



Town of Franklin

HEALTH DEPARTMENT

355 East Central Street

Franklin, Massachusetts 02038-1352

Board of Health Meeting Minutes for February 5, 2010

Present at meeting:

Bruce J. Hunchard, Chairman

Paul J. Cheli, Vice-Chairman

Donald G. Ranieri, Jr., Clerk

David McKearney, RS, Director

Virginia McNeil, Health Agent

Visitors present:

Gurmit Pabla, Franklin News Store

Amir Hardu, Franklin News Store

The Chairman welcomed all present to the meeting.

The minutes of the January 8, 2010 meeting were reviewed and accepted as written by the Board.

OLD BUSINESS

Mr. Cheli, Vice Chair of the Board, inquired if the Health Department received the menu from Nonni Roses Bakery, which was requested at the hearing of January 8, 2010. Since it had not been submitted to the Health Department, Mr. Cheli requested a letter be sent to Nonni Rose's requesting the menu. This menu will help the board to make a determination as to the availability of sufficient space and equipment necessary to prepare all food items on the menu.

The chairman opened the floor for any other old business. There was none.

NEW BUSINESS

The chairman opened the floor to any new business. The first item on the agenda was a hearing for the Franklin News Store. Mr. Gurmit Pabla, owner of the Franklin News Store, and Mr. Amir Hardu, a clerk at the store, appeared before the Board as requested by the Health Department. Mr. Donald Ranieri, a Board of Health member, recused himself because of a financial interest in the property in which the store operates. The Health Director gave a brief history of past smoking-related issues at the establishment. On March 10, 2009, a patron was observed smoking on the rear step. April 6, 2009 the Health Department received a complaint of smoke migrating into the building. To



resolve this issue, the ash can was relocated further from the rear door. On July 15, 2009, the Assistant Health Agent observed a person in the doorway smoking a cigarette. The Health Department issued a fine of \$100.00 which was paid on August 25, 2009 after a second notice was sent. Finally on February 1, 2010 while conducting a routine inspection, the Health Director and the Health Agent, found evidence of cigarette smoking in the KENO room. A heavy cigarette odor was noted upon entering, and cigarette butts and ashes were observed in several locations inside the room. The general condition of the room was also unsanitary. A second notice of violation with a fine of \$200.00 was sent to Mr. Pabla from the Health Department for Work-Place Smoking Law non-compliance. The Health Director made a recommendation that the room be secured and the KENO viewing screen removed. Mr. Pabla apologized and agreed to the recommendation. The Board chairman reiterated to the owner that the Board can revoke and/or suspend both the retail food permit and the milk and cream permit if Mr. Pabla did not adhere to the rules.

The revised site plan for 281 West Central Street was reviewed by the Board. The Board voted to approve the plan subject to municipal water and sewer connection and proper dumpster location.

The next item discussed was the NSTAR 2010 yearly operational plan. The Board unanimously voted to accept the plan as presented.

The last item on the agenda was the Health Director's Monthly Report for January 2010. The Health Director discussed the monthly activities of the Health Department.

The Chairman opened the floor for any other new business. The Board Chairman requested the March Board of Health meeting be changed to Wednesday, March 10th at 10:00 AM, due to scheduling conflicts.

Transcribed by Virginia McNeil, Health Agent.