

# **KINGSTON BOARD OF HEALTH MEETING MINUTES APRIL 27, 2009**

The Meeting of the Kingston Board of Health was called to order by : Chairman, Bill Watson, In attendance were: Vice-Chairman, Dan Sapir, Jack Breen, Joe Casna, Bill Kavol.

Absent: Health Agent, Henny Walters.

**7:00** Meeting called to order by Chairman, Bill Watson

## **Re-Organization**

Motion: Jack Breen to nominate Joe Casna for Chairman

Second: Bill Kavol

Vote 5-0-0, unanimous

Motion: Jack Breen to nominate Bill Kavol for Vice-Chairman

Second: Dan Sapir

Vote 5-0-0, unanimous

Bill Watson turned the pager over to the new Chairman, Joe Casna.

## **Departmental Bills Reviewed**

## **Correspondence Reviewed**

## **Review Minutes of April 13, 2009**

Motion: Dan Sapir to accept Minutes of April 13th , as presented

Second: Bill Watson

Vote 5-0-0, unanimous

Old/New Business

Chairman, Bill Watson and Secretary Linda Randall sat in on a conference call today from Department of Public Health pertaining to the Swine Flu. To date there are no cases in Massachusetts. Jack Breen brought up the issue of defibrillators again. A former member of a Kingston Health Club has been calling Jack Breen about a law relating to having defibrillators in health clubs. The Health Agent explained the issue to this person and told him she has researched the matter, and explained to him it is not the jurisdiction of the Board of Health. The Board of Health does not license Health Clubs. After the Health Agent explained that to him he started calling Mr. Breen about this problem. The Health Agent contacted the Department of Public Health for answers to the questions from the last Board of Health Meeting. She obtained 5 pages of information on the subject which was placed in the correspondence for tonight's meeting for the Board Members to read. If any facility has a defibrillator someone in that facility has to be trained to use these defibrillators. Jack Breen stated that it is a law that every Health Club has to have one. Dan Sapir said he would like to see the proper information on the issue.

Motion: Dan Sapir to take a 10 minute recess and have the secretary and Jack Breen go downstairs and get on the computer to find the information that he is referring to.

Second: Bill Watson

7:27

Vote 5-0-0, unanimous

7:55

Joe Casna, Chairman brought the Board back into order.

Discussion on defibrillators continued, what was found on the web site is very vague, and it is not the jurisdiction of the Board of Health. Dan Sapir wanted to know how many Health Clubs are in Kingston?

Motion: Jack Breen to give this back to Henny and have her research the law and what facilities it applies to in Kingston find out what the jurisdiction is, and call State Representative, Tom Calter.

Second: Dan Sapir

Discussion: Jack Breen said clearly there is at least one facility in town that is not in compliance with the State Law. Joe Casna asked what facility is this guy going to now? Jack said Anytime Fitness, Joe Casna said they are not in compliance either, Jack said yes they are. Jack said he is surprised the guy that complained is not at the meeting tonight, he told Jack he was coming to meeting tonight. Jack said Anytime Fitness has a direct line to the Kingston Fire Department who has signed on with this. If for any reason you go in there and have any problem you have some form of electronic connection to first aid and if that is in compliance fine. I'm simply saying that if we have one or more clubs that are non-compliant, we as a Board of Health at least should find out where the jurisdiction is if at all, if there is no jurisdiction let this guy call the Representative of the State House because we can't do anything about it. Dan Sapir would like to make a friendly amendment, I think we should graciously invite him in to share his information with us at the next meeting. Joe Casna asked what was the motion? Have her find out if we have facilities that are in non-compliance and have her find out whose jurisdiction this is? Bill Watson said if it is not our jurisdiction, do you want her to continue to look into it, or do you want her to stop at that point and hand over our information to the jurisdiction? Dan Sapir said there is no question to me, Anytime Fitness, even as presented, is not in compliance. Bill Watson said they still have to have a defibrillator on the premises. Dan Sapir said and you have to have someone to operate this defibrillator 24 hours a day. Dan Sapir said you can't say I'm exempt from the law because I don't have any employees. Dan Sapir would like to invite this man into the next Board of Health Meeting. Jack Breen doesn't think that has any basis or is appropriate at all. Dan Sapir said what do you mean, it is absolutely appropriate. Jack said we know we have 1 or 2 facilities in town. Dan said maybe the guy has something to share with us, invite him in. Dan said I am merely saying invite him, he doesn't have to show up. Joe Casna said there is no reason not to ask him to come in. Dan said just call him and let him know we would like him to come in, we don't have to get you involved Jack. Joe Casna is that an amendment to the motion? Dan said, no I will withdraw the amendment, I am requesting that he come in. Dan said do we know who he is? Jack said I will be happy to call him to come in but what are we going to get from him that we don't already know? Jack said he is going to tell us that we have a health code that is non-compliance. Dan said, Jack I don't know what he is going to say, I just don't know, that is why I think he should come in. Jack said, do you agree that we have 1 or 2 clubs in non-compliance yes or no? Dan said I don't know, I cannot form a conclusion yet, I don't know if it has been determined, I don't know if it has been appealed, I just don't know. That little paragraph you just gave us doesn't give us all the answers. Dan said, we are directing through your motion which I seconded, we are directing Henny to bring together and wrap up more conclusive evidence to this whole thing. Dan said I think it would be a good thing if the guy was here, then we are not constantly going back and forth, he brought it to your attention, we are only inviting him in. Jack said he is going to call me tomorrow and I will be sure to invite him in. Dan said I will withdraw the motion. Bill Kavol said have Linda or Henny call Calter's Office and see if that is a law. Dan said, what is the definition of a health club? Joe Casna said he will call the question.

Vote 5-0-0, unanimous

Dan said have Henny call Fire Chief again and see if they have any kind of warning devices or signals going off in the Fire Station regarding Anytime Fitness. Jack said, if you can put a necklace on at Anytime Fitness, why can't you put one on at Route 27 club and the Kingsbury Club? Dan said, Jack if and when this guy calls you again and provides anything new, rather than withholding it until the next meeting, call Henny and share it with her, let her know. Dan said find out if it is a law, have Henny call these other clubs to see if they have defibrillators. Jack said I'll ask this guy to come in to the next meeting. Dan said I don't want to keep getting this in pieces, lets find out. Joe Casna said I don't know what went on between this guy and Keon, have Henny find out.

Motion: Dan Sapir to adjourn

Second: Bill Kavol

**8:20**

Vote 5-0-0, unanimous

Adjourn,

Respectfully submitted,  
Linda G. Randall, Clerk

*Linda G. Randall*

Kingston Board of Health