



TOWN OF NORTHBRIDGE
BOARD OF HEALTH

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The Northbridge Board of Health approved these minutes at a meeting held November 9, 2010.

MEETING MINUTES - October 18, 2010

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

Minutes: A motion was made by Mr. Cella to accept the minutes of **October 5, 2010**. Motion seconded by Ms. Thompson; the vote was 3-0 in favor. Mr. Garabedian abstained.

Food Service Establishments – Review of Food Establishment Inspection Reports: The Board reviewed the most recent food establishment inspection reports.

Food Service Establishments – Review of Food Establishment Inspection Policy: The Board reviewed the Town of Northbridge Food Establishment Inspection Policy and the Town of Westborough Food Establishment Inspection Policy. Mr. Cella stated that as he reviews the food establishment inspection reports he sees the same violations over and over. He felt that more needs to be done because these establishments are not doing anything to improve – it is like they are laughing at us and that the Board serves no purpose. Ms. Gilchrist stated that the Westboro Board of Health felt the same way so they increased their non-compliance fee to \$200 for each second and subsequent reinspection conducted at a food establishment for failure to correct violations cited in their initial inspection report.

Mr. Cella asked how the inspections are conducted and what fees are currently assessed. Ms. Gniadek informed him and the Board that Routine inspections are conducted twice annually at each food establishment. If violations found necessitate a reinspection then a reinspection will occur typically within fourteen days. There is no charge for the Routine or Reinspection. Should a **SECOND** reinspection be necessary, the establishment is charged a non-compliance fee of \$50. If a **THIRD** reinspection is necessary, the establishment is charged a non-compliance fee equal to that of their annual food permit fee.

Ms. Thompson stated that these establishments seem to be reactive and not proactive. Ms. Gilchrist informed the Board that Framingham's policy is that they charge for each critical violation found.

Mr. Garabedian stated that the Board's goal is compliance. The Board discussed options for re-writing their food establishment inspection policy. Ms. Gniadek was instructed to obtain sample policies from other communities to see what measures they take to obtain compliance. This matter was tabled to their next meeting. The Board intends to implement a new policy effective January 1, 2011.

Food Service Establishments – Review of Certificate of Merit Program: The Board reviewed the established guidelines for the Certificate of Merit Program. Mr. Cella stated that if the Board is going to “reward” and establishment with a Certificate of Merit that his name is going on then he wanted that establishment to be exceptional. Mr. Garabedian agreed stating that for Food Service establishments, a Certificate of Merit should only be awarded if the establishment has less than five (5) minor violations with zero (0) critical violations. This is a reduction from the current policy of ten (10) minor violations.

The Board also discussed the elimination of the Certificate of Merit program for Retail Food establishments.

Motion made by Mr. Garabedian to amend the Certificate of Merit Program effective January 1, 2011 with the elimination of the program for Retail Food establishments and the reduction in minor violations for Food Service establishments from ten to five. Motion seconded by Ms. Thompson; the vote was all in favor.

Food Service Establishments – Exemption for Churches – Monthly Pesticide: The Board discussed their regulatory requirement that all food service establishments obtain monthly pesticide services from a Massachusetts licensed pesticide applicator specifically as it pertains to churches. Mr. Garabedian stated that these are limited food service establishments and as such only require that they have in place some sort of “on-call” contract – he noted that if a church has a problem he would like them to have in place a company that they would use rather than searching through the yellow pages at the time of the problem.

Motion made by Mr. Garabedian to exempt the churches from 201-6(S) provided that they have in place a licensed pesticide applicator through an on-call contract. Motion seconded by Mr. Cella; the vote was all in favor.

Daily Bread Bakery Café – Non-Compliance Fee Dispute: The Board reviewed the letter from Chris Sohigian, owner of Daily Bread Bakery Café, disputing the non-compliance fee assessed resulting from a second re-inspection of his food establishment for failure to correct all violations.

Mr. Sohigian states that a phone call to the office to request a delay in the re-inspection was not answered and therefore he should not be charged for an additional inspection.

The Board reviewed the inspection reports of August 13, 2010, September 3, 2010, and September 17, 2010. Mr. Sohigian is being charged \$50 for the September 17th inspection. The phone log for the Board of Health show that his employee Lindsey called on September 10th to request a delay on the re-inspection. It was noted that the September 3rd report states that Ms. Gilchrist would return in seven (7) days for the second re-inspection. She in fact returned on the 17th. Regardless of whether the phone call on September 10th was received in the office (it was logged as a voice mail message on September 13th), the second re-inspection was necessary.

Mr. McKeon noted that all fees assessed against an establishment will need to be paid or else this Board will not issue a renewal permit for 2011.

Motion made by Mr. Cella to deny request for waiver of non-compliance fee. Motion was seconded by Mr. Garabedian; the vote was all in favor.

Pratt Trucking – Application for Trash Hauler License: Ms. Gniadek informed the Board that she was made aware of Pratt Trucking collecting residential waste in Northbridge. An order to obtain a trash hauler license was sent to them on October 1st. They have submitted their application for licensure. The Board approved their application and signed their license to operate as a Trash Hauler.

Superior Waste & Recycling – Application for Trash Hauler License: Ms. Gniadek informed the Board that she was made aware of Superior Waste & Recycling collecting residential waste in Northbridge. An order to obtain a trash hauler license was sent to them on October 7th. They have submitted their application for licensure. The Board approved their application and signed their license to operate as a Trash Hauler.

Correspondence: The following correspondence was distributed to the Board:

- Letter from University of Massachusetts Medical School – Invitation to Forum on October 26, 2010 at the Blackstone Valley Regional Vocation Technical High School in Upton to discuss public health initiatives by City of Worcester Task Force

There being no further business, motion to adjourn at 8:15 PM was made by Ms. Thompson and seconded by Mr. Cella – all in favor.

Attested by,

Jeanne M. Gniadek, Administrator

*List of Documents utilized by Board of Health
Meeting Date: October 18, 2010*

- 1) DRAFT Minutes of October 5, 2010 Meeting
- 2) Food Establishment Inspection Reports
 - a) Arcade Package Store – Re-inspection: 10-01-2010
 - b) Blackstone Valley Methodist Church – Routine: 10-08-2010
 - c) China Pacific Restaurant – Re-inspection: 10-01-2010
 - d) Friendly’s Restaurant – Complaint Inspection: 10-01-2010
 - e) Northbridge Assoc. of Churches Food Pantry – Routine : 10-14-2010
 - f) Northbridge Senior Center – Routine: 10-14-2010
 - g) Oma’s Austrian Cakes & Cookies – Routine: 10-08-2010
 - h) Pirate’s Cove Ice Cream – Re-inspection: 10-09-2010 (1 Critical Violation)
 - i) Rockdale Congregational Church – Routine: 10-09-2010
 - j) SMOC Headstart – Routine: 10-14-2010
 - k) Uxbridge First Night Committee – Routine: 10-08-2010
 - l) Whitinsville Christian School – Routine: 10-08-2010
 - m) Whitinsville Golf Club – Re-inspection: 10-01-2010
 - n) Windsor Corner Restaurant (New Establishment) – Pre-operational: 10-09-2010
 - o) Belanger Brothers Show – One-Day Food Permit – Routine: 10-08-2010
- 3) Food Establishment Inspection Policy
 - a) Policy for the Town of Northbridge
 - b) Policy for the Town of Westborough
- 4) Certificate of Merit Program Guidelines
- 5) Board of Health regulations governing Food Establishments 201-2
- 6) Daily Bread Bakery Café Fee Dispute
 - a) Letter regarding fee dispute dated October 6, 2010
 - b) Email notification to Chris Sohigian of placement of fee dispute on October 18th Agenda
 - c) Copy of phone log for September 10, 2010 – request from Daily Bread to re-schedule health inspection
 - d) Food Establishment Inspection Reports of August 13, 2010; September 3, 2010; & September 17, 2010
- 7) Pratt Trucking – Letter ordering business to obtain Trash Hauler License dated October 1, 2010;
Application for Trash Hauler License from Pratt Trucking
- 8) Superior Waste & Recycling – Letter ordering business to obtain Trash Hauler License dated October 7, 2010; Application for Trash Hauler License from Superior Waste & Recycling
- 9) Correspondence
 - a) Letter from University of Massachusetts Medical School – Invitation to Forum on October 26, 2010 at the Blackstone Valley Regional Vocation Technical High School in Upton to discuss public health initiatives by City of Worcester Task Force