoo heals. Ms. Cameron asked if he planned to take on any apprentices. Mr. Pinales replied no. Ms. Cameron asked if he had ever been the subject of any disciplinary action in any other jurisdiction where he had been licensed. Mr. Pinales replied that he has not.

Mr. Durkin asked how often and how long he will be at Lake Street. Mr. Pinales said right now he does not have a lot of clients, partly because of the economy. Because it is slow he is only working by appointment. Mr. Durkin asked if anyone present or on Zoom wished to be heard on this matter to use the raise hand feature. No responses were received. Mr. Durkin closed the hearing at 4:56 pm.

Mr. Carli made a motion to approve the permit for Mr. Pinales to perform Body Tattooing at Lake Street. Dr. Fleet seconded the motion. A vote was taken and it was unanimously agreed to approve the permit.

Subject: Hearing re: Application for Permit to Perform Body Tattooing submitted by Sean Maribito. Vote anticipated to grant or deny permit.

Mr. Durkin opened the hearing at 4:56, read the hearing notice, and invited Mr. Maribito who was in attendance via zoom to tell the board what his plans were. Mr. Maribito said he is originally from Peabody but has worked in Lynn, Tewksbury and Salem for about 2½ years each and hopes to work in Peabody next. He said he is on his seventh year tattooing. His plan is to work at Lake Street Tattoo. Ms. Cameron asked about his procedures to prevent cross contamination. Mr. Maribito said he first washes hands, put on gloves, disinfects the area, explained his procedures. Ms. Cameron asked how he prevents contamination of ink. Mr. Maribito

described how he pours ink out of plastic wrapped bottles into ink cups to prevent cross contamination. He said he uses all one time use disposable products. Ms. Cameron asked if anyone had ever returned to him with an infection after a tattoo. Mr. Maribito said he had not and said all of the steps they use prevent that. Ms. Cameron asked if he had ever had any disciplinary action taken against him in any of the other locations where he has been licensed. Mr. Maribito said he had not. Mr. Durkin asked if he would also work other places. Mr. Maribito said no, Lake St Tattoo will be his new home five days a week. Ms. Cameron noted that Mr. Maribito's blood-borne pathogen course expired in January and asked if he has scheduled to renew that. Mr. Maribito said he usually does that in the month before it is due to expire so he will be doing that soon. Mr. Durkin asked if anyone present or on zoom wished to speak on this matter. No responses were received. Mr. Durkin closed the hearing at 5:02 pm.

Mr. Carli made a motion to approve the permit for Mr. Maribito to perform Body Tattooing at Lake Street. Dr. Fleet seconded the motion. A vote was taken and it was unanimously agreed to approve the permit.

Subject: Hearing re: Application for Permit to Perform Body Tattooing submitted by Courtney Langton. Vote anticipated to grant or deny permit.

Mr. Durkin opened the hearing at 5:03 pm, read the hearing notice, and invited Ms. Langton who was in attendance via zoom to tell the board what her plans were. Ms. Langton explained that she has been practicing for a year and six months. She said she had apprenticed in Lynn and had been apprenticing here for about a year now and was here to move up to a full tattoo artist. Ms. Cameron asked her to tell about the types of procedures she had performed as an apprentice and with what level of independence. Ms. Langton replied that she had been tattooing on fake silicone skin for a while, then tattooed on human skin with someone watching her to ensure that she was doing things correctly. She also did cleaning and observed others doing tattoos. Ms. Cameron asked what conditions would make her not willing to perform a tattoo on someone. Ms. Langton replied that she will not tattoo anyone who is pregnant and will ask if anyone is on blood thinners and may or may not tattoo them but may ask them to avoid taking their blood thinner on the day of the tattoo. She added that she will not tattoo anyone who has an open wound or rash. Ms. Cameron asked her if she uses single use products. Ms. Langton said everything she uses is single use except for the machine itself which she wipes down with madicide. Ms. Cameron noted that the blood borne pathogen certification she had submitted had expired. Ms. Langton said she has retaken it and must have sent the wrong one and apologized. Mr. Durkin asked about aftercare. Ms. Langton said she sends home clients with a printout of after-care instructions and tells them not to touch or scratch the area, tells them not to use scented soaps, and recommends dial gold, and unscented lotions, and said to not put hands in a lotion container but to use a pump. She said she also warns about contact with pets because that is a big way to get infections. Ms. Cameron asked if the Board approves the permit to condition it on getting verification of the completion of the blood borne pathogen course. Mr. Durkin closed the public hearing at 5:10 pm.

Mr. Carli made a motion to approve the permit to perform body tattooing submitted by Courtney Langton pending the submission of documentation of completion of the blood borne pathogens course. Dr. Fleet seconded the motion. A vote was taken and it was unanimously agreed to approve the permit pending submission of the required documentation.

Subject: Hearing re: Application for Permit to Perform Body Tattooing submitted by Bijaya Gurung. Vote anticipated to grant or deny permit.

Mr. Durkin opened the hearing at 5:10, read the hearing notice, and asked if Mr. Gurung was on the Zoom call. After a short delay Mr. Gurung was able to connect and Mr. Durkin asked him to tell the board about himself and what his plans were. Mr. Gurung explained that he is originally from Nepal and came here about ten years ago, and did his apprenticeship in 2019. He was working at Boston Tattoo Company's Medford location for five years and decided to move closer to his house in Peabody and found this spot at 4 Lake Street full time, four days a week, 10-12 hours a day. He explained that there is a half wall separating the stations, each station has a sink, everyone has their own space.

Ms. Cameron asked him to tell the procedures he uses to prevent cross contamination. Mr. Gurung replied that he washes hands first, puts on fresh gloves, wipes his station down before he starts, wraps everything in sterile plastic covers, and uses all single use disposable materials. He is careful not to touch anything with his clean hand. Ms. Cameron asked if he had anyone return to him with an infection. Mr. Gurung replied no. She asked what she would do if someone did. Mr. Gurung said he would recommend that they reach out to their primary care doctor. Ms. Cameron asked if he anticipates taking on any apprentices. He replied no. She noted that the blood borne pathogens certification has expired. He said he is sure he has a more recent one and will send it.

Dr. Fleet noted that Mr. Gurung was the second person from this studio who mentioned the clean hand -dirty hand procedure and explained that in her training as a medical professional she has learned that that is not effective. She said we are all not the best at multi-tasking and this can easily lead to an issue of cross contamination, and said she strongly encourages that he instead use universal precautions and if for some reason he must touch something that he deglove and re-glove. Mr. Gurung said he understands and will do that. Ms. Cameron said that can be a discussion when the inspector goes out to the shop.

Mr. Durkin asked if anyone on the call wishes to speak on this matter. No responses were received. Mr. Gurung said he would upload the documents as soon as he was off the call. Mr. Durkin closed the hearing at 5:24 pm.

Mr. Carli made a motion to approve the permit to perform body tattooing for Bijaya Gurung pending his submission of certification of completion of a blood borne pathogens course. Dr. Fleet seconded the motion. A vote was taken and it was unanimously agreed to approve the permit pending receipt of the required documents.

Subject: Hearing re: Application for a variance from the federal food code to allow acidified rice at From Brazil restaurant at 72 Walnut Street. Vote anticipated to grant or deny variance.

Mr. Durkin opened the hearing at 5:25 pm, read the hearing notice, and invited the applicant, owner Felipe Ladeira, to come forward. He said he would first like to hear from the Inspector Yale. Inspector Yale said that at a routine inspection it was discovered that the establishment was serving sushi, and sushi rice is acidified and kept at room temperature and therefore requires a variance from the food code. During that inspection they discussed the requirements and the applicant subsequently stopped making it. The applicant Felipe is here to apply for the variance, and he has a HACCP plan in place. Mr. Ladeira explained that when John went to do the inspection they were in process of buying new equipment and had made sushi to try it out, and stopped once John explained the requirements. He said he learned that he needed to be careful and follow the recipe for acidification. He said they are a Brazilian restaurant and are all you can eat, and many Brazilian restaurants are serving sushi now so we are going to try it as well.

Ms. Cameron asked who is going to be trained. He has hired a sushi chef from Maki Sushi in Peabody. Felipe is trained already, but he will be working closely with the sushi chef in the beginning. Ms. Cameron asked if the sushi chef is going to be the only one preparing the rice, and Felipe confirmed that. Ms. Cameron said he has presented some logs showing the pH testing of the rice, and said she imagines the sushi chef will be doing the pH testing, but asked who will be responsible for doing the logs on the walk in refrigerator and in charge of the fish deliveries. Mr. Ladeira replied that it will be either the sushi chef or the manager who will sign when they receive it. Ms. Cameron said in the procedures it says any rice not used will be discarded, and asked who will be in charge of making sure it is discarded. Mr. Ladeira replied that they have decided to do small batches for now, and when business starts to pick up they are going to do a bigger quantity, but for now we expect to have nothing left from a batch - we simply prepare it on demand. It will be the sushi chef who discards it. Ms. Cameron asked about the monitoring of the temperature requirement and timing for the fish. Mr. Ladeira replied that they are planning to only use yellowfish tuna and salmon but if they decide to go further into different species he will get certification of the fish being free of parasites. They have a temperature control on the walk in refrigerator and monitor it. He also bought a display refrigerator not for the front of the house but for him to use while he is preparing the fish so he can keep the fish refrigerated as he is preparing it. Inspector Yale said there is concern about the temperature of the sushi if it is out there for over four hours. Mr. Ladeira replied that it would not be out that long as it goes very quickly. Mr. Yale said he would like that added to his logs, the length of time on the buffet. He added that the inspector will verify that at inspection.

Mr. Durkin asked if anyone present or on Zoom wished to speak on this matter. No responses were received. Mr. Durkin closed the hearing at 5:34 pm.

Mr. Carli made a motion to grant the variance from the federal food code requirements to allow From Brazil at 72 Walnut St for acidified rice. Dr. Fleet seconded the motion. A vote was taken and it was unanimously agreed to grant the variance.

Ms. Cameron informed the Board that this will be Inspector Yale's last meeting as he is retiring after 20 years with the Peabody Health Dept. Mr. Durkin said John had been terrific, and had been at almost every meeting. Dr. Fleet and Mr. Carli offer congratulations as well. Ms. Cameron said that not only was John incredibly knowledgeable but he has such a wonderful rapport with the businesses and really supports their compliance efforts, and the feedback she gets back from the businesses is that they really feel like they have a partner in him and that he supports them to make them successful. He is going to be incredibly missed. Mr. Yale said he will miss it a lot, has a lot of great stories over 20 years, and it was a special place to work. Mr. Durkin said he made the Board's job much easier. The Board wished him well and Inspector Yale thanked them. Ms. Cameron explained that Inspector Suckney will be stepping more into John's role and has been doing some shadowing with John for a few months. Inspector Yale said Randy is a restaurant guy from way back and will do a good job.

Mr. Carli excused himself from the meeting.

BUSINESS

Approval of September Meeting Minutes: Ms. Cameron explained that the October Meeting Minutes were not ready since it was a very long meeting and she told Ms. Greene to have them for the December meeting, so they only have September to approve. Mr. Durkin said that was fine.

Dr. Fleet made a motion to approve the minutes from the September 26th meeting. Mr. Durkin waived the need for a second and called a vote, and both he and Dr. Fleet agreed to approve and accept the September 26th minutes.

Update on Community Water Fluoridation: Ms. Cameron said she had a couple of inquiries following a recent court ruling directing the EPA to further study water fluoridation, and some residents inquired if this would change the recommendation from the Board to fluoridate the city's water. She said she had researched the recommendations from the CDC, the EPA and the American Dental Association, and they have not modified their recommendations and continue to recommend fluoridation of drinking water. She also reached out to the state health department and they continue to recommend fluoridation. Dr. Fleet asked if the current level is at 0.7 ppm, and Ms. Cameron replied yes. Dr. Fleet said she agrees with the recommendation to continue fluoridation at that level. Mr. Durkin said the practice of the Board has been to rely on the data, rely on the experts, and be open to opposing views, and he is not inclined to change the practice given the information available. Dr. Fleet agreed, and said the review showed a concern at much higher levels. Mr. Durkin said to have people who are concerned to submit an e-mail. He said they are willing to listen. He said they rely on experts and data and the anecdotal stories are concerning to him in that they can shape public opinion but said we will continue on the path we are on.

Tobacco Control Update:

Ms. Cameron reminded the Board that they had decided to table any forward motion on the nicotine free generation regulation in lieu of working with the retail tobacco community on a voluntary compliance program. She said she has drafted a letter that she would like to send to the retailers to invite representatives to attend a meeting so we can formalize an agreement on what a voluntary program would look like. The letter is still under review of the legal department so it has not yet been sent, so more to come on that. Mr. Durkin said the only thing he would like to know is the length of time before they have another review of the matter. Dr. Fleet said she would like to see what type of participation they get from the retailers and what feedback they get about the voluntary program, and then determine what makes sense as a next step. Mr. Durkin said he could agree to a year. Dr. Fleet agreed. Ms. Cameron said once she has heard back from city solicitor she would let them know. Mr. Durkin said he received two e-mails, one in favor and one against enacting the NFG regulations. Ms. Cameron asked if he would forward those to her as she has been keeping a log of all comments. Mr. Durkin said he would do that.

Code enforcement: Housing

Ms. Cameron reported that the elevator issue at Tannery 2 is resolved. The 20 Truman Rd. case is a difficult ongoing case that has been in court once and will be going back into court the week after next. The tenant is very unhappy about how we have handled the case. Mr. Durkin said it is rare to have these issues in this area. Ms. Cameron said the person was placed by the Danvers housing authority into a unit that isn't a legal unit. Mr. Durkin noted that it is an R1 zone.

We continue to have issues with 1 Newbury Street, the emergency shelter, regarding pests and recurring issues with hot water. They are under an active order and we have also engaged the state's office of housing and livable communities so they are involved as well. We are monitoring this closely. Management has been working with us but they don't have a real handle on it yet.

Nuisances: Ms. Cameron said this is an ongoing issue, we will continue to ticket. **Waste:** complaints about early pickup by trash haulers continue.

Permitting Updates: Ms. Cameron explained that they are in the process of transitioning to their electronic permitting system. Administrative Assistant Kim Reis is really doing a fantastic job with it and we now have modules active for food, pools, trash trucks, manufactured housing and some others - 5-6 modules are now active. People are starting to use the system and we are finetuning some small glitches, but it will be a good thing in the long run.

Surveillance Report: Mr. Durkin asked if there was anything of concern in the surveillance report. Ms. Cameron said there was not.

Social Services Report: Ms. Cameron reported that the division of social services is now fully staffed. In addition to having a Division Director they have hired two case coordinators, one of whom speaks five languages, as well as a social worker, and they received approval from the Mayor to establish another position that is funded through the remaining contract tracing grant from the state. That person will be a regional asset to the 7 North Shore communities and will be providing peer support groups around issues like bereavement, substance abuse, anxiety and depression, etc. depending upon what the needs are in the communities so we are really happy to be able to add that position on. Three of the staff started and the second day on the job we had the big fire in a six unit building affecting 20 families, 35-40 individuals, a lot of people who are not primary English speakers, so there are a lot of needs. Our social services team jumped in helping with housing applications, coordinating clothing donations and washing the clothing that wasn't clean, arranging for furniture donations, arranging for vehicles to help pick up mattresses, as well as filing applications with state and local agencies for housing, food assistance, and cash benefits. She noted that there were a lot of really tangible needs that needed to be met and it was wonderful that we now have that resource because those needs have always been there and in the past there wasn't a real coordinated way to address them but now we have them and everyone just jumped in and did what needed to be done. They are all new staff but are not new to the field so they know the resources and the people to call.

Correspondence: Mr. Durkin noted that they had received a letter from DEP, and there was a new schedule for meetings which looks good. Dr. Fleet agreed.

Mr. Durkin asked if there was anything else. Ms. Cameron said that was all.
Mr. Durkin adjourned the meeting at 5:52 pm.

Next meeting date: December 19, 2024

Meeting notes respectfully submitted by
Lisa Greene, Clerk to the Board of Health