



Town of Fairhaven

Board of Health

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

August 14, 2024

PRESENT: Justine Frezza, Brian Meneses, Barbara Acksen, David Flaherty

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:** Vice Chair Meneses made the motion to accept the minutes of the meeting July 17, 2024. Member Acksen seconded. The vote passed unanimously (3-0-0).

5. Health Agent Report

- a. Health Agent Flaherty reports COVID numbers are at 23.2%, which is up from 11%. Eleven confirmed deaths in Massachusetts as of the last week of July. There is an uptick of cases. This is from positive tests in a clinical setting only. There is no mask mandate, but be vigilant.
- 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 SouthCoast. Be sure to wash hands often, after the restroom, before preparing, serving, and eating meals. Sanitize surfaces frequently as well. Please consult your physician regarding vaccination for influenza.

- e. Arbovirus report has Fairhaven as a low status for EEE and moderate status for WNV. This is due to the mosquito pool sampling. EEE is at a high rate in Middleborough, Carver and Plymouth. This is cause for some concern as mosquitos can travel to other towns. 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. There will be a PSA coming on the Government Access Channel.
- f. Two Perc tests were witnessed and four Title 5 inspections 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. There will be a PSA coming on the Government Access Channel.
- 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. Please check the Health Department website for postings.
- j. Chair Frezza reviewed that to help with mosquitoes ensure all standing water is emptied. Agent Flaherty summarized that a mosquito needs a very small amount of standing water; so be sure to empty bird baths, toys in the yard, swing sets, etc. A bubbler in a pond should not be an issue because the water is continually moving. Chair Frezza asked if Bristol County Mosquito Control is still doing treatments. Agent Flaherty affirmed. Chair Frezza asked if a call would be made to the resident. Bristol County Mosquito Control does not call residents, but states if full name and address is provided, then a property treatment will occur. Agent Flaherty notes that the resident may not be aware because the treatments occur at very early morning hours. Please visit the Health Department webpage for a link to Bristol County Mosquito Control. Agent Flaherty notes there have been two human cases to date with WNV. The level of the town is based on mosquito pool samples and how much of the virus is present in the mosquito sample. Chair Frezza requested Agent Flaherty review symptoms of WNV and EEE. Agent Flaherty summarized headache, fever, chills, and nausea. It is most concerning for the very young, very old and immune compromised. Agent Flaherty also notes a

resident reached out regarding monkey pox (mpox). The CDC and WHO have deemed mpox to be an internationally emerging problem. There is a vaccination if traveling. Chair Frezza asked for a review of symptoms. Agent Flaherty summarized lesions especially on hands will show up. Any concern please contact a health professional for guidance.

6. **Septic System Design Review for Lot 261 Ebony Street** – Agent Flaherty reviewed the septic design. Discussion ensued regarding the system. **Motion:** Vice Chair Meneses made a motion to approve the septic system design for Lot 261 Ebony Street. Member Acksen seconded. The vote passed unanimously (3-0-0).
7. **Septic System Design Review for 30 Shaws Cove Road** – Agent Flaherty reviewed the septic design. Agent Flaherty notes there are no variances requested, as originally thought. Discussion ensued regarding the system. **Motion:** Vice Chair Meneses made a motion to approve the septic system design for 30 Shaws Cove Road. Member Acksen seconded. The vote passed unanimously (3-0-0).
8. **Discuss and Vote to Accept Title 5 Inspection Report Review for 15 Monondach Avenue** – Agent Flaherty reviewed the Inspection Report. Agent Flaherty notes the system passed inspection. Discussion ensued regarding the system. **Motion:** Vice Chair Meneses made a motion to accept the Title 5 Inspection Report for 15 Monondach Avenue. Member Acksen seconded. The vote passed unanimously (3-0-0).
9. **Discuss and Vote to Accept Title 5 Inspection Report Review for 34 Nakata Avenue** – Agent Flaherty reviewed the Inspection Report. Agent Flaherty notes the system passed inspection. Discussion ensued regarding the system. **Motion:** Vice Chair Meneses made a motion to accept the Title 5 Inspection Report for 34 Nakata Avenue. Member Acksen seconded. The vote passed unanimously (3-0-0).
10. **Discuss and Vote to Accept Title 5 Inspection Report Review for 74 Nakata Avenue** – Agent Flaherty reviewed the Inspection Report. Agent Flaherty notes the system passed inspection. Discussion ensued regarding the system. **Motion:** Vice Chair Meneses made a motion to accept the Title 5 Inspection Report for 74 Nakata Avenue. Member Acksen seconded. The vote passed unanimously (3-0-0).
11. **Discuss and Vote to Accept Title 5 Inspection Report Review for 310 New Boston Road** – Agent Flaherty reviewed the Inspection Report. Agent Flaherty notes the system passed inspection. Discussion ensued regarding the system. **Motion:** Vice Chair Meneses made a motion to accept the Title 5 Inspection Report for 310 New Boston Road. Member Acksen seconded. The vote passed unanimously (3-0-0).
12. **Public Comment**
 - a. 2 Minute allowance by Chair on Public Health Issues

13. Invoices, Correspondence and any other business that may properly come before the Board not reasonably anticipated 48 hours in advance of the meeting

- a. Invoices reviewed and approved.

14. Next Meeting Date – August 28, 2024 at 5:00pm

15. Meeting Adjourned – Motion: Vice Chair Meneses motioned to adjourn the Public Meeting and to enter into Public Hearing and not to return to the Public Meeting. Member Acksen seconded. The vote passed unanimously (3-0-0).

16. Public Hearing to Discuss and Possibly Vote on Dumpster Regulations- Motion: Vice Chair Meneses motioned to open the Public Hearing to discuss and possibly vote on dumpster regulations. Member Acksen seconded. The vote passed unanimously (3-0-0). Chair Frezza notes this is a continuance from the previous Public Hearing July 17, 2024. Agent Flaherty notes that the Health Department has not received any response from the public. Agent Flaherty reviewed that a list was obtained from E.L. Harvey of dumpsters in Fairhaven. The dumpster regulation is being proposed to permit any dumpster in Fairhaven. There will be a fee associated with the permit. This will allow the town to recoup money spent performing inspections of dumpsters to ensure sanitary conditions are being met. Chair Frezza reviewed that the dumpster permit will be required for any establishment that has a dumpster that is 6 cubic yards or greater and will have the dumpster for greater than 30 days. A commercial business that uses a dumpster continuously will be required to renew on an annual basis. Member Acksen questioned tax exempt businesses being required to pay a permit fee. Agent Flaherty notes this will be in the purview and intent of the regulation for non-profits to be exempt. Agent Flaherty requested Chair Frezza read the proposed regulation. Chair Frezza read as follows: “§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. First offense of not procuring a permit will be automatic enrollment for a Dumpster permit at the cost of the annual fee. Second and subsequent offenses (failure to maintain a permit) will be double the annual fee.” Chair Frezza recommended removing the use of the word “temporarily”. Discussion ensued regarding removal of “temporarily”. Chair Frezza also recommended adding “non-profits and any use 30 days or less”. Discussion ensued regarding these changes. Chair Frezza asked regarding the cost. Agent Flaherty recommends not putting a cost directly into a regulation so the regulation does not need to be amended if the fee changes. The fee is recommended to be \$100.00 for the next year. Chair Frezza asked when this regulation will take effect. Agent Flaherty notes it is at the discretion of the Board of Health to decide. The Board

recommends October 1st to allow everyone time to be notified of the regulation. Agent Flaherty recommends Chair Frezza read how the Board would like the regulation written in order to vote. Chair Frezza read as follows: “§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 collecting waste. Dumpsters that are exempt from this regulation are any dumpsters utilized by the Town of Fairhaven, places of worship, non-profits and dumpsters in use for less than 30 days. First offense of not procuring a permit will be automatic enrollment for a Dumpster permit at the cost of the annual fee. Second and subsequent offenses (failure to maintain a permit) will be double the annual fee.” This regulation will be in effect starting October 1, 2024.” **Motion:** Vice Chair Meneses made a motion to accept the Dumpster Regulation that will go into effect October 1, 2024. Member Acksen seconded. A roll call vote was taken: Justine Frezza in favor, Brian Meneses in favor, Barbara Acksen in favor. The vote passed unanimously (3-0-0). **Motion:** Vice Chair Meneses made a motion to close the Public Hearing. Member Acksen seconded. The vote passed unanimously (3-0-0).