

**Town of Foxborough Board of Health**  
Regular Meeting  
Meeting Minutes – February 26, 2024

Members Present: Betsy Allo, MPH, Chair, Robin Chapell, M.S., R.S., Vice-Chair, and Sophia C. Manos, Clerk  
Members Absent: None

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

Others Present: Linda Shea

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 February 26, 2024. Meeting took place in the Andrew A. Gala, Jr. meeting room inside the Foxborough Town Hall, 40 South Street, Foxborough, MA.

**7:00 p.m. Board of Health Regulations – Final Document Review**

The Board of Health will discuss the final edited version of the proposed Board of Health Regulations after they were revised due to community feedback. In addition, the Board will finalize the public comment and hearing schedule regarding the adoption of these regulations.

M. Brennan provided the Board members with the final edited version of the proposed Town of Foxborough Board of Health Regulations document that was revised to reflect community feedback received during the recent public comment period.

R. Chapell informed M. Brennan of errors found in the Table of Contents, noting some page numbers were not correct. M. Brennan acknowledged this error and would edit accordingly.

R. Chapell spoke positively on the edits made to the Housing Code regulation and acknowledged the edits were reflective of the comments brought forward by both the Board and through public comment. She went on to remind the Board, as previously discussed, they could opt to remove this regulation altogether from the final document and revisit at a later date. Discussion ensued among the Board members and L. Shea inquired if the new regulations would place a burden on the Department's workload. M. Brennan confirmed that the regulations as currently written would allow for pre-occupancy inspections only upon complaint, inspection, or enforcement actions. The Board ultimately decided to leave the Housing Code regulation, as written, within the Board of Health Regulations document. R. Chapell requested that notification about the revised Housing Code regulations be sent to all those who had previously submitted public comment on it. M. Brennan confirmed this would occur.

R. Chapell asked that a sentence be added to the first full paragraph on page 107, stating that an approved variance from the lifeguard requirement would only be granted provided the pool had been in compliance with all local and State swimming pool regulations during the prior year. Board members had no objections to this addition and M. Brennan confirmed the regulations would be updated to reflect R. Chapell's request.

Hearing no further comments or update requests, M. Brennan affirmed edits reflecting the Board's comments heard during the February 26 meeting would be incorporated into the Town of

Foxborough Board of Health Regulations document. Following the updates, the final version will be available for public comment and for vote at the public hearing. M. Brennan further stated the public hearing notice is required to be posted in the paper for at least two weeks. The Board agreed upon a public hearing date of April 8, 2024.

R. Chapell made a motion to accept the draft Town of Foxborough Board of Health Regulations, as amended to reflect Board comments received during the February 26 meeting, as the final version available for the public hearing. S. Manos seconded the motion. B. Allo called for discussion. Hearing none, B. Allo called for a vote. All in favor.

**Motion passed, 3 – 0**

Hearing no further discussion related to proposed Board of Health Regulations, B. Allo closed the matter at 7:45 p.m.

### **7:45 p.m. Department Updates**

**22 School Street:** M. Brennan stated the Owner of 22 School Street had not made any progress related to the repairs as detailed under the current enforcement order. M. Brennan informed the Board an inspection of the building is scheduled for March 1. If the inspection confirms no corrective actions have been made, the court will be notified and either a receivership could be appointed or a condemnation of the eleven dwelling units could occur. Board members spoke regarding the receivership being a more advantageous option.

**255 South Street:** An inspection of the property is scheduled for Wednesday, February 28. If corrections have not been made per the current enforcement order, the court will be notified and a receiver may be appointed.

**7 Revere Drive:** The Owner of 7 Revere Drive continues to work with the Town's social worker and has successfully applied for housing assistance. Additional applications related to state aid have also been completed. M. Brennan to follow up with the Owner in 30 days.

**131 Morse Street, Summit Castings:** M. Brennan provided the Board with recent updates to the 131 Morse Street property. He confirmed University of Connecticut Technical Assistance for Brownfields (UConn TAB) has been attained to work on public outreach material for the 131 Morse Street Town Warrant article. This outreach will include a live presentation by UConn TAB and include information and the background of the site, the site's dam removal by the Foxborough Department of Public Works, how a brownfield's grant can assist in the cleanup of the property and examples of success stories from other brownfield properties that have received similar grants and subsequently cleaned up. M. Brennan explained the Town Manger requested that the UConn TAB presentation be held during the upcoming March 25 Board of Health meeting and be televised so the information can be easily accessible to the public. He also confirmed the Massachusetts Department of Environmental Protection would be notified and invited to attend.

R. Chapell shared her concern with the March 25 date, as she would not be available for that meeting due to a pre-existing commitment. Board members also requested that the presentation materials be sent to them prior to the televised meeting so they had adequate time to review the

information and prepare questions. The Board also shared concern on the short timeframe the UConn student had to prepare the material, approximately two weeks.

R. Chapell made a motion for the scheduled March 25 presentation provided by UConn TAB for the purposes of public outreach for the Town's warrant article, be postponed until April, due to the scheduled absence of one Board of Health member during the March 25 meeting date and to allow more time for UConn TAB to prepare the public outreach material. S. Manos seconded the motion. B. Allo called for discussion.

B. Allo conferred with her fellow Board members not to have the presentation occur before the public hearing for the Board of Health Regulations, stating, she did not want to dilute the time and effort that had been put in to developing the final regulations document. She continued saying having the presentation in April after the public hearing, will still provide ample time for discussion and outreach before the Town Meeting. Board member also agreed and requested the presentation and outreach materials be sent to them ahead of the live presentation for their review.

B. Allo moved to amend the motion and add the following: The UConn TAB presentation is to be held after the scheduled April 8 public hearing for the Board of Health Regulations, the Board is to be provided all public outreach material ahead of the live presentation to allow for ample time to review the material and prepare comments, and if the Advisory Committee requires more discussion on the Town Warrant article, this can still occur after the presentation and before the Town Meeting. R. Chapell seconded the motion. B. Allo called for discussion. Hearing none, B. Allo called for a vote on the motion as amended. All in favor.

**Motion passed, 3 – 0.**

Board members agreed the best date for the UConn TAB presentation was during the scheduled April 22 Board of Health meeting. M. Brennan acknowledged the Board's request and stated he would speak to the Town Manager about postponing the scheduled presentation.

**Olive and Mint:** Since the February 5 Board of Health meeting, Olive and Mint has provided the Foxborough Health Department with documents showing proof of training for their staff. During a recent Select Board meeting, Olive and Mint's Common Victualler and Liquor licenses were denied, but the Owner has since appealed to the Alcoholic Beverages Control Commission (ABCC). M. Brennan informed the Board that the Foxborough Health Department would not be able to issue a Health permit to Olive and Mint without the establishment in possession of their Select Board licenses.

**Community Narcan Training Event:** The Foxboro Rotary Club approached the Foxborough Health Department about setting up a Narcan training lead by the SAFE Coalition. M. Brennan recommended having the training prior to a scheduled Board of Health meeting, at which time Narcan could be distributed following the training. M. Brennan also recommended that Tom Kenvin come to an upcoming Board of Health meeting to provide a summary of his role and the work he does as the Town's public health nurse.

**Demolition of Schneider Electric Neponset North Factory:** M. Brennan informed the Board of the planned demolition of Schneider Electric's north factory structure, scheduled to occur during the next two to three months. Demolition will include asbestos removal and hazardous

material abatement, but the foundation slab will remain. Since there is potential for these activities to cause a nuisance, the Health Department requested a complaint line be established. Schneider Electric is due to speak to the Select Board at an upcoming meeting about the demolition, however it is unclear at this time the extent of how the neighbors will be notified.

**Foxborough Health Department Budget Summary:** The Foxborough Health Department fiscal year 2025 budget was prepared and available for the Board's review.

**9:00 p.m. Approval of Board of Health Meeting Minutes**

R. Chapell made a motion to approve the minutes of February 5, 2024, as written. S. Manos seconded the motion. B. Allo called for discussion. Hearing none, B. Allo called for a vote. All in favor.

**Motion passed, 3 – 0.**

**9:01 p.m.** R. Chapell made a motion to adjourn. S. Manos seconded the motion. Hearing no discussion, B. Allo called for a vote. All in favor.

**Motion passed, 3 – 0.**

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Sophia C. Manos, Clerk/dp