

Town of Foxborough Board of Health
Regular Meeting
Meeting Minutes – May 15, 2023

The Board of Health meeting held on May 15, 2023 was conducted in-person inside the Andrew A. Gala, Jr. meeting room within the Foxborough Town Hall, as well as remotely via Zoom, and was broadcasted live on Foxboro Cable Access.

Members Present: Betsy Allo, MPH, Chair, Robin Chapell, M.S. R.S., Vice-Chair, Sophia Manos, Clerk

Health Department Staff Present: Matthew Brennan, R.S., Director of Public Health, Diane Passafaro, Public Health Coordinator and Meeting Recorder

Others Present: Eric Arvedon, Angela Gallagher (Remote Participation) Owen Smyth (Remote Participation), Karl Vandenboom, Kathy Vandenboom

Betsy Allo opened the regular meeting of the Foxborough Board of Health, under the Open Meeting Laws of the State of Massachusetts, at 7:00 p.m. on May 15, 2023. Meeting took place in the Andrew A. Gala, Jr. meeting room inside the Foxborough Town Hall, 40 South Street, Foxborough, MA. Members present included; Betsy Allo, MPH, Chair, Robin Chapell, M.S., R.S., Vice-Chair and Sophia C. Manos, Clerk. No Board of Health members were absent. B. Allo also stated the meeting was being conducted remotely via Zoom and was being broadcasted live through Foxboro Cable Access Youtube channel.

Betsy Allo read the May 15, 2023 Board of Health meeting agenda aloud.

7:00 p.m. A presentation by the University of Connecticut (UConn) Technical Assessment to Brownfields (TAB) on the Foxborough properties identified as 131 Morse Street

(The power point presentation given by the UConn TAB presenter, entitled “Record Review & Data Gap Analysis of the Former Mansfield Bleachery” was provided to each board member and is included as supplemental meeting documents)

Representing UConn TAB and giving the presentation entitled “Record Review & Data Gap Analysis of the Former Mansfield Bleachery” remotely, was Owen Smyth. Due to technical difficulties on the presenter’s end, board members asked M. Brennan if he had any Health Department updates.

M. Brennan informed the Board members that the new State of Massachusetts Housing Code was now in effect. He also explained that a recent complaint inspection was conducted at Oake Knoll Farms related to the sale of unbranded meats that occurred during a Farmer’s Market in Attleboro. He stated a cease and

desist order was sent to the owner, but added that all products were removed from the shelves during the complaint inspection.

S. Manos asked about the receivership status of 255 South Street. M. Brennan explained the State needed to revise documents to ensure they were inline with the new housing code and the information has since been submitted to the Town's Attorney for his approval.

Technical issues were resolved at 7:09 p.m. at which time Owen Smyth presented his presentation on the history and environmental enforcement of the properties located at 131 Morse Street, the former Mansfield Bleachery.

At one point during the presentation, O. Smyth informed the Board of the following error that could be found within the power point presentation. On Page 17, with the header "1986 Notice of Responsibility" board members were asked to note the following correction:

- Under "Recipients", it should read "parcels 5, 6, 7, and 8", with the next line reading "Kamen Properties & Summit Casting & Dukes Place"

Parcel 7 was omitted in error, which is identified as "Dukes Place".

O. Smyth provided additional information not presented on the slides during the "Next Steps" portion of the presentation. He added the following;

- Community Wide Assessment grants through the Environmental Protection Agency can be used to perform environmental assessments on the 131 Morse Street parcels.
- A Remedy Implementation Plan documenting the extent of the contamination within the Summit Casting building has already been developed, however, it is currently expired. A clean-up grant with the U.S. EPA can assist with remediation activities of the building once a Phase I and II investigation is complete.
- Construction history, specifically with the Summit Casting building and the Quonset Hut, is unknown and would benefit from a hazardous building assessment. A Community Wide Assessment grant could also be used to conduct these types of assessments.

The presentation concluded at 7:48 p.m.

7:48 p.m. Further discussion and next steps

B. Allo thanked Owen Smyth for the presentation on the property and welcomed discussion from fellow board members.

S. Manos commented and expressed concern on the fact that, historically, so little has been done on the property.

R. Chapell asked O. Smyth if UConn TAB would be available to assist with putting documents together associated with the different grants available. O. Smyth responded yes, however, he could not confirm which program area specifically within UConn would be able to assist. R. Chapell further asked if federal grants would still be available to the Town since the properties are privately owned. O. Smyth responded saying, to his knowledge, the Town could receive a Community Wide Assessment grant through the Environmental Protection Agency even if Owners were not on board with the assessment, however, the clean-up would ultimately be undertaken by the Owners.

M. Brennan stated the Town would need the Owner's permission to do an assessment on the property, and to date, the Town has not yet received a response to this inquiry. He further explained however, there were other judicial ways that could be taken to gain access to the properties. Once access is granted, the Town could apply for a grant.

R. Chapell asked if grant funds were still available. M. Brennan could not confirm if funds were currently available, but added in 2021 they were.

S. Manos asked about ownership status for the off-site properties and asked at what point the Town could get involved. M. Brennan stated the off-site property is conservation land and could be an avenue to pursue, adding, the presentation by UConn was the educational piece and now it is up to what the Town wants and what properties to focus on and to work on next steps.

R. Chapell stressed utilizing the Massachusetts Department of Environmental Protection (MA DEP) and their assistance with enforcement of the current non-compliance status and added the Town could also reach out to our legislators for help as well.

B. Allo opened the floor for discussion.

Angela Gallagher, with the Massachusetts Department of Environmental Protection informed the board members that their Office has been looking into this property and into drafting documents to send to the current owners, adding there has been a lot of ownership changes historically. She confirmed that all documents sent to the owners of 131 Morse Street, a copy would also be sent to the Foxborough Health Department.

The following residents provided public comment:
Karl Vandenboom, 109 Morse Street

O. Smyth added to the discussion and suggested the Town do a transfer of deed title research as historically, property owners seem to change frequently. This would confirm the most current owner is the individual being notified of all future enforcement orders.

S. Manos opined that further educating the Town on the hazards associated with the Summit Casting site, allegedly used by high school and college students for party-type activities, is needed, adding that it's a serious concern and should be secured. R. Chapell asked if MA DEP could use their enforcement and border up the building to prevent access. A. Gallagher stated their regulations would allow them to assist if an imminent hazard is present, however, at this time, there has been no assessment conducted on this property to confirm if one exists. M. Brennan confirmed the property holding the Summit Casting building has no clear ownership and puts the onus on the Town to keep it safe. He added a notice on the building from the Fire Department is already on the building itself, but will inform them that the building was not locked.

Hearing no further discussion, B. Allo again thanked O. Smyth for his presentation on 131 Morse Street, and acknowledged that the board had a lot to think about moving forward.

8:15 p.m. S. Manos made a motion to adjourn. R. Chapell seconded the motion. Hearing no discussion, B. Allo called for a roll call vote.

R. Chapell: Aye S. Manos: Aye B. Allo: Aye
Motion passed, 3-0

The next meeting is scheduled for June 12, 2023

Sophia C. Manos, Clerk/dp