

# Town of Dudley

## BOARD OF HEALTH

October 19, 2016 @ 6:30pm

Dudley Municipal Complex – Room 321A

71 West Main Street, Dudley, MA

Some matters may have been taken out of agenda order but were typed up in agenda order for ease of locating information when necessary.

### Call to Order, Pledge of Allegiance

Chairman Jennifer Cournoyer called the meeting to order at 6:30pm. In attendance were J. Theodore Zajkowski, Roberta Johnson, and Health Agent, Julie VanArsdalen.

1. Mr. Zajkowski motioned to accept the minutes of September 21' 2016. Ms. Johnson seconded. Minutes approved unanimously, 3/0.

2. **Inspection of Nail Salons**

The Board confirmed that the dates on all documents related to the implementation of the Nail Salon Regulations had been revised as discussed at the Public Hearing on September 21, 2016.

Mr. Zajkowski made a motion to approve all documents related to the regulation of nail salons within the town of Dudley. Ms. Johnson seconded. **Approved unanimously 3/0.**

**Board members signed, and the formal documents will be available on the town web site by Monday.**

3. **Yummy Chinese Restaurant - Order to Appear**

Ms. Cournoyer reviewed the inspections that took place that led to the order to appear, including numerous critical violations. Ms. Cournoyer stated the violations have been ongoing for several years, dating back to 2012.

David Wang, the owner of Yummy, apologized to the Board, acknowledged they have issues that need to be resolved, asked the Board to take into consideration that in their years of business they have not to their knowledge of a patron getting sick or complaining to the Board about their facility.

Ms. VanArsdalen explained the State definition of 'critical violation' in the food industry and noted her concern that Serv-Safe trained personnel are performing tasks in a manner that violate the training they have. Training certificates were reviewed for expiration.

Conversation between the Board, Ms. VanArsdalen, and Mr. Wang took place regarding the current violations, prior violations, training, and a plan for kitchen construction and new lay-out for the kitchen.

Discussion was had about the upkeep of equipment, refrigeration and freezers, and labeling. Ms. VanArsdalen noted again a repeat pattern of violations.

After extensive conversation, it was the consensus of the Board that:

The establishment is ordered to CEASE AND DESIST all food service and retail food operations. This is an open ended license suspension pursuant to the following remediation:

1. A Consultant, approved by the Board of Health, will be hired to assist in training all food handling staff, on site, with proper food handling methods. Your food staff will become ServSafe Re-Certified, with copies of all certificates on file at the office of The Board of Health. This consultant will remain employed by your facility until such time as you can demonstrate your facility can maintain compliance with the State Food Code.
2. All violations noted on prior inspection have been resolved, and your establishment has paid for and passed a re-inspection at the rate of \$100.00, due prior to inspection.

3. All persons in charge must hold a valid Allergen Awareness Training and Anti-Choking Training Certificate. Copies of these certificates must be submitted to the Board of Health.
4. A formal plan for permanent resolution of kitchen and food storage upgrades must be in place and submitted to the Board for review within two weeks.

At 7:10pm Mr. Zajkowski made a motion to approve the above requirements. Ms. Johnson seconded. Passes unanimously 3/0.

#### **4. Health Inspector's Report**

No updates at this time.

#### **5. Old Business**

Rabies clinic had a small turnout, but went well.  
Flue Clinic also went well, but with small turn out.

Ms. Cournoyer spoke with Sara about the trailer. The town agreed to insure and register the trailer in 2009. There is no cost to register, and we are self-insured. Need to obtain certificate of origin. As soon as we have that info, we can register the trailer. Also mentioned training that needs to be done. Deb Vescera visited BOH office. We need to have a voting authority present at Region 2 Monthly meetings. Mr. Purcell no longer attends these meetings. The Board needs to appoint someone to vote on Dudley's behalf. Deb Vescera or Jim Philbrick can vote on our behalf. The Board discussed the two options, and what the limit of their authority would be. The Board Members reviewed the credentials of both candidates.

Mr. Zajkowski made a motion that Deb Vescera vote on behalf of the Dudley BOH at the Region 2 Emergency Preparedness Monthly Meetings. Ms. Johnson seconded, voting was two in favor, one opposed. **Vote passes 2/1.**

#### **6. New Business**

**Town meeting Monday 10/24/2016, 6:30pm at SHRHS.**

Ms. Cournoyer noted the next meeting will be held Tuesday, November 15, 2016, 6:30pm in Room 315 of the Dudley Municipal Complex.

Mr. Zajkowski motioned to adjourn, Ms. Johnson seconded. Unanimous 3-0

Meeting adjourned at 7:37pm.

Respectfully submitted,  
Theresa Woodford