FAIRHAVEN TOWN CLERK
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Town of Fairhaven
Board of Health

Town Hall · 40 Center Street · Fairhaven, MA 02719
Telephone: (508) 979-4023 ext. 8125 ·Email: boh@fairhaven-ma.gov

October 7, 2026
PRESENT: Barbara Acksen, Justine Frezza, David Flaherty
ZOOM: Brian Meneses

1. **Call to Order**
   a. Chair Acksen called the meeting to order at 5:04pm. 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:** Vice Chair Meneses made a motion to accept the minutes of the Public Meeting September 9, 2026. Member Frezza seconded. A roll call vote was taken: Justine Frezza in favor, Brian Meneses in favor, Barbara Acksen in favor. The vote passed (3-0-0).
   b. **Motion:** Member Frezza made a motion to accept the minutes of the Public Meeting September 23, 2026. Vice Chair Meneses seconded. A roll call vote was taken: Justine Frezza in favor, Brian Meneses in favor, Barbara Acksen in favor. The vote passed (3-0-0).

5. **Health Agent Report**
   a. COVID positivity rate was 6.85% for the past two weeks. Agent Flaherty will be picking up some home test kits for the Health Department.

   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. Bristol County Mosquito Control Project has reported Fairhaven at moderate risk for WNV and low risk for EEE. Please also be vigilant to check for ticks.

e. One Perc test was witnessed and no Title 5 inspections were witnessed.

f. Rodent complaints are still coming in and are increasing. 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.

g. 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.

h. Agent Flaherty followed up on three Chapter II housing complaints.

i. Agent Flaherty attended the Yankee Conference September 22-25, 2026. Agent Flaherty will be attending the MHOA Conference October 27-30, 2026.

j. The Animal Control Officer will be out on leave and the Assistant Animal Control Officer will be filling in.

k. 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.

6. **Discussion on Board of Health Septic System Regulation Changes (Review and discuss regulating mounded systems) –** Agent Flaherty reviewed the proposed amendments to the Board of Health septic system regulations, including the potential requirement for alternative wastewater treatment technology incorporating denitrification for systems located within 200 feet of a resource area in Fairhaven. The Board discussed the benefits of denitrification technology, implementation timelines, the applicability of the proposed requirements to new construction versus system repairs, and the use of shared leaching fields within subdivisions.
    a. **Bob Pink –** requested a draft of the proposed regulations and expressed interest in having an opportunity for public comment during the regulation review process. Mr. Pink will follow up with Agent Flaherty regarding contact information for receipt of the draft regulations. Agent Flaherty explained that two public hearings would be held as part of the process, providing opportunities for public comment.

7. **Board of Health Review of Complaint and Contact Forms –** Chair Acksen reviewed the draft Complaint and contact Forms Policy prepared by Member Frezza, which incorporated revisions discussed at a previous Board of Health meeting (Attachment 1). The Board reviewed and discussed the proposed policy. Member Frezza requested that

two headings be bolded. The Board discussed the purpose of the policy, which is to provide residents with assurance that current and future complaints are taken seriously and to promote transparency and accountability in the complaint-handling process. **Motion:** Member Frezza motioned to accept the Board of Health Complaint, Receipt, Retention and Reporting Policy, with the two minor updates of bolding two headings. Vice Chair Meneses seconded. A roll call vote was taken: Justine Frezza in favor, Brian Meneses in favor, Barbara Acksen in favor. The vote passed (3-0-0).

8. **Wastewater Treatment Plant Status** – Agent Flaherty reported there were four complaints received in the past two weeks. The Board of Health will inspect the Wastewater Treatment Plant after the meeting today. Chair Acksen requested an update regarding the hydrogen sulfide monitors. Vinnie Furtado, Director of the BPW, reported that there are two monitoring options available. The first monitor would record data at designated monitoring points for review at a later time, at an estimated cost of $3,000 per monitor. The second option would provide real-time monitoring and alerts when designated thresholds were exceeded, at an estimated cost of $30,000 per monitor. Mr. Furtado noted that the real-time option would also require hardwired electrical service at the boundary location and personnel to monitor alerts on a 24-hour basis. Mr. Furtado explained that hydrogen sulfide monitors currently operate continuously inside the Wastewater Treatment Plant. He commented that if the monitors closest to the source are not recording levels above the allowable limits, it would be unlikely for levels farther from the source to exceed those limits. There are currently no monitors along the boundary adjacent to the abutting neighborhood. Mr. Furtado further reported that construction activities were ongoing at the facility and expressed the expectation that odor complaints would be resolved once construction was completed.

   Bob Pink questioned whether a single-point sensor would be beneficial for addressing odor complaints when the concern was not necessarily related to life safety.

   Bob Espindola asked whether monitoring at the facility was conducted in real time. Mr. Furtado explained that, once construction was complete, the new monitoring system would be computer-based and would notify personnel if established setpoints were exceeded. Mr. Espindola noted that residents' concerns involved potential health impacts in addition to odors. Mr. Espindola also expressed concern that the hydrogen sulfide monitoring setpoints were higher than levels that could potentially affect the health of nearby residents. Mr. Espindola emphasized that residents want real-time monitoring to allow an operator to respond promptly when necessary. He also requested that the appropriate state agencies be asked to fund the purchase and installation of additional monitors.

   Member Frezza asked whether Agent Flaherty had contacted the State regarding potential funding. Agent Flaherty reported that he had researched grants or programs that would supply the hydrogen sulfide monitors, not specifically funding. The Board

requested Agent Flaherty reach out to State Representative Mark Sylvia for assistance with research for funding.

9. **Wind Turbine Status –** Agent Flaherty reported there were two complaints received over the past two weeks. Chair Acksen reported that she had met with the Town Administrator to discuss concerns raised by neighboring residents and the Board regarding the wind turbines. Chair Acksen noted that residents were compiling a letter outlining their questions and concerns for the Town to address.
   John Methia reported that the neighborhood group was gathering information and preparing a list of questions for the Town. He reviewed residents were seeking clarification regarding the anticipated timelines for turbine inspections and the process and timeline for decommissioning the turbines.
   The Board requested Agent Flaherty invite the Town Administrator and / or a Select Board member to attend the next Board of Health meeting to address questions and concerns regarding the wind turbines.

10. **Status Report 21 Morton Street –** Agent Flaherty reported that there have been no additional rodent complaints regarding 21 Morton Street, and no evidence of rats in the neighborhood.

11. **Discussion and Vote on Adding Disclaimer to the Previously Approved Kratom Regulation for eCode –** Agent Flaherty read the language suggested by Town Counsel with the revision requested by the Board at the last meeting: "These Kratom regulations were approved on July 15, 2026. Since then, the Commonwealth of Massachusetts and the FDA have reclassified kratom and its synthetic derivatives as a Schedule I substance, which cannot be sold over the counter. This classification will be reevaluated in August of 2028 or until the State or Federal Government deemed necessary". **Motion:** Member Frezza motioned to accept the Kratom Regulation with the amended language for eCode. Vice Chair Meneses seconded. A roll call vote was taken: Justine Frezza in favor, Brian Meneses in favor, Barbara Acksen in favor. The vote passed (3-0-0).

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

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

14. **Next Meeting Date** – October 21, 2026 at 5:00pm

15. **Meeting Adjourned – Motion:** Member Frezza motioned to adjourn the October 7, 2026 Public Meeting. Vice Chair Meneses seconded. A roll call vote was taken: Justine Frezza in favor, Brian Meneses in favor, Barbara Acksen in favor. The vote passed (3-0- 0).