

**Town of Mansfield**  
**Board of Health**  
**January 21, 2021 Minutes**

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Mission Statement: The mission of the Mansfield Board of Health is to protect, preserve and improve the public health, environment and wellbeing of our citizens through the enforcement of federal, state and local statutes and regulations, education and promotion of sanitary living and working conditions, and protection of the environment from disease and pollution.

**Present:** Antonia Blinn; Chair, Kasia Frenette; Clerk, Michael Healey, Amy Donovan-Palmer; Health Agent, Christopher George; Recorder.

**Guests:** Carrie Champagne, Nancy, Griffin, Kevin Dumas, Wen Lin (Sake Steakhouse), Yanying "Maggie" Chen (Sake Steakhouse),

**I. Meeting Called to Order**

The meeting of the Board of Health was called to order at 11:04am by Chair Antonia Blinn.

**II. Violation of Governor's COVID-19 Order 59- Sake Steakhouse**

Ms. Blinn provides history of why Sake attended the last Board of Health meeting. She says she understands they've paid their fine. She says Board members did drop-ins on some food establishments in Mansfield and they identified some challenges at Sake Steakhouse.

Ms. Blinn says Mr. Healey stepped in on Friday and Ms. Frenette checked in on Saturday.

Mr. Healey says he got there a little after 5:30pm. He says he met with Wen Lin and a hostess who provided translation. He said they told him they had 24 patrons and he confirmed that the total occupancy was below 25. He says he saw someone sitting at the bar and asked management why. He says they appeared to not know the regulations and he says he provided them the regulations in English and in Chinese. He says conversations were difficult because of the translation but he thought he got the message through. He says he told them the other members of the Board may be out. He says he also spent 15-20 minutes reviewing the last food inspection report with them.

Mr. Healey says he went to visit Bertuccis after that and spoke to the manager Matt. He says he loved that they had a tally for counting patrons. He said Matt showed him a table map to help him understand how they're following the 6 per table rule. He says there's corporate involvement to make sure the establishment is following State regulations.

Mr. Healey says he went to visit Buffalo Wild Wings and actually forgot his mask and they corrected him. He says that the bar area was blocked with regular tables. He says he makes that recommendation to Sake.

Ms. Frenette says she was at Fridays for appetizers with her husband and she saw that numbers inside looked good. She said she didn't go as a Board member but was actively looking around. She said she stopped by

Sake Steakhouse around 8:30pm. She said she walked around and counted 9 people in the restaurant. She said one hibachi had a wall up that had 6 people in it and the other hibachi area had about 25 people in it. She told them this was above the regulation limit. She said they had some communication issues and management told them that some people were waiting for food. She said the spacing of the hibachi tables didn't seem right. She says she didn't get into a lot of details and she said the Board will be in touch. Ms. Blinn verifies Ms. Frenette did not count kitchen employees.

Mr. Healey says he'd like to understand how this happened from the restaurant. Ms. Blinn asks Maggie and Wen Lin to introduce them and explain their response.

Maggie says she wasn't in the restaurant that night. She says the owner, Wen Lin, will speak to what he saw and Maggie will translate. Maggie says one table was over patrons and they walked in at 7pm. She says they talked to the customer about the limit and told them they'll need to wait outside in the car. She says these people waited for hours and they tried to make them happy. She says they're customers for a long time and they're trying to make everyone happy. She says the customer said they just need 5 minutes to say goodbye so they called the other customers to come in since they were waiting for some hours.

Maggie, translating for Wen Lin, says the restaurant is running at a loss and their rent is up 5%. She says that the agents and governor can help them survive this. She says they love Mansfield and Mansfield is a good home to them. She says they've been in operation 10 years and Wen Lin has been a manager for 4 years. She says they want to try their best and she thanks the Board.

Mr. Healey verifies that they had a table of people who were finishing and were checking out. He says they had a group of people who were waiting several hours for dinner. He says someone made the decision to let the new group enter the restaurant. He asks if this is correct. Maggie says Wen Lin says the two tables are finished with payment and dinner. She says the customer who was over 6 people walked in at 7pm and they were asked to sit in the car and wait. She says she has to close at 9pm and the hibachi takes 20 minutes to heat up and 30 minutes to cook and she didn't want to ask them to wait another hour. She says she talked to the other two tables that have already finished payment. She says the customer argued that they're just saying goodbye and will only be a few minutes and that's why they called the other customer to tell them the table was ready.

Mr. Healey asks who decision it was to violate the regulation of 25% capacity. Maggie translates for Wen Lin. Maggie, translating for Wen Lin, says that people can wait hours if they walk in. She says they had customers that promised they were leaving in 5 minutes. Mr. Healey verifies the manager was in the establishment when this decision was made. Maggie says the customer was very mean to them and they were very unhappy. She says that Wen Lin says that service is the most important thing to the business and he couldn't tell the customer to get out.

Mr. Healey says they've recommended to Sake multiple times, in order to follow regulations, they should remove the tables. He says they need to clean the tables as well and they need time for that. He says he's upset that they didn't take their recommendation of removing the tables before. He says he understands they're trying to be nice to customers but a week before they were fined a substantial amount of money for violating the capacity limit. He says he's asked for a chart and for tables to be removed but they decided not to take those recommendations.

Maggie translates for Wen Lin. She says that Wen Lin says that he respects all the rules and will not break this

promise. He says that the Japanese restaurant is a little different and they never know which customers eat hibachi and which eat dinner. She says Japanese restaurant can be weird and they make a reservation for dining area but they still want to do hibachi. She says sushi bar cannot have any customers and that's easy for them but hibachi and dining is difficult for them. Maggie translates for Wen Lin. She says that Wen Lin says he makes a promise it won't happen again he won't listen to angry customers anymore. She says no more than 25 people in the restaurant even if it makes people mad.

Mr. Healey says they should have a sheet available for each customer that enters the establishment which would take the blame away from the restaurant and place it on the regulations. He says if customers become unruly than they can call the police to help them.

Ms. Blinn says they'll have a discussion of fines. She says the Board of Health is able to fine up to \$500 for each person over capacity. She says there were 9 people over the capacity and that's not disputed by anyone present. She asks if there's any new information they should consider. She says for the December 31<sup>st</sup> infraction they were fined \$50 per person over capacity and a fine for occupancy at the bar when that's not allowed. She asks what the Board would consider.

Mr. Healey would like to add a condition that the Board of Health, through Amy, visit to understand exactly what they're doing to ensure they aren't going over 25% occupancy. He says he feels bad that they have the regulations but they have to keep fighting COVID and it will end sooner with people following compliance. He says he'd like a written plan approved by Amy before their operations on Saturday. He would like that to be a provision to whatever they do.

Ms. Donovan-Palmer says it can be in writing but it'll need to be in place before Saturday. She says everything will need to be in place by noon tomorrow when Town Hall closes. She says the requests aren't difficult. She says the issue is the chair was available and people wanted to sit there but removing those chairs will fix that.

Maggie translates to Wen Lin the expectations of a written plan in place for Ms. Donovan-Palmer to verify by noon tomorrow. Maggie says Wen Lin understands and that they'll meet Ms. Donovan-Palmer at 11:30am.

Ms. Blinn says they're obliged to follow through on the fines. She suggests they start at \$350 per person which would make the fine \$3,150. Mr. Healey says to let them know the fines will increase for reoccurring offenses. Ms. Frenette agrees with this.

**\*Motion to fine Sake steakhouse \$100 per person over the limit, being a total of a \$900 fine made by Ms. Frenette, 2<sup>nd</sup> by Mr. Healey. VOTE 3-0 PASSED**

Ms. Blinn says she understands they have a unique business and that's why people like it. She says the chairs over by the hibachi are movable and they can look into that. She says they don't want to see them here again. Ms. Frenette says they want to make sure the establishment is doing what they're required to and they don't want to continue to visit them to ensure they're doing things right.

Maggie says this is a second home for many of them and she apologizes. She says they are looking to the future and wants to be here another ten years.

No visitors or pre-submitted questions or comments.

**IV. Items not known 48 hours prior**

None.

**V. Adjournment**

\*Motion to adjourn at 12:00pm made by Mr. Healey, 2<sup>nd</sup> by Ms. Frenette. VOTE 3-0 PASSED

*Kasia Frenette*

3/9/21

Clerk

Date