



# TOWN OF WESTBOROUGH MASSACHUSETTS

BOARD OF HEALTH

FORBES MUNICIPAL BUILDING  
45 WEST MAIN STREET, SUITE 25  
WESTBOROUGH, MA 01581-1916

TEL. (508) 366-3045  
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## BOARD OF HEALTH MONTHLY MEETING

Tuesday  
October 18, 2011  
Forbes Municipal Bldg., Room 24  
5:30 p.m.

### AGENDA

1. Minutes of Meetings (9/13/2011)
2. Director's Report (Sept)
3. Sanitarian's Report (Sept)
4. Health Inspector's Report (Sept)
5. New Business
  - A. Bob Bladd - Hearing - 5:45 p.m.
  - B. Sachi Japanese Restaurant (200 Union St.) - variance request - 6:00 p.m.
6. Director's Issues
7. Adjourn



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## Minutes of Board of Health Meeting October 18, 2011

The regular Board of Health meeting was held on Tuesday, October 18, 2011, in room 24 in the Forbes Municipal Building. The meeting was called to order at 5:30 pm. by Chairman Federici. Those present were Members Ehrlich and Walsh, Director McNulty, Sanitarian Baccari and Inspector Gilchrist. Bills and payroll were signed.

Minutes of the meeting held on September 13, 2011, were reviewed and approved.

Director's report (September) was discussed and approved.

Sanitarian's report (September) was discussed and approved.

Health Inspector's report (September) was discussed and approved.

### **NEW BUSINESS**

#### **Robert Bladd – Hearing – 5:45 P.M.**

The Board met with Mr. Bladd, 135 East Main Street, Apt. #H-10. He is a tenant at the Park Village apartment complex who has cockroach problem.

Sanitarian Baccari provided background information.

Mr. Bladd has called the office numerous times over the last few months with complaints about cockroaches in his apartment. The management at Park Village has treated his apartment numerous times, but he still has a problem with the roaches. Sanitarian Baccari conducted an inspection on September 22<sup>nd</sup> and confirmed there was still a cockroach problem. He cited the complex management for failure to correct the pest problem and also cited Mr. Bladd for food debris he noted under the refrigerator and around the stove. He felt these unsanitary conditions contributed to the problem. Sanitarian Baccari mailed an order to correct the conditions with a specific timeline to both Mr. Bladd and the management of the apartment complex. Mr. Bladd did not agree with the order and requested the hearing.

Mr. Bladd contends an apartment is suppose to be clean and habitable when a lease is signed. He signed the lease in March and moved into the apartment in April. He has documentation that shows the apartment was treated by a pest control company in February. He was told by management that there were no pest control issues. His apartment has been treated twelve times. He has lived with this problem for several months. Management should have cleaned the area around the refrigerator and stove before he moved in. He said he has done everything to try to resolve the issue and has been very patient. He should not be responsible for something management should've taken care of before he moved in. He would like the order revoked.

Director McNulty said it's a legal issue. The State Code states that the occupant is responsible for keeping the unit clean. Mr. Bladd is the occupant; he has to keep it clean. If we go in and make an inspection and find something that's not clean, the occupant is ordered to clean it.

Mr. Bladd said he has offered to clean the area himself, but he was told by management that he would be responsible for any damage done to the appliances.

Chairman Federici said you could hire a cleaning company and Steve will come back and do a re-inspection.

Member Ehrlich said you have to clean it one way or the other. There are two issues; who is going to clean and whether the order is rescinded.

Director McNulty said the normal course of events would be the order is issued to clean, he cleans it, a re-inspection is done and a report is made that states that the cleaning has been done.

Chairman Federici asked if the order could be rescinded if the area was cleaned to Sanitarian Baccari's satisfaction?

Director McNulty said the Board could postpone a decision until the next meeting. After Sanitarian Baccari conducts a re-inspection and finds it clean, the Board can rescind the order.

**Member Ehrlich made a motion to continue the hearing until next month's meeting. Member Walsh seconded the motion; the vote was unanimous.**

Mr. Bladd will attend next month's meeting.

The hearing ended at 6:15.

#### **SACHI JAPANESE RESTAURANT – VARIANCE REQUEST – 6:15 P.M.**

The Board met with Tina Wang, Ju Chen and Jin Chen, new owners of Sachi Japanese Restaurant. The restaurant will be located at 200 Union Street, Bay State Commons. The main focus of the menu will be traditional style Japanese sushi. Because they will be serving sushi, they are requesting a variance for the operation of acidification of cooked rice. The owners have also submitted a HCCAP plan prepared by Sam Wong, PhD., of MD Consulting. MD Consulting will conduct the training once the restaurant is ready to operate. The owners also own restaurants in Ohio and Chicago.

Health Inspector Gilchrist recommended granting the variance; the owners have experience.

**A motion was made by Member Ehrlich to grant the variance to Sachi Japanese Restaurant according to the HCCAP plan presented. The motion was seconded by Member Walsh; the vote unanimous.**

The Board reminded the owners that the variance can be rescinded if there are any violations.

#### **DIRECTOR'S ISSUES**

There will be a flu clinic at the Senior Center from 1 p.m. to 4 p.m. on November 21<sup>st</sup>.

The formation of a shelter committee will be discussed at the next LEPC meeting.

An inspection was recently conducted by the Health Inspector at the Acacia Restaurant (Indian Meadows). There were 39 violations, including four criticals. An administrative meeting has been scheduled with them. Director McNulty said he believes they're not doing any cleaning. Dead mice have been found, along with many other violations. These issues have been on-going for a long time. Member Ehrlich said they need to come before the Board.

There being no further business, the meeting adjourned at 6:40 p.m.

The next meeting will be held Tuesday, November 15, 2011.

Respectfully submitted,

  
Kathleen Smith