



Town of Northborough

Board of Health

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Members Present: Chairman Glenn French
Deirdre O'Connor
Dilip Jain
Jamie Terry, Board of Health Agent

The Board of Health met on Wednesday, September 9, 2009, in conference room B of the Northborough Town offices. The meeting was called to order at 7:10 PM by Chairman Glenn French. Deirdre O'Connor made a motion to accept the minutes for the August meeting as amended, Dilip Jain seconded and Chairman Glenn French abstained.

Ms. Terry advised the Board that she met with three students from Algonquin Regional High School who are interested in creating a healthy snack bar as part of the DECA Program. The students are in the beginning stages of this project and they plan on using the school cafeteria and one of the students will need to obtain ServSafe Certification. The students also advised Ms. Terry that all proceeds from this project will be donated.

Ms. Terry and the Board discussed the H1N1 situation. Ms. Terry updated the Board on the recent meetings she has attended. Ms. Terry advised the Board that she will be registering the Town of Northborough as a public site which will allow us to receive the vaccine that will be administered in our clinics. Local health will be receiving money from Public Health Emergency Response (PHER) to assist in running clinics for H1N1.

Ms. Terry advised the Board that she received a petition from some citizens in Northborough regarding the proposed tower at National Grid located at 55 Bearfoot Road. The citizens who signed this petition are concerned about this tower and are looking to the Board of Health to assess the aggregate frequencies. Ms. Terry advised the Board that Town Counsel has been made aware of the situation and she has been told that the Federal Communications Commission (FCC) is the regulating authority for all towers. Ms. Kim Henderson Lee of 1 Edmunds Way was in attendance at tonight's meeting and voiced her concern over the potential for three additional co-locators on the pole. National Grid has agreed to contact the FCC and provide current numbers and potential numbers. Ms. Terry advised the Board that at the last Planning Board meeting a Doctor spoke for National Grid to provide these numbers. The Town Planner, Kathy Joubert, has requested this information in writing and National Grid has agreed to submit this information before the next Planning Board Meeting. Ms. Terry will forward this information on to Ms. Kim Henderson Lee as soon as she receives it. Ms. Terry informed the Board that the proposed tower is for point to point communication and will be pointed in the direction of West Boylston, away from Solomon Pond. The Board suggested that those concerned parties need to hire their own independent consultants. Ms. Terry

recommended once again that the concerned parties direct their concern to the FCC as they are the regulating authority and have more power and have the regulations to back it up. The FCC is required to enforce their regulations and protect the people. The Board of Health legally cannot get involved and make decisions about health effects. Ms. Henderson Lee again expressed her concerns about what comes next. The Board suggested that those parties concerned have an expert review the report from National Grid and to seek help and guidance from the FCC. Ms. Terry stated that National Grid has been very responsive on getting the aggregate numbers.

Ms. Terry and the Board discussed a recent housing complaint. This has been an issue before as Ms. Terry has found documentation from 2003 reporting the same issue. The complaint came from the Police Department as they were investigating a criminal matter. Ms. Terry completed an inspection at the property and found that there was a mild case of hoarding in the house, severe in only one room. Ms. Terry reports that she found a horrific smell in the house due to piles of cat feces and vomit throughout the entire house. Ms. Terry reported that at that time the cats appeared to be in good health. Ms. Terry was in contact with Family & Youth Services and has been advised that the family will be receiving mental health services. The family has also enrolled in a family success program with an outside agency. Ms. Terry suggested that the owner hire a professional cleaning service and gave a verbal order to clean up the house; she expects to go back out sometime over the next two weeks. Ms. Terry advised the Board that that the Animal Inspector has since retired and the Dog Officer has agreed to examine the cats in one week. The Board will rely on Ms. Terry to make sure the residence becomes habitable and they appreciate the collaboration with other agencies to correct this matter.

Scheduled public hearing for Tom's Eatin & Drinkin Place located at 4 West Main Street was to begin at 7:15PM – at this time no one was in attendance. Ms. Terry placed a call to the establishment; there was no answer however she did leave a message for Joe Seely, the owner of the establishment. Ms. Terry left the meeting to check the building to see if she could locate a representative from the establishment and she was unsuccessful. At 7:35PM the Board of Health began the public hearing; Ms. Terry and the Board discussed the complaints that have been received since the establishment changed hands; complaints are as listed below.

1. May 11, 2009 complaint received via e-mail from the Fire Department regarding the poor condition of the kitchen at the establishment. Unusable hand wash sink (do to shelving blocking it). The ventilation system was also malfunctioning. "Seemed like a lot of food and raw meat lying around on tables and counter area in the kitchen".
2. Follow-up on a complaint received; Ms. Terry completed an inspection on May 13, 2009 and thirteen critical violations were found.
3. Complaint received from the Fire Department on July 6, 2009 regarding the establishment leaving a door open in the kitchen leading to a dirt floor area. Also, the ventilation system of above the grill is not functioning.

4. Correspondence with the Fire Chief via e-mail on July 7, 2009 stating that it appears to be a re-occurring problem with the ventilation system and door in the kitchen.
5. August 1, 2009 complaint from anonymous caller stating no gloves, dirty food containers (soup) & dirty countertop.
6. August 4, 2009 complaint received from the Police Department stating “the elevator has been blocked by Tom’s Eatin & Drinkin Place due to the transportation of food and food debris items.” Individual further stated that “there is a smell of food and at times food debris is left in the elevator.”

Ms. Terry and the Board also discussed a follow-up inspection that was completed today at 2PM. Ms. Terry informed the Board that she found numerous repeat violations during her inspection. The Board has major concerns with the recent, numerous complaints and numerous repeat violations at the establishment. The Board is concerned about the ventilation system over the grill and the fact that it is still not repaired and has not been inspected by the Fire Department. Ms. Terry informed the Board that she was able to locate the missing grate and had them put it back in its proper place. Ms. Terry spoke with the Fire Chief and they will schedule an inspection to inspect that specific part of the system. Ms. Terry’s recommendation to the Board is temporary closure, in-service training for all employees due to repeat violations. When asked about timelines for how long it might take Ms. Terry suggested one day for cleaning, one day for training and re-evaluation on the third day. The Board of Health expressed concern over the establishment and feels as though they are not protecting the public that they are serving. This establishment cannot continue to have the same repeat violations and staff needs to be able to prove that they are knowledgeable. The Board feels as though Ms. Terry has put a lot of time and effort in to this establishment over the past couple of months and this cannot continue. The Board is requiring that protective measures be taken; The Establishment will be posted temporary closure per order of the Board of Health due to numerous violation of 105 CMR 590. Ms. Terry will also attach a letter stating the following conditions;

- 1) A consultant is to be hired by the establishment to provide mandatory in-service training for all employees. Also, the Board is requiring six months of audits from this consultant, once a month for six months. The Board will re-evaluate this at the end of six months to determine if long term monitoring is required. Note: the consultant that is hired must be someone other than the person that was hired for ServSafe certification.
- 2) The Fire Department needs to inspect the ventilation system as this establishment may present a hazard to the entire building.
- 3) All violations found need to be corrected.

The establishment is allowed to re-open on Monday, September 14, 2009, as long as the above conditions are met and a re-inspection occurs prior to re-opening. Due to the numerous times Ms. Terry has been out to the establishment the Board has required that a re-inspection fee in the amount of fifty dollars (\$50.00) be paid prior to this re-inspection.

Ms. Terry and the Board discussed the food permit fee for daycares. Currently we do not have a category for daycares and the current food establishment fee is \$250.00. Ms. Terry believes that this is unfair and is looking to reduce the fee to \$125.00. Chairman Glenn French made a motion to create a new category for Childcare/Daycare (or Commercial) Permit Fees and charge a fee of \$125.00/year; Deirdre O'Connor seconded the motion and the vote was unanimous.

Ms. Terry and the Board discussed a potential food borne illness that may have occurred at Juniper Hill Golf Course. The individual involved consumed half of a chicken and some water at an event. Ms. Terry did not receive notification right away and this was not the only food establishment that may have caused this illness. Ms. Terry completed an inspection ten days after the illness was reported. Ms. Terry was very impressed with the manager and the establishment as a whole. The manager took this report very seriously and was upset with the possibility that this could have occurred. Ms. Terry completed a re-inspection since then and will continue to do spot checks.

Ms. Terry informed the Board that she has emergency brochures in the office that were received from a grant. Originally they were going to be mailed to each household however this is no longer the case. The emergency brochures will be made available at many locations throughout town and will also be handed out at Applefest.

The meeting was adjourned at 8:45PM

Respectfully Submitted,

Sarah L. Roach