

Time being 7:00 p.m. **September 17, 2018** 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, Todd Whitehouse, Clerk, Pauline Zajdel, Health Director, and Diane Passafaro, Public Health Coordinator were present. Meeting took place in the Andrew A. Gala, Jr. Meeting Room inside Foxborough Town Hall at 40 South Street. Minutes were taken by Diane Passafaro.

7:00 p.m. *Public Hearing: Discussion and a vote to amend the current fee schedule*

Todd Whitehouse read the public hearing notice that was published in the Foxboro Reporter on September 6, 2018. Materials relative to the public hearing included the following; the current fee schedule, the proposed fee schedule, and a summary of changes. All documents were provided to the Board and were available for attendees.

1. Proposed Fee Schedule Amendment: Annual Tobacco License Fee Increase
Current: \$100
Proposed: \$175 (Permit year 2019)
Proposed: \$250 (Permit year 2020 and subsequent years following)

Eric Arvedon stated that he would like to continue with routine tobacco compliance checks of the Town's permitted establishments and utilize both Marilyn Edge and Sarah LeRoux for these inspections. Due to the loss of funding from the State, however, the Health Department now needs to fund this inspection program. He understands the fee increase may seem large and explained this was the reason behind the staggered increase.

Eric Arvedon made a motion to increase the annual tobacco license fee to \$175 for permit year 2019 and increase the fee to \$250 for permit year 2020 and subsequent years following. Todd Whitehouse seconded the motion. Paul Steeves open the room for comments.

In attendance for this public hearing was Ashish Raval, Owner and current tobacco permit holder of Hops and Grapes. Mr. Raval approached the Board and discussed his opposition to the tobacco increase and stated he felt that the proposed fee was steep. He presented the Board with materials showing the use of cigarettes is at a downward trend, so to increase the fee does not make sense. Mr. Arvedon asked what fee he would suggest. Mr. Raval stated a fee of \$100 to \$150 would be reasonable and further suggested that compliance inspections could be conducted by the Health Department employees to minimize the cost of inspections, as they already inspect for compliance relative to his food permit.

Paul Steeves thanked Mr. Raval for his comments and appreciated his concern.

Pauline Zajdel informed the Board that the Foxborough Health Department Office received three phone messages today relative to this public hearing.

Ali Hodraj, Owner of Sunoco Gas Station, 105 Main Street, Foxboro
Malini Patel, Owner of Express Mini Mart, 126 Main Street, Foxboro
Nimesh Patel, Owner of Foxboro Wine and Spirits, 14 South Street, Foxboro

All expressed their opposition to the fee increase.

Hearing no further discussion, Paul Steeves called for a vote. All in favor, motion passed, 3 – 0.

**2. Proposed Fee Schedule Amendment: Institute an Annual HACCP
Inspection/Review Fee
Proposed Fee: \$50**

(No one in attendance relative to this fee schedule amendment)

Pauline Zajdel explained the reasoning for the proposed fee.

In summary, since the implementation of the new *Risk Base Inspection Program*, those establishments performing special processes requiring the use of a Hazard Analysis Critical Control Point (HACCP) plan, requires an additional inspection each year. This inspection also requires a yearly paperwork review and continuous training on the part of the Inspector. This fee is proposed in order to more adequately reflect the increase in workload associated with this additional inspection.

Eric Arvedon made a motion to approve the implementation of the HACCP Inspection/Annual Review Fee of \$50.00. Hearing no discussion, Paul Steeves called for a vote. All in favor, motion passed, 3 – 0.

**3. Proposed Fee Schedule Amendment:
Remove \$50.00 Public Hearing Fee
Replace with “Hearing notice fees will be the sole responsibility
of the applicant”**

(No one in attendance relative to this fee schedule amendment)

Pauline Zajdel explained the reasoning for the public hearing notice fee amendment.

In summary, due to the increase in advertisement costs, the current fee of \$50.00 is not adequately covering the cost for publishing.

Discussion among the Board members occurred. Todd Whitehouse stated he would like the public hearings to continue to be in the local Foxboro Reporter. Eric Arvedon suggested that the language in the public hearings be adjusted to make the ad smaller, ultimately lessening the cost of the ad. Paul Steeves did not want to have this new form of collecting be a burden on the office staff trying to chase money down.

Eric Arvedon made a motion to amend the fee schedule and remove the current public hearing notice fee of \$50.00 and replace with language stating all public hearing notice fees will be the sole responsibility of the applicant. Todd Whitehouse seconded the motion. Hearing no discussion, Paul Steeves called for a vote. All in favor, motion passed, 3 – 0.

**4. Proposed Fee Schedule Amendment: Institute a new mobile vendor permit:
“Ice Cream Truck Mobile Vendor”
Annual permit fee: \$100.00**

(No one in attendance relative to this fee schedule amendment)

Pauline Zajdel explained the reasoning for the proposed amendment.

In summary, ice cream trucks are required to obtain additional permits and approvals from other Town departments, making the application and permit process different from other mobile vendors requesting permits. For this reason, it is proposed to institute a more defined permit that more closely identifies those vendors that meet the definition of an ice cream truck vendor.

Eric Arvedon made a motion to institute a new “Ice Cream Truck Mobile Vendor” permit with an annual permit fee of \$100.00. Todd Whitehouse seconded the motion. Hearing no discussion, Paul Steeves called for a vote. All in favor, motion passed 3 – 0.

Pauline Zajdel informed the Board that other changes have been made to the proposed fee schedule, but added that these changes were minor and associated with wording and overall page layout.

Eric Arvedon made a motion to amend the proposed fee schedule with changes as written. Todd Whitehouse seconded the motion. Hearing no discussion, Paul Steeves called for a vote. All in favor, motion passed 3 – 0.

Paul Steeves called PRESSED by Amego, Inc., a new mobile unit to be located at 95 Washington Street, in front of the Board.

Representing PRESSED by Amego, Inc. was Jackie Vaillancourt. Ms. Vaillancourt is employed by Amego, Inc., which is a human service agency providing services for those living with autism. The organization applied for and was recently awarded a grant in the amount of \$50,000 for the purpose of employing individuals in the community. The money was used to construct the food trailer. In addition to the trailer, she also stated that Amego has an industrial sized kitchen in Attleboro.

Eric Arvedon commented on their noble cause and asked how it can be assured that the food is purchased and handled appropriately and safely and added, when at an event, who is responsible for food safety.

Ms. Vaillancourt informed the Board that Justin Bradberry works and oversees the kitchen in Attleboro. The trailer runs prior to loading the food and the cold food is the last to be put in. The trailer runs on a generator and the coolers storing foods are locked. She stated that she currently possesses a certified food manager certificate as well as Justin Bradberry and is working on a program to have all those working on the truck to also be certified. She added, those that are not trained in food safety are stationed at the cash register or are providing bottled beverages or packaged chips to the patrons.

Pauline Zajdel informed the Board that the truck was inspected earlier that day and Amego will need to complete the lettering detail of the truck's information on the sides of the trailer. The truck currently has a banner displaying the required information that can be used in the interim.

Todd Whitehouse made a motion to grant PRESSED by Amego, Inc. a mobile food and beverage permit valid through December 31, 2018. Eric Arvedon seconded the motion. Hearing no discussion, Paul Steeves called for a vote. All in favor, motion passed, 3 – 0.

7:50 p.m. Todd Whitehouse made a motion to approve the following bills:

Mass. Health Officers Assoc. (Conference - PZ)	\$160.00
The Arc South Norfolk (September Services)	\$812.83
J.R. (September Communications)	\$50.00
D.P. (September Communications)	\$50.00
P.Z. (September Communications/Mileage)	\$61.77
HealthCare Options, Inc. (September Services)	\$2,463.75
W.B. Mason (Office Supplies - Ink Toner)	\$176.00
W.B. Mason (Misc. Office Supplies)	\$26.65

Eric Arvedon seconded the motion. Hearing no discussion, Paul Steeves called for a vote. All in favor, motion passed, 3 – 0.

7:53 p.m. Eric Arvedon made a motion to approve the minutes of August 20, 2018 as written. Todd Whitehouse seconded the motion. Hearing no discussion, Paul Steeves called for a vote. All in favor, motion passed, 3 – 0.

7:55 p.m. Health Directors Updates

- The most recent inspection at Waxy O'Connor's occurred on September 5, 2018. This inspection resulted in violations that, although were not critical in nature, were many items were found in non-compliance. As a result of the inspection, they were ordered to hire a consultant. They have since hired Wendy Golini as their consultant. The Board was not pleased to hear of another inspection with multiple violations and would have rather seen them shut down as a result. The Board requested that Pauline inform the Owner, Paul Farren, that an inspection will be conducted within 10 days and if there are any violations, critical or non-critical, that are repetitive in nature, the establishment shall close for 48 hours. Following closure, the Foxborough Health Department will re-inspect prior to any opening approvals.
- Health Agent comments were provided to the Foxborough Planning Department for the following project:
 - 28-30 Pine Street Parking Lot
- An Emergency Dispensing Site training exercise will be conducted on October 26, 2018.
- The Fall National Drug Take Back Day is scheduled for October 27, 2018 from 10:00 a.m. to 2:00 p.m. inside the McGinty Room of the Public Safety Building. The Foxborough Health Department will also be collecting sharps in conjunction with the event.
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8:15 p.m. Eric Arvedon made a motion to adjourn. Todd Whitehouse seconded the motion. All in favor, motion passed, 3-0.

The next meeting is scheduled for October 22, 2018.

Todd Whitehouse, Clerk/pz