

BOARD OF HEALTH MEETING

February 15, 2012

Philip Pane, Lower Hearing Room, Administration Building

CALL TO ORDER: Dr. Barbara Beck called the meeting to order at 7:40 PM.

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

Minute Review: The Board of Health was unable to accept the minutes of the January 18, 2012 meeting since not all members were present.

107 Spring Street, #2-3: Kristel Bennett informed the Board that a reinspection was conducted in February 2, 2012 and compliance had been achieved with all the violations listed in the condemnation order letter dated November 18, 2011. Since the violations that were listed in the condemnation order no longer existed the condemnation order was withdrawn. During the inspection a violation was observed, the stove oven unit had been removed. An order to correct letter has been issued for the violation. Since the condemnation order has been withdrawn, the requirement for the hearing has been withdrawn.

42 Bradford Road: Kristel Bennett informed the Board that the owner of 42 Bradford Road was before the Board for an administrative hearing to request more compliance time with order to correct letter dated January 5, 2012. Mrs. Bennett presented the findings of the Health Department inspection of the dwelling unit. The owner of 42 Bradford Road, Adeline DiIorio, informed the Board that the violations listed in the order to correct letter have been addressed. After much discussion thereof, Cynthia Brooks made a motion to grant the request for more compliance time, the owner of 42 Bradford Road must correct the remaining violations in the order to correct letter dated January 5, 2012, by March 21, 2012. If the violations remain unabated by March 21, 2012 a court complaint will be filed against the owner of 42 Bradford Road in Waltham District Court for non-compliance with the order to correct letter dated January 5, 2012. Dr. Barbara Beck stepped down as chair and seconded the motion. All were in favor.

Board of Health
Minutes February 15, 2012

5 Bromfield Street: Kristel Bennett informed the Board that the owner of 5 Bromfield Street has requested a hearing for the withdrawal of the order to correct letter dated January 5, 2012. Mrs. Bennett informed the Board that the owner had requested to hold the meeting in March due to unforeseen circumstances that have come up. Mrs. Bennett informed the Board that Steven Ward had granted this request and that this administrative hearing has been rescheduled for the March Board of Health meeting.

Orchard Park Grill: Kristel Bennett information the Board that the owner, John Stathakis, of Orchard Park Grill located at 208 Waverley Avenue was before the Board of an administrative hearing to show cause as to why the Board should not suspend or revoke Orchard Park Grill's Permit to Operate a Food Service Establishment for a history of serious and repeated violations of Chapter X of the State Sanitary Code 105 CMR 590.000 including but not limited to failing to notify the Health Department for lack of electrical services. Mrs. Bennett provided an update to the Board of the repeated violations that have been documented during the inspections. Mrs. Bennett informed the Board that Sanitarian, Ade Solarin conducted a reinspection of the order letter dated January 26, 2012 on February 9, 2012, the reinspection revealed four violations remaining outstanding including but not limited to Person In Charge responsibilities, kitchen warewash machine not functioning, interior of ice machine soiled, and failure to submit proof of pest control treatment to the Health Department. Mr. Stathakis informed the Board the he is in the process of selling his business in the next few months.

After hearing the findings of the Health Department's inspections, 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 three (3) 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. This suspension will be on Tuesday, February 21, 2012 28, 2012, Wednesday, February 29, 2012, and Thursday, March 1, 2012. All food service operations must be suspended at this time.

Board of Health
Minutes February 15, 2012

In addition the owner of Orchard Park Grill, John Stathakis must hire a professional food consultant trainer that has been vetted through the Department of Public Health. The professional food consultant must bring the establishment in a sanitary environment to meet and maintain compliance with the Food Code and chapter X of the State Sanitary Code 05 CMR 590.000. A list of selected and approved professional food consultants will provided in the Board of Health decision letter. The food consultant must be hired for a period of six months. The food consultant must inspect the establishment bi-monthly for a period of six months, a total of twelve (12) inspections. The inspection report must be submitted to the Health Department with forty-eight (48) hours after completion of the inspections.

1. A review of inspections provided by the food consultant will be conducted upon submission and at the three month period to determine whether sanitary improvements are being made. Should significant improvement and compliance with the Food Code and Chapter X of the State Sanitary Code 105 CMR 590.000 be achieved after three months, then the six month requirement will be reduced to three months, and the food consultant services will no longer be required.
2. The food consultant must review the order letter dated January 26, 2012 and meet with Kristel Bennett, the Chief Environmental Health Officer, at the Watertown Health Department prior to conducting the first inspection at the food establishment.
3. The food consultant must be hired on or before Monday, March 5, 2012. A copy of the signed contract must be submitted to the Health Department by this date.

Failure to comply with this Board of Health order will result in the revocation of your Permit to Operate a Food Service Establishment. Dr. Barbara Beck stepped down as chair and seconded the motion. All were in favor.

New/Old Business: Steven Ward provided an update to the Board of the status of the Community Health grants that the Health Department has received. Wesley Chin and Steven Ward informed the Board of the proposed amendments to the Sale of Tobacco Products to Minors Regulations. The Board reviewed the proposed amendments. The amendments include but are not limited to the following: changing the title of the regulation to Regulation of the Watertown Board of Health Restricting the Sale of Tobacco Products and Nicotine Delivery Products to Minors, the definition establishment, the definition nicotine delivery product

Board of Health
Minutes February 15, 2012

(including e-cigarettes), tobacco retailer education program requirements, and suspension and revocation language.

Next Meeting Date: March 21, 2012 or March 28, 2012

Adjourn: 9:20 PM

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