



Town of Fairhaven Board of Health

Town Hall · 40 Center Street · Fairhaven, MA 02719

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July 1, 2026

PRESENT: Barbara Acksen, Justine Frezza, David Flaherty

ABSENT: Brian Meneses

1. Call to Order

- a. Chair Acksen called the meeting to order at 5:02pm. Chair Acksen welcomed everyone.

2. Pledge of Allegiance

3. Welcome and Media Notification

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

4. Minutes of the Meeting

- a. **Motion:** Member Frezza made the motion to accept the minutes of the Public Meeting June 17, 2026. Chair Acksen seconded. The vote passed (2-0-0).

5. Health Agent Report

- a. COVID positivity rate remains at 0% for the past two weeks.
- b. Blood pressure and wellness clinics offered every Wednesday at the COA from 1-3 pm.
- c. Bristol County Mosquito Control Project has reported Fairhaven at low risk for both WNV and EEE. Please also be vigilant to check for ticks.
- d. One Perc test was 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 followed up on three Chapter II housing complaints.
 - h. Seasonal beach water testing passed for the previous week. This week's testing is still pending.
 - i. The Southeastern MA Public Health Collaborative has provided medication disposal bags, sharps containers, CPR masks, and pill containers (these are available in English and Spanish). The Health Department is awaiting more tick removers and sunscreen. Please visit the Health Department for any of these free items.
 - j. There have been many Impact Forms received in the past two weeks for the Wastewater Treatment Plant.
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 Cedar's Smoke Shop, 39 Alden Road** – Walid Assi, owner of Cedar's Smoke Shop, acknowledged that a sale of tobacco to an individual under the age of 21 had occurred and noted that ID scanners have since been installed at the store. Agent Flaherty reviewed the tobacco violation. Member Frezza recommended that the ID scanner be used without the ability to override the system. The Board emphasized the importance of verifying identification for all tobacco purchases, particularly because the establishment serves customers age 21 and older only. Megan DaCosta, Tobacco Compliance Officer, advised that Massachusetts law requires identification to be checked for every tobacco purchaser and stated that she would coordinate the suspension in accordance with the Board's decision. The Board discussed the violation. **Motion:** Member Frezza motioned to suspend the tobacco license for one day at the choosing of the owner and Megan for Cedar's Smoke Shop for a violation of selling under 21. Chair Acksen seconded. A roll call vote was taken: Justine Frezza in favor; Barbara Acksen in favor. The vote passed (2-0-0).
7. **Beach Water Testing** – Agent Flaherty noted Seasonal beach water testing passed for the past week. This week's testing is pending.
8. **Wind Turbine Status** – Agent Flaherty noted there are no updates and encouraged the Board of Health to reach out to the Select Board regarding the decommissioning of the wind turbines.
9. **Wastewater Treatment Plant Status** – Agent Flaherty reported that he watched the last BPW public meeting regarding the wastewater treatment plant upgrade and noted that the project engineers provided a thorough presentation. Agent Flaherty commented that he did not forward all Impact Forms to the BPW when they appeared to be

redundant; however, the Impact Forms will now be forwarded automatically to the BPW. Discussion followed regarding the wastewater treatment plant upgrade and ongoing odor concerns. Member Frezza asked why odor control measures discussed during a previous Board of Health meeting with the BPW Director had not been incorporated into the project. It was noted that multiple factors may contribute to odor issues. Member Frezza and Chair Acksen would like to remain proactive in ensuring that odor control measures are implemented. Member Frezza requested that the BPW keep Agent Flaherty informed of project updates. Superintendent Robillard invited Agent Flaherty to tour the wastewater treatment plant.

10. Update on Kratom – Agent Flaherty reviewed that the Public Hearing on July 15, 2026 has been advertised in the Fairhaven Neighborhood News.

11. Discussion on Bee Keeping Regulations – Agent Flaherty reported on a neighborhood concern involving the placement of a beehive near a property line adjacent to a neighboring pool. He explained that bees are attracted to chlorinated pool water, which could present a concern, particularly where individuals have bee allergies. Agent Flaherty noted that, based on his experience in another municipality, similar circumstances had led to the adoption of beekeeping regulations. He also advised that beehives can be relocated using methods that minimize disruption to the bees and stated that the Bristol County Beekeeping Association has offered to assist the property owner with relocating the hive if needed. Agent Flaherty stated that he is not recommending the adoption of beekeeping regulations at this time but noted that the Board may wish to revisit the issue if concerns continue to arise.

12. Public Comment – 2 Minute allowance by Chair on Public Health Issues

a. Heidi Sykora, DNP, Volunteer Chief Scientific Officer, International Plant and Herbal Alliance – Dr. Sykora noted that today the DEA issued a scheduling announcement for 7-OH above natural levels, MGM-15, MGM-16 and mitragynine pseudo and doxyl. This helps to keep natural kratom available and eliminates the synthetic versions. Dr. Sykora also offered support of the draft of the kratom regulation.

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 – July 15, 2026 at 5:00pm

15. Meeting Adjourned – Motion: Member Frezza motioned to adjourn the July 1st Public Meeting. Chair Acksen seconded. The vote passed (2-0-0).