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# Board of Health

FAIRHAVEN,  
MASS.

Thursday, September 10, 2020

## 1. Call to Order

Chairman Peter Deterra called the meeting to order at 4:00pm. Roll call attendance of the meeting members was taken, Michael Ristuccia and Geoffrey Haworth were all in attendance.

## 2. Welcome and Media Notification

Mr. Deterra welcomed everyone and read the media and recording notifications.

## 3. Minutes of Meetings:

Mr. Haworth made a motion to approve the meeting minutes of August 24, 2020. Mr. Ristuccia seconded the motion all in favor, vote was unanimous.

Mr. Haworth stated that they are still working on getting the minutes from May 28, June 11, June 18, July 9, July 10, July 16, July 28, July 30, 2020 on Word documents they are still only available on PDF. He believes in a local press release the previous secretary stated she did not make them available to the Board on Word only PDF. He would like more time before they are approved to see if they are accurate. Mr. Ristuccia made a motion to continue, Mr. Haworth seconded the motion, all in favor. Vote was unanimous.

## 4. Health Agent Report/COVID-19 Update:

Sarah Dupont advised the Board there are 4 active cases in the last 14 days and 259 year to date. She said there was a lack of compliance over the Labor Day weekend and some during the week with a few establishments that are being addressed. Ms. Dupont asked the public for understanding as they are still actively looking to hire a clerical replacement and at this time she is the only person in the office. Mr. Deterra did let her know she has the Board's help any time it is needed. Ms. Dupont thanked Mr. Deterra and also said if anyone calls the Board of Health and gets connected to the Selectman's office not to be alarmed. The Selectman's office is helping with the call overflow at this time.

**5. Marina Permits and Bathing Beach Permits:**

Ms. Dupont advised the Board there was a manila folder with the permits needing a signature of approval. Mr. Haworth told the Board Ms. Dupont went through all of the permits to see where permits were issued and where they were not. Mr. Haworth stated 2 private beaches were issued permits one on 6/29, another on 6/30. None of the public beaches were issued permits. He said he just wanted to share this with the Board to show a failure to follow through this year.

Mr. Haworth motioned to approve Moby Dick Marina. Mr. Ristuccia seconded the motion, all in favor. Vote was unanimous. Mr. Haworth said they almost have all Marinas in compliance, Ms. Dupont stated once this is signed off on all of the Town Marina's will have been inspected for the entire year. She went on to let the Board know the Harbormaster had a request for 2021. He is asking that all the people parking boats in a Marina in 2021 provide their name/phone/address/email information in case someone needs to contact them. Mr. Ristuccia also suggested keeping a list of boats being pumped out. Mr. Haworth advised the Board the Harbormaster does already keep a pump out list.

Mr. Haworth made a motion to have the 2021 Marina renewals provide the requested contact information. Mr. Ristuccia seconded the motion, all in favor. Vote unanimous.

**6. Community Nurse Contract:**

Mr. Ristuccia made a motion to approve the contract, Mr. Haworth seconded the motion, all in favor. Vote was unanimous the contract will be sent to the Selectman for approval.

**7. Title V Inspection: 4 Hidden Dr.**

Mr. Deterra said he went with Ms. Dupont to 4 Hidden Dr. and showed her how the process is completed and the inspection passed. Mr. Deterra said it was a soil evaluation. Mr. Haworth made a motion to approve, Mr. Ristuccia seconded the motion. All in favor, vote was unanimous.

**8. Septic Installer Permits:**

Michael Atkinson of Farland Corporation – Mr. Deterra advised the Board all licenses and insurances are in order. Mr. Haworth made a motion to approve, Mr. Ristuccia seconded. All in favor, vote was unanimous.

Kenneth Ferro - Mr. Deterra advised the Board he will be working on Septic on West Island, all licenses and insurances are in order. Mr. Ristuccia made a motion to approve, Mr. Haworth seconded. All in favor, vote was unanimous.

## **9. Food Establishment Permit:**

*Lighthouse Nutrition, 32 Sconticut Neck Rd. Unit 34* – Ms. Dupont advised the Board this is a non-dairy smoothie establishment using fruit and protein no milk or yogurt. Mr. Haworth made a motion to approve, Mr. Ristuccia seconded the motion. All in favor, vote unanimous.

*Coastline Elderly Services @ Oxford Terrace* – Ms. Dupont advised they are looking to do plating of food only. The food is from the Meals on Wheels program and they are asking that all fees be waived since this is a non-profit organization. Mr. Haworth said he had no issue waiving the fees for this permit. Mr. Haworth made a motion to approve and waive all fees, Mr. Ristuccia seconded the motion. All in favor, Vote unanimous.

## **10. USDA Food Distribution Grant:**

Mr. Haworth asked the Board to hold on this topic they are still working on getting details needed before they move forward, should be ready to discuss at the next meeting. Mr. Ristuccia made a motion to table this item until the next meeting, Mr. Haworth seconded the motion. All in favor, Vote unanimous.

## **11. Personnel Discussion:**

Mr. Deterra notified the Board he was abstaining from this discussion and leaving the room. Mr. Haworth stated for the record that Mr. Deterra was abstaining and left the room and said work was still being done with counsel regarding the subject of Mary Freire-Kellogg. His understanding is they would be extending the administrative leave for 2 weeks. Town counsel Tom Crotty was in attendance and spoke to the Board stating his recommendation was yes, to extend the leave for 2 weeks while they work out the current situation to resolve the issues with Mary and the Board. Mr. Crotty said during that time he will keep the Board advised as to what progress has been made. Mr. Haworth said the next meeting would be in approximately 2 weeks. Mr. Haworth made a motion to keep Ms. Freire-Kellogg on leave while they worked on details for the next meeting. Mr. Ristuccia seconded the motion. Mr. Ristuccia at that time went and had Mr. Deterra come back to the room and move on to the next agenda item.

## **12. Invoices/Other Business:**

Mr. Deterra rejoined the meeting to discuss item 12 on the agenda. Ms. Dupont advised the Board the only other business were animal permits. Mr. Haworth said they had the invoices and there was nothing to vote on.

**13. Next Meeting Date:**

Next meeting is scheduled for Monday September 28, 2020 @ 4:00pm.

**14. Executive Session:**

Mr. Haworth made a motion to go into Executive Session not to reconvene in open session in regards to item B on the agenda, Potential Litigation pursuant to M.G.L. Ch. 30A Section 21(a)93) to discuss strategy with respect to claim threatened by Mary Freire-Kellogg. Mr. Deterra abstained on being a part of the session. Mr. Ristuccia motioned in favor and was seconded by Mr. Haworth with 1 abstain.

Respectively submitted,

Mary Lou Krosschell  
Recording Secretary

Edited by  
Sarah Dupont, Interim Health Agent