

Time being 7:00 p.m. **June 11, 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, Todd Whitehouse, Newly Elected Board of Health Member, 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.

Others Present:

Diana Freiberger – Student – Master’s Degree (Health Policy Class)

Eric Arvedon began the meeting by introducing the newly elected Board of Health member, Todd Whitehouse. He welcomed Mr. Whitehouse to the Board and expressed his belief that the decisions made by the Board of Health are always made in the best interest of the Town.

7:00 p.m. Hampton Inn and Suites New Establishment
Bonnie Brake, General Manager

(No interested parties in attendance for this agenda item)

Representing Hampton Inn and Suites was Bonnie Brake, General Manager.

Eric Arvedon began by welcoming Ms. Brake to Foxborough and since the operation had been opened since April 3, 2018, asked how the operation was going. Ms. Brake replied business was going well. Operations conducted at the hotel requiring a health permit included the Hotel’s breakfast service and the indoor pool. Breakfast consists of a “re-therm” operation where frozen food is reheated for service. She informed the Board that she was the Certified Food Manager (CFM) for the establishment and all staff are certified Food Handlers. The staff is also trained to take temperatures and maintain logs. Her work schedule is normally five days a week.

Mr. Arvedon asked about establishment procedures at the close of the breakfast service. Ms. Brake explained any remaining cooked or prepared food is offered to the employees during the daily staff meeting. Any food left after 10:30 a.m. is discarded.

Paul Steeves asked Pauline Zajdel how the pool inspection went. Ms. Zajdel stated there were issues at the time the inspections were conducted, however, the Hotel worked to get them corrected. Ms. Brake added to the discussion and explained that their Certified Pool Operator (CPO), Dan Cook, is most familiar working in the State of Rhode Island and balanced the pool correctly adhering to Rhode Island standards, not Massachusetts. Ms. Brake also added that the signs requested by the Health Department have arrived and will be displayed. She continued by saying the Town of Foxborough has been wonderful to work with,

including the Board of Health. Mr. Arvedon emphasized that the Foxborough Health Department staff is always available to answer any questions.

Mr. Arvedon also inquired about the establishment's dumpster area. Ms. Brake explained the Hotel uses a 10 yard dumpster that is in a fenced in enclosure.

Mr. Arvedon thanked Ms. Brake for coming and wished her luck with the operation.

Hearing no other discussion related to the Hampton Inn and Suites, Eric Arvedon declared the matter closed at 7:10 p.m.

7:10 p.m.

**CBS Scene Patriot Place
Kevin Scott, Executive Chef**

New Establishment

Representing CBS Scene Patriot Place was Kevin Scott, Executive Chef.

Eric Arvedon began by welcoming Kevin Scott and his new facility to Foxborough. Paul Steeves followed up by asking if he had been associated with the restaurant that was previously at that location. Mr. Scott replied no and explained the changes that were occurring to the building layout including the conversion of the lower two levels into office space and shops with the top level being the proposed 250 seat restaurant with patio. He further explained that ownership of the building remains Kraft Group and his company, BNEG Entertainment, will be the new operators.

With knowledge that his company also owns Scorpion Bar, also located at Patriot Place, Paul Steeves asked his role as Executive Chef at two locations. Mr. Scott informed the Board his actual role with the company is Corporate Chef and is in the process of training current sous chefs to assist in managing the kitchen at this new location.

Mr. Arvedon inquired about the company's on-going training. Mr. Scott stated standard procedures include the taking of internal temperatures, monitoring chemicals, and maintaining logs that can be made available to the Board of Health at any time they are requested.

Pauline Zajdel asked when construction would be complete. Mr. Scott stated they are shooting for a June 25, 2018 opening to allow staff to train in mock services. Ms. Zajdel emphasized the time constraints of the office and to call the office for an appointment as soon as possible. Ms. Zajdel also asked for clarification on the Doing Business As (DBA) name for the permit. Mr. Scott replied the DBA should read "CBS Scene Sporting Club".

After reviewing the menu, Mr. Arvedon inquired about the Salmon and how this was being received. Mr. Scott answered proteins were being received fresh. Mr.

Scott also added that Poke Bowls are served raw and that a Hazard Analysis Critical Control Point (HACCP) Plan is available. Mr. Arvedon also commented on the size of the allergy wording and consumer advisory being too small and needs to be bigger. Mr. Scott understood.

Paul Steeves commented that problems often seen in restaurants are associated with the absence of training when new employees are hired. Mr. Scott replied that the company tries to create a working culture where employees do not want to leave. He assured the Board that Management is trained to monitor employees daily and information is provided to the staff regularly during pre-shift meetings. Although Mr. Scott will not hold a permanent status at the Foxborough location, he stated his protocol includes a visit to the location three days a week and training is conducted once a month.

Mr. Steeves asked Ms. Zajdel for a summary of their food safety compliance and performance at the Scorpion Bar, their other location. Ms. Zajdel referred the question to Diane Passafaro who had performed the majority of the inspections since they had opened. Ms. Passafaro stated the staff had been attentive to the violations noted and the establishment worked well with the Health Department to work toward compliance. No major recurring issues had been noted. Ms. Zajdel added that the Health Department has established re-inspection fees as part of the fee schedule and this fee will be given should recurring violations be seen.

Mr. Arvedon concluded the discussion by wishing Mr. Scott good luck and emphasized his establishment can call the Foxborough Health Department office with any questions.

Hearing no other discussion related to CBS Scene Sporting Club, Eric Arvedon declared the matter closed at 7:20 p.m.

7:20 p.m. Paul Steeves made a motion to approve the following bills:

The Arc South Norfolk (May Services)	\$812.83
HealthCare Options, Inc. (April Services)	\$2,415.42
HealthCare Options, Inc. (May Services)	\$2,415.42
P.Z. (May Communications/Travel)	\$61.77
Foxboro Animal Hospital (Rabies Clinic Services and Supplies)	\$417.00
J.R. (May Communications/Inspection Equip)	\$65.92
D.P. (May Communications/Travel)	\$97.63
Parts Unlimited Automotive (Oil Change)	\$39.13
W.B. Mason (Office Supplies)	\$23.52
Commonwealth of Massachusetts EZDriveMA	\$4.70
Payment Processing Center (Tolls to training site)	
The Pro's Car Care Complex (Car cleaning)	\$28.00

J.R. (June Communications)	\$50.00
D.P. (June Communications)	\$50.00
P.Z. (June Communications/Travel)	\$61.77
HealthCare Options, Inc. (June Services)	\$2415.38
MAHB (Membership Dues)	\$150.00
Rea-Craft Press, Inc. (Name Plate)	\$17.00
The Arc South Norfolk (June Services)	\$812.83

Todd Whitehouse seconded. All in favor, 3 – 0.

7:30 p.m.

**Spink Design
Thomas Roux**

**34 Fairway Lane
Septic Variance**

Those in attendance for this agenda item:

David Webster
Greg Thorsell
Angie Thorsell
Rob O'Donnell

(Eric Arvedon disclosed to those present in the room that he lives and is the Owner of 81 Fairway Lane. He added that if any person in the room has concern with his involvement in the matter of 34 Fairway Lane, he would remove himself from the meeting until the matter was closed. Paul Steeves asked if Mr. Arvedon would in any way gain from his involvement. Mr. Arvedon stated he does not know the current owner or the prospective owner. There was no objection from anyone in attendance. The meeting continued)

Mr. Thomas Roux of Spink Design presented his septic design plan for the repair located at 34 Fairway Lane. Mr. Roux began by explaining, due to a driveway extension, paving was extended over half the system and included the distribution box designed with H10 loading only and was observed crushed. He stated the system is also currently in the groundwater. Due to property lines and wetland constraints, the only feasible location for the proposed system was the side yard. The deep-hole inspection revealed saturated soils which resulted in the collection of soil for a sieve analysis in lieu of an on-site percolation test. The proposed system includes a gravity fed system with a new 1500 gallon tank. Due to the high groundwater, a variance is being requested to install the system 3.67 feet above groundwater where five feet is required by the Town of Foxborough by-laws. Mr. Roux further explained, if the system was to be raised higher than the proposed 3.67 feet, grading on the property would become difficult.

Eric Arvedon requested the green cards showing proof of notification to the abutters. Mr. Roux explained he was not told notification was required and abutters had not been notified of the meeting. Mr. Arvedon stated that notification to the abutters is required and can be in the form of a letter discussing the results of the meeting held on June 11, 2018. This letter must inform those

abutters they should contact the Foxborough Board of Health should they have any concerns or objections. Signatures from all of the abutters acknowledging receipt, must be submitted to the Foxborough Health Department office.

Paul Steeves made a motion that any variance approvals related to the septic repair at 34 Fairway Lane during the June 11, 2018 Board of Health meeting is predicated on the receipt of the green cards or signatures from all abutters. Todd Whitehouse seconded. All in favor, 3 – 0.

Eric Arvedon asked Mr. Roux about the decommissioning of the current septic components. Mr. Roux informed the Board that the distribution box is currently crushed and the tank will be crushed and filled in place.

Paul Steeves made a motion to approve a 3.67 foot high groundwater separation, where five feet is required by Town of Foxborough by-law, for the septic repair at 34 Fairway Lane. Todd Whitehouse seconded. Hearing no discussion, a vote was called. All in favor, 3 – 0.

Paul Steeves made a motion to approve the sieve analysis and hydrometer test instead of a percolation test for the septic repair of 34 Fairway Lane. Todd Whitehouse seconded. Hearing no discussion, a vote was called. All in favor, 3 – 0.

Paul Steeves made a motion to approve the installation of a ten foot sleeve on the piping going from the septic tank to the distribution box at the point where the sewage line crosses the water line. Hearing no discussion, a vote was called. All in favor, 3 – 0.

Mr. Arvedon remarked again that all three variances are approved pending notification of the abutters. Mr. Roux was also informed he must submit the following;

- Revised plans showing the ten foot sleeve and documentation that the property lies in a Zone II
- Sieve analysis results

Hearing no other discussion related to 34 Fairway Lane, Eric Arvedon declared the matter closed at 7:53 p.m.

7:53 p.m.

**Rodman Ford
Route 1, Washington Street**

**Non-compliance of septic
system installation timeline**

Representing Rodman Ford was Brett Rodman. Mike Schaefer, with Rodman Ford, also present.

Eric Arvedon began by commenting on the numerous notices sent to Rodman Ford related to his property and the septic system repair deadlines given by the Board of Health that were required to be met. After the initial deadline of January 31, 2018 was not met, the Board of Health approved an extension to February 28, 2018. Despite these notices and extensions, no repairs have been made and the system remains in non-compliance. Mr. Arvedon expressed the Board's role is to protect the groundwater and asked Mr. Rodman how the current situation could be corrected.

Mr. Rodman admitted non-compliance had been due to himself not following up with the original installer who at the time was due to install the system but needed to obtain a license with the Foxborough Health Department. He assured the Board the system would be installed within 30 days.

Ms. Zajdel suggested a longer timeframe in lieu of 30 days to account for vacations contractors may take around the Fourth of July Holiday week.

The Board agreed to a 45 day extension and asked for close communication with the Health Agent as it relates to the installer ultimately hired by your company and the timeline they provide for complete installation. Mr. Arvedon also noted non-compliance of this extension deadline will levy a \$500 fine.

Hearing no further discussion related to Rodman Ford, Eric Arvedon declared the matter closed at 8:04 p.m.

8:04 p.m. Paul Steeves made a motion to approve the minutes of April 23, 2018 as written. Minutes so approved.

8:06 p.m. Health Directors Updates

- Funding for the Western Bristol County and Foxborough Tobacco and Alcohol Prevention Collaborative was extended through September 30, 2018 only. Todd Whitehouse made a motion to appoint Marilyn Edge and Sarah LeRoux from the Western Bristol County and Foxborough Tobacco and Alcohol Prevention Collaborative as agents of the Board of Health through September 30, 2018. Paul Steeves seconded. All in favor, 3 – 0.
- Route 1 Liquor Mart was issued a ticket by Inspector Sarah LeRoux during a tobacco compliance check, for the sale of tobacco products to a minor. The ticket will need to be paid to the Clerk's Office within 21 days.
- The contract with HealthCare Options, Inc. to provide Board of Health services for the Town of Foxborough from July 1, 2018 to June 30, 2018 has been received. All Board members present, the Contract was signed.
- Several letters have been sent out to organizations in Town advertising their summer programs as Camps. If they advertise as a "Camp", they must be licensed as such. The new state sanitary code, "Minimum Standards for Recreational Camps for Children" was recently updated and promulgated in

March 2018. All seven camps licensed with the Foxborough Health Department have been informed of the new regulations.

- Andrew Poce continues to work with all Town Departments on his proposed mobile operation.
- Schiedner Electric will be holding an informational public meeting on July 19, 2018 to discuss the Final Draft version of the Permanent Solution Statement pertaining to the Neponset Reservoir Site (RTN 4-0011387).
- On June 1, 2018, Health Inspector, John Robertson, Jr. was called out by the Fire Department on an emergency call. An inspection was conducted and an order was served.

8:33 p.m. Re-organization of the Board of Health for the period beginning June 11, 2018 through May 2019

Eric Arvedon made a motion to appoint Paul Steeves as Chairman. Todd Whitehouse seconded. All in favor, 3 – 0.

Eric Arvedon made a motion to appoint Todd Whitehouse as Clerk. Paul Steeves seconded. All in favor, 3 – 0.

Paul Steeves made a motion to appoint Eric Arvedon as Vice Chairman. Todd Whitehouse seconded. All in favor, 3 – 0.

8:35 p.m. Todd Whitehouse made a motion to adjourn. Eric Arvedon seconded. All if favor, 3 – 0.

The next meeting will be June 25, 2018.

Todd Whitehouse, Clerk/dp