



TOWN OF BURLINGTON, MA  
BOARD OF HEALTH  
MINUTES  
Main Meeting Room, Town Hall

TUESDAY, FEBRUARY 11, 2020

**Board Members Present:** Ed Weiner, PhD, Chairman; David McSweeney, Vice Chairman; and Dr. Wayne Saltsman, MD, PhD

**Not Present:** Maribeth Welch, Libby Walendziewicz, RN, MSN

**Staff Members Present:** Susan Lumenello, REHS/RS, CHMM, Director of Public Health; Marlene Johnson, Health Agent

Dr. Weiner called the Board of Health meeting to order at 7:00 PM followed by the Pledge of Allegiance.

**Approval of Minutes: January 28, 2020**

Dr. Weiner stated that minutes will be tabled until the members that were present at that meeting are here.

**Citizen's Time:** No one spoke.

**Chairman's Report:**

Dr. Weiner thanked Ms. Lumenello and Dr. Saltsman for all their work getting information out on the Coronavirus. Dr. Weiner also thanked Mr. McSweeney for all the work he does on the various subcommittees.

**Subcommittee Reports:** There were no Subcommittee Reports.

**Hearing:**

- *King Bibis, 45 Winn Street – Food Code Violation*

Mrs. de Paula and Mr. Silva representing King Bibis appeared for the violation discussion. Ms. Johnson stated that the owner and sole proprietor, Julio Cesar de Paula is sick and could not come tonight. Mrs. De Paula is his wife and Mr. Silva is his brother and the interpreter but neither work in the store. Dr. Saltsman is concerned with hearing these issues without the owner being present. Dr. Weiner replied that we should hear the report, have discussion and vote on a direction to give them. If the owner does not agree we can suspend or close the establishment.

Ms. Johnson read her report of February 11, 2020 into the record. The memo includes the history, violations and recommendations. She has spoken to Mr. de Paula and he has been cooperative and is eager to learn.

Mr. McSweeney asked if they are open 7 days a week and is the Person in Charge (PIC) full time. Ms. Johnson replied they are open 7 days a week and there were 3 PICs when they first opened including the owner.



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Dr. Weiner stated that the Board wants the establishment to be successful but they need to protect the community. There needs to be education on proper food safety to protect the public. Ms. Johnson stated that there was an obvious breakdown and she is not sure if it is language or knowledge. She has recommended that they hire a food consultant.

Dr. Saltsman asked if the establishment is still open for business. Ms. Johnson replied yes. Dr. Saltsman stated that is a concern due to the seriousness of the violations. He would like the food consultant hired by the end of this week and recommended that the community not be served until the consultant has signed off. Ms. Johnson stated that would be a suspension of their food permit with notice. Mr. McSweeney would agree that the need for a food consultant is more urgent than waiting until February 25<sup>th</sup>.

Dr. Weiner asked how we have assurances that the violations have been corrected. Ms. Johnson stated that most of the violations were corrected while she was still onsite during the inspection. The only one outstanding was the labeling of packaged bakery items but they have purchased a label machine to correct that issue. Ms. Johnson added that she has already re-inspected the facility and there were no violations. Dr. Weiner stated that staff should inspect the facility at least one more time and the food consultant should be hired by February 15<sup>th</sup>, the name should be given to the Board of Health by February 17<sup>th</sup> and they should appear back before the Board on March 24<sup>th</sup>. Ms. Johnson stated that she will inspect them this Friday. Dr. Weiner stated that if there is no progress, then Ms. Johnson should close them down.

**MOTION:** Dr. Saltsman moved to approve the recommendations of the Health Agent regarding King Bibis with the following changes: 1) The owner shall hire a professional food consultant by February 15, 2020; 2) The owner shall provide the name of the professional food consultant by February 17, 2020 to the Health Agent; 3) The owner shall come before the Board of Health on March 24, 2020 for an update; 4) the Health Agent shall inspect the establishment on February 14, 2020. The motion was seconded by Mr. McSweeney and unanimously approved. (3-0-0)

## **Staff Reports**

### **Environmental Engineer**

Ms. Mathis was not present so her report was not reviewed.

### **Health Agent**

Ms. Johnson presented her report:

- Almost all of the indoor pools have been inspected with no issues. 1 pool is remaining.
- They have received calls on mice in the Burlington Mall. There is an increase of mice activity due to construction but all of the food establishments are clean.
- The larger number of emergency response calls were to the Burlington Mall when they had no running water.

Dr. Weiner asked if Spencer Gifts were going to be selling tobacco. Ms. Johnson replied no.



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**MOTION:** Dr. Saltsman moved to approve the Health Agent's report. The motion was seconded by Mr. McSweeney and unanimously approved. (3-0-0)

**Director of Public Health**

Ms. Lumenello presented her report:

- All applications have been received for the Health Fair. It will be March 28<sup>th</sup>. They are full with 59 exhibitors.
- There will be an emerging infectious disease workshop on February 19<sup>th</sup> from 6:00 to 7:30 PM.
- They received the technical assessment from the MRC ASPER office and Burlington received a score of 93%. This will now be done annually. The last time this assessment was done was in 2012 and Burlington received in the 70s.

**MOTION:** Mr. McSweeney moved to approve the Director of Public Health's report. The motion was seconded by Dr. Saltsman and unanimously approved. (3-0-0)

Dr. Saltsman stated that the Coronavirus is significant but Massachusetts has a low threat with only 1 confirmed case. He is much more concerned with influenza. There were 300 new flu cases last week. Dr. Saltsman added that it is not too late to get your flu shot especially in elderly and kids. Make sure to wash your hands, stay home if you are sick and see your provider. Ms. Lumenello stated that the link to information of the Coronavirus is on the website.

Dr. Weiner stated that the biosafety regulations are also on the website.

**Adjourn**

**MOTION:** Dr. Saltsman moved to adjourn the Board of Health meeting at 7:36 PM. The motion was seconded by Mr. McSweeney and unanimously approved. (3-0-0)

*Respectfully Submitted by Dawn Cathcart,  
Recording Clerk*

DOCUMENTS REVIEWED AT MEETING – TUESDAY, FEBRUARY 11, 2020

**Agenda**

**Minutes:** January 28, 2020 (Tabled)

**Chairman's Report:** None

**Subcommittee Reports:** None



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**Hearing:**

- **King Bibis, 45 Winn Street – Food Code Violation**

Memo from M. Johnson dated February 11, 2020

**Staff Reports:** Health Agent's Report; Director of Public Health's Report