



TOWN OF NORTHBRIDGE BOARD OF HEALTH

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The Northbridge Board of Health approved these minutes at a meeting held March 27, 2018.

MEETING MINUTES - FEBRUARY 13, 2018

This meeting was called to order at 7:00 PM by Mr. Paul McKeon, Chairman. Other members present were Ms. Lani Criasia, Mr. Scott Chase and Mr. Steve Garabedian. Mr. Chris Cella was absent. Also present was Terry Gilchrist, Health Inspector, and Jeanne M. Gniadek, Administrator.

Minutes: Motion made by Ms. Criasia to accept the minutes of **January 9, 2018**. Motion seconded by Mr. Garabedian; the vote was 3-0 in favor. Mr. Chase abstained.

Hearing - King Jade Chinese Restaurant: Present for this hearing were Nathan Ng, owner, and Ms. Robin Williams, a food safety consultant.

Mr. McKeon stated to Mr. Ng that the Board in good faith granted him a variance to operate a sushi bar and that the Board expected in return that he also would act in good faith and do the proper thing. Mr. McKeon stated that the submission of a forged food manager certification endangers the public health. Mr. McKeon asked Ms. Gniadek to brief the Board on what transpired.

Ms. Gniadek stated that Ms. Gilchrist forwarded to her an email from Mr. Ng stating that he had hired a new sushi chef and attached to that email was the food manager certification for Jing Young Wu. Ms. Gniadek stated that she printed out the certificate which happened to be a photo and in the background were other food manager certifications. Upon closer inspection Ms. Gniadek noted that the font looked suspicious on the certificate and that the certificate number matched that of Mr. Ng's certification. Upon meeting with Chairman McKeon and Ms. Gilchrist a notice was provided to Ms. Gilchrist to hand deliver to King Jade an order that the sushi operation cease immediately.

Ms. Gilchrist asked Mr. Ng to explain what happened. Mr. Ng stated that Jing Young Wu was introduced to him by a friend and that he had no idea his food manager certificate was not valid.

Mr. Garabedian stated that he would like to see the sushi bar remain closed for a minimum of one month. Mr. Ng stated that the sushi bar is closed – he has no sushi chef right now.

Ms. Criasia agreed that the sushi bar remain closed but asked her fellow Board members what the facility would need to do to re-open.

A discussion took place regarding who is currently working there that has their food manager certification. It was noted that the Board received a letter from the National Registry of Food Safety Professionals (NRFSP), the food manager certification authority, and that they have revoked Mr. Ng's certification. Mr. Ng stated that the letter he received said his certification was being questioned and that he needed to provide them with an explanation of what happened. Mr. Ng stated that his partner, Wei Ming Dai (Raymond) is certified as is his brother Shun Cong Dai. Mr. Ng stated that Shun is at the restaurant six days a week and that Raymond is there when Shun is off.

Mr. Garabedian asked what the hours were for the sushi bar. Mr. Ng stated that it is open Tuesday through Sunday from 11:30 AM until 9:00 PM – the sushi bar is closed on Mondays. Mr. Garabedian stated that for the sushi bar to operate that many hours per week that he needs to have two sushi chefs lined up in case the sushi chef is out sick one day. Mr. Ng stated that if the sushi chef is not there, the sushi bar will not be open. The Board agreed with Mr. Garabedian that Mr. Ng needs to employ two sushi chefs. Mr. Garabedian stated that he would visit the establishment on Saturday when Mr. Ng is present.

A motion was made by Mr. Garabedian that:

- 1) the sushi bar remain closed until March 30th and;**
- 2) Mr. Ng provide an update to the Board at their next meeting to be held March 13, 2018 regarding the notice of revocation/suspension of his food manager certification from NRFSP and;**
- 3) Mr. Ng update the Board in the matter of the sushi chef by providing documentation to the Board of three individuals, two of which would be sushi chefs, that they possess certifications in Food Safety and Allergen Awareness, as well as Choke-Saving.**

Mr. Garabedian advised that the matter of the sushi bar re-opening can be addressed at the March 13, 2018 meeting. This motion was seconded by Mr. Chase; the vote was all in favor.

909 Sutton Street – Title 5 Bedroom Count Deed Restriction: Ms. Gniadek informed the Board that the owners of this property are considering renovations to provide an in-law suite. The property currently has 3 bedrooms and they would be adding 1 – the septic system is designed for 4 bedrooms but due to the total room count, 10 rooms, according to Title 5 regulations the system would need to be designed for 5 bedrooms (total # of rooms divided by 2 and rounded down). The owners are seeking the Board's approval to place a 4 bedroom deed restriction on the property.

Motion made by Mr. Garabedian to grant a four (4)-bedroom count deed restriction in accordance with Title 5 regulations for this property known as 909 Sutton Street. Motion seconded by Mr. Chase; the vote was all in favor.

11 Border Street – Order to remove chickens/rooster – Nuisance Complaint: Ms. Gniadek informed the Board that due to a recent complaint regarding a rooster crowing at 4AM creating a nuisance, an order was sent to this property owner, Eric Soto, informing him that he would need to remove all chickens and roosters from his property. It was also determined that zoning in an R-5 district does not allow the keeping of poultry – the lot size was noted as just .14 acres, approximately 5,600 square feet(SF).

Mr. Soto appeared before the Board to contest the order to remove the chickens. He stated that he had 4 roosters and that they are gone now. He stated that he has about 7 hens only and asked that he be allowed to keep them.

Ms. Gniadek reminded the Board that they are in the process of amending their farm animal regulations to include poultry which would require that Mr. Soto obtain a permit. She cautioned the Board that if they were to grant a permit they would be in violation of zoning regulations.

Mr. Garabedian commented that this is a very residential neighborhood with small lots and was not an appropriate area for the keeping of chickens, hens or roosters.

Motion made by Mr. Garabedian that the remaining chickens/hens be removed by April 1, 2018. Motion seconded by Mr. Chase; the vote was 3-1 in favor. Mr. McKeon was in opposition.

Farm Animal Regulations – Proposed Amendments: The Board tabled this matter to their next meeting.

Spring Annual Town Meeting: The Board reviewed the memorandum from the office of the town manager regarding the annual spring town meeting and the placement of warrant articles. There being no articles for the Board to consider as the revolver accounts are now automatically placed on the warrant by the Board of Selectmen, no action was taken by the Board.

Youth Access Tobacco Compliance Checks: The Board reviewed response letters from several retailers that sold tobacco products during the most recent checks conducted December 9th and 10th of 2017. No further action taken.

2018 Rabies Clinic: Ms. Gniadek informed the Board that the 2018 rabies clinic has been scheduled for Saturday, April 7, 2018 from 11AM to 1PM at the Whitinsville Fire Station. Dr. Lawrence of the Agape Animal Hospital has again offered his services for this event.

Blackstone Valley Emergency Shelters: Ms. Gniadek informed the Board that the town now has three (3) churches offering emergency sheltering services for the homeless. The churches are United Presbyterian Church on Cottage Street, St. Patrick's Parish on East Street and the Pleasant Street Christian Reformed Church on Cross Street. Ms. Criasia questioned whether the churches were preparing food for shelter residents. Ms. Gniadek stated that they are offering coffee and tea only.

Upcoming Training Opportunities: Ms. Gniadek informed the Board of several training opportunities that are coming up.

1. MHOA - Housing Court: The MHOA is hosting a workshop at Cyprian Keyes on March 15th to go over the new housing court system and how to present a case in court. Ms. Gniadek and Mr. Armendo (Housing Inspector) have signed up for this training.
2. MHOA/MassDEP – Annual Winter Seminar (various dates and locations)
3. Greater Grafton MRC – Basic Shelter Training: The Greater Grafton MRC is hosting a shelter training at the Grafton Police Headquarters on February 22nd. Ms. Gniadek informed the Board that she will be attending and noted that 3 people from the Fire Department are also planning on attending.

Citizen's Forum: *No one present for Citizens Forum.*

Correspondence: The following correspondence was distributed to the Board:

1. Salmon VNA Quarterly Report
2. MassDEP Notice of Technical Deficiency – TJJ Development / Berkowitz Trucking
3. Local Public Health Update – January/February 2018 Newsletter

There being no further business, motion to adjourn at 8:10 PM was made by Mr. Garabedian and seconded by Mr. Chase – all in favor.

Attested by,

Jeanne M. Gniadek, Administrator

List of Documents utilized by Board of Health
Meeting Date: February 13, 2018

A. Meeting Minutes

- 1) January 9, 2018 DRAFT Meeting Minutes

B. Food Service Establishments

- 2) HEARING – King Jade Chinese Restaurant
 - a. National Registry of Food Safety Professionals (NRFSP) – Letter dated February 8, 2018
 - b. Letter from Nathan Ng requesting a hearing dated February 1, 2018
 - c. BOH Letter to King Jade – Hand delivered on January 31, 2018 – Notice of Suspension of Variance allowing Sushi Operation
 - d. Copy of Food Manager Certification for Jing Young Wu
 - e. NRFSP – Email dated January 30, 2018

C. Title 5

- 3) DRAFT Deed Restriction for 909 Sutton Street

D. Board of Health Regulations - Keeping of Farm Animals

- 4) 11 Border Street
 - a. Memorandum for File dated February 5, 2018
 - b. Letter to Mr. Soto dated February 1, 2018
 - c. Zoning Chart – allowed uses
- Property Record Card for 11 -13 Border Street
- 5) Proposed Amendments to Farm Animal Regulations
 - a. DRAFT Farm Animal regulations with amendments
 - b. Keeping of Animal Regulations - Template
 - c. Table of Area Regulations – Lot size requirements
 - d. Zoning Chart – allowed uses

E. Old & New Business

- 6) Spring Town Meeting – Memo dated January 9, 2018 from S. Susienka, Asst. to the Town Manager
- 7) Youth Access Compliance Checks – Response Letters from Cumberland Farms, WalMart, and Gary's Variety
- 8) 2018 Rabies Clinic Flyer
- 9) BV Emergency Shelter Listing

F. Upcoming Training Opportunities

- 10) MHOA – Massachusetts Housing Court – March 15, 2018
- 11) MHOA/MASSDEP Annual Winter Seminar
- 12) Greater Grafton MRC (Email) Shelter Training February 22, 2018

G. Citizens' Forum - None

H. Correspondence

- 13) Salmon VNA Quarterly Report (October 1, 2017 – December 31, 2017)
- 14) MassDEP Notice of Technical Deficiency – TJJ Development
- 15) Miscellaneous
 - a. Local Public Health Update Newsletter – January/February 2018