

REGULAR MEETING OF THE BOARD OF HEALTH
July 29, 2015

A Regular Meeting of the Board of Health was held at the Town Hall on Wednesday, July 29, 2015, at 6:30 p.m. Board members present: Peter DeTerra, Jeannine Lopes and Lindsay Gordon. Also present: Patricia Fowle, Health Agent.

Chairman DeTerra called the meeting to order at 6:30 p.m. and asked for a motion to approve the minutes of the Regular Meeting of July 8, 2015. Motion to approve the minutes was made by Ms. Lopes; seconded by Ms. Gordon. The vote was unanimous.

Appearing before the Board was Troy Tonnessen, partner/owner of Mackatan General Store, 39 Causeway Road. Mr. DeTerra recused himself from discussion stating he had done work as a contractor at the site. Mr. Tonnessen stated the store opened in early July and business has been very good. Thursdays through Sundays Christopher Medeiros, partner/owner, prepares fresh foods to go from his approved mobile kitchen and customers would like to be able to enjoy the meals on premise. Mr. Tonnessen acknowledged a variance granted by the Board to allow only one handicapped toilet for the establishment per the Board's regulation which requires one toilet per sex. He then requested that the Board allow the use of the one toilet in conjunction with the proposed use of three picnic tables on site. The health agent noted that the State Plumbing Code minimum allows for one toilet per establishment less than 1200 sq ft. Mackatan is 750 sq ft. A site plan was presented and is part of this record. Mr. Tonnessen stated there would be three picnic tables, used seasonally and only on Friday, Saturday and Sunday, along the south property line next to some recently planted arbor vitae trees, trash would be patrolled and contained and no loitering would be allowed. Discussion ensued.

Ms. Lopes motioned to grant the request to allow the use of the one handicapped toilet in the facility for seasonal use only from May 1 through November 1 annually with the condition that the tables be entirely removed off site when not in use; Ms. Gordon seconded. There was no further discussion. The vote was two in favor and one abstention to allow the request.

Next appearing before the Board was Mr. Donald Spooner, a Town resident, who discussed with the Board the possibility of having all food establishment inspections be graded on an A, B, C scale and further, to have those grades posted visibly by the food establishment in an exterior window. Mr. Spooner stated he observed this practice while in military service in California and would like to see it put into use in Town. He has visited other local communities with the same request. Mr. Spooner stated there is research available on this matter. Discussion ensued regarding the State and Federal approach to creating certified and uniform inspections with an end goal as requested by Mr. Spooner. The work continues. Mr. Spooner was thanked by the Board for his diligence and input into the matter.

A variance request was received for an in-ground pool for 40 Bonney Street. The plan requires a one foot variance to the Board's five feet property line requirement. A letter was received from the affected abutter to the north stating no objection to the proposed pool placement. Also, there is a line of trees along this property line. The property is currently being served by a septic system. This is a residence that was mandated to tie in to town sewer by the Board's most recent mailing in May, 2015. Mr. DeTerra recommended that should the variance be granted the health agent inform the homeowners that the in-ground pool should not be placed until the old leaching site has had sufficient time to dry.

Ms. Lopes motioned to approve the four feet to north property line for the in-ground pool with the condition that the property be tied into sewer prior to any construction; Ms. Gordon seconded. The vote was unanimous.

Health Agent's Report:

1. Beach water sampling is ongoing now. To date no re-sampling due to high bacteria counts has been required.
2. The MaDPH reported a positive case of *Vibrio parahaemolyticus* from a consumer who states they had shellfish purchased from Stop & Shop in Fairhaven over the July 4 weekend. Marc Correia, MaDPH Inspector was on scene with the health agent on Friday, July 24, 2015, to review shellfish tags, sales, store policies and to meet with management. An inspection of the Seafood Department was performed at the time with minor issues being noted. A final narrative will be filed by Mr. Correia with MaDPH and will be forwarded to the Board office as well. Upon receipt of the report the health agent will follow-up with the store. No other incident reports have been filed in this matter.
3. The health agent attended a MaDPH mandatory session on flu vaccine usage reporting at which time she was informed that the refrigerator temperature data logger issued by the MaDPH is showing refrigerator temperatures out of range for the Fairhaven Board of Health site and that a pharmacy/vaccine refrigerator may be required to house all upcoming vaccine shipments. The Board will be receiving 50 doses (5-10 dose vials) of flu vaccine for the upcoming flu season. Under counter refrigerators cost \$2000 and up. There is no money in the budget for such a purchase if required and the Board will therefore need to meet with the Finance Committee.
4. The Board's new regulation of a \$100 fine for owners not cleaning up their dog's droppings on public property is now in effect. Regulations have been changed to reflect such.
5. Discussion ensued on the lack of secretarial assistance for the office. There is no news to report on a return of the administrative assistant or temporary replacement at this time. The work is getting done.

Invoices were signed.

There being no other regular business before the Board, Mr. DeTerra motioned to adjourn; Ms. Lopes seconded. The vote was unanimous at 7:40 pm. The next scheduled Board of Health meeting will be August 26, 2015, at 6:30 pm.

Respectfully submitted,
Patricia Fowle, Health Agent