



BOARD OF HEALTH

TOWN OF WESTBOROUGH MASSACHUSETTS

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
January 15, 2013
Forbes Municipal Building, Room 24
5:30 p.m.

AGENDA

1. Minutes of Meeting (11/13/2012)
2. Director's Reports (November & December)
3. Sanitarian's Reports (November & December)
4. Health Inspector's Reports (November & December)
5. New Business
 - 5:45 p.m. - Public Hearing - Request to approve a cemetery on Nourse Street
 - 6:00 p.m. - Variance Request - Sake Hana (f/k/a Hisa Japanese Restaurant)
 - 6:15 p.m. - Public Hearing - Regatta Deli - Suspension / revocation of food service permit
 - 6:30 p.m. - Worcester Regional Tobacco Control Collaborative Agreement
6. Director's Issues
7. Adjourn



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Minutes of Board of Health Meeting January 15, 2013

The regular Board of Health meeting was held on Tuesday, January 15, 2013, in room 24 in the Forbes Municipal Building, 45 West Main Street. The meeting was called to order at 5:30 pm. by Chairman Walsh. Present: Members Ehrlich and Federici, Director McNulty, Sanitarian Baccari and Inspector Gilchrist. Bills and payroll were signed.

Minutes of the meeting held on November 13, 2012, with one correction, were approved.

Director's reports (November and December) were discussed and approved.

Sanitarian's reports (November and December) were discussed and approved.

Health Inspector's reports (November and December) were discussed and approved.

NEW BUSINESS

At 5:45 p.m., Chairman Walsh opened a public hearing, under M.G.L. Chapter 114 Sec. 34, for the purpose of approving a cemetery on Town-owned land located on Nourse Street.

The Board met with Stephen Doret of Mill Road Engineering who was hired by the Town to work on the project. Mr. Doret provided the background and information for the hearing.

The land was originally part of Grafton State Hospital. The State eventually transferred the land to the Town for the sole purpose of creating a cemetery. If the Town does not authorize the land for a cemetery, the deed requires the land to be returned to the State. The site contains approximately 32 acres; the cemetery is planned for about six acres. John Walden, the DPW Manager, acting as Cemetery Commissioner, started the development process 15 years ago.

Mr. Doret displayed a set of drawings. The Conservation Commission has established wet lands boundary and test holes have been conducted on the site. In Mr. Doret's opinion, the lack of ground water, along with the proper soil qualities, makes this a good site for a future cemetery.

State law requires boards of health to conduct a hearing to review and approve plans for future cemeteries. The next step requires a site plan review before the Planning Board.

Member Ehrlich made a motion to approve the use of the land for a cemetery. The motion was seconded by Member Federici; the vote was unanimous.

At 6:00 p.m., the Board met with the owners of Saka Hana to discuss a variance to offer sushi in their restaurant. The restaurant will replace Hisa Japanese Cuisine located at 21 South Street..

Health Inspector Gilchrist told the Board that this is first time she has talked to the owners. A HCCAP plan has been submitted and approved. The owners have previous restaurant/food service experience. They currently live in Brooklyn, NY, but will be relocating to the Westborough area. The wife, Yu Jiang, is certified in food safety. Her husband who will be preparing the sushi is not. Health Inspector Gilchrist told the owners that they need to comply with local regulations and her husband will need to be certified to prepare the sushi. She stressed to the owners that there are specific requirements that must be met in the preparation of sushi because it is a potentially hazardous food.

Yu Jiang said her husband does all the cooking and she serves it. They will be at the restaurant all the time.

Member Ehrlich made a motion to grant the variance to Saka Hana for the purpose of preparing sushi. The motion was amended by Chairman Walsh with the condition that the owners become certified and documentation of the certifications be forwarded to the Health Inspector. Member Federici seconded the motion; the vote was unanimous.

At 6:15 p.m., Chairman Walsh opened a public hearing pursuant to State Sanitary Code, 105 CMR 590 and the amendments adopted by the Westborough Board of Health for the possible suspension / revocation of Regatta Deli's food service permit.

The Board prepared to meet with Regatta Deli's owner, Joanne Prizio, General Manager Michael Prizio and Manager Maria Blanchard.

Director McNulty provided background information for the Board. Health Inspector Gilchrist conducted an inspection at Regatta Deli on December 19th and found renovations and remodeling had been done without prior approval from the Board of Health and without building permits. She also found food labeling violations. There have been numerous labeling violations in the past with the deli.

Mr. Prizio said he had inspections reports dated April 5, 2010 and February 24, 2011, that stated the food labels were in compliance. He said the deli does keep a list of ingredients used in packaged food. He is working with a printing company to get new labels. He also stated that Mrs. Prizio always keeps the inspection reports available for the customers to review.

Mr. Prizio said the renovations made were normal corrective actions in response to the inspection report. He was unaware of the notification process. It was not stated on the report. He apologized for not notifying the BOH.

Health Inspector Gilchrist said the State Sanitary requires any food service establishment to notify the Board of Health of any changes. This includes floors, ceiling tiles, shelving and equipment. This is not the first time the facility has renovated without prior approval. The first time was in 2003 and the facility was warned at that time by both the Board of Health and the Building Commissioner. She also stated there have been nine labeling violations since 2007. Regarding the recent renovation, she said new plumbing fixtures were installed without permits. The ceiling tiles that were installed are non-compliant. She said no approvals were given on any of these changes.

Mr. Prizio said all the changes were done to correct the violations.

Member Federici asked how hard is it for someone to call the Board of Health.

Ron Fenneuff said he is the plumber who filed for the permits last week with the Building Department.

Member Ehrlich emphasized that every piece needs to be approved in advance. We don't want you to waste any money.

Mrs. Prizio said she's been doing business in town for 22 years and she thinks she has served the Town well.

Member Ehrlich said he is not in favor of suspending or revoking Regatta's permit, so long as management communicates with the Health Inspector and the Board and corrects the outstanding violations.

Member Federici said it's the Board of Health's responsibility to make sure patrons are safe. Call the Board of Health more often.

Chairman Walsh said the Board wants to do what is right by the Town and the Board wants to help you.

Member Ehrlich said he would like a communication document drawn up to outline the responsibilities and necessary communication between the Board of Health and Regatta Deli. He wants everything laid out so there are no misunderstandings.

The Building Commissioner, Tin Tway, will conduct an inspection and issue a written report before the Board's next meeting.

DIRECTOR'S ISSUES

The Town of Westborough is one of 26 towns and cities that participate in the Worcester Regional Tobacco Control Collaborative that is led by the Worcester Division of Public Health. In order to continue in the participation of the collaborative, each town is required to sign an agreement

Member Ehrlich made a motion to accept the agreement with the Worcester Regional Tobacco Control Collaborative. Member Federici seconded the motion; the vote was unanimous. Chairman Walsh signed the agreement.

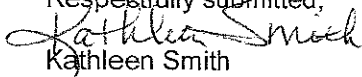
Director McNulty informed the Board that additional help is needed for inspections. The last time a staff member was added was in 1983. Westborough has grown and changed since that time. There are more regulations, more food service facilities, and more complaints that must be investigated. The Board of Health has a risk-based inspection program and inspections are not being conducted as often as the State requires. Director McNulty would like to add a part-time employee for food inspections, but the employee wouldn't be limited to that. The request would need to be reviewed by the Town Manager, the Finance Committee and the Personnel Board. Director McNulty said the department might be able to get some funding at the October Town Meeting if the review process is started now or it could be placed on the warrant for the 2014 ATM.

Member Federici made a motion for the Board of Health to pursue funding for an additional employee. Chairman Walsh seconded the motion; the vote was unanimous.

There being no further business, the meeting adjourned at 7:05 p.m.

The next meeting is scheduled for Tuesday, February 19, 2013.

Respectfully submitted,


Kathleen Smith