



Town of Fairhaven

Board of Health

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April 9, 2025

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 March 26, 2025. Member Acksen seconded. The vote passed unanimously (3-0-0).

5. Health Agent Report

- a. Health Agent Flaherty reports COVID positivity rate is 1.35% up from 0.82%. This is from positive tests in a clinical setting only.
- b. Blood pressure and wellness clinics offered every Wednesday at the COA from 1-3 pm.
- c. Gastrointestinal 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. Influenza, Pertussis (whooping cough) and other childhood illnesses, such as measles, are on the rise. Please consult your physician regarding vaccinations.
- d. No Perc tests were witnessed and no Title 5 inspections were witnessed.
- e. Rodent complaints are still coming in. 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.

- f. Avian bird flu has been reported in Southeastern Massachusetts. If any dead birds are found please see the Fairhaven Health Department's website for information and contact the Animal Control Officer. Agent Flaherty also asked that residents call the non-emergency Police Department number at 508-997-7421.
- g. There will be a Blood Drive offered by the American Red Cross and the Southeastern MA Public Health Collaborative coming in the next few months.
- h. A Rabies Clinic will be offered locally and more information to follow in the next few months.
- i. Agent Flaherty has begun the process of creating programs within the Town to utilize opioid settlement funds. Chair Frezza asked how these funds are being provided. Agent Flaherty summarized that the State received funds from the opioid settlement case as well as every state. Agent Flaherty is working with the Mass DPH on utilizing this money.
- j. Fairhaven home-bound residents qualify for a free home-bound flu vaccine offered by the Southeastern MA Public Health Collaborative to provide an in-home vaccine. Please check the Health Department webpage for more information.
- k. The Southeastern MA Public Health Collaborative has provided 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 free items.
- l. Agent Flaherty and the Board congratulated Brian Meneses on re-election to the Board of Health. Chair Frezza also thanked Christina Lopes for running and contributions to the community.

6. Request for Hearing: Discuss the Correction/Cease and Desist Order for 1st Violation In 36-month Period, \$1,000 fine issued and 3-day Suspension of Tobacco Sales Permit at 7-Eleven, 188 Huttleston Avenue– Megan daCosta the Regional Tobacco Control Coordinator summarized the Correction / Cease and Desist Order. Damir Brumec the owner of 7-Eleven is appealing the Cease and Desist of the 3-day suspension. Damir Brumec notes it is the first offense and they have implemented internal random checks to ensure their employees are checking / scanning IDs. Employees have been re-trained and educated on tobacco policies. Discussion ensued regarding the training and education provided. Megan daCosta affirms this is the 1st offense for 7-Eleven according to the States database. Discussion ensued among the Board regarding the appeal and the 3-day suspension. **Motion:** Vice Chair Meneses motioned to reduce the sale of tobacco to a minor from a 3-day suspension to a 1-day suspension for 7-Eleven at 188 Huttleston Avenue. 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). Megan daCosta and 7-Eleven to determine the day of the suspension. Damir Brumec thanked the Board of Health.

- 7. Discuss and Vote on Title 5 Design Review for 63 Nakata Avenue with Variances –** Agent Flaherty summarized the original plan that was brought before the Board and approved at the March 12, 2025 Public Meeting. The engineer revised the plans with variances, but is now able to move forward with the original plan already approved on March 12, 2025. There is nothing further to be done for the Title 5 design review for 63 Nakata Ave.
- 8. Discuss and Vote on Letter to the Select Board Regarding the Wind Turbines –** Chair Frezza opened by reading a letter submitted by concerned citizens thanking the Board of Health for listening to the residents' impacts from the wind turbines. The letter requests that mitigation measures be reinstated and a long term solution implemented. Chair Frezza notes that the Board of Health decided at the last Public Meeting to send a letter requesting to be on the Agenda to the Select Board. Chair Frezza read the letter from the Board of Health requesting a meeting with the Select Board and that the turbines be temporarily shut down from 10pm to 5am. This temporary mitigation plan will allow for time to meet with the necessary stakeholders and discuss the wind turbines moving forward. Discussion ensued regarding the time to temporarily shut the wind turbines down. **John Methia of 3 Shawmut Street** spoke regarding the time of the temporary shutdown. John Methia notes the Board of Health can request the shut down without the Select Board as a nuisance. John Mehtia commented that other towns, as previously presented at the prior Board of Health Public Meeting, have done this. Discussion ensued with John Methia and the Board of Health regarding the temporary shutdown of the wind turbines. **Carolyn Young of 4 Eddy Street** notes that the temporary downtime of the wind turbines should be considered 10pm to 7 or 8 am, whichever the time for landscapers to start work is. Further discussion ensued among the Board regarding the downtime. The Board of Health agreed on a temporary downtime of 10pm to 6am. Member Acksen provided background information on how the original mitigation plan was established. John Methia notes the landscape has changed over the years and DEP testing should be performed again. Chair Frezza notes the next step is to speak with the Select Board and discuss a mitigation plan. Further discussion ensued regarding the next steps for the Board of Health and a mitigation plan until a meeting with the Select Board occurs. **Motion:** Vice Chair Meneses made a motion to accept the letter written to the Select Board to get on their agenda for the wind turbines and to shut them down from 10pm to 6am. 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).

9. Public Comment

- a. 2 Minute allowance by Chair on Public Health Issues.

10. 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.

11. Next Meeting Date – April 23, 2025 at 5:00pm

12. Meeting Adjourned – Motion: Vice Chair Meneses motioned to adjourn the Public Meeting. Member Acksen seconded. The vote passed unanimously (3-0-0).