

Time being 7:00 p.m. **April 29, 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 and Paul Mullins-Clerk are present. Also present Pauline Clifford, Health Agent, Kevin Paicos, Town Manager and Kevin Duquette, Assistant Health Agent.

7:00 p.m. Eric Arvedon made a motion to approve the April 1, 2013 minutes as written. Paul Mullins seconded the motion. All in favor 3: yes – 0: no.

7:02 p.m. Motion made by Paul Mullins to pay the following bills:

FY 2013	The Arc South Norfolk April Fees	\$ 812.83
	MEHA – Mobile Food Seminar Diane Passafaro	\$ 65.00
	Foxboro Reporter – Gaard Motel Public Hearing	\$ 45.00
	Foxboro Animal Hospital – Flu Clinic Fees	\$ 300.00
	Pauline Clifford – April Phone & Postage Fees	\$ 56.57

Eric Arvedon seconded the motion. All in favor, 3: yes - 0: no.

7:10 p.m. **VFW – 337 Cocasset Street – Bob Silva, Vice President, Septic Preservation Service and Erik McKenzie of New England Group were present – Septic System** – The original plan was never approved. Title V allows use of alternative criteria under certain conditions. Mr. Silva is requesting that the new design could be on actual flow and not the number of seats and that these are just ideas. Other towns put a cap on water usage that way the town and residents are protected. Ms. Clifford never received any water usage information. There was nothing attached to the Title V report.

The Board stated that they want the VFW to do well and succeed. Bob Silva will confirm cost with the water department as to whether they bill by gallons or cubic feet. The Board is afraid that the VFW will be constricting themselves with a smaller system if business does take off.

Mr. McKenzie stated that he can show 5-10 years of history of what the VFW does for business. The hall is usually used on Friday, Saturday and Sunday. The price is low for the room and it doesn't get booked out as often as you would think.

Mr. Silva stated there are three main items:

1. Sized appropriately – 2 times the size
2. Red flag or stop cap which prevents the business from growing without modifying the system.
3. The system has to be designed so it can be easily modified.

The Board stated to leave provisions for modifying the system. Ms. Clifford stated that Title V allows for water usage but it is for special situations. There is a category in Title V for this project – which is based on seating.

The Board wants assurances that the system can be modified if usage increases.

The Board needs the responsibility placed on the VFW not the Board.

Mr. Silva stated he would make a design showing this is what will happen if water usage goes over and everyone will sign off on it.

The Board is open for further, future discussion on this matter. They are open to suggestions and proof.

7:27 p.m. The Chairman declared the matter of 337 Cocasset Street closed.

7:28 p.m. **37 Granite Street – Bay Colony – William Buckley – Septic Variance –** Mr. Buckley came before the Board requesting a variance from the local bylaws depth of 4' depth from the bottom of the leaching system to estimated high groundwater where 5' is required.

Green cards were presented to the Board.

Eric Arvedon made a motion to approve the 1' variance of the leaching system to be constructed 4' above high groundwater where 5' is required by Foxborough By-Law for 37 Granite Street. Paul Mullins seconded the motion. All in favor 3: yes – 0: no.

7:48 p.m. The Chairman declared the matter of 37 Granite Street closed.

8:00 p.m. **Trash Discussion – Kevin Paicos, Town Manager** - The Town Manager stated that he has come before the Board with three options for the current contract with Russell Disposal:

- a. does the Board of Health want to leave it alone
- b. to cancel the present contract and let marketplace set the rates
- c. or go to single stream recycling

The Town Manager stated the Town did put in a provision in the town contract that if the Town chose to go to single stream they can do that per that provision.

The Board stated that it does state in the contract that the town can go single stream.

The Town Manager informed the Board that this is the right time of year to have a discussion with the contractor if the town is going to change anything. If the Board tells the Town Manager everything will stay the same, that will be fine but if anything needs to change the Board must tell the Town Manager and he will notify the contractor.

The Town Manager stated that the whole point of all of this is to help the consumer. The idea was to give the town market to the vendor that is lower. The competitors cut their

pricing that didn't get the contract and all in all the towns' people saved a lot of money. The home owners are paying less now than they did last year.

The Town Manager stated that the Board will need to put some standards in place and create regulations in order for all trash haulers to do the same thing and put those standards/regulations on the license application.

The Board asked if the Health Department would be responsible for inspecting the trucks. The Town Manager stated that the Health Department is expected to have another 20 hours of inspector services in the budget so that would help.

Universal Procurement Code 30B. The unions managed to get this law passed years ago. The law basically states that if a town, state or county issues a contract involving any of the trades that are regulated then we have to pay prevailing wage in that contract. Prevailing Wage is set by Attorney General's office. They give you prevailing wage for your region for Offal/Haulers. That is the prevailing wage. It is to make sure that it is a livable wage.

The Town Manager stated to the Board that the only way the town could get rid of the prevailing wage is to cancel the contract then prevailing wage would not be as it is currently for the current contractor. If the situation stayed status quo then I wouldn't be making this recommendation to you. Unfortunately the vendor has to pass this on to the consumer. I am trying to level the playing field. The whole point is to get the consumer the best deal.

The Board stated they like the single stream idea but to get rid of the contract and make regulations by July is not possible.

The Board asked if it is more expensive to do single stream. If the Board voted for single stream would the home owner's price go up and would the Board be responsible for that.

The Town Manager stated that no, the cost is already in the bid and cannot be changed.

The Board asked what about schools? The Town Manager stated that only one third of the home owners pay for the town to get free trash because of the present contract. All the taxpayers were supposed to be paying this which would have been fair. Now it is inherently unfair because only one third of the home owners stayed with the town contractor.

The Board stated they would work on new guidelines/regulations. The Chairman stated they will need to be the ones to handle this.

Kevin Duquette stated that he can have draft regulations for the Board to look at pretty quickly.

Motion made by Paul Mullins to support the efforts of the Town Manager to negotiate with the town's current trash contractor to get the town residents the best deal. Eric Arvedon seconded the motion. All in favor 3: yes – 0: no.

Health Agent Updates

The Health Director updated the Board on the following:

1. Gaard Motel plan – Ms. Sarin met with Ms. Clifford last week to discuss her development of a new cleaning plan. Ms. Clifford wanted more of an overview of the transient rooms and the long term rooms. Ms. Sarin only addressed that issue to a point. The Board wants a letter sent to all hotels/motels to address long term room requirements and that fines will be issued and rooms shut down until the rooms conform to code.
2. Emergency Preparedness Funds – Discussion on purchasing a trailer with the Fire Department.
3. Rock n Dock – New event at Bass Pro at the end of May/beginning of June. The Health Director informed the Board of vendors attending.
4. Health Director thanked Eric Arvedon for working at the National Drug Take Back Day this past Saturday.
5. Health Director acknowledged Kevin Duquette receiving his Fellowship award in Boylston.
6. Health Director spoke briefly about next year's budget.
7. Health Director spoke briefly about the meeting on May 6, 2013. Marilyn Edge will be at this meeting and the Board will need to make some decisions in regards to the tobacco regulations.

10:00 p.m. Motion made by Paul Mullins to adjourn. Eric Arvedon seconded the motion. All in favor, motion passed, 3: yes – 0: no.

Next meeting scheduled **May 6, 2013.**

Paul Mullins, Clerk