



TOWN OF BURLINGTON, MA
BOARD OF HEALTH
SUBCOMMITTEE MEETING MINUTES
DATE: July 13, 2023
TIME: 3:00 PM

PLACE: Board of Health Conference Room (Room 236), 2nd Floor

Board Members Present: Ed Weiner, PhD, Chairman

Staff Members Present: Susan Lumenello, REHS/RS, CHMM, Director of Public Health; Marlene Johnson, Health Agent, RS; Samantha Hardy, REHS/RS, Associate Health Inspector; Sarah Courtemanche, Administrative Assistant

Others Present: Devendra Patel, Partner of The Treasury; Manish Devadiga, Manager of The Treasury

Called to order at 2:55 PM

Discussion

The Treasury - Risk Control Plan Meeting

- Ms. Johnson reviewed a list of inspections with Mr. Patel & Mr. Devadiga regarding food establishment: The Treasury.
- On November of 2022, the food establishment was changed to a Risk 3 inspection schedule.
- Risk Control Plans for The Treasury were created in February of 2022.
- July of 2023, The Treasury's food permit was temporarily suspended for imminent risk.
- Ms. Johnson stated that the manager and owner are in need of training to manage a food establishment properly.
- A list of repeat violations was presented by Ms. Johnson detailing the type of violation and the number of occurrences by date for each violation.
- Both Mr. Patel and Mr. Devadiga are trained Certified Food Protection Managers, however, they have been marked "out" on Active Managerial Control four times. Managers are expected to be proactive on Active Managerial Controls.
- Mr. Patel and Mr. Devadiga were presented by Ms. Johnson an order letter for the repeat violations involving Active Managerial Control. The Treasury is scheduled as a "discussion" item on the July 25th Board of Health Board Meeting and have up to 10 days from receipt of the order letter to request a hearing.
- Ms. Johnson gave Mr. Patel and Mr. Devadiga some time to review the order letter and confirmed their understanding of the letter. Mr. Patel asked what knowledge they were lacking in and what they should be looking into to better understand. Ms. Johnson stated that she would provide them with a document outlining these duties and knowledge points.
- Dr. Weiner urged Mr. Patel and Mr. Devadiga to adhere to the order letter. Dr. Weiner further stated that Burlington takes pride in making sure that the public can eat safely at its food establishments. If another priority violations occur during the next inspection, they will have to come before the Board and risk the Board voting to permanently revoke their food permit.
- Since the open air fridges were fluctuating in temperature, Mr. Patel tried to keep the food cold by

adding ice in the unit. Ms. Johnson advised against this since it does not fix the problem at hand. Mr. Patel replied that they had ordered a new closed fridge which will be delivered on Monday. If the new closed fridge works well, they plan to order a second one and replace the second open air fridge.

- Mr. Patel stated that when they take temperatures in the open air fridge, the temperature of the inside of the fridge wall differs from the temperature of the food inside.
- Since the walk-in fridge also has a problem keeping temperature, Mr. Patel stated that they purchased a curtain to help keep the cool air in the fridge which will also be delivered Monday. A technician assessed the refrigeration units and said there was nothing wrong with the walk-in fridge unit. Mr. Patel stated that they believe the higher walk-in fridge temperatures are due to the kitchen getting very hot and the door to the walk-in being left open for too long.
- Ms. Lumenello wants to make sure that they figure out the root cause of what is going wrong so that this issue gets resolved and we do not have to revisit it again.
- Mr. Patel stated that they hired a new company to maintain their refrigeration units: D&G Refrigeration. A technician will provide a report on the equipment and is writing up a preventative plan for the food establishment. Mr. Patel said they currently do the fridge cleanings, but will now have regular maintenance on the refrigeration systems every 3 months.
- Ms. Johnson went over a new Risk Management Plan that was created for The Treasury and asked Mr. Patel and Mr. Devadiga for any additions they would like as the plan was went through.
- Mr. Devadiga started a log for temperatures taken every 2 hours from their last meeting.
- If the walk-in gets too hot, there is an alert that sounds and Mr. Patel or Mr. Devadiga close the door, instructing staff to not open the door until the temperature returns to normal, however, they do not check the food temperatures when this occurs. They stated that they will start taking temperatures of the food every time this happens.
- Mr. Patel stated that they are always present in the food establishment including during inspections and take pride in keeping the community safe.
- Dr. Weiner stated that since he has been on the Board, the Board has never revoked a license before and does not wish for this to be the first one. Dr. Weiner further said that the goal is to find the problem and properly fix it.
- Dr. Weiner asked Mr. Devadiga how many years of experience he had working as a restaurant manager. Mr. Devadiga stated that he has 10 years worth of restaurant managing experience.
- Mr. Devadiga will email their fridge and food temperature logs to the Board of Health every Wednesday until December of 2023.
- Dr. Weiner asked if they were planning to delegate the work of taking temperatures to another staff member so that they can focus more on the managerial needs. Mr. Devadiga stated that he was going to hold the responsibility for taking temperatures.
- Mr. Devadiga stated that he will check the handwashing sinks during his temperature checks to assure they are remaining free of violations. If there is a problem with the sinks, he will find out which employee created the problem and create consequences for their actions, to assure the same employee does not repeat this.
- Food audits will start in September.
- Mr. Patel stated that he agrees to the order letter terms.
- The completed Risk Management Plan was printed and signed by Ms. Johnson, Mr. Patel and Mr. Devadiga.

Adjourned at 4:22 PM.

DOCUMENTS REVIEWED AT MEETING – THURSDAY, July 13, 2023

- I.** Agenda
- II.** The Treasury: 4 Wayside Road- List of Repeated Violations
- III.** Active Managerial Control
- IV.** Violation Order Letter from the Board of Health
- V.** Risk Control Plan
- VI.** Adjourn