



# TOWN OF TEWKSBURY BOARD OF HEALTH

Raymond Barry, Chairman  
Melissa Braga, Vice Chair  
Dr. Kate Bugda Gwilt, Clerk  
Bob Scarano, Member  
Susan Amato, Member

DEPARTMENT OF COMMUNITY DEVELOPMENT

## MEETING MINUTES August 17, 2023

The meeting was called to order by Raymond Barry, Chairman, at 6:00 p.m. Present at the meeting were Melissa Braga, Vice-Chair, Dr. Kate Bugda Gwilt, clerk, Bob Scarano and Susan Amato, members. Also in attendance was Shannon Gillis, Director of Public Health.

### Approval of Meeting Minutes

- **July 20, 2023 meeting minutes presented for approval.**

**MOTION:** Ms. Amato made the motion to approve the July 20, 2023 meeting minutes as submitted; seconded by Ms. Braga and the motion unanimously carried 5-0.

### New Business:

### Old Business:

- **Jade East** – Update on progress from July 20<sup>th</sup> meeting  
Present were Zian Hun Zhu, Head chef for Jade East and Wai Kwan, food consultant representing Jade East. Ms. Gillis stated that since the last meeting, she has received their standard operating plans that were submitted by the consultant. Ms. Gillis approved the plans and recent reports show that there have been no violations, especially focusing on the temperatures. The Jade East has extended their contract with the consultant until October. Mr. Kawan stated that since the last meeting, Jade East has improved on everything. He has not seen violations during his visits and training is continuing with the staff. The chef has taken a ServSafe course in Boston along with one of the owners and another employee. Ms. Gillis stated that the standard operation procedures were for cold holding and Mr. Kawan stated that the other was for hot holding. A discussion ensued regarding the chef's training. Ms. Gillis stated that the chef has a ServSafe certificate, and he has also been trained on the SOP's by the consultant. Dr. Bugda Gwilt stated that since this has been an ongoing issue, how will the Jade East ensure that there are no more food safety violations past October when the consultant is no longer there. Mr. Kwan stated that he will keep the Director updated if he feels that Jade East needs more training past October. Dr. Bugda Gwilt stated that she would prefer a plan of action from the Board of Health or Health Department to work with the restaurant to make sure that the work with the consultant was effective or for the Board to take action would be appropriate in her opinion. Ms. Gillis stated that the Health Department will evaluate the establishment to see where it is at. As of right now they are doing better but that could change. Dr. Bugda Gwilt stated that this has been an ongoing issue and she would like the Board to act if it is not remedied. Ms. Amato stated that she believes that they are going in the right direction right now. They have done everything that the Board has asked them to do. Ms. Gillis stated that there are also routine food inspections that are done.

➤ **175 Kendall Rd. - Michele & Giuseppina Saladino – non-compliance with order letter from Health Department in 2019**

Present were Mr. & Mrs. Saladino. Ms. Gillis stated that an order of compliance was issued from 2019 and today's meeting is regarding the non-compliance from August 1, 2023. Ms. Gillis stated that in December of 2022 a letter of compliance was issued since the outstanding issues on the property were addressed. At that time there were no animals present and no animal structures. The Saladino's were made aware that if they decided to have animals in the future that they could apply for either an animal registration or animal permit. An application for an animal registration was received in January 2023. When Pamela Thomas, Animal Inspector, went out to the property, there were nine chickens and two rabbits. At that time, Ms. Thomas did not approve the registration since you are only allowed up to twelve chickens or two to four rabbits according to the keeping of animals' regulations. They were told to get rid of either the chickens or the rabbits. On July 28, 2023, Ms. Thomas went back to the property for a re-inspection. There were nine chickens and fourteen to fifteen rabbits on the property. An order letter was written to have the Saladino's come before the Board since this has been an ongoing issue. Ms. Thomas also observed that there were structures being built that were not applied for at the Building Department to see if a permit is needed for them. Mr. Barry asked the Saladino's what their intentions were regarding having animals and moving forward to applying for either an animal permit or registration. Mrs. Saladino stated that she is aware the Board has given them many chances and does not have any control over the current situation. Dr. Bugda Gwilt asked Mrs. Saladino if she was having trouble understanding the regulations to which Mrs. Saladino stated that she understood the regulations. Mr. Barry stated that it seems like Mr. Saladino thinks that it is his property, and he should be able to do what he wants with his property. Dr. Bugda Gwilt stated that she thinks it's best not to put words in the citizens' mouths. Mrs. Saladino stated that she has explained to Mr. Saladino so many times what he needs to do to have the animals. Mr. Saladino thinks that because his property is fenced in that he should be able to have the animals and he had a permit for the animals previously and it was taken away. He stated that it is discrimination. Why was the permit taken away. Ms. Gillis stated that he had a permit in the past and was well aware of the regulations. The reason he doesn't have the permit was because of the many issues at the property which included the State getting involved as well. Since he no longer has a permit, in order to keep animals, he needs to apply for a permit or a registration. Ms. Braga asked if he knew why the permit was taken away from him to which Mrs. Saladino stated that she had explained it to him so many times. Ms. Braga asked Mr. Saladino if he knew why the permit was taken away from him and Mrs. Saladino translated the question to him to which he responded no. Ms. Braga stated that the animals on the property did not match up to the animals that were allowed on the permit and the property was not in good standing. The Board told him that in order to have the animals he would need to apply for a permit or registration depending on what he wanted. Since that was not done and there are animals on the property, that is the reason the Saladino's are before the Board. Mr. Barry stated that Mr. Saladino could have come back before the Board to increase the number of animals that were on his animal permit but the number of animals on the permit needs to match what is on the property. Ms. Gillis stated that the conditions and buildings in which Mr. Saladino previously had the animals were unsanitary, which was the reason this all started. The animals and buildings were ordered to be removed and now Mr. Saladino is building structures again and there can't be the same conditions that were noted back in 2018. The Board is trying to prevent this happening again by Mr. Saladino having a permit and properly inspected property. Ms. Gillis stated that the Saladino's need to check with the Building Department regarding the structures they are building to see if permits are needed or not. She also stated that if Mr. Saladino wants to keep both chickens and rabbits, he would need to apply for an animal permit. A discussion ensued regarding the maximum number of chickens and rabbits Mr. Saladino would need appropriate housing for the animals. Ms. Amato stated that in her opinion, if Mr. Saladino understood the maximum number of animals he was allowed to have that he would do

it. Ms. Braga stated that Mr. Saladino needs to remain below the maximum number of animals allowed and would need to keep the property clean. Every town has different rules, but Mr. Saladino needs to follow the rules of Tewksbury. Since Mr. Saladino wants both types of animals, a permit application needs to be completed. Mr. Scarano stated that Mr. Saladino needs a written plan to get back into compliance. A permit holders' duty is to be in compliance at all times. A discussion ensued. An animal permit cannot be applied for until the structures have been approved by the Building Department. The Board decided that the October BOH meeting would give the Saladino's enough time to come back before the Board. Ms. Gillis stated that she will write a letter to the Saladino's explaining everything and thought it was a good idea for the Board to make a motion. Mr. Scarano suggested that the minutes of the meeting be transcribed so the Saladino's are fully aware of what was discussed and what is expected. It was then suggested that at least the portion of the meeting that discussed what is expected be given to the Saladino's. Ms. Braga asked them if they knew someone who could read and understand English and translate it into Italian so they can fully understand what is expected. Mrs. Saladino said yes. Using Google translate was discussed but it is preferred that the Saladino's bring it to someone they trust that can write it down in Italian for the Saladino's to read and understand. This will help the Saladino's to come into compliance and stay in compliance in the future. Approval from the Building Department is needed before the Saladino's can move forward with the animal permit. The letter from the Director will be sent to the Saladino's with best practices on how to proceed. Dr. Bugda Gwilt made a motion, but Mr. Barry stated that this is more of an informational session and not a hearing. The Saladino's were not brought to the Board for action. The Board is advisory, and the non-compliance is with the Director for implementation on what is needed. Mr. Barry stated that the Saladino's should give the Director a handwritten note on what their intentions are regarding either the permit process or the registration process. A discussion ensued on the registration and permitting process. Mrs. Saladino stated that Mr. Saladino wanted both chickens and rabbits. That would require an animal permit. They were told to start by going to the Building Department first to make sure the structures are acceptable. Dr. Bugda Gwilt rescinded her motion. The Board thanked the Saladino's for attending the meeting.

### **Director Reports:**

- There was a West Nile Virus positive mosquito found in Chelmsford. Tewksbury's risk is still low, residents can contact Central Mass Mosquito if they want their yard sprayed.
  - a. Remove standing water in your yard since this attracts mosquitoes.
  - b. Wear long sleeves & pants and use mosquito repellent from dusk to dawn.

Mr. Barry stated that with all the recent rainfall it is good to make sure you empty out anything that has collected standing water. Mr. Scarano added that if you have the possibility of being flooded you should look at flood insurance to protect your home and your family.

- Ashley and Christina will hold their dementia presentation on August 24<sup>th</sup> from 10am-11:00am at the Senior Center. Please RSVP to Susan at the Senior Center for anyone who would like to attend.
- Youth Mental Health First Aid course will be held at the Tewksbury Public Library on September 15<sup>th</sup> from 10am-4:30pm. Anyone who would like to attend can sign up by emailing Ashley Pavlakos, Public Health Nurse.

- The Tewksbury Police Department will be having a Safety Day on September 17<sup>th</sup> from 4-6pm at Tewksbury High School. The Health Department will have a table at the event as well.

**Board Reports:**

- Ms. Amato stated that she did a lot of research on the lettering system for restaurants that was discussed at the last board meeting. Ms. Amato stated that we already have the information that is needed to support this type of system. Boston does food inspections twice a year and, in those inspections, there are certain things that are gone through to make a determination on the letter grade. They follow three types of criteria, two types of critical violations and one type of non-critical violations. They are given an initial grade but have two weeks to fix what issues were found and then issued a letter grade. It was discussed at the last meeting that staffing may be an issue, however, Boston does not have a lot of staffing and are doing it so in her opinion, this is doable in Tewksbury as well. Mr. Barry stated that during the first year Boston implemented this grade system, grades were not posted publicly, which gave the establishments a chance to work on any issues before a letter grade was posted. Mr. Barry stated that a lettering grade system may hopefully make establishments more compliant with the food code since the lettering grade would be displayed to the public. Ms. Amato mentioned that there is a website in Boston called The Mayor's Food Court where you can pull up any restaurant in Boston and it will show what their letter grades are as well as any violations found. Ms. Amato stated that the lettering grade is already being done in Boston and shown to be working so bringing it to Tewksbury should be doable. Mr. Scarano asked Ms. Gillis is the new system that is being used had inspections available for the public to view. Ms. Gillis stated that no since the new system is more of a permitting system and would need software to support inspections. A discussion ensued on the mayor's food court website.

**Announcements:**

**Adjourn:**

**MOTION: Ms. Amato made the motion to adjourn; seconded by Ms. Braga and the motion unanimously carried 5-0. Meeting adjourned at 7:26 pm.**

**Approved on: 9/21/23**

**List of documents for August 17, 2023**  
**Documents are located at the Tewksbury Health Department**

**Approval of Minutes:**

July 20, 2023 meeting minutes

**Public Hearing:**

**New Business:**

**Old Business:**

175 Kendall Rd. letter to appear dated August 1, 2023

**Director Reports:**

**Board Reports:**

**Announcements:**