

Time being 7:00 p.m. **March 12, 2018** Eric Arvedon opened the meeting of the Foxborough Board of Health, under the Open Meeting Laws of the State of Massachusetts. Eric Arvedon, Chairman presiding, Paul Steeves, Clerk, Pauline Zajdel, Health Director, and Diane Passafaro, Public Health Coordinator were present. Meeting took place in the First Floor Conference Room inside Foxborough Town Hall at 40 South Street. Minutes were taken by Diane Passafaro.

**7:00 p.m. Saga Hibachi Steakhouse  
and Sushi Bar**

**Food Code Violations  
Recent Inspections**

*(No interested parties in attendance for this agenda item)*

Representing Saga Hibachi Steakhouse and Sushi Bar (Saga) was Steve Lin, Owner and Annie Chen, General Manager. Eric Arvedon began by thanking Mr. Lin and Ms. Chen for coming to the meeting. He continued and commented that the establishment had been in front of the Board of Health for Food Code violations before, about three years ago. For a couple of years it seemed the establishment was doing well and "Saga had turned around". Mr. Arvedon asked what happened.

At this time, the meeting was interrupted by Joel Gygi and Melanie Gygi, a Boy Scout and his mother, who asked if this was the location of the Board of Health meeting. They were attending for the purpose of observing a public meeting as part of a Boy Scout merit badge. They took their seats and the meeting continued.

Ms. Chen stated she was not present during the recent re-inspection that occurred at the establishment on March 8, 2018 and was under the impression all violations had been fixed. Mr. Lin was present at the establishment only. When the establishment received the cease and desist letter on Friday, Ms. Chen stated she called the Health Department to see what was needed. Ms. Chen commented that on the day of the re-inspection, Steve did not understand the questions being asked by the Inspector.

Mr. Arvedon replied by saying anyone who is present at the establishment should know the answers to the questions. If questions are not answered, this is when we have the authority to shut down the operation or a particular portion of the operation. Everyone needs to be trained.

Pauline Zajdel added that the cease and desist order was due to conflicting information from the supplier, the types of fish, and Mr. Lin stating fish product was from one supplier, although recent documentation Saga provided now shows two suppliers. Ms. Chen confirmed the use of two suppliers and the shipment of squid and octopus come from JFC, International, Inc. Ms. Zajdel continued by asking who is verifying deliveries of these shipments. Ms. Chen stated their Head Sushi Chef. She continued by informing the Board that she has called Martinez Seafood to inquire about the salmon they receive from them. She requested from

the supplier that they document on the invoice the correct item being shipped and requested a more detailed invoice.

Ms. Chen also informed the Board that Mr. Lin has since fired their Head Chef, adding that this employee was not taking Management suggestions. The establishment has hired a new Head Chef who has been informed of the violations and is working on training.

Paul Steeves commented the establishment must keep track of the fish invoices they receive and all logs. Ms. Zajdel added these should be kept for a minimum of 90 days.

Mr. Steeves also commented on the length of the most recent inspection report, a seven page report, and asked how this happens. Ms. Chen replied and understood the amount of cleaning that was not maintained. She added that Management has already had a meeting with the new Head Chef to inform him of the violations noted.

Mr. Steeves asked Ms. Zajdel how the re-inspection went. Ms. Zajdel responded that it went well.

Mr. Arvedon stated that training is a big issue. If Chinese is needed, it is recommended that information is translated. After the translation the establishment must train and then oversee.

Ms. Chen showed the Board that she has already begun to translate the most recent inspection report into Chinese. She has shown the report to the newly hired Head Chef and he understands and will work toward compliance.

Ms. Zajdel stated that Mr. Lin was working on a new menu and requested documentation of parasite destruction.

Eric Arvedon ended the conversation by offering Mr. Lin and Ms. Chen to call anyone in the Health Department with any questions. Mr. Arvedon thanked the both of them for their time and concluded the discussion with Saga Hibachi Steakhouse and Sushi Bar at 7:30 p.m.

**7:30 p.m.**

**Sanskar Culture Society**

**Application for new  
Catering License**

Mr. Vijay Patel was present to discuss his desire to operate a catering operation at his already licensed establishment, Sanskar Culture Society.

Eric Arvedon began by noting Mr. Patel's establishment had been open for a while and asked how things were going.

Mr. Patel replied things were going well and they are primarily busy on the weekends. He has had members inquire about being able to pick up food prepared at the establishment and bring it to their home, a pick-up operation only. He added he wanted to go through all proper avenues prior to beginning this part of his operation.

Mr. Arvedon inquired about the catering menu. Mr. Patel explained he will be working off the existing establishment's menu. He further explained this menu is all vegetarian and food comes from local suppliers. Ms. Zajdel informed Mr. Patel that the State-specific allergy awareness statement is required on the menu.

Mr. Patel added that he has purchased hot holding transport bags for members to use as they transport the food to their house. They are asked to return the bags once finished.

Paul Steeves stated he appreciated Mr. Patel's time and Eric Arvedon wished him good luck. Hearing no other discussion, the matter of Sanskar Culture Society closed at 7:34 p.m.

**7:34 p.m.** Eric Arvedon stated that the next agenda item, RIM Engineering Co., Inc. for a septic variance at 28 Railroad Avenue is not scheduled until 7:45 p.m. The Board will wait until 7:45 p.m. to hear this matter.

**7:35 p.m.** Paul Steeves made a motion to approve the following bills:

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|---|------------|
| The Arc South Norfolk (March)                 | \$812.83   |
| HealthCare Options, Inc. (February)           | \$2,415.42 |
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| P.Z. – (February Communications/Travel)       | \$103.41   |
| P.Z. – (March Comm./Travel/Misc. supplies)    | \$81.60    |
| D.P. – (March Communications)                 | \$50.00    |
| J.R. – (March Communications/Travel)          | \$91.20    |
| Amazon (Inspection Equip. Supplies)           | \$39.98    |
| Fred's Auto Repair, Inc. (Inspection Sticker) | \$35.00    |
| W.B. Mason (Office Supplies)                  | \$21.77    |
| NEIWPC (Training – J.R.)                      | \$780.00   |
| MEHA (Training – P.Z.)                        | \$75.00    |
| MAHB (Training – P.Z.)                        | \$20.00    |

Eric Arvedon seconded. All in favor, 3 – 0.

**7:45 p.m.** **RIM Engineering Co., Inc.** **28 Railroad Avenue**  
**Craig Cygawnoski** **Septic Variance**

Those in attendance for this agenda item:

Craig Cygawnoski, RIM Engineering Co., Inc.  
Frank Caridi, Applicant for 28 Railroad Avenue  
John Golden, Abutter – 25 Baker Street

*(Paul Steeves disclosed to those present in the room that he has done business with Mr. Frank Caridi about 10-15 years ago. He noted if he recused himself from any vote made, there would be no quorum. Eric Arvedon asked Paul Steeves if there would be any issues reviewing the plans. He replied no.)*

Mr. Craig Cygawnoski presented his septic design plans for 28 Railroad Avenue. The plan proposes a tear down and construction of a duplex with a gravity designed septic system comprised of two separate 1500 gallon two-compartment septic tanks and one shared soil absorption system. Current system on the property is a cesspool. The proposed position of the system components comply with all required property setbacks. Due to surrounding wetlands however, minimum setbacks to the wetlands cannot be met. Mr. Cygawnoski and Mr. Caridi's appointment in front of the Conservation Commission was February 26, 2018. According to Mr. Cygawnoski, the approval with the Conservation Commission is pending approval from the Board of Health. Therefore, Mr. Cygawnoski requested the following variances:

- Septic tank 77 feet from a wetland where 100 feet is required (local by-law)
- Soil absorption system 137.8 feet from a wetland where 150 feet is required (local by-law)

Eric Arvedon requested the installation of a 40 mil poly-barrier on the north and east side of the soil absorption system to a depth of four feet below system. Mr. Cygawnoski agreed. Pauline Zajdel requested new plans be submitted to the Health Department office reflecting this addition.

Pauline Zajdel also informed the Board that she is requiring additional test holes to be observed and tested in the area where the soil absorption system is proposed.

Proof of abutter mailings (four) were received in the Health Department office on March 5, 2018.

Paul Steeves made a motion to allow the septic tank to be located 77 feet from a wetland where 100 is required, a variance of 13 feet. Eric Arvedon seconded. All in favor, 2-0.

Paul Steeves made a motion to allow the soil absorption system to be located 137.8 feet from a wetland where 150 feet is required, a variance of 12.2 feet. Eric Arvedon seconded. All in favor, 2-0.

Hearing no other discussion related to 28 Railroad Avenue, Eric Arvedon declared the matter closed at 7:58 p.m.

**7:58 p.m.** Paul Steeves made a motion to approve the minutes of February 5, 2018 as written. Eric Arvedon seconded. All in favor, 2 – 0.

**8:00 p.m. Health Directors Updates**

- Marilyn Edge has been working with the Town of Norton to increase the purchasing age for tobacco to 21 years old. There is a State-wide initiative to increase the age to 21 for all communities by this Summer. If Tobacco 21 passes however, it would take three years to become fully implemented. The annual memorandum of agreement acknowledging participation with the Western Bristol County and Foxborough Tobacco and Alcohol Prevention Collaborative is not yet ready for the Boards signature.
- The National Drug Take Back Day is scheduled for April 28, 2018 from 10:00 a.m. until 2:00 p.m. The Board of Health's involvement will be collecting sharps. Eric Arvedon volunteered to work the event.
- The Cannabis Control Regulations Training webinar has moved to a start time of 9:30 a.m. on March 27, 2018.
- CBS Scene restaurant that was located at Patriot Place has closed. Redevelopment includes a new restaurant on the top level, with offices on the two lower levels.
- Mike Pacella with M. Pacella Excavating, LLC abandoned sewage disposal systems on 42, 44, and 46 Pierce Street without pulling Abandonment permits with the Health Department. Pump out reports could not be produced.
- Dan Roma had blocked off March 5 to March 15 for his septic system installation. Mr. Roma awarded the job to M. Pacella Excavating, LLC. Paul Steeves requested that Mr. Roma provide the Board with a signed contract.
- A new chef has been hired at Waxy O'Connors. He is currently working on the training requirement we have requested.
- Andrew Poce has been in contact with this office. The Health Department has seen no other Town Department sign offs.

**8:30 p.m.** Paul Steeves made a motion to adjourn. Eric Arvedon seconded. All in favor, 2 – 0.

The next meeting will be April 23, 2018.

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Paul Steeves, Clerk/dp