

BOARD OF HEALTH MEETING

December 13, 2017

Watertown Administration Building, Lower Level Hearing Room

PRESENT: Dr. John Straus, Chairperson; Dr. Barbara Beck, Secretary; Richard Arnold, Member; Deborah Rosati, Director of Public Health; Kristel Bennett, Chief Environmental Health Officer; Vivian Zeng, Health Officer

CALL TO ORDER: Dr. John Straus called the meeting to order at 7:00 pm.

Minutes

The minutes of the November 15, 2017 meeting were approved as presented (Motion-R. Arnold, Second-Dr. Beck, 3-0).

Public Comment: There were none present for comment.

Deluxe Town Diner, 627 Mt. Auburn St. – Hearing for Suspension of Permit to Operate a Food Service Establishment

Mr. Donald Levy, owner and operator of Deluxe Town Diner, appeared pursuant to the Health Department's notice of a Food Permit Suspension Hearing for repeat violations. K. Bennett reported that Mr. Levy was advised at the October 16, 2017 Board of Health meeting that the Board required that all training certifications were to be provided to the Health Department no later than November 15, 2017. If not submitted by then, the Board would consider additional action including a suspension of the Permit to Operate. K. Bennett reported that the outstanding Chokesaver Certifications were not submitted by November 15th. On November 30th, Mr. Levy visited the Health Department office to renew his Permit and submit copies of the certifications as well as the \$100 surcharge.

Mr. Levy indicated that he wasn't aware that there was a November 15th deadline. He was planning on submitting everything when he renewed his permit. He said that he sold his Newton store and has had a lot going on. He indicated that he was compliant with submitting one certification, however the Board members disputed this, indicating that the Chokesaver certification was not submitted. Following further discussion, the Board discussed their options for penalties for future non-compliance.

Dr. Beck offered a motion that any late or non-submittal of documents, including but not limited to, ServSafe Certificates, Allergen Awareness, Chokesaver, Food Permit applications and fees for Deluxe Town Diner, will result in a two day suspension of the Deluxe Town Diner's Permit to Operate a Food Establishment, to occur within a one month period following notification of non-compliance by the Health Department. Richard Arnold seconded this motion, and it was voted unanimously.

Dizin Frutti Berri, 127 Mt. Auburn St. – Administrative Hearing for Suspension of Permit to Operate a Food Service Establishment

Sharhrzad Azimi Azad, representing her husband, Ali Toloui Rahimabadi, owner of Dizin Frutti Berri, appeared before the Board for an Administrative Hearing for Suspension of the Permit to Operate a Food Service Establishment.

Vivian Zeng indicated that Frutti Berri has been operating for a period of six months. They were noted to be preparing and serving unapproved food items, baklava and beef, chicken and vegetable empanadas, on November 28, 2017. There was unapproved hot holding equipment with empanadas noted, and unlabeled containers of baklava.

Ms. Asad indicated that they are not business people. She has worked as a Medical Doctor but not in this country. She never wanted to work outside of the law but indicated that their business is slow in the wintertime selling ice cream. She purchased empanadas from Restaurant Depot and cooked them in a conventional warmer.

D. Rosati indicated previous non-compliance such as terminating lab testing for their Frozen Dessert, and operating the business without a permit when they purchased it. Ms. Azad indicated that the Lab asked for three months payment in advance and they couldn't afford this. They did obtain services from another lab.

The Board explained that a consultant may be necessary to guide the owners with development of a plan to introduce additional food items, as space, equipment and ensuring proper food handling are considerations.

The Board opted no action at this time, but would consider additional action for future non-compliance.

Department Updates

D. Rosati informed the Board that the Town has hired Rajit Gupta as a new Health Officer to replace Pat Martin. He is slated to begin on December 26, 2017.

The FY'19 Budget is due on January 11, 2017.

V. Zeng informed the Board about an emergency call from the fire department regarding Flaming Pit on Arsenal St. on the evening of 11/30/2017. V. Zeng responded to the fire and ordered the owner to close until Ansul systems were recharged, hood and ducts were professionally serviced, and all affected areas were cleaned and sanitized. After reinspection, Flaming Pit reopened the morning of 12/6/2017.

Meeting was adjourned at 9:15 pm (Motion – Dr. Beck, Second – Richard Arnold, 3-0)

Respectfully submitted: Deborah M. Rosati, Director of Public Health

Approved: January 18, 2018