

Board of Health  
Meeting Minutes  
September 25, 2018 – 7:00 P.M.  
Ashland Town Hall, 101 Main Street, Ashland, MA  
Selectmen’s Meeting Room

*Jon Fetherston, Chairman*  
*Diane Mortensen, Vice Chairwoman*  
*Mark Oram, Agent/Director*

*Chris Daniele, Clerk*  
*Ronald Etskovitz, Member*  
*Koduvayur Narayana, Member*

**Members Present:**

Jon Fetherston, Chris Daniele, Ronald Etskovitz and Koduvayur Narayana

**Members Absent:**

Diane Mortensen

**Others Present:**

Mark Oram, Health Agent / Director  
Laura Clifford, Administrative Secretary  
Tom Curran, Food Inspector  
Roxanne Gavlick, Speedway  
Sharon Kane, Gluten Free Sourdough  
John Tomasz, TJ’s  
Peter Zoummar, 33 All American Diner  
Lynne Mucciasone and Jeff Mosher, Ashland Ale House  
Mayra Ramirez, Mexico City  
Alan MacIntosh, Noodle City  
Joseph Gaied, Ashland Pizza Palace  
Robert Andrews, Hanto  
Lisa Beaudin, Ashland Public Schools  
Kim Sternick, Warren Conference Center  
Shaun Keefe, Murphy’s Eats and Treats

**Call to Order**

Mr. Fetherston called the meeting to order at 7:06 p.m. and announced that the meeting was being recorded by WACA-TV.

**Citizen’s Participation**

None.

**Public Discussion and overview of the 2013 Massachusetts Merged Food Code**

Tom Curran shared a PowerPoint Presentation which outlined some of the key changes that will occur should the Board of Health implement the 2013 Food Code as an Ashland Board of Health Regulation. Currently the State references the 1999 Food Code under 105 CMR 590; there is an effort to implement the 2013 Food Code at the State level within the next year. Ashland is working to implement the 2013 Food Code at a local level and may do this prior to the State’s implementation. Updating the Food Code will provide uniformity for training and health inspectors and strengthen reporting requirements.

Some Key Changes:

- “Time/Temperature Control for Safety (TCS)” foods replaced “Potentially Hazardous” Foods (PHF’s)” and require adjustment for acidity and moisture content when determining which foods require temperature controls to limit microorganism growth;
- Added provisions on “Cut Leafy Greens”, including lettuce, spinach, kale, and chard with shredded or chopped green leaves to be defined as TCS foods, which require specific cooling and holding temperatures to address outbreaks traced back to leafy greens;
- Required establishments to post a conspicuous sign which tells customers that a copy of last inspection report is available upon request;
- New hot and cold food holding temperatures (135 degrees/hot, 41 degrees/cold);
- Updated Terminology: “Priority”, “Priority Foundation” and “PF Core”.

Mr. Curran discussed some of the risk factors including the importance of handwashing, proper glove use and reporting illness. Mr. Curran noted that the updated Food Code requires the Employee Reporting Agreement Form to be utilized. At the end of the PowerPoint presentation, Mr. Narayana noted that what was shown is not a complete overview of the updated Food Code.

Food Vendors who have recently taken the ServSafe exam noted that the training this year is focused on the newer Food Code guidelines. The Board discussed putting out bids to have a regional training which could benefit many local restaurants in the region.

Mr. Oram noted that tonight’s meeting was designed to get input from the vendors, the Board will continue to consider implementing the update and, ideally, this should occur by the first of the calendar year. The Board agreed that it can only be an advantage. Mr. Oram and Mr. Curran noted they will work with all the food vendors to ensure compliance through assistance, and if there are questions they will be happy to assist.

Mr. Etskovitz so moved Mr. Fetherston’s motion to take a five minute recess; Mr. Narayana seconded the motion. The motion was approved 4-0. The Board recessed at 7:54 PM.

Mr. Fetherston called the meeting back in session at 8:01 PM.

**Mill Pond Rest Home**

Mr. Oram noted that a Disaster Plan and a Contact List were received from Mill Pond, adding that he and the Fire Chief will be meeting with Ms. Lill and will inform her that the schools cannot provide shelter unless it is a town-wide issue. Mr. Daniele noted that he would like to see a full comparison of the new policy, to show that the changes made were those requested by the Board, as well as a correction to the effective date. Board Members agreed that the response was not complete. Mr. Narayana made a motion that we have Jon Fetherston send Mill Pond a letter noting the deficiencies and identify what needs to be corrected. Mr. Daniele seconded the motion. Mr. Daniele noted there should be a due date and a consequence for non-compliance. Mr. Oram noted the Board could request that they come in and discuss the training and that they provide a copy of their sheltering agreement signed by the Federated Church, as well as the transportation plan. The motion was approved 4-0.

**Shaw’s Supermarket, repetitive violation re: roof / water leak, ceiling tile damage, mold**

Shaw’s personnel, Thom Crook, Mark Bermingham and Brian McVarish, joined the Board to discuss a recent complaint received by the Board of Health office from a resident, citing mold on the ceiling tiles in Shaw’s Supermarket, photos had been provided. Tom Curran completed a full inspection on September 9<sup>th</sup> and

cited Shaw's on multiple violations due to possible contamination of food from the affected ceiling tiles, and issued an order to remediate any mold and replace the ceiling tiles. Mr. Curran returned to do a follow-up inspection on September 19<sup>th</sup>; it was apparent that some tiles had been replaced, but did not believe that was sufficient, noting that there seemed to be a lack of urgency and communication regarding the repairs. Shaw's personnel described that what they first believed to be a roof leak, was later discovered to be delaminating of the insulation due to condensation of the refrigerant pipes. Mr. McVarish explained the steps that have been taken to replace 4,000 feet of tile and insulation; the repairs are conducted at night and are expected to be complete by the end of the month. The Board asked that while construction work continues, the area be covered and tarped. Mr. Oram noted that moving forward, the ceiling be included during internal quality control inspections; Mr. Crook agreed.

Mr. Curran left the meeting (8:47 PM); the Board thanked him for his work.

#### **Discuss Upcoming Juuling/Vaping Seminar (November 1, 2018)**

Mr. Oram noted that the flyer will be sent to nine other Health Agents in the region. There is a \$50 cost for an insurance binder and a \$200 cost for police detail. Mr. Oram noted that this money will come from the revolving tobacco fund budget. Mr. Fetherston made a motion that proceeds from the tobacco fund, an amount not to exceed \$300, be used for the juuling and vaping seminar at MassBay Community College. Mr. Narayana seconded the motion. The motion was approved 3-0-1 (Mr. Daniele abstained due to the fact that he is employed by the State and MassBay Community College). Mr. Oram will send it to the schools, tobacco vendors and WACA-TV, and will ask the other Health Agents/Towns to do the same. Mr. Fetherston will speak to WACA-TV regarding recording the seminar.

#### **Review of Minutes, September 11, 2018**

Mr. Narayana made a motion that we accept the Board of Health meeting minutes as presented. Mr. Etskovitz seconded the motion. The motion was approved 4-0.

#### **Health Agent's Report**

##### **a. FY19 Budget update**

Mr. Oram noted that the budget is at 20%, nursing is about 5% over due to the TB case, Dues & Memberships is slightly up as well. Mr. Narayana noted that he will be attending the MAHB conference for Board of Health Members in November.

Mr. Etskovitz noted that the Framingham/Ashland Flu Clinic was a great success, over 1,000 vaccines were administered in under four hours. Mr. Etskovitz thanked Kitty Mahoney for organizing this event. Mr. Oram agreed it is nice to have this regional partnership, and thanked Mr. Etskovitz for volunteering at the event.

Mr. Fetherston noted the success of Ashland Day, and noted he would like to invite Michael Gurnick, MRC Chair, to a future meeting.

#### **Adjournment**

Mr. Etskovitz so moved Mr. Fetherston's motion to adjourn. Mr. Narayana seconded the motion. The motion was approved 4-0. The meeting adjourned at 9:08 p.m.

ASHLAND BOARD OF HEALTH  
DOCUMENTS REVIEWED AT THE 9/25/2018 MEETING  
(All items stored in the Board of Health files unless otherwise noted)

1. PowerPoint slides – Food Code Update
2. Mill Pond Rest Home Updated Disaster Policy
3. Mill Pond Rest Home Contact List
4. Email to Shaw's Supermarket
5. Food Inspection Report – Shaw's Supermarket
6. Juuling / Vaping Seminar Flyer
7. FY19 Budget
8. September 25, 2018 Draft Minutes
9. Audio Recording of the meeting is available