



BOARD OF HEALTH

TOWN OF WESTBOROUGH MASSACHUSETTS

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

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

Tuesday
January 19, 2016

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

AGENDA

1. Minutes of Meeting (November 17, 2015)
2. Director's Reports (November and December)
3. Sanitarian's Reports (November and December)
4. Health Inspectors' Reports (November and December)
5. New Business
6:00 p.m. - ~~Stephen Silverstein, NYAJ.~~ Discussion
Representatives from *Not Your Average Joe's* - Discussion
6. Director's Issues
Adjournment



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Minutes of Board of Health Meeting January 19, 2016

The regular Board of Health meeting was held on Tuesday, January 19, 2016, in the conference room in the lower level of Town Hall, 34 West Main Street. The meeting was called to order at 5:30 p.m. by Member Ehrlich. Present: Member Hashmi, Director Baccari, Sanitarian Gauthier, and Inspector Gilchrist. (Chairman Walsh arrived at 5:40 p.m.)

The minutes of the meeting held on November 17, 2015, were approved.

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

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

Health Inspectors' reports including part-time Health Inspector (November & December) were discussed and approved.

New Business

Not Your Average Joe's - Discussion

At 6:00 p.m., the Board prepared to meet with representatives of *Not Your Average Joe's*, 291 Turnpike Road. Attending the meeting from NYAJ were Seth Caplan, Regional Director, Kari Carreiro, General Manager, Robert Saunders, Chef, and Mark Hallett, Regional Culinary Director (owner, Stephen Silverstein, was unable to attend the meeting).

Director Baccari provided background. There have been numerous and repeat violations found at NYAJ during several past inspections. At their November meeting, the Board requested representatives from NYAJ to attend their January meeting to discuss the inspection reports. The restaurant had previously been on probation. An administrative meeting was held in June with the manager who had been at this facility since 2011 informing him of changes in a newly-adopted inspection policy and the fee involved in with the new policy. Four inspections have been conducted since that meeting. Numerous violations including several critical were noted during the inspections. The purpose of the meeting is the possible reinstatement of placing the facility back on probation with quarterly inspections. Director Baccari stated the manager involved with the facility for the past four years is no longer there.

Mr. Caplan said the company has standards and systems in place and the company will do whatever needs to be done. These violations are not acceptable. There is new leadership at this restaurant with a new general manager. They're 100% committed to do whatever needs to be done. Changes have already taken place to improve cleaning and sanitation.

Member Ehrlich said 47 violations found during an October inspection is pretty high for a facility their size. There appears to be no attention to detail.

Chairman Walsh said the Board wants every restaurant to be successful. Part of the success is being safe for Westborough residents. The staff needs to commit to those standards.

Mr. Hallett said the company is putting systems in place that include weekly sanitation audits with 247 items on it. He will conduct monthly audits to make sure everything is being done.

Copies of in-house sanitation audits will be forwarded to the BOH.

Member Hashmi and Inspector Gilchrist recommended probation.

A motion was made by Member Ehrlich to place *Not your Average Joe's* on probation for one year. The vote was seconded by Chairman Walsh; the vote was unanimous.

At the end of the 12-month period, the inspection reports will be reviewed by the Board of Health and a determination will be made at that time to remove NYAJ from probation, extend probation, or consider the suspension or revocation their food permit.

Director's Issues

The Town has signed a contract for visiting nurse services to replace the VNA Care Network. The nurse is from Sutton and will only handle TB cases.

The Board decided to continue with a two-year dump sticker for the new cycle that starts this July. This will give more time if a new plan is implemented.

Director Baccari and Chairman Walsh will attend a bio-safety meeting on February 16th at Pall Life Science located at 20 Walkup Drive in Westborough.

Member Hashmi said he would like to see more publicity given to the restaurants that receive a "certificate of merit". Director Baccari will post the names of the restaurants on the BOH website. Member Hashmi said he would also like to get high school students involved with the Board of Health in some manner; it could be an education component for the students. Member Ehrlich recommended approaching National Honor Society students to help maintain a facebook page for the BOH, if the Board decided to use social media. The students are required to perform volunteer work to maintain their status in NHS; they could maintain and update the site.

Member Hashmi mentioned a recent article in the *New York Times Magazine* about the chemical perfluorooctanoic acid (PFOA) used by the chemical company, Dupont, that has contaminated the water supply in several states, including Massachusetts. He asked if Westborough's water supply is testing for this chemical. Director Baccari contacted the operator of the water treatment plant, Kevin Carlson. Mr. Carlson responded that there is currently no protocol in place to test for this substance. The EPA is scheduled to issue a health advisory level for PFOA sometime this year. When PFOA becomes regulated as a drinking water containment, a standard procedure for testing will be issued with guidelines and regulations established by the EPA, CDC, and DEP. Until that is in place, Mr. Carlson said test results would have very limited value. Member Hashmi will contact the lawyer referenced in the article. Member Ehrlich said we know more information. Chairman Walsh said he would like to know what our plan is before we test the water.

There is legislation advancing through the Massachusetts legislature that will ban indoor tanning for teens under the age of 16 and require 16 and 17 years old to be accompanied by a parent or guardian. Tanning salons will also be prohibited from employing minors.

There being no further business, the meeting adjourned at 6:55 p.m. The next meeting is scheduled for February 16, 2016.

Respectfully submitted,


Kathleen Smith









02716/2016-1101A1





RECEIVED

2/02/2016

FEB - 3 2016

Westborough Board of Health
34 West Main Street
Westborough, MA 01581

TOWN OF WESTBOROUGH
BOARD OF HEALTH

RE: Hissho Sushi @ Roche Bros #119
1100 Union Street, Westborough, MA 01581

To the Westborough Food Variance Committee,

We are requesting a variance from the commissioner as specified in 3-502.11. We would like to use the food additive, vinegar as a method to render the cooked white rice non-potentially hazardous for 24 hours. As stated in 8-103.11, we are including our HACCP/SSOP plan and a challenge study, as well as, a menu.

The process varies from the rule(s) in that the acidification is utilized to preserve the food instead of temperature. The acidification method reduces the pH to 4.6 or less. Specifically, with a critical limit of 4.1. Providing an unfavorable environment for pathogenic growth for 24 hours. Our acidification process has been analyzed by a Massachusetts laboratory authority.

The white rice is prepared daily and is completely utilized or discarded at the end of the 24-hour period. Chefs are required to measure the pH of each batch of white sushi rice prepared using a calibrated pH meter. The pH meter is calibrated daily. The rice may not be used to roll sushi until the pH (4.1 or less) of the rice has been verified. Each facility is equipped with a functional pH meter and buffer solutions. All chefs must follow the Hissho Sushi rice recipe. Chefs are trained on pH meter calibration, how and when to take the pH, corrective action if critical limits are not met, and the completion and maintenance of daily logs. Sushi rice is considered safe at a pH of <4.6.

Vinegar is added to the brown rice for taste only. It must be stored refrigerated. Brown rice is not included in this variance request.

If you have any questions, please contact me.

Toinette Waldon, MPH
Director of Food Safety



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**FYI
RE: AGENDA ITEM
DUMP STICKER FEES**

Two Year Dump Sticker Fees from 1996 to 2014

Fiscal Years 1996 – 1998	\$ 40	Fiscal Years 2006 – 2008	\$ 50
Fiscal Years 1998 – 2000	\$ 40	Fiscal Years 2008 – 2010	\$ 80
Fiscal Years 2000 – 2002	\$ 40	Fiscal Years 2010 – 2012	\$ 100
Fiscal Years 2002 – 2004	\$ 40	Fiscal Years 2012 – 2014	\$ 120
Fiscal Years 2004 – 2006	\$ 50	Fiscal Years 2014 – 2016	\$ 140

SUMMARY OF INSPECTIONS FOR NOT YOUR AVERAGE JOES
January 19th 2016

7/22/10 - Routine inspection, 16 violations including 1 critical noted. Seth Caplan GM
8/10/10 – Reinspection, 3 violations not corrected.
11/16/10 Received call from Fire Dept stating the facility was open but no hot water was being supplied because the hot water heater had been “red tagged” by the gas company. Inspection revealed no hot water available to handsinks or the 3 bay sink. The facility was closed due to not having any hot water available.
11/17/10 - Reinspection, facility was allowed to reopen after replacing the hot water tank.
6/29/11 – Routine inspection, 25 violations including 4 critical.
7/22/11 – Reinspection, 3 violations including 1 critical not corrected
8/4/11 – 2nd reinspection, all violations corrected. A non compliance fee was charged.
9/12/11 – Inspection for new shed conducted.
12/20/11 – Routine inspection, 25 violations including 5 critical noted. Michael Belley, GM
1/10/11 – Reinspection, 7 violations including 2 critical noted.
1/26/12 – 2nd reinspection, 1 violation not corrected. A non-compliance fee was charged.
2/9/12 – An administrative meeting was held to inform the facility that the Board of Health had placed them on probation and that quarterly inspections were going to be conducted at their facility.
NOTE – The facility was placed on quarterly inspections, however due to the office being short staffed and an increasing number of new facilities that were under construction at the time, quarterly inspections could not be performed.
12/20/12 – Routine inspection, 27 violations including 1 critical noted.
1/8/13 – Reinspection, all but 2 violations corrected.
2/4/14 – Routine inspection, 21 violations including 4 critical noted.
2/24/14 – Reinspection, 4 violations not corrected.
9/16/14 - Routine inspection, 27 violations including 3 critical noted.
9/30/14 – Reinspection, 3 violations not corrected.
NOTE – In August of 2014 the office hired a full time sanitarian to help out with the food inspections. Quarterly inspections resumed for this facility.
1/14/15 – Routine inspection conducted by Sanitarian Ray Gauthier. There were 30 violations including 5 critical noted.
1/29/15 – Reinspection, 4 violations were not corrected
3/3/15 – Facility closed down due to DPW shutting off water in their vicinity. The closure was made on a voluntary basis.
4/14/15 – Routine inspection, 19 violations including 3 critical noted.
4/28/15 – Reinspection, 3 violations not corrected.
4/29/15 – Inspection conducted due to a small fire in the facility. The establishment was allowed to stay open by the inspector Ray Gauthier and the fire dept who determined that there was no smoke or water damage to the facility. An electrical problem in the steam table was the cause of the fire alarm.
4/30/15 – Inspection conducted to check on the repairs to the steam table.
NOTE – On June 1st an administrative meeting was held with the GM, Michael Belley regarding the Boards changes to the Inspection policy on July 1st 2015. Those changes involved the probation regulation in our policy. The meeting was to notify the facility that as a result of those changes that they were being given a chance to come off of quarterly inspections as long as any future reports did not contain numerous violations and critical violations as outlined in our inspection policy.
10/14/15 – Routine inspection, 47 violations including 5 critical noted.
10/15/15 – Reinspection for the critical violations. All critical violations were corrected.

10/29/15 – Reinspection, 10 violations including 2 critical were noted on this report.

11/5/15 – A 2nd reinspection was conducted at this establishment. All but 1 violation was corrected and a non-compliance fee was charged. The GM Michael Belley is no longer employed at this facility.

NOTE – At the regularly scheduled monthly meeting, the 3 member board voted to require the facility to come before them at their January monthly meeting to discuss the past reports and the possibility of the facility being put back on quarterly inspections. This meeting will be held on January 19th 2016.