

# TOWN OF BOURNE BOARD OF HEALTH

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Buzzards Bay, MA 02532

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Health Agent

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TOWN CLERK BOURNE

## MINUTES

October 31, 2019

Members in attendance: Stanley Andrews, Acting Chairperson; Donald Uitti; and Kelly Mastria.

Support Staff in attendance: Terri Guarino, Health Agent; and Carly Cote, Health Inspector

### Special meeting was called to order at 03:35pm

1. **Board of Health Schedule of Fees— *CONTINUED from 10/08/2019 & 10/23/2019*--Amend existing fee schedule for various Board of Health licenses, permits, application fees, inspections, and regulatory compliance.** This was the third meeting regarding proposed changes to the existing schedule of fees. Other proposed fees were approved on October 23, 2019. Those outstanding for consideration are for various types of food establishments. Health Agent, Terri Guarino explained the proposed fee changes and descriptions for each type of food establishment. See Exhibit A. There was no public comment. **Mr. Uitti made a motion to amend the existing fee schedule for various Board of Health licenses, permits, and application fees based on what the office provided with the exception that bakeries may now fall under 'retail food' based on their square footage. Mrs. Mastria seconded the motion. All in favor and the motion passed unanimously.** Miss Guarino added that these fees will be applicable to all licenses/ permits for the 2020 calendar year, effective as of Monday November 4, 2019.
2. **Set tentative date for next meeting and adjourn.** The next meeting of the Board of Health will tentatively be scheduled for November 20, 2019 at 6:00PM.

**Mrs. Mastria made a motion to adjourn the meeting. Mr. Uitti seconded the motion. All were in favor and the meeting adjourned at 3:53PM.**

Taped & Typed by Terri Guarino, Health Agent

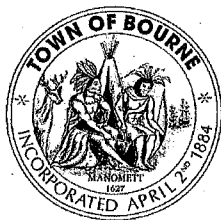
Kathleen Peterson

Stanley Andrews

Galon Barlow Jr.

Don Uitti

Kelly Mastria



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Farmers Market means a public market or public market place located in a city or town that operates or occurs more than once per year for the primary purpose for Massachusetts farmers, from more than one farm, to vend food, crops and other farm related items that they have produced directly to the public, or a public market or public market place used by farmers that is established by a municipality under G.L. c.40 §10, or operates on Department of Conservation and Recreation land by special permit under G.L. c.132A §2F.

Food Establishment

(1) Food establishment means an operation that:

- (a) stores, prepares, packages, serves, vends food directly to the consumer, or otherwise provides food for human consumption such as a restaurant; satellite or catered feeding location; catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people; market; vending location; conveyance used to transport people not including farm trucks; institution; food bank; residential kitchens in a bed-and-breakfast operations; residential kitchens for a cottage foods operations and,
- (b) relinquishes possession of food to a consumer directly, or indirectly through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers.

(2) Food establishment includes:

- (a) An element of the operation such as a transportation vehicle or a central preparation facility that supplies a vending location or satellite feeding location unless the vending or feeding location is permitted by the regulatory authority; and
- (b) An operation that is conducted in a mobile, stationary, temporary, or permanent facility or location; where consumption is on or off the premises; and regardless of whether there is a charge for the food.

(3) Food establishment does not include:

- (a) An establishment that offers only prepackaged foods that are not time/temperature control for safety foods;
- (b) An operation that only offers whole, uncut fresh fruits and vegetables, unprocessed honey, pure maple products, or farm fresh eggs which are stored and maintained at 45°F (7.2°C) or less;
- (c) A food processing plant; including those that are located on the premises of a food establishment;
- (d) A residential kitchen if only food that is not time/temperature control for safety food, is prepared for sale or service at a function such as a religious or charitable organization's bake sale if allowed by law and if the consumer is informed by a clearly visible placard at the sales or service location that the food is prepared in a kitchen that is not subject to regulation and inspection by the regulatory authority;
- (e) A residential kitchen that prepares food for distribution to a charitable facility in accordance with M.G.L c. 94, § 328;
- (f) An area where food that is prepared as specified in 105 CMR 590.001(C)(1): Food Establishment (3)(d) is sold or offered for human consumption;
- (g) A residential kitchen, such as a family daycare provider; or a bed-and-breakfast operation that prepares and offers food to guests if the home is owner occupied, the number of available guest bedrooms does not exceed six, breakfast is the only meal offered, the number of guests served does not exceed 18, and the consumer is informed by statements contained in published advertisements, mailed brochures, and placards posted at the registration area that the food is prepared in a kitchen that is not regulated and inspected by the FC-regulatory authority;
- (h) A private home that receives catered or home-delivered food.
- (i) Cooking classes that are held for educational purposes only.

- (a) **Food Service** (i.e. handling of unpackaged or exposed food intended for individual service such as sit-down and take-out operations in restaurants, sandwich operations in retail markets and convenience stores, coffee and pastry shops, institutional kitchens);
- (b) **Retail Food** (i.e. handling of pre-packaged foods or the handling of unpackaged or exposed food not intended for individual service such as retail grocery and convenience stores which sell pre-packaged foods, seafood and meat markets, bakeries and bulk deli operations);
- (c) **Residential kitchen for retail sale; cottage foods;**
- (d) **Residential kitchen for bed-and-breakfast;**
- (e) **Mobile/Pushcart;**
- (f) **Temporary food establishment; (cannot exceed 14 consecutive days)**
- (g) **Caterer; and/or** any person who prepares food intended for individual portion service, transports and serves it at another location, or who prepares and serves food at a food establishment, other than one for which he holds a permit, for service at a single meal, party or similar gathering.
- (h) **Other as described on application.**

Type of Establishment:	Existing Fee:	Proposed Change:
RETAIL FOOD	0 - 300ft <sup>2</sup> <del>\$40.00</del>	\$50.00
	301- 1000 ft <sup>2</sup> \$75.00	\$75.00
	1,001 - 1,999ft <sup>2</sup> <del>\$100.00</del>	\$150.00
	2,000ft <sup>2</sup> or more \$200.00	\$200.00
FOOD SERVICE ESTABLISHMENT	<del>0-49 seats</del> \$150.00	0-99 \$200.00
	<del>50-99 seats</del> \$200.00	100-199 \$250.00
	<del>100+ seats</del> \$250.00	200+ \$300.00
ICE CREAM/	<del>PRIMARY</del> \$100.00	\$50.00
FROZEN DESSERT MANUFACTURER	<del>SECONDARY</del> \$40.00	

Type of Establishment:	Existing Fee:	Proposed Change:
BAKERY	<del>PRIMARY</del> \$100.00	Retail food
	<del>SECONDARY</del> \$50.00	
CATERING	<del>PRIMARY</del> \$100.00	
	<del>SECONDARY</del> \$50.00	\$50.00
RESIDENTIAL KITCHEN/	\$50.00	\$50.00
COTTAGE FOOD		
	<del>\$100.00</del>	\$150.00 retail only (ice cream trucks)
MOBILE FOOD VENDOR		\$200.00 food handling and preparation
		Retail only (farmer's market) \$40.00
TEMPORARY FOOD	<14 DAYS <del>\$40.00</del>	Food handling & preparation \$50.00