

Office of the
Board of Health
City Hall
166 Boulder Drive - Suite 108
Fitchburg, Massachusetts 01420
978-829-1870

An organizational meeting was held on January 3, 2019 at 5:00 pm.

Present: Stephen Curry, Director; Sandra Knipe, R.N.B.S.N.; John Bogdasarian, M.D.; Ian Murray, Chairman; Dorothy McNamara, Public Health Nurse; Stephanie Holinko, Food & Milk Inspector; Todd Pickett, ACO; Julie Bursa; Katarina Salafia, Michael Salafia, David Cordio, Reese Cordio, William Marks.

Approve Meeting Minutes: Sandra Knipe made a motion to approve the December 13, 2018 meeting minutes. Motion was 2nd by Dr. Bogdasarian. All were in favor. Motion carries.

Discussion on amending Fitchburg Body Art Regulations: Dorothy McNamara stated she is here to discuss making a change to the rules and regulations in regards to spore tests not passing. In the past year there has been three failed spore tests in the same place. The BOH did approve a sterilizer for this establishment in question which is different than the autoclave that all Body Art Establishments in the city use. Ms. McNamara doesn't recall any instances having a failed spore test from any other establishments in the past ten years while using the autoclave machine.

Ms. McNamara stated all establishments receive guidelines stating that "All Body Art Establishments are required to contract with an independent commercial testing laboratory to do monthly spore testing of the Autoclave or other Sterilization Unit. A provision shall be included in the contract to notify the Board of any failure of the Autoclave or other Sterilization Unit to eradicate all living organisms, including spores." The previous company had this provision in their contract but has since gone out of business. The new company did not have that provision in their contract but in lieu there is a permission to disclose test results in which all establishments gave their permission to notify the Board of Health via email the results of the tests. The establishment in question did sign the permission disclosure but has since asked to have the BOH removed from the email list therefore the BOH has no way of knowing of a failed test. Ms. McNamara suggested this individual re-sign the disclosure that will allow the Board of Health to be notified via email of passing/fail spore tests.

After lengthy discussion it was decided to bring the individual in to the February meeting for this discussion.

Nuisance Dog Hearing Request pursuant to MGL 140 Section 157:

- Petition of Michael Salafia of 171 Bishop Road the “Pearl” of 176 Bishop Road Owned by David Cordio be deemed a Nuisance dog.

Mr. Murray opened the hearing. The reason for this hearing is due to a written request by Mr. Salafia of 171 Bishop Road is petitioning this Board that the dog owned by David Cordio of 176 Bishop Road be deemed a nuisance dog according to MGL 140 Section 157.

Mr. Salafia, stated that his concern is Mr. Cordio’s dog (a Bull Mastiff) is constantly unleashed running around the neighborhood. Mr, Salafia feels this dog is vicious and dangerous and puts all the neighbors in a dangerous situation and stated he is here on behalf of all the neighbors. They are not able to go out and enjoy their neighborhood because they fear the dog. Mr. Salafia stated this dog is a “guard dog” and the dog charges at them. The Dog Officer has been called on several occasions with numerous complaints. There was a petition for a restraining order be placed on the dog back in July, 2017 and they were fined by the Dog Officer for non-compliance of the City of Fitchburg leash law.

Ms. Cordio stated their dog “Pearl” is not vicious, nor a guard dog and does not roam the neighborhood unleashed nor do they allow their dog to intimidate people. On occasion the dog does get out of the fence but they get her back in as soon as they realize it. The dog is up to date on all vaccinations. Ms. Cordio also stated they went to a Mediator an agreed to sign a good faith agreement in reference to the petition filed for a restraining order.

Good Faith Mediated Agreement - (Exhibit 1)

Agreement to Participate in Mediation – (Exhibit 2)

Rabies Vaccination Certificate with picture of “Pearl” – (Exhibit 3)

Dog License from City Clerk Office – (Exhibit 4)

Ms. Salafia stated she has known the Cordio’s for many years and feels (Mr. Salafia, her father) has been harassing this family for many years and feels this is a personal issue and has nothing to do with the dog.

Mr. Cordio stated the fence in the back yard has been repaired and the dog will not be able to get out of it when in the yard.

Mr. Pickett, Animal Control Officer stated Mr. Salafia has called several times and has sent multiple pictures however most pictures were of the dog on the Cordio’s property and there wasn’t anything Mr. Pickett could do. Several pictures were also of the dog on the street but Animal Control has not received any calls with complaints from the neighbors.

Mr. Salafia entered the following exhibits;

Affidavit for a Restraining Order from 2017 – (Exhibit 5)

Affidavit for a Restraining Order from 2018 – (Exhibit 6)

Dr. Bogdasarian stated he doesn’t feel the dog “Pearl” fits the definition of a nuisance dog.

Mr. Murray made a motion that “Pearl” is not a nuisance dog with a condition that the Animal Control Officer inspects the back yard and finds it secure for the dog. Dr. Bogdasarian seconded the motion and added to the Mr. Murray’s motion that the dog must be kept in an enclosed area while on the Cordio’s property and kept on a leash when off the property. All were in favor. Motion carries.

Hearing (Continued from Sept): Williams Southern Soul – William Marks , Owner:

Ms. Holinko stated back on September 13, 2018 there was a hearing scheduled and Mr, Marks did not appear at. The reason for this hearing is Mr. Marks is required by code to install a mop sink and a hand washing sink. Mr. Marks has been aware of this for 2 years. The Board ordered these two items be corrected by November 12, 2018. The Mayor notified Ms. Holinko that Mr. Marks contacted him and was requesting more time which is why we are here today.

Mr. Marks stated he was working late on September 13, 2018. Business has been slow and he is trying to make ends meet. He did receive an estimate from a plumber however he does not have the funds available at this time. Mr. Marks said he is willing to get additional estimates from other licensed plumbers. He is also in the process of possibly selling the building therefore he would no longer have his restaurant.

Ms. Knipe made a motion to have Mr. Marks come back to the Board on February 7, 2019 with 2 estimates for a hand wash sink installation from licensed plumbers. Motion was 2nd by Dr. Bogdasarian. All were in favor. Motion Carries.

Approve FDA Grant:

Mr. Curry stated Ms. Holinko received a FDA Grant for \$1500.00 dollars for future training.

Ms. Knipe made a motion to accept the FDA Grant for \$1500.00. Motion was 2nd by Dr. Bogdasarian. All were in favor. Motion carries.

Next meeting scheduled for February 7, 2019.

Sandra Knipe made a motion to adjourn. Motion was 2nd by Ian Murray. All were in favor, meeting adjourned at 7:30PM.