

Town of Foxborough Board of Health
Regular Meeting
Meeting Minutes - February 27, 2023

Members Present: Betsy Allo, MPH, Chair, Paul Steeves, Vice-Chair, Sophia C. Manos, Clerk
Members Absent: None

Health Department Staff Present: Matthew Brennan, R.S., Director of Public Health, Diane Passafaro, Public Health Coordinator and Meeting Recorder, and Paul Gilpin, Bristol Norfolk Public Health Partners Food Inspector

Others Present: Annie Chen, Steve Lin, Dan Murray, Clifford Pierre

Betsy Allo opened the regular meeting of the Foxborough Board of Health, under the Open Meeting Laws of the State of Massachusetts, at 7:00 p.m. on February 27, 2023. Meeting took place in the Andrew A. Gala, Jr. meeting room inside the Foxborough Town Hall, 40 South Street, Foxborough, MA.

Quorum was established.

7:00 p.m. Hong Yi, Inc. DBA Saga Hibachi Steakhouse Sushi Bar
Disciplinary hearing associated with the recent inspection conducted at Saga Hibachi Steakhouse Sushi Bar on February 21, 2023 which resulted in the suspension of the establishment's HACCP permit and operations

Representing Saga Hibachi Steakhouse Sushi Bar was Owner Steve Lin and the establishment's Manager, Annie Chen. A. Chen explained that both herself and the Owner were away on the day the Health Department inspection occurred. After her staff contacted her at the time the inspection was occurring, she later arrived at the restaurant that day. She stated they were experiencing employee issues and asked the Board to give the establishment another chance. A. Chen further explained she is currently working with the staff and ensuring all daily tasks are being completed each day. It is her hope this will allow the employees to get into a routine.

M. Brennan provided the Board with a brief history of recent Health Department inspections conducted and enforcement activities associated with Saga.

- In November 2022 a letter was sent to Saga informing them of their non-compliance history seen during inspections conducted in calendar years 2021 and 2022. The letter requested that the establishment either appear in front of the Board or acquire a food safety consultant.
- The Foxborough Health Department received a complaint on January 3 related to Saga's sushi area. During the complaint inspection, food safety issues were noted at the sushi area including no sanitizer and improper cleaning and sanitizing of equipment.

- Following the inspection, a phone call to the establishment occurred, at which time Saga was asked to provide an update regarding the consultant, since no consultant reports had been received by the Office to date.
- A routine inspection was conducted by Paul Gilpin in January and again the Inspector noted there was no sanitizer available at the sushi area.

A. Chen informed the Board that their consultant performed an inspection on February 15 and apologized for the delay in the consultant reports, as the establishment did not receive the report themselves until February 21.

S. Manos asked what role the consultant plays. M. Brennan explained the role of the consultant is to work with the restaurant and staff on the things they are doing wrong.

P. Steeves commented on the fact that Saga had appeared in front of the Board multiple times since they opened and opined that nothing has changed and it is the same list of issues every time.

P. Steeves made a motion that Saga Hibachi Steakhouse Sushi Bar hire a food safety consultant, one approved by Health Director, Matthew Brennan and provide the Health Department with weekly consultant reports. If a week is skipped, the establishment is not allowed to be open. The motion was seconded by S. Manos. B. Allo called for discussion.

S. Manos asked if the current consultant Saga is using is approved. M. Brennan stated that she would need to have the proper credentials and requested that Saga forward the consultant's qualifications.

M. Brennan provided his recommendations which included having all chefs be food manager certified and food safety consultant visits be increased in frequency from the current requirement of four times per year.

P. Gilpin provided comment on his recent inspections at Saga. He stated he was impressed with the vast improvement seen during the reinspection that occurred three days after his routine inspection. He commented on the pattern he believes he has seen related to the condition of the restaurant when the Manager or Owner is hands on and present and the times when they are not on site.

P. Steeves made a motion to amend the motion on the floor and add the words "for a duration of three months. After three months, if good work is noted, consultant reports can be decreased to once a month." following the phrase "weekly consultant reports". The amended motion was seconded by B. Allo. Hearing no further discussion, B. Allo called for a vote.

P. Steeves: Aye S. Manos: Nay B. Allo: Aye

Motion passed, 2-1

B. Allo made a motion to require all chefs at Saga Hibachi Steakhouse Sushi Bar be food manager trained and certified. The motion was seconded by S. Manos. B. Allo called for discussion.

P. Steeves asked how available food manager classes were in other languages. M. Brennan stated pretty accessible with ServSafe® offering trainings in Chinese. He also commented that some trainers will go to the establishment and train the staff on site in one day.

Hearing no further discussion, B. Allo called for a vote.

P. Steeves: Aye S. Manos: Aye B. Allo: Aye
Motion passed, 3-0

B. Allo made a motion to reinstate Saga Hibachi Steakhouse Sushi Bar's HACCP permit contingent upon a signed contract with a food safety consultant and documentation showing a food manager certification training has been scheduled. If the training is not performed within 30 days of the scheduled date, the HACCP permit will be revoked again. The motion was seconded by S. Manos. B. Allo called for discussion. Hearing none, B. Allo called for a vote.

P. Steeves: Aye S. Manos: Aye B. Allo: Aye
Motion passed, 3-0

B. Allo reviewed all motions and actions required of Saga to S. Lin and A. Chen. A. Chen acknowledged their responsibilities.

Hearing no further discussion related to the disciplinary hearing of Saga Hibachi Steakhouse Sushi Bar, B. Allo closed the matter at 7:50 p.m.

7:49 p.m.

Town of Foxborough Board of Health Regulations - Body Art
Discussion of updating the Town of Foxborough's current Board of Health Body Art
Regulation, Section V - Body Art

(Board members were provided a draft version of the amended Body Art regulations)

M. Brennan informed the Board there were minimal changes to the regulations from its existing state, only highlighting that there were changes made associated with the education requirements for a Body Art Practitioner.

He further commented that body art inquiries received by the Office is often to perform microblading. He explained however, due to body art establishments being restricted to a certain area on Route One by the Foxborough Zoning Laws, may be the reason the Health Department have not recently received a body art application.

Board members had no questions or comments.

Town of Foxborough Board of Health Regulations – Demolition
Discussion of the creation of a new Town of Foxborough Board of Health Regulation
regarding the demolition of buildings, Section VI – Demolition.

(Board members were provided a draft version of the proposed Demolition regulations)

M. Brennan explained, the goal of the new proposed demolition regulations will be to proactively respond to general complaints that could occur after construction has ended. It will allow the Health Department to identify any potential hazards associated with the property, including rodent activity, prior to the demolition. B. Allo asked who would be the responsible party paying for these activities. M. Brennan stated it would be the Owner.

The Board members had no further questions or comments.

Town of Foxborough Board of Health Regulations - Dumpsters
Discussion of the creation of a new Town of Foxborough Board of Health Regulation
regarding the upkeep and placement of dumpsters, Section VII - Dumpsters

(Board members were provided a draft version of the proposed Dumpsters regulations)

M. Brennan stated the new proposed dumpster regulations would allow for flexibility to mitigate nuisance complaints associated with dumpsters. He provided an example of an early morning dumpster removal in a residential area causing a noise nuisance. Other highlights of the regulations include, requiring the installation of the dumpster to be on a solid surface and the regulations would allow for the dumpster to be relocated if found to be causing a nuisance.

The Board members had no questions or comments.

8:04 p.m.

S. Manos made a motion to read the following bills.

Verizon Wireless (Feb. Data Usage for Inspection Tablets)	\$75.98
Amazon Business (Printer Drum)	\$163.00

The motion was seconded by P. Steeves. Hearing no discussion, B. Allo called for a vote.

S. Manos: Aye P. Steeves: Aye B. Allo: Aye

Motion passed, 3-0

8:05 p.m. Department Updates

There were no Department Updates

8:05 p.m. P. Steeves made a motion to adjourn. The motion was seconded by S. Manos. B. Allo called for a vote.

S. Manos: Aye P. Steeves: Aye B. Allo: Aye

Motion passed, 3-0

The next meeting is scheduled for March 13, 2023

Sophia C. Manos, Clerk/dp

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