



Town of Fairhaven
Board of Health

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2022 MAY 26 A 11: 35

FAIRHAVEN,
MASS.

May 11, 2022

PRESENT: Kevin Gallagher, Heidi Hacking, Michael Ristuccia, David Flaherty

Call to Order

- a. Chairman Kevin Gallagher called the meeting to order at 5:00pm. Roll call attendance of the meeting members were taken, all members were present.

2. Pledge of Allegiance

3. Welcome and Media Notification

- a. Mr. Gallagher welcomed everyone and read the media and recording notifications and welcomed the public to speak on items.

4. Minutes of the Meeting:

- a. Ms. Hacking made the motion to approve the minutes of the meeting on April 27, 2022. Mr. Ristuccia seconded the motion, vote passed.

5. Health Agent Report

- a. Mr. Flaherty gave his agent report. He stated he has reduced the COVID report and the information is posted online. State-wide hospitalizations for COVID: 702; of those 68% were fully vaccinated when contracting COVID; ICU admittances: 56, 26 intubated, hospitalizations nearly doubled compared to two weeks ago, ICU and intubations are slightly more.
- b. Home bound vaccination intake line is 833-983-0485
- c. At home test kits are available in the Fairhaven Health Office. Please visit during normal business hours to pick up 4 test kits per address. Medication Disposals bags are also available at Town Hall, Library, COA, Recreation center and Police and Fire Department.
- d. For vaccine clinic information, please visit [Southcoast.org/covid-19-vaccination](https://southcoast.org/covid-19-vaccination).
- e. The upcoming wellness clinics are on May 11th and 25th at the Council on Aging from 1pm-3pm.
- f. Sunscreen Dispensers should be going up and ready for use by Memorial Day.
- g. No title 5 inspections were conducted
- h. A chapter 2 housing inspections was conducted and the follow-up will be ongoing.

- i. Mr.Flaherty was recertified for ServSafe on May 4th.
- j. Leeann Costa from Community Nurse was present and stated that in May of 2021 for the entire month there were 50 positive cases, currently we are at 68 cases and we are only halfway through the month. Mr.Gallagher asked if at home test kits need to be reported to the state. Leeann Costa said they do not need to be reported, unless they are done through the doctors it does not get reported. Mr.Gallagher wanted to remind the public that although cases are going up he wants to remind everyone about getting vaccine as well as a booster recommended for specific persons.

6. Community Nurse- Tick update with helpful information.

- a. Leeann Costa from Community Nurse discussed with the Board, Helpful and useful information for tick season. Tick borne illness is not just Lyme. There are multiple diseases that require treatment. All ticks have potential to carry more than one disease. A tick can give a single bite and fall off. Sometimes symptoms can show up 3-30 days after the initial bite. Basic symptoms are fever, muscle pain, joint pain, and fatigue. A bull's eye is not always significant. Always monitor symptom's and follow up with a physician. Symptoms can arise and clear on their own, but can yet again appear a month later. When outdoors wear proper clothing, high socks, light clothes and use bug spray. Always conduct full body checks when returning inside from outdoors. Remember to thoroughly check your pets as well for ticks. High grasses at beaches are also homes for ticks, make sure to also check after a beach trip. Mr.Ristuccia questioned on how beneficial yard spraying is to deter ticks. Leeann said it isn't that beneficial, treating your lawn would be better. Ms.Hacking asked how do we get this information to the public, some suggestions were to place information on the Board of Health website, offer tips in neighborhood newspaper, and place signs in public places. Mr. Gallagher asked for the TV Department to take part of today's tick information at the meeting and create a smaller clip for TV and online.

7. Discussion- Prescription Medication Disposal Bags

- a. Mr.Flaherty said he had made a PSA about the donated medical disposal bags. They are places at the Town Hall, Library, COA and Rec Center. They are also available at the Police and Fire Station. The bags are easy to use and easy to dispose of old medications at the convenience of your own home.

8. New Food Establishment- 382 Main St, Main St Scoops Gelato & Hard Ice cream

- a. Mr.Flaherty gave a quick overview of the business. He will be conducting an inspection of the establishment very soon. The owners were present via zoom. The Board is happy to know there will be a new Ice Cream establishment soon in North Fairhaven.

9. Title 5 Inspection Report Review- 136 New Boston Rd

- a. Mr. Flaherty witnessed the inspection. The system failed due to a poor leeching system.

Mr. Risuccia made the motion to accept the Inspection report for 136 New Boston Rd, Ms. Hacking seconded. Vote passed.

10. Title 5 Inspection Report Review- 267 New Boston Rd

- a. Mr. Flaherty witnessed the inspection. The system was initially a conditional pass due to accessibility of a pump. The issue has since been fixed, thus making it a pass.

Mr. Risuccia made the motion to accept the Inspection report for 267 New Boston Rd, Ms. Hacking seconded. Vote passed.

11. Title 5 Inspection Report Review- 6 Eddy St

- a. Mr. Flaherty witnessed the inspection. The system failed due to it having a steel tank. The property is unique. The main structure is tied into sewer and the rear, with its own system. The system has failed and will need to be tied into the sewer system.

Mr. Risuccia made the motion to accept the Inspection report for 6 Eddy St., Ms. Hacking seconded. Vote passed.

12. Discussion of FY23 Budget Line Item: BOH Stipends

- a. Mr. Gallagher opened stating this is something that himself and Ms. Hacking has asked about. Currently they have both signed off on not receiving their stipends. Unfortunately it is a salary line item and the funds cannot be used to anything but salary. Mr. Risuccia stated the money is there for Board members to educate themselves. Mr. Gallagher said he would be comfortable rescinding the request of not receiving the stipend, and then to receive it and give it back in a gift form to the department. Mr. Gallagher said he would also like the process to be fully transparent to show what was cut for a check, where it was deposited back and what it is being used for.

13. Discussion- Policy prohibiting elected or appointed member of the Board of Health from conducting inspections on behalf of the Health Department

- a. Mr. Gallagher stated he has advocated this for the past year and has recently reached out to MAHB who Fairhaven Health Department is associated with. After speaking with Cheryl Sbarra JD. Senior Staff Attorney and Director of Policy and Law, Board Members conducting inspections in some Towns is common, but only if they do not have a Health Agent. Fairhaven has a full time Health Agent, whom is fully certified for all aspects the department needs. Ms. Sbarra had given Mr. Gallagher a Resolution of the Board of Health for the Town of Fairhaven

which reads:

**RESOLUTION OF THE BOARD OF HEALTH FOR THE TOWN OF
FAIRHAVEN**

WHEREAS, G.L. c. 268A (Conflict of Interest Law) sets minimum standards of ethical conduct for all municipal employees and officials;

WHEREAS, board of health members are municipal officials bound by the conflict-of-interest law;

WHEREAS, c. 268A, §17 prohibits municipal employees and officials from being compensated by anyone other than the municipality in relation to any particular matter in which the municipality is a party or has a direct and substantial interest;

WHEREAS, c. 268A, §23 prohibits a municipal employee or official from acting in such a way that reasonable people would believe that they could be improperly influenced or act in violation of his public duties; and

WHEREAS, a municipal employee or official must refrain from acting in any manner that would suggest an appearance of impropriety pursuant to G.L. c. 268A, §23.

BE IT KNOWN that the Fairhaven Board of Health acknowledges, fully supports, and agrees to comply with G.L. c. 268A, the Conflict-of-Interest Law.

Ms. Hacking made the motion to accept the Resolution for the Board of Health for the Town of Fairhaven, Mr. Gallagher seconded, Mr. Ristuccia opposed, vote passes.

Mr. Ristuccia said he had a problem with the resolution due to it being a right that was given to him when he was elected as a member of the Board. He has also never done an inspection himself, but protests the Board from taking away his rights. He will not let it lie and will seek Town Council.

Mr. Gallagher said as an elected member he does not feel it is right to be conducting inspections when we have a full time Health Agent and will refrain from it. He also said the resolution states that the Board will follow the Conflict of Interest Laws and Ethics. If the Agent is unavailable then the correct certified persons would be called in from a neighboring town.

A discussion further ensued.

14. Discussion- Newspaper Colum Board of Health updates, posting of agendas and minutes on social media.

- a. Ms. Hacking started off by saying that the Health Office does a lot and she is unsure if the public is aware of how much goes on. She wants to know how we can further get the information out to the public. Mr. Gallagher said it is great to be transparent and there has been an offer from Neighborhood News to have a monthly submission as to what is going on in the Health Office. Another

discussion was to have the meeting Agendas as well as Minutes posted to social media for those who are on it. Mrs. Bowers, going further will be posting them on the Fairhaven Facebook page.

15. Public Comment

- a. Elanor Chew was present via Zoom. Stated she has concerns about the gift account. Mr.Gallagher and Ms.Hacking both ran their campaign on not taking the stipend and now they want to take it. She is confused as to why they want to change their minds. Mr.Gallagher said the only way to move money around is to receive it and then donate it back while showing all transaction. He also said he will make sure he has all the green lights to do it in this process to make sure there are no violations.

16. Invoices, Correspondence & Other Business

- a. Bills are to be signed at the end of the meeting.

17. Next Meeting Date: May 25, 2022 at 5:00pm

- a. Ms. Hacking made the motion to adjourn at 6:30pm, Mr.Ristuccia seconded, vote passed, meeting adjourned.