



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 17, 2024

PRESENT: Justine Frezza, Barbara Acksen, David Flaherty

ABSENT: Brian Meneses

1. Call to Order

- a. Chair Frezza called the meeting to order at 5:00pm. Chair Frezza welcomed everyone.

2. Pledge of Allegiance

3. Welcome and Media Notification

- a. Chair Frezza read the media and recording notifications.

4. Minutes of the Meeting

- a. **Motion:** Member Acksen made the motion to accept the minutes of the meeting June 5, 2024. Chair Frezza seconded. The vote passed unanimously (2-0-0).

5. Health Agent Report

- a. Health Agent Flaherty reports COVID numbers are at 11%, which is slightly down from 11.21%. This is from positive tests in a clinical setting only. COVID Test Kits are no longer available at the Health Department.
- b. Blood pressure and wellness clinics offered every Wednesday at the COA from 1-3 pm.
- c. Weekly beach water testing is underway and has been going well. There have been no closures this summer in Fairhaven.
- d. Gastrointestinal illness cases, such as the norovirus, have risen in Fairhaven and the South Coast. Influenza is starting to level off. Please consult your physician regarding vaccination. Be sure to wash hands often, after the restroom, before preparing, serving, and eating meals. Sanitize surfaces frequently as well.

- e. Arbovirus report has Fairhaven as a low status for EEE and WNV, which is the lowest threshold. There has been WNV in Plymouth County pool samples, but no human cases. Bristol County Mosquito Control Project continues to perform weekly treatments throughout town. They will also treat your property for free if you make a request. Please see the Health Department website for details.
 - f. Two Perc tests were witnessed and three Title 5 were witnessed.
 - g. Rodent complaints have picked-up. 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.
 - h. Fairhaven home-bound residents qualify for a free home-bound flu vaccine offered by the Southeastern Mass Public Health Collaborative to provide an in-home vaccine. Please call the Health Department for more information. The COVID vaccine is not yet available for home-bound residents.
 - i. The Southeastern MA Public Health Collaborative has provided more medication disposal bags, sharps containers, CPR masks, tick removers, sunblock and pill containers (these are available in English and Spanish). Please visit the Health Department for any of these items. Agent Flaherty attends bi-weekly meetings and there is a webpage, and Facebook page. There are also Pre-Diabetes screening, CPR and Narcan trainings and Wellness Walks being offered. Please check the Health Department website for postings.
- 6. Public Comment** – Eleanor Chew of Main Street requested an update on the woman that is pumping suspected sewage on to her neighbor’s lawn. Chair Frezza asked if it was in reference to 6 Evergreen. Eleanor Chew agreed this should be the property. Agent Flaherty reviewed the steps that were attempted to remove the resident/owner from the property. However, Housing Court, Sheriff’s Office and Bristol County Elders did not offer support to remove the resident/owner. The Fairhaven Police are not able to remove an owner of the property under these circumstances. There must be a Court Order to remove the owner from the property, which is enforced by a Constable or Sherriff. Member Acksen notes that the pumping of the water to the neighbor is now corrected. Agent Flaherty affirms that this is now tied into the sewer line, with many thanks to the BPW. Agent Flaherty notes it is now on hold awaiting direction from Town Counsel and Town Administrator. Chair Frezza summarized that at the Public Hearing it was voted (2-1-0) to condemn 6 Evergreen. Agent Flaherty went to the home with the police, but was notified that the police cannot forcibly remove the owner from the home. A Court Order is needed to do this and that is on hold awaiting direction from Town Counsel and the Town Administrator.

- 7. Invoices, Correspondence and other business**
 - a. Invoices reviewed and approved.
- 8. Any other business that may properly come before the Board not reasonably anticipated 48 hours in advance of the meeting – none at this time.**
- 9. Next Meeting Date – July 31, 2024 at 5:00pm**
- 10. Meeting Adjourned – Motion:** Member Acksen motioned to adjourn the Public Meeting and to enter into Public Hearing and not to return to the Public Meeting. Chair Frezza seconded. The vote passed unanimously (2-0-0).
- 11. Public Hearing to Discuss and Possibly Vote on Dumpster Regulations- Motion:** Member Acksen motioned to open the Public Hearing to discuss and possibly vote on dumpster regulations. Chair Frezza seconded. The vote passed unanimously (2-0-0). Chair Frezza summarized that there are currently no regulations for dumpsters in Fairhaven. Agent Flaherty has done a lot of research on how to implement this regulation. This will help bring some revenue into Fairhaven. Chair Frezza notes part of the reason for doing this is because the Health Department inspects and receives complaints regarding dumpsters, but does not receive any funds towards dumpsters. Agent Flaherty reviewed that the Town of Fairhaven is implementing a trash fee for residents that have a single barrel, through the BPW, and this will help distribute the cost to also reach properties that have dumpsters. Member Acksen asked if this would apply to Townhouse properties or apartments. Agent Flaherty affirmed this will apply to all properties with a dumpster, except Town property and places of worship. Agent Flaherty did not impose the fee yet associated with this and requested the Board consider what the fee should be. Chair Frezza read the proposed regulation (see Attachment 1). Chair Frezza stated if anyone has any questions please reach out to the Health Agent to discuss. Member Acksen suggested a PSA may be a good way to educate businesses with the proposed regulation.
Motion: Member Acksen made a motion to adjourn and continue the Public Hearing. Chair Frezza seconded. The vote passed unanimously (2-0-0).

§ 448-1. Maintenance of property by owner. The owner of any parcel of land, vacant or otherwise, shall be responsible for maintaining such parcel of land in a clean and sanitary condition and free from garbage, rubbish or other refuse. The owner of such parcel of land shall correct any condition caused by or on such parcel or its appurtenance which affects the health or safety or well being of the occupants of any dwelling or of the general public.

§ 448-1(a) Dumpster Requirements. The owner of any commercial property, a property under construction or renovation, or a multi-family dwelling, shall be responsible for obtaining a dumpster permit and maintaining the dumpster Sanitary Conditions. Sanitary Conditions shall be defined as free of garbage, rubbish, other filth or causes of sickness. A dumpster shall be defined as any container that is larger than 6 cubic yards and has a sole purpose for temporarily collecting waste. Dumpsters that are exempt from this regulation are any dumpsters utilized by the Town of Fairhaven or places of worship.

§ 448-2. Maintenance of property by occupant. The occupant of any dwelling unit shall be responsible for maintaining that part of the dwelling which he/she exclusively occupies or controls in a clean and sanitary condition and free of garbage, rubbish, other filth or causes of sickness.