



City of Marlborough
BOH MINUTES 2/17/2015

140 Main Street, Lower Level
Marlborough, MA 01752
(508) 460-3751 FAX (508) 460-3625

Regular meeting of the Board of Health held on Tuesday, February 17, 2015. Called to order by James Griffin, Chairman at 6:30 PM in the Council Committee Room, City Hall, 1st floor.

PRESENT: James Griffin, Chairman (JG); John Curran, M.D., Vice Chair (JC); Robin Williams, Member (RW); Steven Ward Interim Public Health Director; Tina Nolin, Senior Clerk.

Administrative:

- 1: Minutes Review: The board reviewed the minutes of the February 3, 2015 meeting.**
RW made a motion to approve the minutes of the February 3 meeting and place on file. JC seconded. Motion carried 3-0.

New Business:

2A: Hearing: Sully's First Edition Pub

Mr. Sullivan of Sully's First Edition Pub and his Food Consultant, Eric Nusbaum appeared before the Board to show cause as to why the Board of Health should not suspend or revoke Mr. Sullivan's Permit to Operate a Food Establishment for serious and repeated violations and failure to comply with the requirements of Massachusetts State Sanitary Code, 105 CMR 590.000 and the 1999 Federal Food Code.

Mr. Ward presented the history of Sully's First Edition Pub violations and failure to correct, but noted that in the past month there had been progress including installation of a 3-bay sink, Mr. Sullivan had a signed contract with a consultant to work with him on the outstanding issues, and progress on addressing the walk-in services as well as the menu. SW mentioned the department was pleased with the progress seen albeit somewhat delayed.

Food Inspector, Maureen Lee presented her latest inspection notes and noted that while many violations had been corrected there were still issues remaining related to food expiration dates and other managerial function procedures.

Mr. Nusbaum then presented the status regarding violations outlined in the BOH January 6 Decision Order Letter.

- Walk-in: waiting for final bids to come in regarding epoxy vs stainless steel coverings, NSF compliant door; also replacing lighting.
- Limiting menu is underway that takes into account limitations on kitchen
- Storage room and bathrooms also on the radar for addressing by March deadlines
- Issues with trash complain also addressed
- Mr. Nusbaum will be providing a training for this coming Friday, February 20th, that will cover general food safe practices, personal hygiene issues, batch dredging practices, standard cleaning schedule so they know on a weekly basis that things will be cleaned. In addition, upon the Board's request active managerial control standards will be covered. Mr. Sullivan is scheduled for a ServSafe certification class on Wednesday, February 25, 2015 and should have his certificate in 2 weeks' time.

RW asked if staff would also be trained. Mr. Nusbaum said yes – all kitchen staff, some bar staff and serving staff. Board presented with outline of curriculum.

JG asked if there would be any measurable account of the training – Nusbaum said there was not traditionally, but could be. Further discussion on general ServSafe and training practices were covered.

JG asked Mr. Nusbaum to submit names of all employees as well as those who attended the training; Mr. Nusbaum agreed.

Mr. Ward made recommendation to the Board to continue suspension hearing until the April 7, 2015 Board Meeting when all dates for compliance will have passed and also allow time for the details related to the Walk-in and capital plan for future upgrades could be fleshed out. This is based on current albeit delayed progress and continued progress.

JC motioned to accept recommendation, RW seconded the motion. Motion carried 3-0.

2B. Board Appointments

- 1) John Garside: Assistant Sanitarian** – Introduced by Steve Ward, gave brief background on himself and experience, including 10 years' experience in public health, 12 years in construction development company. Excited to be back in public health.

RW motioned that the Board of Health appoint John Garside as Assistant Sanitarian in the Board of Health Department, effective Wednesday, February 25, 2015 and upon his successful completion of the city's employment screening process.

JG seconded. Motion carried 3-0.

- 2) **Cathleen Liberty: Administrator/Sanitarian** – Steve Ward introduced Cathleen Liberty, who gave brief background on herself and experience including a Master’s Degree in Public Health, Health Agent for Town of Webster and being ready to bring her experience to Marlborough.

RW motioned that the Board of Health appoint Cathleen Liberty as the Sanitarian/Administrator of the Board of Health Department, effective Monday, March 2, 2015, with full authority, oversight and responsibility regarding employee supervision, department operations, policy implementation and other tasks as may be assigned by the Board. JC seconded. Motion carried 3-0.

2C. Fee Schedule

Steve Ward recapped current fee schedule which needs to be brought up to date with surrounding towns, additional and neglected fees noted and final renewal dates attached to it.

Mr. Ward gave rationale for adding a surcharge fee and a sample of the notice that goes out with the letter to inform establishments what they are getting the surcharge. The surcharge would cover the costs of having an inspector out to an establishment for repeated inspections when violations are present. Mr. Ward said he would continue to tweak the schedule a bit and offer recommendations that take into account fee amounts collected from other towns in a survey by the Mayor’s office. Board was asked to consider it for adoption at the March or April Board meeting.

There was consensus among Board Members to revisit the fee schedule with an eye toward adoption at a Board meeting in the next few months.

2D. Tobacco Regulation and Testimony Review

Brief discussion on the previous meetings public hearing and overall feelings for how it went and what was the overall takeaways from the various speakers for and against the regulations.

JG asked for time with DJ Wilson or Cheryl Sbarra to go over legal issues as they relate to the regulations. Agreed this would happen at next Board meeting.

SW brought up the Mayor’s interest in not having a cap on the number of tobacco Licenses the city could approve. Board was in consensus that the language related to capping the number of tobacco licenses in the city could be removed from the regulations.

JC asked about setting up compliance checks with Bianca Pierre. Steve Ward agree she could be at the March Meeting to go over our needs. Mr. Ward also discussed the teaching and training the board would need to do to help retailers with compliance.

Board was at consensus to vote on the regulations at the next meeting after talking with DJ Wilson and/or Cheryl Sbarra and Bianca Pierre with implementation in July, 2015.

2E. Sam Wong and Alex DePaolo update

Dr. Wong and Ms. DePaola gave updates on the Prevention & Wellness Trust Fund project and MetroWest Moves project, as they move into the actual implementation phases. They discussed the grants provision for a community health worker that would be hired for each community (and paid through grant funds). Noting Marlborough Health Departments Transition situation that suggested we share the community health worker from Hudson for the short term until we were a little more stable and ready to “hire” our own. The community health worker would be the community interface person who would follow up with referrals and help qualified residents get the help they needed as relates to the parameters of the grants.

Both Ms. DePaola and Dr. Wong both stressed the state and national attention that the work from these grants will be getting as they are a model for future state and national programs.

Adjournment

Next BOH meeting will be held on Tuesday, March 3, 2015 at 6:30 pm.

RW motioned to adjourn; seconded by JC (Motion carried 3-0). Meeting adjourned at 9:03 PM.

Respectfully submitted,


James Griffin, Chairman

Dated: March 3, 2015

Cc: Board of Health Members
City Council
City Clerk
City of Marlborough Website

DOCUMENTS PERTAINING TO THIS MEETING MAY BE OBTAINED AT THE BOARD OF HEALTH OFFICE CITY HALL, LOWER LEVEL, 140 MAIN STREET. HOURS ARE 9:00 AM to 5:00 PM MONDAY THRU FRIDAY