

Town of Foxborough Board of Health
Regular Meeting
Meeting Minutes - August 15, 2022

Members Present: Betsy Allo, MPH, Chair, Paul Steeves, Vice-Chair, Sophia C. Manos, Clerk
Members Absent: None

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

Others Present: Joseph DePasquale, Jeff Lovely, Clifford Pierre

B. Allo opened the regular meeting of the Foxborough Board of Health, under the Open Meeting Laws of the State of Massachusetts, at 7:02 p.m. on August 15, 2022. Meeting took place in the Andrew A. Gala, Jr. meeting room inside the Foxborough Town Hall, 40 South Street, Foxborough, MA.

Quorum was established.

7:02 p.m. 68 Neponset Heights Avenue
Appeal and/or update of condemnation order served on June 17, 2022 for the basement apartment located at 68 Neponset Heights Avenue

P. Steeves recused himself from the discussion of 68 Neponset Heights Avenue.

Representing the owner of 68 Neponset Heights Avenue was Attorney Jeff Lovely. J. Lovely provided an update on the housing situation and condemnation order for the basement apartment served by the Foxborough Health Department on June 17, 2022. He confirmed the tenant that was residing in the basement apartment has vacated the dwelling, the dwelling is currently unoccupied and understands the apartment could not be occupied until it meets all applicable Codes.

M. Brennan explained the need for the dwelling to be placard with the condemnation order until such time as the dwelling is either made habitable or non-habitable. Discussion continued on the ways the dwelling could meet the definition of habitable or non-habitable. It was ultimately understood by all parties that further discussion with the Foxborough Building Commissioner is warranted and a final decision on what would be acceptable can be made at a later date.

B. Allo inquired about how the property was currently zoned and if there was potential for rezoning. M. Brennan and J. Lovely both commented that rezoning of the property is unlikely.

J. Lovely concluded his update and asked to be informed when the Foxborough Health Department goes to the property to placard the dwelling. M. Brennan acknowledged his request.

Hearing no further discussion relative to the 68 Neponset Heights Avenue property, B. Allo closed the matter at 7:13 p.m.

7:13 p.m.

3 King Philip Place

Discussion regarding the residential use of automated pool safety covers and updates to the Town of Foxborough's Pool Regulations

M. Brennan began the discussion by providing updates on the 3 King Philip Place pool safety cover discussion that was brought to the Board's attention during the July 18, 2022 Board of Health meeting. Since the last meeting, M. Brennan consulted with the Town's Attorney, Pat Castello on the current language of the Board of Health Residential Swimming Pool Regulations. Comments from Pat Castello included that the current regulations has some areas containing ambiguous wording, and further commented that if the Foxborough Inspections Department allows an automated pool safety cover, that should be taken into consideration.

Also as a follow up to the July 18 Board of Health discussion, M. Brennan presented the Board with a draft version of new Board of Health Swimming Pool Regulations. M. Brennan explained that the draft version presented to them incorporates not only residential swimming pool safety requirements, but also incorporates current public and semi-public swimming pool Board of Health bacteria regulations as well. Combining regulations will assist in consolidating the multiple regulations the Board of Health currently has related to swimming pools.

Board members voiced their opinion on various pool safety barriers, including means of how to render a swimming pool safe, and asked questions related to the Foxborough Health Department's role under these new proposed regulations. M. Brennan stated that the draft regulations, should they be promulgated, would allow the Health Department enforcement power. He provided an example, explaining, if the Foxborough Health Department received a complaint of unsafe swimming pool conditions, and if following an investigation finds the swimming pool in violation of the regulations, an enforcement letter could be sent to the property owner. He also added that any new regulation would be provided to the Foxborough Building Commissioner so he is made aware of the additional local regulations.

Joseph DePasquale, owner of 3 King Philip Place arrived to the meeting after the 3 King Philip Place discussion began and provided answers to the Board's questions related to the time it takes to close his automated pool safety cover and the safety measures associated with his operational controls.

B. Allo proposed the use of a survey to allow for community input on general pool safety measures as well as input on portions of the proposed draft regulations. Discussion continued related to survey logistics.

P. Steeves made a motion that the Foxborough Public Health Director construct a survey that can be distributed to the Foxborough residents, for the purposes of gathering input on the proposed draft Board of Health Swimming Pool Regulations. S. Manos seconded the motion. B. Allo called for discussion.

S. Manos asked how the survey would be worded. M. Brennan commented that he would prepare the survey and align it with the different sections of the regulations.

Hearing no further discussion, B. Allo called for a vote.

P. Steeves: Nay

S. Manos: Aye, contingent upon the current draft regulations, as presented tonight, are amended first.

B. Allo: Aye

Motion passed

M. Brennan confirmed he would provide the Board with the results of the survey and the draft regulations for discussion at a future meeting.

Hearing no further discussion, B. Allo closed the matter at 8:02 p.m.

8:02 p.m.

**Clifford Pierre, Housing Inspector – Bristol Norfolk Public Health Partners
Introduction of Clifford Pierre, Housing Inspection for the Bristol Norfolk Public Health Partners (BNPHP) and an overview of the potential use of BNPHP for pre-rental housing inspections.**

Clifford Pierre, Bristol Norfolk Public Health Partner's (BNPHP) new housing inspector was present to introduce himself and how his role with BNPHP could assist the Foxborough rental community.

C. Pierre prepared a power point presentation for the Board discussing the benefits and potential challenges of beginning a pre-occupancy inspection program within the Town of Foxborough. C. Pierre explained, pre-occupancy inspections is a proactive rather than reactive approach and is a way to enforce the State housing code and ensure Foxborough has safe housing available for its residents. He continued, informing the Board the use of this type of program has been established in other Towns and has shown to be useful, adding, it has the potential to stop expensive housing cases and foster good partnerships with owners.

M. Brennan discussed that the Board would need to adopt these regulations in order for the program to begin, but stated the program would be for the use in Foxborough only. He hopes other Towns within the BNPHP will follow suit, but each individual Town Board of Health would need to adopt these regulations before these types of inspections could begin in their Town.

Board members asked procedural related questions associated with the timing of inspections, fee for inspections, how the Town and owners would be notified of this new requirement, and how this would relate to the hotels and motels in the Town.

M. Brennan responded saying the Board can adopt any language to be incorporated into the Certification of Fitness Regulations and can accommodate when and how the Owner is required to notify the inspector that an inspection is needed, how and when the inspection is conducted, as well as the fee and violation criteria. He added that the Foxborough Health Department could also enforce the regulations upon a complaint and can provide notification of the new regulations within the newspaper. M. Brennan further explained putting in a clause in the regulation for hotels and motels, requiring every room within the facility, to be inspected each year.

Hearing no further discussion, B. Allo closed the matter at 8:30 p.m.

8:30 p.m. P. Steeves made a motion to approve the minutes of July 18, 2022 as written. The motion was seconded by S. Manos. Hearing no discussion, B. Allo called for a vote.

P. Steeves: Aye S. Manos: Aye B. Allo: Aye
Motion passed.

8:32 p.m. S. Manos made a motion to review the following bills.

D.P. (July Communications)	\$50.00
Mass. Env. Health Assoc. (Annual Membership – D.P.)	\$50.00
Mass. Env. Health Assoc. (Annual Membership – C.S.)	\$50.00
Mass. Env. Health Assoc. (Annual Membership – M.B.)	\$50.00
National Env. Health Assoc. (Annual Membership – D.P.)	\$100.00
Lifeworks, Inc. (July Services)	\$812.83
M.B. (July Communications)	\$50.00
C.S. (July Communications)	\$50.00
Verizon Wireless (Data Usage for Inspection Tablets)	\$75.98
Mass. Health Officers Assoc. (Annual Conf. – C.S.)	\$475.00
D.P. (August Communications)	\$50.00
M.B. (August Communications)	\$50.00
C.S. (August Communications)	\$50.00
Mass. Health Officers Assoc. (Annual Conf. – M.B.)	\$475.00
Lifeworks (August Services)	\$812.83
Mass. Env. Health Assoc. (Lead Cert. Class – C.S.)	\$295.00

The motion was seconded by P. Steeves. Hearing no discussion, B. Allo called for a vote.

S. Manos: Aye P. Steeves: Aye B. Allo: Aye

Motion passed.

8:35 p.m. Department Updates

- As part of the CHNA grant, three wellness classes have been scheduled for September and October. The classes will be hosted and conducted by the Hockomock Area YMCA. More classes will be scheduled for the future, including senior focused classes and possibly nutrition classes at the Library.
- M. Brennan informed the Board that all violation notices issued throughout the week, will be provided to them as part of their weekly update.
- B. Allo asked for an update on the Gaard Motel. M. Brennan responded saying that occupants remain in their units and utilities remain operable.

8:45 p.m. S. Manos made a motion to adjourn. The motion was seconded by P. Steeves. B. Allo called for a vote.

P. Steeves: Aye S. Manos: Aye B. Allo: Aye

Motion passed.

The next meeting is scheduled for September 12, 2022

Sophia C. Manos, Clerk

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