



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 November 13, 2012.

MEETING MINUTES - October 9, 2012

This meeting was called to order at 7:00 PM by Mr. Paul McKeon, Chairman. Other members present were Ms. Ann Marie Thompson and Mr. Scott Chase. Mr. Steve Garabedian arrived after the reading and approval of Minutes. Mr. Chris Cella was absent. Jeanne M. Gniadek, Administrator, was also present.

Minutes: Motion made by Ms. Thompson to accept the minutes of **September 27, 2012**. Motion seconded by Mr. Chase; the vote was 3-0 in favor.

JOEL Rubbish: Present for this meeting was Mr. Joel Carlson, owner of JOEL Rubbish. The Board has issued several notices and cease & desist orders to Mr. Carlson for operating his trash hauler business without the necessary permits and adherence to local regulations.

The Board reviewed this matter and determined that Mr. Carlson owes \$200 for his 2012 permit and \$200 in unpaid tickets issued to Mr. Carlson under non-criminal disposition bylaws.

Mr. Carlson was instructed to submit to the office no later than Thursday, October 11, 2012 a check in the amount of \$400, a completed application, insurance certificates as well as tonnage reports for the past two years as it has been well documented that JOEL Rubbish did not adhere to the cease & desist order and continued to collect trash in town. The Board advised Mr. Carlson that he could provide estimated tonnage figures. The Board advised Mr. Carlson that should he fail to provide all of the above documentation by close of business on Thursday, then this matter will be placed on the agenda of the next Board of Health meeting and Mr. Carlson would be required to adhere to the Cease & Desist Order previously issued until that time.

Food Service Standards – Subway Restaurant: In accordance with the newly adopted inspection policy, establishments receiving 3 or more critical violations on the semi-annual food inspection report will be subject to quarterly inspections and will be charged \$100.00 for each additional inspection deemed necessary. The August 11, 2012 inspection report for Subway at 100 Valley Parkway presented with three (3) critical violations. Present for this meeting to discuss these non-compliance issues was Ms. Dimple Desai, owner.

Ms. Thompson stated that her biggest concern with the critical violations cited was the one regarding the improper temperatures of the food. Ms. Desai stated that it could be the way the inspector took the temperature of the product. She stated that the unit is holding the proper temperature of the food.

Mr. Garabedian stated that he would stop by the establishment to conduct an unannounced inspection to see how the establishment is being managed. This matter was tabled to the next meeting.

Food Service Standards – Dominos Pizza: Ms. Gniadek informed the Board that due to outstanding violations at this establishment, a second and a third re-inspection needed to be conducted by Ms. Terry Gilchrist resulting in non-compliance fees totaling \$500.

The Board reviewed the inspection reports noting that the first inspection on August 4th had 3 critical violations, the re-inspection report on August 18th had 1 critical violation (5 violations total); 2nd re-inspection on August 25th presented with 1 critical (4 total); and the 3rd re-inspection conducted on September 1st had 1 critical violation (2 total violations).

Mr. Garabedian stated that this is unacceptable for this type of establishment.

The Board requested that a letter be composed to the owner of Dominos informing him that reports such as these are unacceptable and that if future inspections reveal additional critical or repeat violations then the Board will consider closure of the establishment as it is this Board's responsibility to ensure the safety of food products being served in this town. Furthermore, the letter shall note that the Board expects full cooperation from their staff with the Health Inspector.

Food Service Standards – School Inspection Reports: The Board reviewed the recent inspection reports of the Northbridge public schools.

Food Service Standards – West End Creamery: The Board reviewed recent notices that the public water system from the private well serving this establishment, which routinely collects a raw water sample directly from the well and a routine sample taken from the distribution system (kitchen sink) recently tested positive for e.coli at the well head. The sample taken from the distribution system, where a chlorination system is in use, was absent for total coliform bacteria.

In an email from Paula Caron, MassDEP Drinking Water Program Coordinator, she notes that West End Creamery must conduct an assessment of the well and submit a corrective action plan.

The Board requested that Ms. Gniadek contact Ms. Caron to request that we be supplied copies of the assessment and the corrective action plan.

The Board further noted their concerns that the quantity of water pumped from the well exceeds the 1300-gallon per day design of the on-site sewage disposal system. It is unclear as to whether the well water is being used for other purposes. Ms. Gniadek informed the Board that the DEP is aware of the sewage disposal system design and that they have a copy of the plan.

Food Service Standards – Little Coffee Bean: Ms. Gniadek informed the Board that the Little Coffee Bean is transferring ownership within the next few weeks.

Hearing: Minimum Standards of Fitness for Human Habitation - 3 Gary Avenue: The Board reviewed the inspection report for property known as 3 Gary Avenue in Whitinsville. The inspection was conducted on August 15, 2012 by Matthew Armendo, Health Agent.

Mr. Armendo noted in his report that there is no water to the property – it had been turned off by the Whitinsville Water Company for non-payment. Mr. Armendo also noted that many of the pipes had been removed or stolen from the property. The owner was issued an order to restore water to this dwelling unit.

Ms. Gniadek informed the Board that she believes that the dwelling unit is now vacant. Ms. Thompson stated that it was her understanding that two people had been in the property recently but that they did not stay there. She was not sure who those people were.

Ms. Thompson motioned that in accordance with 105 CMR 410.831 the Board of Health has determined that property known as 3 Gary Avenue in Whitinsville, MA is unfit for human habitation and is hereby condemned as there is no water servicing the property. Owner shall be issued notice of this determination and shall be ordered to secure property. Motion seconded by Mr. Garabedian; the vote was all in favor. Copies of the Condemnation Order will be sent to the Northbridge Police Department and the Northbridge Building Inspector.

Owner shall be notified that in accordance with 105 CMR 410.831 (F) that the Board of Health, may if after one year of issuance of this order, that the Board may cause the dwelling to be demolished or removed.

School Based Flu Clinic: Ms. Gniadek informed the Board that in cooperation with the Northbridge Schools, a school-based flu clinic for children 2 years of age through the age of 19 is to be held on October 24th from 3-5 PM at the Northbridge High School. There is no charge for this clinic.

Correspondence: The following correspondence was distributed to the Board:

- Fall Annual Town Meeting Warrant – October 23, 2012

There being no further business, motion to adjourn at 8:00 PM was made by Mr. Garabedian and seconded by Ms. Thompson – all in favor.

Attested by,

Jeanne M. Gniadek, Administrator

*List of Documents utilized by Board of Health
Meeting Date: October 9, 2012*

- 1) DRAFT Minutes of September 27, 2012 Meeting
- 2) JOEL Rubbish
 - a) Cease & Desist Order dated July 12, 2012 with Proof of Service: Served in-hand on July 31, 2012
 - b) MGL Chapter III; Section 31A
 - c) JOEL Rubbish Timeline
- 3) Subway @ WalMart
 - a) Letter to Owner requesting attendance at BOH Meeting (dated September 5, 2012)
 - b) Food Establishment Inspection Report dated August 11, 2012
- 4) Domino's Pizza
 - a) Re-Inspection Fees for Non-Compliance Letter (dated September 11, 2012)
 - b) Food Establishment Inspection Report – dated August 4, 2012
 - c) Food Establishment Re-Inspection Report – dated August 18, 2012
 - d) Food Establishment Re-Inspection Report – dated August 25, 2012
 - e) Food Establishment Re-Inspection Report – dated September 1, 2012
- 5) School Inspection Reports
 - a) Email dated October 3, 2012
 - b) September 28, 2012 Food Establishment Inspection Reports: NHS, NMS, Balmer Elementary, and Northbridge Elementary
- 6) West End Creamery
 - a) Email from Paula Caron (DEP) regarding well water results and corrective actions
 - b) Well Water Test dated September 7, 2012
 - c) Well Water Test dated September 9, 2012
 - d) West End Creamery Annual Report 2011 - Gallons of Water Withdrawn
 - e) West End Creamery Annual Report 2010 – Gallons of Water Withdrawn
- 7) Little Coffee Bean – Plan Review (page 1) noting change in ownership
- 8) 3 Gary Avenue – Order to Correct under State Sanitary Code governing Minimum Standards of Fitness for Human Habitation (dated August 16, 2012)
- 9) Greater Grafton MRC Email re: Kickoff Meeting / Sample Letters
- 10) School Based Flu Clinic Flyer – October 24, 2012
- 11) Fall Annual Town Meeting Warrant – October 23, 2012