

MEETING OF THE FAIRHAVEN BOARD OF HEALTH  
ORGANIZATIONAL MEETING  
And  
REGULAR MEETING  
April 9, 2012

An Organizational Meeting of the Board of Health was held at the Town Hall on Monday, April 9, 2012 at 6:30 PM. The meeting was duly posted. Board members present: Barbara Acksen, Jeannine Lopes and Peter DeTerra. Also present: Patricia Fowle, Health Agent.

Mr. DeTerra, Chairman, called the meeting to order at 6:30 PM and stated that this is an organizational meeting of the Board of Health. He requested nominations for Chairman and Vice Chairman for the upcoming year.

Upon nominations duly made and seconded, it was unanimously voted that Peter DeTerra is the Chairman of the Board of Health and Jeannine Lopes is the Vice Chairman of the Board of Health.

Motion to close the Organizational Meeting was made by Ms. Lopes; seconded by Ms. Acksen. Vote was unanimous.

A Regular Meeting of the Board of Health was held at the Town Hall on Monday, April 9, 2012 at 6:30 PM. The meeting was duly posted. Board members present: Barbara Acksen, Jeannine Lopes and Peter DeTerra. Also present: Patricia Fowle, Health Agent.

The Chairman called the meeting to order at 6:35 PM and asked that the minutes of the meeting of March 12, 2012 be amended or approved.

Motion to approve the minutes was made by Ms. Lopes; seconded by Ms. Acksen. Vote was unanimous.

The Board reviewed a proposed septic system upgrade plan for 301 Mill Road. Mr. DeTerra abstained from the discussion. The system is for a three bedroom dwelling and would utilize the existing 1000 gallon septic tank, a new 1000 gallon pump chamber and a new 13' x' 30' ARC-36 chamber leaching facility. Two local upgrades are required: 3' to groundwater vs. the 4' minimum as required in 310 CMR 15.212 and 130' vs. the Board of Health required 150' to an existing potable well at 298 Mill Road. The proposed plan with variances brings the septic system into maximum feasible compliance with the codes.

Motion to approve the proposed septic system and the two requested variances was made by Ms. Lopes; seconded by Ms. Acksen. Vote was two in favor with Mr. DeTerra abstaining.

Health Agent's report:

- An inspection was done at Emma Jean's Cupcake Factory, 115 Huttleston Avenue, for a new ice cream parlor. The establishment is code compliant and is open for business.
- An inspection was done at China Café, 14 Fairhaven Commons Way, for a new steam buffet table. The steam table is code compliant and the buffet is in service.
- The Department of Environmental Protection (DEP) informed the office of a complaint that asbestos shingles were being stored improperly at a property on Gilbert Street. Upon inspection it was so noted and an order-to-correct was issued to the landowner with a remove-by-date of two weeks from date of receipt of notice. Andrew Cooney of DEP is working with the owner and the health agent in this regard.

- The office is in receipt of a beach sanitary survey for Seaview Avenue Beach. The survey indicates that the beach may be classified as Tier 3 based on recent years' summer sampling bacteriological results. The approval of the Tier 3 classification will allow sampling to occur monthly rather than weekly as required by the Department of Public Health (DPH) regulation. DPH grant funds, which the Board has successfully secured the past few years to pay for the required testing, are becoming less available and the DPH can eliminate unnecessary expenses by declaring historically good testing bacteriological beaches as Tier 3 status. Thus the request for the Board of Health to concur with the Tier 3 status.

Motion to approve the variance and declare Seaview Avenue Beach a Tier 3 beach as requested by the DPH was made by Ms. Lopes; seconded by Ms. Acksen. Vote was unanimous.

- The Board received a copy of a written complaint from the Selectmen's office from a resident on Middle Street complaining of noise from Fairhaven Shipyard. Ms. Acksen will look into the matter.
- The Board received the latest gas monitoring analysis of the landfill gas vents. All results were well within the required DEP parameters. The passive vents are working well.
- The Board received a written notice from DPH of flu vaccine availability for the upcoming 2012/2013 flu season. Once again, children ages 6 months to 18 years will be the primary focus. The number of doses that will be made available to the Board will be forthcoming in June.
- The Town Treasurer informed the office that the Board of Health budget request for fiscal 2013 was cut by 2% as has all other town hall departments. Which line items were affected is not known at this time. The chairman will look into the matter.
- The health agent gave a copy of a proposed policy amendment for mobile vending trucks in Town. The Board will review and discuss at the next meeting.
- A request from the Town Accountant, Anne Carreiro, was received requiring the Board to vote on who may sign invoices and payroll for the Board of Health. Motion that a majority of Board members must sign payroll and invoices was made by Ms. Lopes; seconded by Ms. Acksen. Vote was unanimous.
- Ms. Fowle and Ms. Acksen will attend a seminar in Worcester on May 1 on anaerobic digesters, wind turbines and backyard chicken farming hosted by MEHA.

Invoices and payroll were reviewed and signed by the Board.

The next meeting will be Monday, April 23, 2012 at 6:30 PM.

There being no other business before the Board, motion to adjourn the meeting at 7:15 PM was made by Ms. Lopes; seconded by Ms. Acksen. Vote was unanimous.

Patricia Fowle, Health Agent