



TOWN OF NORTHBRIDGE BOARD OF HEALTH

Aldrich School Town Hall Annex - 14 Hill Street
Whitinsville, MA 01588
Phone# (508) 234-3272 Fax# (508) 234-0821

The Northbridge Board of Health approved these minutes at a meeting held March 3, 2015.

MEETING MINUTES - February 3, 2015

This meeting was called to order at 7:12 PM by Mr. Paul McKeon, Chairman. Other members present were Mr. Steve Garabedian and Mr. Scott Chase. Mr. Chris Cella was absent. Also present was Jeanne M. Gniadek, Administrator.

Minutes: Motion made by Mr. Chase to accept the minutes of **January 13, 2015**. Motion seconded by Mr. Garabedian; the vote was 3-0 in favor.

Hearing: 169-171 Church Street – Housing Inspection: Minimum Standards of Fitness for Human Habitation: Present for this hearing were Nevin Wenger, owner of this property, his attorney Ms. Jennifer Conrad, and occupants Howard and Louis Kell.

Ms. Gniadek informed the Board that an inspection was conducted by Matthew Armendo, Health Inspector, after receipt of complaints from the occupants of this 2-family dwelling. Mr. Armendo requested that the Board review the violations to determine whether the dwelling should be declared by the Board as unfit for human habitation.

Ms. Conrad noted that the owner of this property is a local business owner who purchased the property in August of 2013 with the intention of gutting and renovating the property. She stated that since his purchase, a new roof has been installed. Ms. Conrad noted that the housing inspection report contains many tenant violations due to their lack of maintenance of the dwelling. She further stated that the occupants of both units have been served a Notice to Quit (Eviction Notice) – these notices were served on December 31, 2014 and it was after that the occupants contacted the Board of Health. *(The Board of Health records show that the tenants called the Board for an inspection on January 6, 2015.)*

Mr. Garabedian stated that the owner cannot NOT make repairs because you are going through an eviction process. He informed Ms. Conrad and Mr. Wenger that repairs need to be made as though the tenants were never going to leave. Mr. Garabedian stated that Mr. Wenger should proceed with repairs that are cosmetic in nature and that do not require the expertise of professional contractors.

Occupants, Howard and Louis Kell, stated to the Board that the owner has done nothing to this property. Mr. Kell stated that the ceiling in his bedroom collapsed right on him and still the owner has done nothing to make repairs to the property. The occupants questioned whether they had to continue to pay rent. Mr. McKeon informed them that they must pay rent, either to Mr. Wenger or into an escrow account.

Ms. Conrad questioned how much time her client has to make repairs. Mr. Garabedian stated that the Board would work with Mr. Wenger as long as he continues to make progress on these violations. Mr. Garabedian stated that the Health Inspector would re-check the property in two (2) weeks to see if any progress has been made.

Sammy's Restaurant – Failure to renew Food Permit for 2015: Present for this discussion was Ms. Colene Halligan and Mr. Sultan Salahuddin, owners of Sammy's Restaurant. Mr. McKeon stated that when this establishment first opened Mr. Salahuddin agreed to install the required garbage disposal and provide access to the basement within three (3) months and that he has failed to do that. It was noted that the garbage disposal has been plumbed but has not been wired. Ms. Halligan stated that he has tried to provide basement access but has been unable to complete that task and it is difficult. Ms. Halligan stated that his third attempt will be to install concrete blocks for stairs. Mr. McKeon expressed his disappointment that Mr. Salahuddin has failed to honor his agreement with this office. It was noted that the 2015 Food Permit for this establishment has NOT been issued. Mr. McKeon stated that the Board will not release this permit until these matters are properly addressed.

Mr. Garabedian made a motion to require that Sammy's Restaurant complete the installation of the garbage disposal unit and to provide access to the basement within two (2) weeks or face closure by the Board of Health. Motion seconded by Mr. Chase; the vote was 3-0 in favor.

Sparetime Recreation – Failure to Obtain Retail Food Permit: Mr. Garabedian stated that he has not had the opportunity to hand-deliver the Board of Health order to this establishment as it is typically closed whenever he has driven by. He stated that it is his intention to inform Mr. Couture that he can either obtain the required food permit or if he does not want to deal with this office then he can remove the coffee machine and all food products from the establishment.

*NOTE** Ms. Lani Criasia arrived at 7:40 PM.*

Cellar Sooper – Request for Variance: The Board reviewed a request for a variance from the local Board of Health regulations, Section 201-4(M), which requires that whenever food is being prepared or served that the establishment must have a person in charge that is a certified food protection manager. Mr. McKeon noted that granting this variance does not allow this establishment to vary from MDPH regulations governing food establishments – it only provides a variance from the Board regulations. The Board noted that this establishment has limited food preparation and that the food protection manager is on-site a majority of the time.

Motion made by Mr. Chase to grant variance. Motion seconded by Mr. Garabedian; the vote was 4-0 in favor.

Whitinsville Golf Course: The proposed new equipment had been approved by the Health Inspector prior to this meeting. No further action required.

Annual Report of Board of Health for 2014: The Board reviewed the annual report prepared by Ms. Gniadek for inclusion in the Town's published annual report. No amendments were proposed. The draft will be submitted to the office of the Town Manager for publication.

Annual Rabies Vaccination Clinic: Ms. Gniadek informed the Board that the annual rabies clinic has been scheduled for Saturday, March 28, 2015 at the Whitinsville Fire Station from Noon to 2PM. Dr. Lawrence, of Agape Animal Hospital, has again agreed to be our veterinarian for this annual event.

Correspondence: The following correspondence was distributed to the Board:

- *Town of Weymouth regulations governing Bodyworks – hand delivered to the Board of Health office by Mr. Richard Vacca asking that the Board consider adopting similar regulations. Mr. McKeon asked that this matter be placed on their next agenda for discussion.*

There being no further business, motion to adjourn at 7:50 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 3, 2015

- 1) DRAFT Meeting Minutes of January 13, 2015
- 2) Church Street, 169-171: Housing Inspection Reports & Photos
- 3) Sammy's Restaurant
 - a. Letter from BOH dated January 14, 2015
 - b. Copy of Plumbing Permit
- 4) Sparetime Recreation – BOH Order to obtain food permit dated January 15, 2015
- 5) Cellar Sooper – Letter dated January 26, 2015 – Request for Variance (Section 201-4(M))
- 6) Whitinsville Golf Course – *No documents*
- 7) Annual Report of the Board of Health for 2014 - DRAFT
- 8) Annual Rabies Clinic Flyer
- 9) Correspondence
 - a. Town of Weymouth Regulations governing Bodyworks