

Time being 7:12 p.m. **March 18, 2013**, Paul Steeves opened the meeting of the Foxborough Board of Health, under the Open Meeting Laws of the State of Massachusetts. Paul Steeves-Chairman presiding, Eric Arvedon-Vice-Chairman. Also present Pauline Clifford, Health Director and Kevin Duquette, Assistant Health Agent.

Also in attendance was Kevin Paicos, Town Manager for the Gillette Stadium discussion.

7:12 p.m. **Gillette Stadium – Dave Wheeler and Jim Nolan – Food Permits** – Mr. Nolan stated that he and Mr. Wheeler wanted to have a discussion with the Board with regard to what Gillette is presently paying for permit fees. Mr. Nolan stated that during the 2011-2012 fiscal years there was a significant increase in the fees (245%). Mr. Nolan further went on to state that when Gillette received the initial bill they had sent a letter of objection to the Board but decided not to request a meeting at that time. During fiscal year 2013 Gillette was basically paying the same amount of money as the previous year but with FOG fees added on.

Mr. Nolan stated that Gillette wanted to discuss these fees because they felt that it is a much higher fee structure than what is warranted. This change could take effect during the 2014 permitting season and not be retroactive (no rebate) for 2012 and 2013 if the Board agrees.

Mr. Nolan stated that the inspection services done by the Board of Health in 2012 were 12 inspections for that year ranging from March 19, 2012 through December 12, 2012 and the physical on site services totaled 65 hours. The Board will review the hours as this number seems off.

Mr. Nolan informed the Board that when the Health Inspector comes to Gillette, Gillette assigns their own food service agent to follow that inspector. Gillette's food service agent then records the overall time the Health Inspector was there.

Mr. Nolan explained to the Board that they came up with an estimate of what providing those services cost which they factored in 65 hours on site and for each hour on site they added an additional hour for travel and paperwork. This applies to \$85/hour which includes administrative and benefits codes. Based on this, Gillette's cost to the town of conducting those services is about \$11,000.

Mr. Nolan submitted to the Board a survey Gillette had taken of other towns in the area for fee structures. One of the area towns chosen was Mansfield because of the Comcast Center. Mr. Nolan stated that he was aware that under Mass General Law a town may have fixed reasonable fees for permits but they are not supposed to be considered sources of revenue.

Mr. Nolan further went on to state that of Gillette's mobile locations 53 of those locations are low risk as they only serve bottled products (beer, soda, water). 34 locations sell a combination of draft products or bottled water so an inspection wouldn't take that long.

Kevin Duquette, Assistant Health Agent asked Mr. Nolan if he could get a listing on an excel spreadsheet of what Gillette has for their classification of the 94 locations, as this was already reviewed two years ago with Gillette and this office.

The Board stated that the Board of Health made mobile stickers to aid in the determination of the number of mobile carts at Gillette and to determine which ones have been inspected.

Mr. Nolan stated they agree if they have a location then it should be permitted.

Mr. Nolan had a question on the billing for 2012 in regards to the concession stand count and the old McDonalds.

The Board stated that if any establishments change at Gillette, the Board of Health must be informed and that the Board of Health needs to have a firm count at the beginning of the season for all points of sales.

The Chairman stated that he had spoken with the Town Manager and explained that the Board of Health needs to go to Gillette more often and with more inspectors. The Board wants the Health Inspector to do the inspections with 3-4 other inspectors so that we can ensure that all food areas get inspected.

The Town Manager agreed that if the 65 hours of inspection time is correct then the fees to cover increased inspection schedule needs to be adjusted, most likely with an increase of funding for the BOH Office.

Kevin Paicos asked the Health Inspector if there was anything peculiar about the stadium stating that if full blown restaurants can be inspected twice a year is the stadium more difficult?

The Health Inspector explained that there are a lot of units that are totally different than a restaurant. There are public health issues; it is quite similar to a temporary event every day. They receive food in just for that event. Staff is selected for that event and sometimes some of the equipment is moved around. They manage everything appropriately however the Health Inspector is often looking at a totally different place every time you go there.

The Board stated that at any given time Gillette has up to 80,000 people that come and go and that Gillette does an awesome job and are very proactive in their training and cleanliness, but that it is important for the Health Department to say "yes we were there" in the event they receive complaints or inquiries relative to the different facilities. The Boards concern is for the people that dine/drink at the stadium and that they have a safe and healthful experience.

The Board stated they will rely on Kevin Duquette to determine how many inspections are needed and the Town Manager stated he would amend the Board of Health's budget to add new inspectors if it is determined that increases in inspections is required.

Kevin Duquette stated that if the other Health Sanitarian started inspections with him as soon as the season begins they should be able to do all inspections including the soccer games. The Board stated they did not want to jeopardize the other establishments inspections in Foxborough and that they would evaluate whether another inspector would be needed for stadium events. Kevin and Pauline will pull together information and present it to the Board at a later date.

8:16 p.m. The Chairman declared the matter of Gillette Stadium closed.

8:16 p.m. The Board called **22 Ames Road – John Glossa – Septic Variance** – No one was in the room.

8:17 p.m. The Chairman declared the matter of 22 Ames Road closed.

8:18 p.m. Motion made by Eric Arvedon to approve the February 4, 2013 minutes as written. Paul Steeves seconded the motion. All in favor, motion passed, 2: yes - 0: no.

8:20 p.m. Motion made by Eric Arvedon to pay the following bills:
FY 2013

The Arc South Norfolk – February Fees	\$ 812.83
Foxborough Cable Access – MRC Website Renewal	\$ 9.95
National Swimming Pool Foundation – CPO Class	\$ 80.00
MHOA Annual Winter Seminar	\$ 40.00
Pfizer Animal Health – Rabies Vaccine/Tags	\$ 382.50
Trustees of Boston University – Biology & Vector Semin.	\$ 75.00
Ecolab Food Safety Spec. – Probe Wipes	\$ 24.55
Health Care Options, Inc. March Fees	\$ 2,187.73
Pauline Clifford – February Phone Bill	\$ 50.00
SNARC February Fees	\$ 812.83

Paul Steeves seconded the motion. All in favor, motion passed, 2: yes – 0: no.

8:21 p.m. Eric Arvedon made a motion to approve Nic Charest, 343 Cummington St., New Bedford, MA 02745 and Marc Correia, 90 Angell Ave., N. Providence, RI 02911 as Health Agents for the purposes of tobacco inspections, compliance and enforcement. Paul Steeves seconded the motion. All in favor, motion passed, 2: yes – 0: no.

Health Agent Updates

Kingswood Montessori School is taking out a food permit.

Yoga Reaches Out, to benefit Boston Children's Hospital will be at Gillette Field House April 28, 2013. Board agreed to waive fee for nonprofit. If a vendor is selling products for their profit, we will reduce their fee to \$25.00 since it is at a nonprofit event.

9:30 p.m. Motion made by Eric Arvedon to adjourn. Paul Steeves seconded the motion. All in favor, motion passed, 2: yes – 0: no.

Next meeting scheduled **April 1, 2013.**

Paul Mullins, Clerk