

Time being 7:00 p.m. **April 23, 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 Andrew A. Gala, Jr. Meeting Room inside Foxborough Town Hall at 40 South Street. Minutes were taken by Diane Passafaro.

7:00 p.m. Hampton Inn & Suites New Establishment

No one representing Hampton Inn & Suites was present at the time of their scheduled appointment. Due to this missed appointment, Mr. Eric Arvedon stated the Board would move to the next item on the agenda.

7:02 p.m. Quickstop Beer & Wine Hemal Patel New Owner–Tobacco/Retail Store 79 Summer Street

(No interested parties in attendance for this agenda item)

Mr. Arvedon welcomed Hemal Patel, prospective Owner of the retail and tobacco and wine store located at 79 Summer Street and asked if he had started his operation yet.

Mr. Patel informed the Board he has not yet acquired the Store and is in the process of setting up a closing date.

Mr. Arvedon continued by asking Mr. Patel to explain his anticipated operation. Mr. Patel explained that at the start of his business he would focus his operation on the sale of beer, wine, cigarettes, cigars and pre-packaged items including chips and soda. He was aware the location at one time had a deli, however, he informed the Board he currently owns a Subway and feels it would not be worth pursuing a deli at this location. Should he be granted a limited retail food permit, he would like to be able to offer coffee as a convenience to his customers. Ms. Pauline Zajdel stated he would be required to install a 3-bay sink should he decide to offer coffee. Mr. Patel stated he had spoken with his partner and they understand the importance of food safety. Mr. Arvedon also asked about the dairy and sugar that will be offered. Mr. Patel stated he intends on having the dairy and sugar in pre-packaged form.

Mr. Arvedon continued the conversation by asking Mr. Patel what he thought the Town in which his Subway is located would say related to the operation he ran. Mr. Patel stated the Town would have good things to say and comment on the establishment's cleanliness.

Mr. Arvedon wanted to confirm Mr. Patel was aware of the Town of Foxborough age requirement for the sale of tobacco and asked this question of him. Mr. Patel was aware of the age requirement and responded 21.

Ms. Zajdel stated she had received an e-mail from the current Owner stating that all violations from the most recent retail food inspection had been corrected and was ready for a re-inspection. Mr. Patel stated he also received confirmation from the seller that all violations had been corrected. He assured the Board that should there be any remaining violations, he would take care of them quickly. He added that the old equipment needing removal, may require a month's time to complete so that he may be able to concentrate on his business first.

Mr. Paul Steeves expressed to Mr. Patel that the store is an old store but hoped his anticipated changes will improve the location for the better. Mr. Arvedon added that although his customers may not remember the name of his store, they will remember they were in Foxborough. He wished Mr. Patel good luck in his endeavors.

Ms. Zajdel informed Mr. Patel that Marilyn Edge will be performing tobacco inspections and asked if he had been in contact with her regarding the sale of paraphernalia. Mr. Patel responded by confirming he did discuss with Ms. Edge what is and is not allowed in the Town of Foxborough. Ms. Zajdel added that rolling papers are not allowed. Mr. Patel informed the Board that his procedures in other stores when interested in something new, is to call the inspector to confirm it is okay to sell.

Mr. Patel discussed the closing is expected to be on May 1, 2018 and inquired about the next steps. Ms. Zajdel stated the Health Department can set up an inspection for the following week and can date the permit for May 1, 2018 if the Store is in compliance following the inspection.

Mr. Arvedon thanked Mr. Patel for his time and concluded the discussion at 7:10 p.m.

7:10 p.m. Mr. Eric Arvedon announced to those present in the room that there was still no one present representing the Hampton Inn and Suites and the Board would wait until 7:30 p.m. to begin their discussion with Mr. Andrew Poce and his new mobile unit.

7:11 p.m. Paul Steeves made a motion to approve the following bills:

The Arc South Norfolk (April services)	\$812.83
D.P. – April Communications	\$50.00
P.Z. – April Communications	\$50.00
P.Z. – Mileage (Meetings)	\$37.39
J.R. – April Communications	\$50.00
J.R. – Mileage (Training)	\$50.25
W.B. Mason	\$28.73
Taylor Technologies (Pool Reagents)	\$73.69

Moore Medical (Sharps Containers) \$103.90

Eric Arvedon seconded. All in favor, 2 – 0.

7:12 p.m. Paul Steeves made a motion to approve the minutes of March 12, 2018 as written. Eric Arvedon seconded. All in favor, 2 – 0.

7:13 p.m. Health Directors Updates

- There are three upcoming Health Department related events. One of those events is the National Drug Take Back Day occurring on Saturday, April 28, 2018. Eric Arvedon confirmed he is available to volunteer his time that day and be present to collect the sharps that are dropped off.
- The installation of the septic system located on 337 Cocasset Street, the VFW, is complete and was installed by M. Pacella Excavating, Inc.. Pauline stated Mr. Dan Roma had called the office and thanked the Health Department and the Board's guidance through the entire process.
- Outstanding systems waiting on installation or further review include those located on the McDonald's property and the Rodman property previously discussed with the Board.
- The Stadium application for the Lacrosse Tournament event has been received and reviewed. The port-a-john map showing port-a-john locations in Gillette parking lots has also been updated and received.
- New regulations were recently promulgated as it relates to the State Sanitary Code - Minimum Standards for Recreational Camps for Children. In conjunction with these new regulations, the State has updated and provided assorted guidance documents and advisories for local Health Departments. One of these documents discusses whether Town-sponsored Municipal Programs should be considered and regulated as a Camp under 105 CMR 430.000. The advisory continues by advising local Boards of Health to make this decision in consultation with all involved parties including representation from the sponsored recreational program, the Board of Health and Town Council. Eric Arvedon and Paul Steeves agreed a discussion with the Recreation Department and Town Council should occur during the next meeting on May 21, 2018.
- According to a recent letter from Marilyn Edge, grant funding for Fiscal Year 19 has been denied for seven Board of Health funded programs. The coalition is working on reviewing their current grant application and getting more funds.
- A recent "Application for Town Common Permit" was submitted to the Health Department for a sign off. The event was related to the release of balloons on the birthday of a departed child. There has been concerns relating to this type of activity and has been associated with litter and other environmental impacts. Some states have banned releases like these and they are currently banned in Massachusetts in the Towns of Plymouth and Provincetown. Eric Arvedon advised sign off to this event under the conditions the balloons are biodegradable and no strings are used.

7:30 p.m.

Andrew Poce

**New mobile unit and updates
with Town Department approvals**

(Mr. Andrew Poce's first appearance in front of the Board of Health was November 13, 2017. At that time, the Board granted Mr. Poce a mobile license to sell raw seafood from his mobile unit, located on 24 Washington Street, for 90 days. This motion was approved under set conditions related to the use of permanent power and specific requirements of the mobile unit. The use of the property located at 24 Washington Street also requires other Town Department approvals. To date, these approvals have not been granted and conditions discussed during the November meeting have not been met. Mr. Poce is currently not operating his mobile unit.

Mr. Eric Arvedon welcomed Mr. Andrew Poce back and asked what had changed that required him to return back to the Board.

Mr. Poce stated he had been reviewing his business plan over the last few months and believes his new business decision, the one he is presenting to the Board today, would be more profitable. This new business plan would focus on his fish smoking part of his operation. Mr. Poce explained that on the existing concrete pad he would have two trailers. The first, a red trailer, would serve as a retail type store where customers could stop and purchase a healthy dinner at competitive prices. All foods, to include meats, seafood, and other prepared foods such as soups, would be in pre-packaged form. Mr. Poce added he had no intent to sell open raw fish in the trailer. This trailer would also be equipped with a walk-in cooler and all food would be from an approved source.

Mr. Arvedon acknowledged this part of the operation and asked Mr. Poce about the other operation he intended on pursuing.

Mr. Poce continued by stating in his new business plan, he wished to include smoking fish. On site, he would have a smoker capable of smoking 100 pounds of fish at one time as well as a broiler. The fish to be used for smoking would be fresh fish, not fish that had been previously vacuum sealed. His intent was to smoke on site, transfer the smoked fish into totes and transport the totes into the on-site walk-in on the red trailer. Mr. Poce explained his smoking would be a hot smoke, not a cold smoke. This operation would be set up on the existing concrete pad and would take place under a car-port type structure screened on all sides.

Mr. Paul Steeves expressed his concerns to Mr. Poce about his proposed smoking operation. His concerns included the transporting of the loaded fish totes after smoking to the walk-in and the location on Route One having the potential for all or part of his operation being exposed to dirt, dust and other contamination due to the open set up just described by Mr. Poce. Mr. Steeves stated he would not approve an open grill operation on Route One. Mr. Poce acknowledged Mr.

Steeves concerns. Mr. Steeves also asked how many employees Mr. Poce intends to have. Mr. Poce responded himself and his son.

As a follow-up to Mr. Steeves concerns, Mr. Arvedon suggested the Board focus on the red trailer and the sale of pre-packaged items only. Mr. Arvedon asked if this red trailer has yet been inspected. Ms. Pauline Zajdel replied no.

Ms. Zajdel asked about the location of the mop sink. Mr. Poce stated it would be located in the shed. Mr. Steeves also injected and stated Mr. Poce would be required to have a hand washing sink as well as a sanitizer on site in the event of spills from food packages.

Mr. Arvedon asked if Mr. Poce has yet received approval from the Department of Transportation. Mr. Poce reply yes. Ms. Zajdel requested a copy of this approval to be submitted to the Health Department office. Ms. Zajdel also asked for confirmation that the mobile unit and all the food would be under lock and key at night. Mr. Poce confirmed this to be true.

Paul Steeves made a motion to approve a mobile vendor license to “2 Guys Tuna and Sword”, located at 24 Washington Street, to operate the portion of the operation to include the red trailer and utility shed, for the sale of pre-packaged fresh and frozen foods. Eric Arvedon seconded and stated this approval is contingent upon approval from the Planning Board. Vote was called. All in favor, 2-0

Hearing no further discussion, Eric Arvedon called the matter of Andrew Poce and his new mobile unit closed at 8:05 p.m.

8:05 p.m. Paul Mullins Recognition of his 21 years of service with the Board of Health

Eric Arvedon called Paul Mullins in front of the Board, in celebration of his retirement, to be recognized for his 21 years of service as a member of the Foxborough Board of Health. Mr. Arvedon thanked Mr. Mullins on behalf of the entire Town for his dedication and presented him with a Certificate of Recognition and a token of appreciation. Mr. Mullins thanked the Board and spoke kindly of his time serving on the Board.

8:20 p.m. Paul Steeves made a motion to adjourn. Eric Arvedon seconded. All in favor, 2 – 0.

The next meeting will be May 21, 2018.

Paul Steeves, Clerk/dp