

Public Meeting

July 24, 2008
Caucus Hall
5:00 p.m.

Members Present: Jerry Anathan, Tom Gaudreau, Duane Gregory,
Ken Janson, and John Livingstone.

Members Absent: none

Staff: Jane Evans, Health Agent
Brian Carlson, Health Inspector

The meeting was called to order at 5:00 p.m.

AGENDA

Public Comments

Debora Rosen expressed her concerns about perceived health code violations at the Grand Union. Duane Gregory suggested she come to a future meeting under discussion.

New Business

8 Washington Avenue

ACO Request

This property is currently on the market and is served by two cesspools. The owner is in the process of contracting to have the cesspools inspected and has agreed to provide any “quick fix” that may be deemed necessary based on the inspection report.

Motion: Move to recommend approval of the ACO with the owner to be responsible for any “quick fix” required as a result of the septic system inspection.

Motion: John Livingstone Seconded: Tom Gaudreau Vote: 5-0-0.

Geraldine Boccio

Way Down Town – Restaurant – 265-267 Commercial Street

Tom Gaudreau stepped down. Ms. Boccio was represented by Atty Chris Snow; she was also accompanied by a few of her workers and friends.

The restaurant came under a suspension order on July 18, 2008 after repeated inspections and warnings from the Health Agent dating back to May 2008 regarding the temperature of their refrigeration units. After a quick repair they were allowed to open on the next day, July 19th. Jane felt that a lot of the problem stemmed from a poorly designed kitchen where there is very little separation between the grille and refrigeration units. The owner felt that she was being singled out and persecuted. Jane Evans also wanted the owner of the restaurant to obtain a copy of the Federal Food Code, the Massachusetts Merged Food Code, and to become certified in Serve Safe program of instruction. (Temperatures for cold storage of food are mandated at 41 degrees and some of the units

in the restaurant ranged from 50 to 70 degrees.)

Chris Snow, attorney, felt that the thermometers used may have been incorrect and should have been calibrated on the premises and documented. Geraldine Boccio has engaged Shane Burhoe of Cape Cod Refrigeration to monitor her refrigeration units.

Board member, Dr. John Livingstone, commented that there have been enough violations and – as a physician – he is gravely concerned about the safety of the public and agrees with monitoring this closely.

Jane Evans apologized to Ms. Boccio for any perceived problems and explained that she was just doing her job.

Motion: Move to continue with the sixty day probation status of the permit holder or owner of the restaurant with frequent weekly inspections and continuing to close the restaurant whenever temperatures for cold or hot holding are not being maintained. The owner must obtain a copy of the Federal Food Code and the Massachusetts Merged Food Code and must become Serve Safe Certified if not done already.

Motion: Duane Gregory Seconded: John Livingstone Vote: 4-0-0.

A motion was made, seconded, and voted unanimously to take Brian's report out of order.

Health Inspector's Reports

Brian will have a computer based program for communicable diseases. Eventually that's where we're headed for ready access to all pertinent information.

Brian attended a county meeting with Dana Faris and they were talking about beach closures. Theoretically the causes are leaning toward run-offs fouling the beaches. He also produced a map of just where the problems lie.

There are new methods of testing and both Jane & Brian are working on that. DNA testing will be done which should help determine the origin of the pollution. Two out of ten catch basins are full; Ken wondered why the DPW isn't cleaning them since it's a health issue.

Brian also gave an update on his emergency preparedness responsibilities.

Approval of Minutes for July 10, 2008

Motion: Move to approve the minutes of the July 10th meeting.

Motion: Jerry Anathan Seconded: Duane Gregory Vote: 4-0-1 ab (KJ)

Health Agent's Report

Jane Evans reports being busy with changes being made to the growth management by-law.

Jane also said that she will be posting the Federal Food Code and the Massachusetts Merged Food Code in each restaurant in town. John L. said that it's the owner's responsibility to know the code. Also she will be posting "no bare feet and no dogs" in these establishments.

Board Members' Statements

John Livingstone – in commenting on Way Downtown – said that he felt the main issue was attitude and a food server has to know the law and be cooperative about it. It creates a power struggle and it's the owner's job to know and to be cooperative about it.

The meeting adjourned at 6:10 p.m.

Respectfully submitted,

Evelyn Gaudiano

E. Rogers Gaudiano

Approved by the Board of Health on _____, 2008

Duane Gregory, Chair