



Town of Fairhaven

Board of Health

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

March 25, 2026

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 Public Meeting March 11, 2026. Member Acksen seconded. The vote passed unanimously (3-0-0).

5. Health Agent Report

- a. COVID positivity rate is 3.57% up from 2.08% for the past two weeks.
- b. Blood pressure and wellness clinics offered every Wednesday at the COA from 1-3 pm.
- c. Measles, pertussis, other childhood diseases, influenza, and RSV are on the rise. Please consult your physician regarding vaccinations.
- d. No Perc tests were witnessed and one Title 5 inspection was 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. 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.
 - g. Agent Flaherty attended a MAHB Seminar last Saturday along with Chair Frezza and Member Acksen. There were many health-related topics discussed. Chair Frezza commented that there will be items at future Board of Health meetings to discuss.
 - h. Agent Flaherty will be attending an ICSEOC (Incident Command System Emergency Operations Center) Training Seminar for Public Health, sponsored by the Region 5 HMCC and the PEP Coalition on March 31, 2026.
 - i. The Southeastern MA Public Health Collaborative has provided medication disposal bags, sharps containers, CPR masks, tick removers, sunscreen, and pill containers (these are available in English and Spanish). There are no longer any COVID test kits. Please visit the Health Department for any of these free items.
- 6. Request for Hearing: Discuss the Correction/Cease and Desist Order for 2nd violation in 36-month period, \$2,000 fine issued and 7-day suspension of tobacco sales permit regarding Bridge Street Gas, 277 Bridge Street –** Chair Frezza introduced Megan DaCosta the Tobacco Control Coordinator. Ms. DaCosta reviewed the violations that occurred on March 5, 2026 and February 7, 2025. Matt Iler the attorney representing Bridge Street Gas opened with an analogy to a hockey game. Dennis Collard the manager reviewed the training process and corrective action. Bridge Street Mobile had software installed that requires an ID scan for every tobacco related purchase. Attorney Matt Iler reviewed the steps the clerk took during the tobacco violation. Mr. Iler requested that the Board only issue a warning and not a violation. Discussion ensued regarding the Tobacco Regulation, the violation and ID scanners. Chair Frezza noted that the Board of Health cannot change the violation or the fee, but can only determine the suspension of the sale of tobacco products. Chair Frezza called for a motion to keep the second violation with the \$2,000 fine. A motion to lower the tobacco sales suspension to one day. **Motion:** Vice Chair Meneses motioned to lower the tobacco sales suspension to one day. 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).
- 7. Request for Hearing: Discuss the Correction/Cease and Desist Order for 3rd violation in 36-month period, \$5,000 fine issued and 30-day suspension of tobacco sales permit, and to appear before the Fairhaven Board of Health for a possible permit revocation hearing regarding Douglas Wine & Spirits, 1 People’s Way –** Megan DaCosta reviewed the violations that occurred on March 5, 2026, May 22, 2024 and February 7, 2024 and

noted there have been a total of six compliance checks. Scott Lannan the representative for Douglas Wine & Spirits reviewed the training process and the corrective action taken. A second ID scanner has been purchased for the store and corporate is considering the software that requires ID scans. Mr. Lannan noted the fine has been paid, but would like to ask for leniency regarding the suspension of tobacco sales. Penny Knockle, the store manager, reviewed the violation, the training of the employees, and the corrective actions. The Board discussed the 36-month period from the first violation, and the value of having ID scanning software. The Board discussed the suspension of tobacco sales. Chair Frezza called for a motion to keep the third violation in place with the \$5,000 fine, that's already been paid; with a 5-day tobacco sale suspension coordinating with Megan on the days that they would like to have them. **Motion:** Vice Chair Meneses motioned to lessen the 30-day suspension to 5 days. 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).

8. **Wastewater Treatment Plant Status** – Chair Frezza reviewed Mr. Furtado, Director of the BPW was at the last BOH meeting and discussed some possible corrective measures. Agent Flaherty noted that Mr. Furtado is meeting with the Board of the BPW to request the purchase of odor suppressors and air purifiers. The Impact Form is available on the Town website. To date no Wastewater Treatment Impact Forms have been received. Member Acksen suggested the Town post on the Notice Board on Sconticut Neck Rd when the odor reduction treatments begin.
9. **Wind Turbine Status** – Agent Flaherty reviewed there are no changes to report. There have been a couple of new Impact Forms submitted. Fairhaven Wind has not responded to requests from the Town. Member Acksen asked if there are any reports on the stability of the turbines. Discussion ensued regarding inspection reports for the turbines.
10. **Public Comment** – 2 Minute allowance by Chair on Public Health Issues
 - a. John Methia of Shawmut St – addressed the Board regarding concerns about the turbines. The flicker season has begun. The weather has really been impactful to the intensity of the turbines. Mr. Methia asked if the Board of Health or Select Board could order the turbines to shut down until Fairhaven Wind responds. Mr. Methia asked what departments inspect the turbines. Mr. Methia noted that a section of the bike path was closed near the Atlas Tack building and these turbines may also not be stable and the bike path runs right near them. Additionally, Mr. Methia asked if the Board of Health could meet jointly with the Select Board to review the current status of the Fairhaven Wind contract. Agent Flaherty noted that there was a Select Board meeting that noted Fairhaven Wind does not intend to renew their contract. Mr. Methia noted there is a site to see when Fairhaven Wind is generating electricity at <http://www.fairhavenwind.info>.

The Board requested that Agent Flaherty obtain any available turbine inspection reports.

11. 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.

12. Next Meeting Date – April 8, 2026 at 5:00pm

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