

BOARD OF HEALTH MEETING

August 17, 2011

Town Council Chambers, Administration Building

CALL TO ORDER: Dr. John Straus called the meeting to order at 7:35 PM.

PRESENT: Dr. John Straus, Dr. Barbara Beck, Cynthia Brooks, Steven Ward, and Kristel Bennett.

Minute Review: The Board of Health reviewed the minutes of the July 20, 2011. Dr. Barbara Beck made a motion to accept the minutes of the July 20, 2011 meeting. Dr. Straus stepped down as Chair and seconded the motion. All were in favor.

7 – Eleven: Kristel Bennett introduced Mr. Tesfaye Gelrd store manager of 7 – Eleven located at 5 Mt Auburn Street to the Board. Mrs. Bennett presented the plan review documentation for 7 – Eleven to the Board and informed the Board that 7 – Eleven is requesting a Retail Food Establishment, Coffee, and Tobacco Sales and Location Permit. Mrs. Bennett informed the Board that 7 – Eleven is currently operating under a Temporary Retail Food Establishment, Coffee, and Tobacco Sales and Location Permit. Mrs. Bennett stated that the applicant has received the Retailer Tobacco Education Training and has been instructed as to the responsibility concerning the inspection process. 7 – Eleven has two handsinks, one three bay sink with a grease trap, one mop sink, and two fully enclosed bathrooms. The menu items include coffee, hot dogs, pizza, chicken fingers, nachos, burritos, slush, and pre-packaged products including but not limited to: chips, cookies, candy, sandwiches, beverages, pastries, cereal, crackers, yogurt, ice cream, milk, juice, and soda. After much discussion thereof Cynthia Brooks made a motion to approve the issuance of a 2011 Retail Food Establishment, Coffee, and Tobacco Sales and Location Permit to 7 – Elven located at 3 Mt Auburn Street. A condition of the issuance of the permit, 7 – Eleven must post the permit adjacent to the current ServSafe certification and the current Food Allergen certification. This permit is to expire on November 30, 2011. Dr. Barbara Beck seconded the motion. All were in favor.

Board of Health
Minutes August 17, 2011

Dollar N Things: Kristel Bennett presented the plan review documentation for Dollar N Things. Mrs. Bennett informed the Board the owner, Waseem Ahmad, was requesting a Retail Food Establishment Permit and variance from the requirements of a three bay sink with a grease trap. Mrs. Bennett informed the Board that the applicant had completed the Food Plan Review Application process, has been instructed as to his responsibility regarding the requirements of the Food Code, and has been instructed as to his responsibility concerning the inspection process. After a brief discussion Cynthia Brooks made a motion to approve the issuance of a 2011 Retail Food Establishment Permit to Dollar N Things located at 485 Arsenal Street with the following conditions. Approving a variance for a grease trap and three bay sink as required under Food Code 5-402.10 and the Watertown Board of Health "Rules and Regulations for the Maintenance of Grease Trap and Removal of Grease from Food Establishments". Food code 5-402.133 states that food establishment drainage systems, including grease traps, that convey sewage shall be designed and installed as specified under 5-202.11 (A) which states a plumbing system shall be designed, constructed, and installed according to law. The reasons for granting the variance are as follows: No food preparation, and sale of prepackaged food only. The variance, as specified under 105 CMR 590.010 (H)(1)(2) shall be null and void in the event of: a) Change of ownership, b) Menu change, c) Renovation or remodeling, and d) Change of location. The 2011 Retail Food establishment Permit must be posted in a conspicuous location to customers. The permit is to expire on November 30, 2011. Dr. Barbara Beck seconded the motion. All were in favor.

Orchard Park Grill: Kristel Bennett informed the Board that the owner, John Stathakis, was before the Board for an administrative hearing for failure to correct letter violations listed in order dated July 22, 2011 including but are not limited to, failure to pay surcharge fee, behavior toward an inspector, providing false and misleading information, and repeated violations of Chapter X of the State Sanitary Code 105 CMR 590.000. Mrs. Bennett informed the Board that Sanitarian, Ade Solarin and Chief Environmental Health Officer, Kristel Bennett conducted a reinspection on July 21, 2011. This reinspection revealed violations listed in order letter date July 22, 2011, including but not limited to, malfunctioning dish machines, providing false and misleading information to the Board

Board of Health
Minutes August 17, 2011

regarding closure of establishment, and impeding an inspection for behavior toward an inspector.

Mrs. Bennett informed the Board that Sanitarian, Helena Palacios and Chief Environmental Health Officer, Kristel Bennett conducted a reinspection on August 17, 2011. The reinspection revealed that the outstanding violations in the order to correct letter dated July 22, 2011 had been corrected, including but not limited to the kitchen and bar dish machines malfunctioning.

After hearing the findings of the Health Department's inspection, order to correct letter, and hearing the testimony provided by John Stathakis, owner of Orchard Park Grill, and after much discussion thereof the Cynthia Brooks made a motion to suspend Orchard Park Grill's Permit to Operate a Food Service Establishment for two (2) consecutive week days (not weekend days) for serious and repeated violations of the Food Code and Chapter X of the State Sanitary Code 105 CMR 590.000, impeding an inspection for behavior toward an inspector, and providing false and misleading information to the Board of Health. This suspension will be on Monday, August 22, 2011 and Tuesday, August 23, 2011. All food service operations must be suspended at this time. Dr. Barbara Beck seconded the motion. All were in favor.

Nourish Café at Athena Health: Kristel Bennett introduced Mr. Mike Thibault manager of Nourish Café at Athena Health located at 400 North Beacon Street to the Board. Mrs. Bennett informed the Board that the owner of Nourish Café is Guckenheimer Enterprises. Mrs. Bennett presented the plan review documentation for Nourish Café to the Board and informed the Board that Nourish Café is requesting a Food Service Establishment Permit. Mrs. Bennett informed the Board that Nourish Café is currently operating under a Temporary Food Service Establishment Permit. Mrs. Bennett stated that the applicant has received the Person In Charge Training and has been instructed as to the responsibility concerning the inspection process. Nourish Café has two handsinks, one three bay sink with a grease trap, one mop sink, one food prep produce sink, and two fully enclosed bathrooms. The menu items include breakfast sandwiches, omelets, muffins, fruit, yogurt, soups, chili, panini's, sandwiches, salads,

Board of Health
Minutes August 17, 2011

rice, roasted chicken, fish, beef, and pork. Mrs. Bennett informed the Board that the applicant has not received a common victualer license with the licensing board for having seats. After much discussion thereof Dr. Barbara Beck made a motion to approve the issuance of a Temporary Food Service Establishment Permit to Nourish Café at Athena Health located at 400 North Beacon Street. A condition of the issuance of this temporary permit, Nourish Café must post the permit adjacent to the current ServSafe certification and the current Food Allergen certification. Nourish Café must comply with all local regulations and ordinances including but not limited to Common Victualer License for seating. This Temporary Permit is to expire at the next Board of Health meeting on September 21, 2011. Cynthia Brooks seconded the motion. All were in favor.

G & G Pretzel d/b/a The Pretzel Twister: Kristel Bennett introduced Mr. Guang Hai Guo owner of G & G Pretzel d/b/a The Pretzel Twister located at 485 Arsenal Street to the Board. Mrs. Bennett presented the plan review documentation for G & G Pretzel d/b/a The Pretzel Twister to the Board and informed the Board that G & G Pretzel d/b/a The Pretzel Twister is requesting a Food Service Permit. Mrs. Bennett informed the Board that G & G Pretzel d/b/a The Pretzel Twister is currently operating under a Temporary Food Service Establishment Permit. Mrs. Bennett stated that the applicant has received the Person In Charge Training and has been instructed as to the responsibility concerning the inspection process. G & G Pretzel d/b/a The Pretzel Twister has two handsinks, one three bay sink with a grease trap, and one mop sink. The employees use the bathroom located within the Arsenal Mall. The menu items include pretzels, fountain drinks, lemonade, and slush. After much discussion thereof Dr. Barbara Beck made a motion to approve the issuance of a 2011 Food Service Establishment Permit to G & G Pretzel d/b/a The Pretzel Twister located at 485 Arsenal Street. A condition of the issuance of the permit, G & G Pretzel d/b/a The Pretzel Twister must post the permit adjacent to the current ServSafe certification and the current Food Allergen certification. This permit is to expire on November 30, 2011. Cynthia Brooks seconded the motion. All were in favor.

Board of Health
Minutes August 17, 2011

Qwic Pic Deli: Kristel Bennett informed the Board that the applicant was not ready to receive a 2011 Food Establishment Permit and will be on the September 20, 2011 agenda.

22 Bates Road: Kristel Bennett informed the Board of Health that the property owner had correct all but one of the violations in the order to correct letter dated December 10, 2010. Mrs. Bennett informed the Board that the property is now under active foreclosure. The Health Department will issue an order to correct letter for the remaining violation to the new property owner.

18 Brimmer Street: Kristel Bennett informed the Board that a social worker/professional organizer is assisting the tenants to remove, reduce, and organize the materials in the dwelling unit. Mrs. Bennett informed the Board the case management will be amended to reflect the progress made.

Fee Schedule for Licenses and Permits Regulation: Steven Ward presented the draft language for the revisions of Town of Watertown Board of Health Fee Schedule for Licenses and Permits Regulation to the Board. After much discussion the Cynthia Brooks made a motion to accept the revised Fee Schedule for Licenses and Permits with the following change, to remove Hazardous Materials Permit (Initial Permit Fee) language "Expires May 31st." Dr. Barbara Beck seconded the motion. All were in favor.

Old / New Business: Steven Ward updated the Board of the status of the Regionalization Implementation Grant.

Next Meeting Date: September 20, 2011.

Adjourn: 9:45 PM

Minutes: Submitted by Steven J. Ward, Director of Public Health