

Time being 7:05 p.m. **July 20, 2020** 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, Vice Chairman, Betsy Allo, MPH, 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.

(Chairman Eric Arvedon discussed proper social distancing measures to be expected and followed during the meeting by all those present)

E. Arvedon read the agenda of the July 20, 2020 Board of Health meeting aloud.

7:00 p.m. Anthony Bruno - New Owner/Operator of Kampers Kitchen, Normandy Farms

Anthony Bruno was present as the new owner/operator of Kampers Kitchen which is located within Normandy Farms Campground, 72 West Street, Foxborough. A. Bruno informed the Board of his company, Wicked Good Event Group, LLC, and the many years of food service experience they have. Local food service has included food and beverage vending at the Xfinity Center for the last 20 years as well as vending at Gillette Stadium during the Monster Jam event.

His operation at Normandy Farms consists of a smaller menu than in previous years by former operators, with his primary sale being ice cream. He has also rented a portable refrigerator which allows for his existing space to be more workable for his operation.

He stated he is present during daily operation but also has two managers that are both certified food managers and his executive chef from a current Bruno-owned restaurant has also been available to train the Staff.

P. Steeves asked about the operation relative to its current COVID plan. A. Bruno explained COVID related signs are at all three windows and social distancing markers are in place at the take-out windows. Several discussions and trainings with the Staff have been conducted on the topic.

Hearing no further discussion relative to Anthony Bruno and his operation of Kampers Kitchen, E. Arvedon closed the matter at 7:15 p.m.

7:15 p.m. Starbucks Coffee #59326 - Nicole Showstead, Store Manager – New Establishment

Representing Starbucks Coffee #59326, the new establishment recently opened and located at 74 Washington Street, was Nicole Showstead, Store Manager.

N. Showstead provided her background with the Starbucks company and stated this would be her seventh store she would be managing. Relative to the business operation, she noted business was slow, however, this has allowed the staff to get acclimated to the space and provide more training. The location runs with five shift managers who are all certified food managers and it is procedural for management meetings to occur twice a week.

E. Arvedon asked about the establishment's current COVID plan. N. Showstead stated that it is a currently a "grab and go" model for the establishment with the drive-thru also available. There is a "check in" station that all staff must pass through prior to beginning their workshift. This check-in asks the standard COVID screening related questions and temperatures are taken as well.

P. Steeves asked P. Zajdel if there were any issues with inspections or opening of the establishment. P. Zajdel responded saying that there were problems at the beginning, however, these issues were more related to the construction crew as opposed to the Starbucks staff or operation.

Hearing no further discussion relative to Starbucks Coffee, 74 Washington Street, E. Arvedon closed the matter at 7:22 p.m.

7:22 p.m. B. Allo made a motion to approve the following bills:

The Arc South Norfolk (July Services)	\$812.83
P.Z. (Communications – July)	\$50.00
D.P. (Communications – July)	\$50.00
J.R. (Communications – July)	\$50.00
Mass. Env. Health Assoc. (Annual Membership – PZ)	\$40.00
Mass. Env. Health Assoc. (Annual Membership – JR)	\$40.00
Mass. Env. Health Assoc. (Annual Membership – DP)	\$40.00
Mass. Assoc. Health Boards (Annu. Memb. All Staff/Members)	\$150.00
Nat. Env. Health Assoc. (Annual Membership – DP)	\$100.00
W.B. Mason (COVID Related PPE – Funds from COVID grant)	\$281.36

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

7:25 p.m. P. Steeves made a motion to approve the minutes of June 22, 2020, as written. B. Allo seconded the motion. E. Arvedon called for discussion. Hearing none, E. Arvedon called for a vote. All in favor, motion passed 3 – 0.

7:27 p.m. All Board members signed the "Agreement" made between The Arc of South Norfolk, Inc. and the Town of Foxborough for the fiscal period from July 1, 2020 to June 30, 2021.

7:30 p.m. Anthony Caponigro – Title V Inspector Review

(The Foxborough Health Department received several phone calls regarding the validity of a recent Title V inspection conducted at 11 Atherton Road by Anthony Caponigro. The results of the Title V inspection was a 'Pass'. Callers alleged that the Inspector did not uncover or inspect either the tank or d-box component. Due to these allegations, a letter was sent to Anthony Caponigro on July 14, 2020 suspending his license to work in Foxborough, but allowed him to represent himself and to speak on the matter during the July 20, 2020 Board of Health meeting. This letter is included with the supplemental meeting documents)

Those present relative to this appointment:

Anthony Caponigro
Cheryl Deschers
Stephen Paschal
Donald P. Travers

Anthony Caponigro approached the Board. He described what occurred during the Title V inspection he conducted at 11 Atherton Road. He confirmed he uncovered the tank, however, the d-box was under a concrete-type slab. Due to concerns about breaking the d-box, the limited access required him to send a camera into the d-box to confirm operation. A. Caponigro went on to say how careful they are when disturbing the ground while uncovering the components, and lays plastic down to protect the lawn.

P. Zajdel stated there was conflicting information among all parties involved. Foxborough Health Department's Sanitarian, Kevin Duquette, also inspected the property following the calls and stated he saw no evidence of components being uncovered.

E. Arvedon stated his concerns and also referenced several other letters sent to A. Caponigro in recent years addressing issues with his Title V inspections.

E. Arvedon asked if there were any comments or questions from those present in the room.

C. Deschers, real estate agent for the seller, stated she was on the property during the entire inspection and could attest that the statements A. Caponigro's had just spoke, to be true and accurate to what occurred that day.

S. Paschal, whose daughter is the potential buyer of 11 Atherton Road, expressed to the Board his concerns and questioned the validity of A. Caponigro's inspection. These concerns resulted in him scheduling a second Title V inspection which was conducted on Friday, July 17, by a different inspector. At the time of the meeting, a written report was not available and therefore S. Paschal could not confirm the

results of the inspection. He continued however, and commented that the Inspector's observations during the Friday inspection revealed the d-box cover to be broken and surrounded by roots, demonstrating conflicting information to what A. Caponigro experienced and what he documented on his report.

E. Arvedon commented on the need for components to be uncovered and inspected as part of a Title V inspection and ultimately, the condition and function of the system at the time of the inspection must be verified. E. Arvedon continued, stating that in his opinion, if there is a need for a camera to inspect a certain component due to unforeseen conditions limiting accessibility, that would be acceptable.

(Stephen Paschal left the meeting at 7:52 p.m. prior to any resolution relative to the 11 Atherton Road inspection or the suspension of A. Caponigro's license to work in Foxborough)

P. Steeves made a motion to re-instate Anthony Caponigro's Title V inspector license and allow him to continue conducting Title V inspections in the Town of Foxborough, on the condition that photographic evidence of the inspections are provided to the Foxborough Health Department with each report. Betsy Allo seconded the motion. E. Arvedon called for discussion.

P. Steeves stated, the condition requiring photographic evidence of each inspection was warranted due to the history of letters sent to A. Caponigro since 2013 discussing various discrepancies with his reports.

B. Allo asked if discrepancies on Title V inspection reports among other Title V Inspectors was common, P. Zajdel commented it happens rarely with other Inspectors.

General discussion about what type of photographic evidence would be sufficient and how to accurately identify the pictures for each property, also took place.

Hearing no further discussion, E. Arvedon called for a vote to re-instate Anthony Caponigro's Title V inspector license and allow him to continue conducting Title V inspections in the Town of Foxborough, on the condition that photographic evidence of the inspections are provided to the Foxborough Health Department with each report. All in favor, motion passed, 3 – 0.

E. Arvedon called the matter closed at 8:05 p.m.

8:05 p.m. Health Directors Updates

- A food inspection at Sushi Madness has not yet occurred. It has been noted that there is limited staff working at the establishment and they are providing customers with sushi take out only.

- Discussed a potential date for new Board Member, Betsy Allo to shadow Office staff and learn more about what the Health Department does.

8:20 p.m. P. Steeves made a motion to adjourn. B. Allo seconded the motion. All in favor, motion passed 3 – 0.

The next meeting is scheduled for August 3, 2020.

Betsy Allo, MPH, Clerk/dp