

Board of Health Minutes 05/01/2014

Town of Mashpee

*16 Great Neck Road North
Mashpee, Massachusetts 02649*

BOARD OF HEALTH – PUBLIC SESSION

Minutes of the Meeting of May 1, 2014

Board Members Present:

Kalliope Egloff, Chair
Burton Kaplan, Clerk

Member Absent:

Lucy Burton, Co-Chair

Also Present:

Glen Harrington, Health Agent

Chair Kalliope Egloff called the meeting to order at 7:00 PM.

APPOINTMENTS**7:15 PM – Food Establishment Show Cause Hearing – Alltown Mashpee.**

Ashley Duffy, the territory manager of Massachusetts and Rhode Island for Global Montello Group Corp. / Alltown Mashpee Mobil, introduced herself to the Board.

Glen Harrington stated that on February 11, 2014, an inspection was performed and a critical violation was documented. On February 21, 2014, and March 7, 2014, re-inspections had taken place, and the critical violation had not been addressed. A fine of \$100.00 was issued to be paid within 7 days of receipt of the order letter. The fine letter was received by Global Montello Group Corp on March 17, 2014, and the \$100.00 fine was received by the Board of Health on April 9, 2014. As the fine was not received in the proper time frame, the show-cause letter of April 2, 2014, was sent. On April 9, 2014, the fine and response letter were received by the Board of Health. The letter from Global Montello Group Corp. stated that corporate accounting did not allow for the timely payment of the fine.

Ms. Duffy commented that the fine was paid, the items have been corrected, and a new store manager has been hired. Each of the eight Alltown Mashpee employees had taken the first principle's food handler training program, and four are ServSafe certified. The remaining four shall take the ServSafe certification course in the near future.

NEW BUSINESS

1. Sign Expense Warrants. The Board members signed the expense warrants.

2. Review/Approve BOH Public Session Minutes: April 17, 2014.

Burton Kaplan made a motion that the Board of Health approve the Public Session Minutes of April 17, 2014, as amended. Kalliope Egloff seconded the motion. The motion was unanimously approved.

3. Request for 2014 Food Service Establishment Permit: Karma Crackers (439 Nathan Ellis Highway).

Glen Harrington commented that Ms. Finegold et al are proposing to make gluten-free crackers at the White Lion Bakery during off hours. No new equipment will be necessary. A Department of Public Health wholesale food license will be required since it will only be wholesale. The application, the fee, ServSafe certificate, and the Allergy Awareness certificate have been submitted. A final inspection will be required prior to their operation.

Burton Kaplan made a motion that the Board of Health approve the 2014 Food Service Establishment permit pending receipt of the wholesale food license from the Department of Public Health and a final inspection of the operation by the Health agent. Kalliope Egloff seconded the motion. The motion was unanimously approved.

4. Request to waive Temporary Food Permit fee: Pizza Barbone.

Pizza Barbone will be providing food free of charge for the Lyme Awareness of Cape Cod Grand Opening to be held on May 10, 2014. This is a one-day event, and the founder of Lyme Awareness of Cape Cod has requested a waiver of the permit fee.

Burton Kaplan made a motion that the Board of Health approve the request to waive the Temporary Food Permit fee for Pizza Barbone with the condition of a final inspection during operation. Kalliope Egloff seconded the motion. The motion was unanimously approved.

5. Request to extend time frame for installation of risers: 17 Trinity Place.

On November 20, 2013, Scott Campbell performed a septic inspection for the purpose of transferring one of the commercial units to Ronald Gangemi. The inspection report indicated that the Soil Absorption System did not have covers to grade. On November 21, 2013, a letter was sent to the Association Chairman/Trustee to have the risers installed within 30 days. Mr. Gangemi is bearing the financial burden to perform the required repairs.

The Board previously approved a date of April 30, 2014, for compliance. On April 28, 2014, Mr. Gangemi submitted a letter requesting an additional 40 days to comply as the other condo unit owners were not available to obtain permission to perform the work.

Burton Kaplan made a motion that the Board of Health approve the request to extend the time frame for the installation of risers at 17 Trinity Place with no more extensions. Kalliope Egloff seconded the motion. The motion was unanimously approved.

OLD BUSINESS

1. Request for 2014 Mobile Food Permit: My Ice Cream Lady.

The mobile unit for My Ice Cream Lady is under new management, and Justine Tynan, the new owner, is requesting a mobile food permit. Ms. Tynan has submitted her request for the CORI and SORI check through the police department which is required for mobile ice cream drivers.

Burton Kaplan made a motion that the Board of Health approve the 2014 Mobile Food Permit for My Ice Cream Lady with the condition of a final inspection of the mobile unit prior to operation. Kalliope Egloff seconded the motion. The motion was unanimously approved.

2. Request for 2014 Trash Hauler Permit: Alton Riley.

Glen Harrington commented that Alton Riley has requested a continuance for the 2014 Trash Hauler Permit.

Burton Kaplan made a motion that the Board of Health continue discussion on the 2014 Trash Hauler Permit for Alton Riley to the next Board of Health meeting scheduled on May 15, 2014, subject to storing the truck in an appropriate location overnight, daily disposal of trash, and not servicing any clients. Kalliope Egloff seconded the motion. The motion was unanimously approved.

3. Grease Trap Variance Review: Subway (Deer Crossing).

Greg Benton, owner of Subway, introduced himself to the Board.

Glen Harrington commented that a letter dated April 9, 2014, was sent to Mr. Benton stating that review of their grease trap variance would take place at this meeting. The letter was sent as a result of an inspection based upon a complaint regarding the maintenance of the grease interceptor, the "Big Dipper" unit. The unit reportedly overflowed, and customers witnessed the ensuing maintenance of the unit. During the inspection a Subway employee stated that the grease bin along with the overflow water and monthly maintenance water was flushed down the toilet. This is a violation of Title V and thwarts the intent of the variance granted back in 2007.

Mr. Harrington issued an order to Charles Hajjar, owner of Deer Crossing Condominium, to pump the 11,000 gallon septic tank and to have the system inspected due to the additional grease that was poured down the drain.

The variance was originally granted to Eric McCarthy, the previous owner of Subway, when the septic upgrades took place in December of 2006. At that time the Board of Health questioned the fact that Subway was not connected to a grease trap, and the engineers on Subway's behalf requested the variance. The basis for granting the variance was the extra cost to the owner to install a 1000 gallon tank outside and to get the plumbing through the concrete slab to the tank. Mr. Benton assumed ownership of Subway in January 2007.

Mr. Benton remarked that he spoke to the manager and reviewed the operation of the unit. The manager verified that the contents of the tank on the front is not flushed away. The grease in this tank is removed twice a day and placed in the trash. There is a drain pan under the sink, and the runoff water is vacuumed by the employees. The basket that catches the food particles is removed, and the particles are thrown in the trash.

The Board suggested that Mr. Benton contract a professional to maintain the grease trap system periodically. Also, the Board proposed that Mr. Benton maintain a log for the grease disposal and recommended that Mr. Benton obtain an Operation and Maintenance contract for the unit.

Burton Kaplan made a motion that the Board of Health approve Subway to inquire about an Operation and Maintenance contract either monthly or quarterly and provide training to the employees, and maintain a log for grease disposal. Kalliope Egloff seconded the motion. The motion was unanimously approved.

ADDITIONAL TOPICS

None.

DISCUSSION

1. 2014 Bathing Beaches.

Glen Harrington remarked that the Board will need to approve that Barnstable County Department of Health and Environment issue the semi-public beach permits. The association beaches are semi-public beaches, and the Health Department does not permit them. Barnstable County Department of Health and Environment has offered to permit the beaches without a fee.

Burton Kaplan made a motion that the Board of Health approve the 2014 Semi-Public Bathing Beaches to be permitted by Barnstable County Department of Health and Environment. Kalliope Egloff seconded the motion. The motion was unanimously approved.

2. Gas Monitoring Report – First Quarter 2014: Asher’s Path Landfill.

Glen Harrington commented that he had no issues with the Gas Monitoring Report for the first quarter of 2014 for Asher’s Path Landfill.

3. Household Hazardous Waste Collection.

Kalliope Egloff stated that funding will no longer be available for the Household Hazardous Waste Collection brochures for next year since Mashpee will not be participating with Covanta SEMASS. According to the yearly survey, the participants attend the household hazardous waste collection because of brochure notification. Ms. Egloff felt that it is important to notify the residents of a household hazardous waste collection day in the future,

4. Tobacco 21.

Kalliope Egloff continued discussion on Tobacco 21 to the next Board of Health meeting scheduled on May 15, 2014, with a full Board in attendance.

NEXT MEETING

The next meeting of the Board of Health is scheduled for Thursday, May 15, 2014, at 7:00 PM. As there was no further business, Burton Kaplan made a motion to adjourn the Public Session Meeting of the Board of Health at 7:39 PM. Kalliope Egloff seconded the motion. The motion was unanimously approved.

Respectfully submitted,

Frances Boulos
Administrative Assistant
Mashpee Board of Health

attachments