



Town of Fairhaven

Board of Health

Town Hall · 40 Center Street · Fairhaven, MA 02719
Telephone: (508) 979-4023 ext. 125 · Fax: (508) 979-4079

July 19, 2023

PRESENT: Kevin Gallagher, Justine Frezza and David Flaherty
ABSENT: Heidi Hacking

1. Call to Order

- a. Chairman Gallagher called the meeting to order at 5:00pm. Chairman Gallagher welcomed everyone.

2. Pledge of Allegiance

3. Welcome and Media Notification

- a. Chairman Gallagher read the media and recording notifications.

4. Minutes of the Meeting:

- a. Member Frezza made the motion to accept the minutes of the meeting of June 21, 2023. Chairman Gallagher in agreement and motion accepted. The vote is unanimous.

5. Health Agent Report

- a. Health Agent Flaherty reports Covid numbers have gone down and have leveled off since the last report. COVID Test Kits are no longer available. Please visit the local pharmacies for test kits.
- b. Medication disposal bags are available in the Health Office at the Town Hall, Library, COA, Rec Center, Fire Department and Police Department.
- c. Blood pressure and wellness clinics offered every Wednesday at the COA from 1-3pm.
- d. No Perc tests were witnessed and one Title 5 Inspections was witnessed.

- e. Follow up on various Chapter II housing inspections
- f. Beach water testing continues. No closures this week, but the prior week had one closing of Manhattan Avenue beach due to exceedance of coliform bacteria. Testing occurs weekly for suitability for swimming at the seven beaches in Fairhaven and will be posted on the town website.
- g. Although, not directly under our purview, the water main flushing should be finished within the next two weeks.
- j. Arbovirus Update- Bristol County Mosquito Control Project continues their larva side treatments to wetlands and swamps for mosquito larva. Pool testing has been done. Agent Flaherty saw the Bristol County mosquito control treat catch basins on Washington Street. They also treated the lawn at the Town Hall. There are 280 pools that are tested and so far there have been two positive tests. They tested 2 humans and those results were negative. Any request for yard treatment will be taken by the Bristol County Mosquito Control. Ticks are out in force. Agent Flaherty recommends using Deet or treatment for skin. Permethrin for shoe and pant legs when out in meadows and woods. Use of treatment on skin with anti-tick chemicals should be at the advice of the pharmacist. Agent Flaherty had the Fire Department do an electronic notification regarding mosquito and tick control. Check with the Fairhaven health website for an updated PSA.
- k. Rodent Complaints- Agent Flaherty reports rodent complaints have gone down. Please be vigilant with trash and birdseed on your property. Consult a licensed exterminator for property treatment in conjunction with neighbors if it seems overwhelming.
- l. Sunscreen dispensers have been installed and Agent Flaherty thanks the BPW.
- m. Title 5 regulation changes from the DEP have been withdrawn for the SouthCoast communities. Therefore, Fairhaven will not be affected by these proposed changes.
- n. Agent Flaherty will be hosting a monthly "Donuts with Dave" meeting at the COA to discuss with seniors any health related topics or updates that are relevant to them or their families. The first meeting will begin August 14th.
- o. Chairman Gallagher followed up regarding the Title 5 regulation changes that was an issue several months ago. This would have had significant impact for the community. It required a higher level of nitrogen removal, which would have added extra costs. This is really more of an issue for Cape Cod, but when the area was selected it included Fairhaven. This was brought before the Select Board and letters were done to legislators and DEP stating our opposition to this. This was an example of the state wanting to make a change to the local communities that

would have had a negative impact; and the local government speaking out and this is rewarding that the state listened. Chairman Gallagher thanked Representative Bill Straus and Senator Mark Montigny for their efforts. Chairman Gallagher also reviewed that the flushing of the fire hydrants will be wrapping up. Agent Flaherty affirmed and stated he spoke with the BPW and the flushing should be finished soon. They started north and moved south with the flushing and are on West Island now. Chairman Gallagher also requested an update on the Burger King and the HVAC issues for the next meeting.

6. Discuss weekly Board of Health related topics – Member Frezza discussed the town website and the trouble navigating the website. Agent Flaherty said that he talked with IT and noted the concerns that there is a lot of information, not intuitive and if the information could be condensed and more user friendly. It is on the IT departments list to address the town website. Member Frezza would like to see the website once it is updated.

7. Discuss Chapter II hearing for 236 Adams Street – Chairman Gallagher stated this is a continuation of the previous meeting and requested any updates. Agent Flaherty stated Mr. Clooney has paid the taxes and water bill owed to the town. We are still waiting for a meeting with the contractor. Mr. John Medeiros who has been helping Mr. Clooney, will speak with Mr. Clooney to make sure he understands the gravity of the situation and that we need to have a conversation with the contractor regarding a timeline. Agent Flaherty thinks the homeowner may have a different idea of the timeline, but we have made some progress. Chairman Gallagher requested a hold on this property to discuss the other Chapter II of 6 Evergreen Street in conjunction. After discussion of the Chapter II for 6 Evergreen Street, Chairman Gallagher reviewed that the next step with 236 Adams be giving the homeowner a timeline to get information to the board of health by the next meeting from the contractor. While we appreciate that there has been some progress by the homeowner to pay the debts to the town, we need to get the homeowner back on track. Chairman Gallagher agrees the timelines do not seem to be the same for the homeowner as for the town. Member Frezza agrees that setting a timeline is important for the homeowner, otherwise, it may seem open-ended.

8. Discuss Chapter II hearing for 6 Evergreen Street – Agent Flaherty has tried to reach out numerous times to the homeowner without any luck. Agent Flaherty requested Martha Reed, the director of the Council on Aging reach out and she has not had any luck either. It appears the homeowner does not want to respond to our letters and we may need to take the next step. This would be to deem the house unfit for human habitation. In which case, the police would need to be involved and the occupants removed. The doors would be padlocked. Then the repairs would need to be done. Agent Flaherty has spoken to the Town Administrator and would like to speak with the Town Council. Chairman Gallagher reviewed that there has not been able to be any contact with the homeowner even after multiple attempts by Agent Flaherty and Martha Reed from COA, to which Agent Flaherty affirmed. Chairman Gallagher believes there needs to be some kind of a marker set down for compliance with benchmarks along the way. There is always the risk of coming in and taking action, but we need some cooperation and feedback from the homeowner. We have a statutory obligation to ensure the health and safety of the residents. There is a home that

appears to be unfit for human habitation and that is a concern. We cannot be ignored in our statutory responsibilities. It appears that for 6 Evergreen the lack of involvement by the homeowner has really put us into the corner. Chairman Gallagher would prefer not to be in this spot, but if the homeowner is not going to answer phone calls, letters, or knocks on the door, then we need to take it to the next step. Agent Flaherty would like to speak with Town Council to review obligations and to do this in the right way that resolves the town of any liability and does right by the homeowner. Chairman Gallagher would like it to be done right by the town and the fiduciary responsibility that we have to the town. Chairman Gallagher agrees the next step is to move forward with talking to Town Council to ensure all the correct steps are taken. Chairman Gallagher returned to the Chapter II for 236 Adams Street.

9. Public Comment- No Public Comment at this time.

10. Invoices, Correspondence & Other Business

- a. Invoices reviewed and approved.

11. Next Meeting Date: August 2, 2023 at 5:00pm

- a. Member Frezza made a motion to adjourn the meeting, Chairman Gallagher seconded, motion accepted and meeting adjourned.

12. Future Agenda items

- a. Additional health related topics.