

Time being 7:00 p.m. **September 9, 2019** Paul Steeves opened the meeting of the Foxborough Board of Health, under the Open Meeting Laws of the State of Massachusetts. Paul Steeves, Chairman presiding, Eric Arvedon, 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. Minutes were taken by Diane Passafaro.

Others present:

Elana Dekkers, Foxborough Resident

Brad Fitzgerald, SFG Associates

Tom Kenvin, Town of Foxborough Executive EMS Officer

Kevin O'Brien, General Manager, Splitsville Luxury Lanes

Chris Pernok, Owner, 8 Vernal Avenue

Lynda Politsopoulos, Sals and Mals

Eric Arvedon read the agenda of the September 9, 2019 Foxborough Board of Health meeting aloud.

**7:00 p.m. Splitsville Luxury Lanes - Kevin O'Brien, General Manager  
Repetitive non-compliance of 105 CMR 590.000 (State Sanitary Food Code)**

K. O'Brien, the General Manager at Splitsville Luxury Lanes for the past four years, provided the Board with a summary regarding the reason for his appointment. He explained that the most recent health inspection resulted in violations that were repetitive in nature and which had not been addressed since the last report. In response to the non-compliance, he stated more standard operating procedures have been put into place as well as the use of logs and believes these actions will result in better inspections in the future.

E. Arvedon expressed his concern relative to the fact that he had been a General Manager for the last four years, yet the health inspections were not up to par even during inspections when the date of the inspection was known. E. Arvedon read aloud violations noted on the inspection report associated with demonstration of knowledge by the person in charge, commenting, if the person in charge doesn't know what they're doing, who at the establishment does. K. O'Brien apologized and stated he had been away from the establishment for personal reasons and had just recently returned. He explained he had a young team with newly hired personnel but thought satisfactory operations would still continue even during his absence. K. O'Brien also stated he was in the process of training a new Manager which will be present at the establishment on his days off.

P. Zajdel commented on the announced re-inspection that occurred earlier that day which resulted in repetitive violations associated with cold and hot holding as well as on-going facility issues. She suggested that tasks within the operation should be delegated out and to not rely solely on one individual.

K. O'Brien provided P. Zajdel with several temperature logs that had been put in place at the establishment. He explained logs were developed and food temperatures are being taken every four hours. Cooling violations had also been noted during inspections but specific steps are now outlined for the Manager on Duty to assist Staff in the proper cooling of food products. P. Zajdel provided comments associated with changes needed with respect to the formatting of the logs. She returned the logs to K. O'Brien for him to correct and review with the Inspector during the next inspection.

P. Steeves asked K. O'Brien for a timeframe relative to when a subsequent inspection would show stellar compliance. K. O'Brien stated the logs are currently in place, but the physical facility repairs would need another couple of weeks, stating he was having trouble securing a company to do the work.

E. Arvedon requested that K. O'Brien require all Staff to be available one to two extra hours per week to allow for Management to train each staff member on the food safety expectations associated with each of their positions. The training must be documented and employee training sign offs must occur and be available for review during future inspections. E. Arvedon continued stating, if the training is not performed or if future inspections continue to exhibit non-compliance, the Board will require that either a professional consultant is hired or the establishment is closed.

P. Steeves opened the room for comments or questions relative to Splitsville Luxury Lanes. Hearing no comments, P. Steeves declared the matter closed at 7:22 p.m.

**7:22 p.m.**

**Sals and Mals – Chris Politsopoulos, Owner**  
**Repetitive non-compliance of 105 CMR 590.000 (State Sanitary Food Code)**

Representing Sals and Mals was wife of Chris Politsopoulos, Lynda Politsopoulos. L. Politsopoulos began by providing the Board with photos that assisted in demonstrating her compliance with some violations noted during the most recent inspection. She continued saying that the building itself is old, worn and tattered which contributes to the overall appearance as you walk in and believes the facility's condition may be associated with some of the facility violations noted during the inspection. L. Politsopoulos stated that aside from the facility issues, she stands by the establishment's operation and procedures associated with food safety.

P. Zajdel informed the Board that J. Robertson had conducted four visits between July 8 and September 9. The last inspection was announced, yet violations were still noted and were associated with inadequate cleaning from the previous night. P. Steeves also commented that even in the photos L. Politsopoulos had provided, the lack of cleaning is evident. L. Politsopoulos responded stating that she has developed a cleaning procedure and has divided the Store into four separate areas

with each employee in charge of one specific section to clean. She also stated that a deep cleaning of the establishment would occur every Wednesday and Sunday.

E. Arvedon read aloud violations on the report and commented on the repetitive nature of the non-compliance. P. Steeves added that reports have historically shown food temperature issues. L. Politsopoulos stated she has purchased some new equipment and confirmed that food, when checked in the morning, are holding at proper temperatures. She commented that temperature issues may have been due to the warm weather and consistent use of the coolers with the lids open during preparation.

P. Zajdel provided L. Politsopoulos with the Massachusetts Department of Public Health list of professional consultants and trainers. E. Arvedon stated that once a consultant is chosen, the signed contract must be forwarded to the Foxborough Health Department. P. Zajdel stated that the Office will re-evaluate the establishment's compliance and determine any additional actions or further consulting needs after one month. P. Steeves urged L. Politsopoulos to learn from the consultant as it will be nothing but beneficial.

E. Arvedon stated that if the next inspection shows non-compliance repetitive in nature, closure will occur.

P. Zajdel also informed both L. Politsopoulos and the Board that the establishment has been moved up to a Risk Level 4 and will now be inspected four times a year.

P. Steeves opened the room for comments or questions relative to Sals and Mals. Hearing no comments, P. Steeves declared the matter closed at 7:40 p.m.

**7:40 p.m. Senna Fitzgerald Gilbert Associates - Brad Fitzgerald, P.E.  
Septic Variance at 8 Vernal Avenue**

B. Fitzgerald provide the Board with information relative to the proposed septic system design for the property located at 8 Vernal Avenue. He explained that current sewage disposal system on the property consists of a cesspool and due to lot size constraints is asking for variances associated with distances from the cellar wall to the system components. The cellar wall is poured concrete and has a dirt crawl space. The proposed design allows the property to meet all property line setbacks and will work with the existing invert allowing for a gravity fed system.

E. Arvedon made a motion to approve a seven (7) foot variance and allow the septic tank to be located three (3) feet from the cellar wall, where 10 feet is required, for the septic repair at 8 Vernal Avenue. P. Steeves seconded the motion and called for discussion. Hearing none, P. Steeves called for a vote. All in favor, motion passed 2 – 0.

P. Steeves discussed the need for a 40 mil polybarrier be installed between the cellar wall foundation and the soil absorption system. E. Arvedon concurred.

E. Arvedon made a motion to approve a nine (9) foot variance and allow the soil absorption system to be located 11 feet from the cellar wall where 20 feet is required, contingent upon the installation of a 40 mil polybarrier between the soil absorption system and the cellar wall foundation, for the septic repair at 8 Vernal Avenue. P. Steeves seconded the motion and called for discussion. Hearing none, P. Steeves called for a vote. All in favor, motion passed 2 – 0.

P. Zajdel requested that B. Fitzgerald submit revised plans showing the addition and location of the polybarrier.

Hearing no further discussion related to the septic system repair at 8 Vernal Avenue, P. Steeves declared the matter closed at 7:51 p.m.

**7:51 p.m.** E. Arvedon made a motion to approve the following bills:

Taylor Technologies, Inc. (Pool Reagent Insp. Supplies)	\$26.55
D.P. (September Communications)	\$50.00
J.R. (September Communications & Insp. Gear)	\$145.01
P.Z. (September Communications & Travel)	\$62.53

P. Steeves seconded the motion. Hearing no discussion, P. Steeves called for a vote. All in favor, motion passed, 2 – 0.

**7:54 p.m.** E. Arvedon made a motion to approve the minutes of August 19, 2019 with the following amendment;

- Page one, paragraph one, following the sentence “The proposed location is also an improvement from where it is currently installed,” add “*since it is proposed to be located farther away from existing wetlands and a private well on the property used for irrigation*”

P. Steeves seconded the motion. Hearing no discussion, P. Steeves called for a vote. All in favor, motion passed, 2 – 0.

**7:55 p.m.** **Health Directors Updates**

- E. Arvedon expressed concern surrounding the vaping epidemic occurring nationwide and opined that once the vacant seat on the Board of Health is filled, discussions should take place related to a vaping ban in the Town of Foxborough.

- Foxborough will be participating in the Drug Enforcement Administration (DEA) Drug Take Back Day occurring on Saturday, October 26, 2019 from 10:00 a.m. to 2:00 p.m. In conjunction with the drug take back, the Board of Health will be collecting sharps. A representative from the Board of Health to oversee the collection will be needed on that day.
- Public Health Coordinator, Diane Passafaro will soon be starting a “Foxborough Health Department” Facebook page.
- Assistant Health Director, Kevin Duquette will be providing the Town’s food establishments and grease haulers with his fats, oils and grease (FOG) training.
- Pauline Zajdel and John Robertson are scheduled to attend the annual environmental health “Yankee Conference” this week.
- Tom Kenvin, Town of Foxborough Executive EMS Officer, was present and gave an update on Foxborough’s moderate risk level associated with Eastern Equine Encephalitis (EEE).

**8:22 p.m.** E. Arvedon made a motion to adjourn. P. Steeves seconded the motion. All in favor, motion passed 2 – 0.

The next meeting is scheduled for September 23, 2019.

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Eric Arvedon, Clerk/dp