



BOARD OF HEALTH

# TOWN OF WESTBOROUGH MASSACHUSETTS

TOWN HALL  
34 WEST MAIN STREET,  
WESTBOROUGH, MA 01581-1998

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## BOARD OF HEALTH MONTHLY MEETING

Tuesday  
January 17, 2017

**Westborough Town Hall Conference Room 1**  
**34 West Main Street**  
5:30 p.m.

## AGENDA

1. Minutes of Meeting (December 13, 2016)
2. Director's Report (December)
3. Sanitarian's Report (December)
4. Health Inspectors' Reports (December)
5. Director's Issues

Adjournment



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## Minutes of Board of Health Meeting January 17, 2017

The regular Board of Health meeting was held on Tuesday, January 17, 2017, in the lower level conference room in the Town Hall, 34 West Main Street. The meeting was called to order at 5:30 p.m. by Chairman Walsh. Present: Member Ehrlich, Director Baccari, and Sanitarian Gauthier (Member Hashmi arrived at 5:40). Absent: Inspector Gilchrist.

The minutes of the meeting held on December 13, 2016, were approved with one correction.

Director's report (December) was discussed and approved. Director Baccari is still waiting to hear from the School's interim Director of Buildings and Grounds regarding documentation of the flushing program for the school's water systems.

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

Health Inspectors' reports including part-time Health Inspector (November) were discussed and approved. A recent inspection conducted at Dharani (f/k/a Mirchi) was discussed. The restaurant has been on probation for the past 18 months; current probation period ends in June. The amount of violations has decreased, but the same violations are found at each inspection. The problem appears to be maintenance. A plan of action is needed before June. At the next inspection, it will be strongly recommended that the owner hire a consultant. If there is no improvement with the next inspection (March), the owner will come before the Board. An updated probation review on Dharani will be provided at next month's meeting.

### Director's Issues

An update was given on the lease negotiations for Biryani Pointe. In a recent email from the property owner, it appears that progress is being made. Her lawyer has finished reviewing the lease and she will forward the final version to the owners in a few days. The mandated repairs issued by the BOH will be made once the lease is finalized.

Worcester Regional Tobacco Control Collaborative recently conducted a compliance check in Town and there were no violations.

The owner of Divine Wine and Spirits has expressed interest in raising the age for purchases of tobacco products from 18 to 21. He can do this independently; he does not need approval from the BOH.

At a flu vaccination clinic held last month for school age children, 23 shots were administered. The total number of vaccinations for this season is 65, the same as last year..

The probationary period for *Not Your Average Joe's* is due to end this month. A probation review for the last 12 months was provided to the Board. Sanitarian Gauthier said he has seen a big turnaround in the last 12 months. They have done over \$4,000 worth of re-tiling and other work in the kitchen. They have two new managers. Member Ehrlich recommended a standard probation review with establishments when the probation period has ended. Director Baccari will look into amending the policy to include a review.

**Member Ehrlich made a motion to remove *Not Your Average Joe's* from probation with the stipulation that a letter will be sent to the manager informing him of the Board's decision. If there is any significant increase in the number of violations found in future inspections, the establishment will be placed back on probation. The motion was seconded by Chairman Walsh; the vote was unanimous.**

The public hearing for the proposed amendment to the Food Code is scheduled for Tuesday, February 14, 2017, at the Fire Department. The meeting starts at 5:30 pm; the public hearing is scheduled for 6:30 pm

Director Baccari confronted an out-of-town contractor who was dumping a significant number of windows illegally at the dump. The contractor admitted getting the dump sticker from a friend who lives in Westborough. He was fined \$100.00 that he reluctantly paid and returned the sticker. There was discussion regarding illegal dumping and how to prevent it. Chairman Walsh recommended a camera to monitor the area. Director Baccari said the BOH will have to pay for it. He will have a discussion with Ben Harvey. Member Ehrlich suggested Board members conduct inspections on Saturdays and start documenting.

Member Hashmi expressed concern with the Spectrum Health System treatment center and the population treated there and how they are supervised. Member Ehrlich said these are not BOH issues. The kind of issues being raised are Board of Selectmen issues or issues that should be addressed to the Police Department.

Member Hashmi referenced a recent article in the *New York Times* about the use of fertilizers and insecticides around water areas and public playing fields. He has written a letter addressed to various Town Departments asking questions regarding the protection of the Town's water resources and improving the Town's water reserves. He asked for the Board's support. Director Baccari will contact the DPW and Recreation Department to get information on their fertilizing program. He suggested sending a letter to abutters around Lake Chauncy in the spring regarding the use of fertilizers and pesticides. He explained the watershed system in Westborough. In response to a concern from Member Hashmi, Director Baccari explained that there have been only two algae blooms in Lake Chauncy in the twenty years that he has been here. One was in 2006 and the one this past summer. The algae bloom that occurred late this summer/early fall was a result of the hot weather conditions and not from the use of fertilizers.

There being no further business, the meeting adjourned 7:04 pm.

The next meeting is scheduled for February 14, 2017.

Respectfully submitted,

  
Kathleen Smith



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## PROBATION REVIEW -- Not Your Average Joe's

In January of 2016 the Board placed Not Your Average Joe's on probation and moved them to quarterly inspections, part of the probationary requirements was a review of the restaurant before the probationary period was over. I have compiled a list of the dates of inspections and violations.

### **Probationary Period -- 1/19/16 -- 1/19/17**

#### **February 2016 - Initial Inspection**

33 violations -- 27 noncritical and 6 critical (**hot/cold holding, food contact surfaces-dirty, toxic storage, PIC Duties, hand wash facilities, & plumbing**)

All violations were corrected by the re-inspection 2 weeks later.

#### **May 2016 --Initial Inspection**

9 violations -- 8 noncritical and 1 critical (**toxic chemicals- labeling and storage**)

All violations were corrected at re-inspection

#### **August 2016 -- Initial Inspection**

11 violations -- 10 noncritical and 1 critical (**mislabeling of toxics -- no sanitizer in bottled labeled as such**)

1 noncritical violation remained at re-inspection

#### **December 2016 -- initial inspection**

12 violations -- 11 noncritical and 1 critical (**storage of chemicals**)

All violations were corrected by re-inspection

The next inspection is due in March 2017