

Time being 7:00 p.m. **December 21, 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, Chief Michael Kelleher, Interim Health Director, John Robertson, Jr., Health Inspector, 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 by all those present during the meeting)*

E. Arvedon read the December 21, 2020 Board of Health meeting agenda aloud

**7:00 p.m.      Badawi Dweik, Owner - 38 Main Street**  
**Discussion of inspection conducted at 38 Main Street under the State Sanitary Code 105 CMR 410.000**

*Others present relative to this agenda item:*

*Maggie Rosario*

*Carmen Nieves*

*Hamzah Dweik*

Badawi Dweik, Owner of 38 Main Street, was present to discuss the recent inspection conducted at his property, by Health Inspector, John Robertson, Jr., on December 11, 2020. The dwelling is currently occupied by three occupants, Carmen Nieves, Maggie Rosario, and a minor. The inspection was conducted in response to a complaint received by the Foxborough Health Department on December 10, made by M. Rosario. The complaint was explained as a leak coming from and through the bathroom fan.

With the Chairman's permission, B. Dweik presented to the Board a power point presentation which exhibited photos from the December 11 inspection taken by J. Robertson, as well as other photos and documentation pertaining to the property prior to the December 11 inspection. He also informed the Board that a recent inspection conducted by the Boston Housing Authority, as required per the Section 8 voucher housing program, passed one month earlier on November 9. B. Dweik stated, he believes the violations noted during the December 11 inspection were intentional and staged by the occupants.

The presentation included issues not associated with the State Sanitary Code 105 CMR 410.000. Prior to the meeting, B. Dweik had been instructed to speak on these non-housing issues to each respective Department.

E. Arvedon thanked B. Dweik for the presentation and opened the room for discussion. He began by asking Health Inspector, John Robertson, Jr., if he had any additional information relative to the inspection or to the presentation just provided by the Owner.

J. Robertson stated he reviewed the file prior to the inspection and it was evident during the inspection that repairs had been made. He continued, saying the December 11 inspection showed signs of mold and damage, making it clear that this is an ongoing issue. He further confirmed, the condition noted during the December 11 inspection compared to the Boston Housing Authority inspection on November 9, could have occurred over a span of a month.

Carmen Nieves and Maggie Rosario, occupants of the dwelling that was inspected on December 11 were present. M. Rosario spoke to the Board and explained that leaks within the dwelling were not new and have been noted and addressed to Mr. Dweik since they moved in on September 1, 2018. She further commented, that although repairs have been made, she believes they were cosmetic and did not fix the underlying issue.

E. Arvedon reviewed the Order served to B. Dweik and stated all violations are required to be fixed within 30 days, except one, which requires 14 days. J. Robertson stated he would have no issue extending the repeat violation that was noted as a 14 day compliance violation and extend it to 30 days.

E. Arvedon informed B. Dweik of his obligation to fix all violations noted on the inspection Order within 30 days. Following the 30 days, the Health Inspector will perform a re-inspection of the dwelling to confirm compliance. He further informed M. Rosario of her obligation, to work with the Owner and allow him and his contractors access to the dwelling, provided that reasonable notice is given, for the purposes of repairs to be conducted. Both parties acknowledged Chairman Arvedon's comments.

B. Allo commented that reasonable notice should be at least 24 hours.

E. Arvedon closed the discussion relative to 38 Main Street at 8:00 p.m., but acknowledged the issue may be readdressed after 30 days.

*(The presentation by Badawi Dweik and the photos and communication texts provided to the Board by Maggie Rosario, are included as supplemental meeting documents)*

**8:00 p.m.** P. Steeves made a motion to approve the minutes of November 23, 2020, as written. B. Allo seconded the motion. Hearing no discussion, E. Arvedon called for a vote. All in favor, motion passed 3 – 0.

**8:05 p.m.** B. Allo made a motion to approve the following bills:

D.P. (December Communications) \$50.00

Lifeworks, Inc. (December Services)	\$812.83
J.R. (December Communications)	\$50.00
K.D. (Annual Prof. License Renewal – CHO)	\$79.83
Verizon Wireless (November/December Data Usage)	\$79.98

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

**8:10 p.m. Health Directors Updates**

Interim Health Director, Chief Michael Kelleher provided the following updates:

- Food Code Pro software has been attained for use and will help facilitate food inspections performed by the Inspector, as well as housing inspections. Funding for the software for the immediate future will be through the CARES Act and an additional stand-alone grant. Start-up is expected in January.
- Staff continues to use the PeopleGIS software for online permitting.
- The FY22 budget for the Health Department has been submitted.
- A Facebook page has been developed and is currently live.
- A recent home heating oil spill into the Neponset Reservoir recently occurred over the Thanksgiving Holiday weekend, demonstrating the need for a Board of Health regulation requiring the use and installation of double wall home heating oil tanks.

Additional updates:

- Betsy Allo provided an update on the candidate recently interviewed for the vacant position of Director of Public Health

**8:40 p.m. Board of Health Re-organization**

Eric Arvedon made a motion to appoint Paul Steeves as Chairman. Betsy Allo seconded the motion. All in favor, motion passed 3 – 0.

Paul Steeves made a motion to appoint Betsy Allo as Vice-Chairman. Eric Arvedon seconded the motion. All in favor, motion passed 3 – 0.

Paul Steeves made a motion to appoint Eric Arvedon as Clerk. Betsy Allo seconded the motion. All in favor, motion passed 3 – 0.

**8:43 p.m.** B. Allo made a motion to adjourn. P. Steeves seconded the motion. All in favor, motion passed 3 – 0.

The next meeting is scheduled for January 4, 2021.

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Betsy Allo, MPH, Clerk/dp