



# Town of Fairhaven

## Board of Health

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FAIRHAVEN,  
MASS.

April 28, 2021

PRESENT: Peter DeTerra, Michael Ristuccia, Kevin Gallagher, David Flaherty

### 1. Call to Order

- a. Chairman Michael Ristuccia called the meeting to order at 5:00pm. Roll call attendance of the meeting members were taken, Michael Ristuccia and Kevin Gallagher, all were in attendance.

### 2. Welcome and Media Notification

- a. Mr. Ristuccia welcomed everyone and read the media and recording notifications and Welcome the public to speak on items.

### 3. Minutes of the Meeting:

- a. Open Session April 14, 2021  
Mr. DeTerra made the motion to approve the minutes of the open session on April 14, 2021. Mr. Gallagher seconded. Vote passed unanimously.

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

- a. As of April 22, 2021 the total case count for Fairhaven is 1,940. The total case count for the last 14 days is 60. The positivity rate for this period is 4.8%, up from the previous two week rate of 3.92%. Fairhaven is still designated as "Yellow".
- b. The total number of tests for the last two weeks is 1,480 with 60 being positive. Our Public Health nurse currently has 60 cases they are following.
- c. All nursing and rest homes in Fairhaven are in full compliance with staff and resident testing for COVID.
- d. COVID testing is at the Emergency Management Building on 150 Sconticut Neck Road on Saturdays from 10am-12 noon.
- e. Vaccine Pre-registration for all persons over 16 years old is now available at <https://www.mass.gov/info-details/preregister-for-a-covid-19-vaccine-appointment>
- f. The State has lifted capacity limits for restaurants; full capacity is allowed so long as all seating between tables is 6ft. Events are still limited to 10 for indoor and 25 for outdoor.
- g. The State has also relaxed guidelines for mask wearing and other COVID measures in public. See Mass.gov for the update.
- h. Any seniors who are having any difficulty signing up for a vaccine may call the Council on Aging for assistance at 508-979-4029
- i. Number of Perc Tests witnessed 0, System Installation Inspections 2, Complaints followed up 5, Chapter II Inspections 0, Housing Court Appearances 2. The Health Agent stated he has attended various Zoom meetings as well as Seminars, some in relation to COVID. Mr. Flaherty will also have more information to follow up on Public Health Nursing Grant.

- j. Mr. DeTerra said as a Board of Health Member he would like to make it a goal to get over 60% of residents in Fairhaven vaccinated. Residents can be vaccinated at 40 Tichon Avenue in New Bedford M-F by appointment (508-984-2661) or by walk in on Saturday, Sunday, Monday, or Tuesday from 9am-4pm.

Mr. Ristuccia and Mr. Gallagher questioned if we have a way of helping residents who want the vaccine and are unable to drive to the vaccination site. Ann Silvia, via Zoom, said that the COA in Fairhaven has been able to connect over 300 people for the vaccine over the past few months. They are currently using the van mostly for persons who are in wheel chairs. Monday- Friday the COA has no problem helping anyone who needs assistance and the COA has the ability to transport, all the residents would have to do is call.

Mr. Gallagher said the Town of Fairhaven has 5,417 fully vaccinated persons and 2,067 person partially vaccinated and it is up from the last report. Mr. Gallagher also said that if anyone is vaccinated at the Tichon Avenue site that a second shot will be guaranteed.

**5. Status of the Board of Health.**

- a. Chairman Michael Ristuccia gave an overview of the Status of the Board of Health as well as the Health Office over the last 10 months. Since July of 2020 the Health Office has undergone staff changes. He stated that there is now a fully functioning Health Office at Town Hall with qualified staff consisting a Health Agent, Food Inspector, and Administrative Assistant. After the overview, a short discussion ensued amongst all present.

**6. 841 Sconticut Neck Rd**

- a. Mr. DeTerra made the motion to approve the pass of the Title 5 Inspection on 841 Sconticut Neck Road. Mr. Gallagher seconded. Vote was unanimous.

**7. 1 Jacks Place**

- a. Mr. DeTerra made the motion to approve the pass of the Title 5 Inspection on 1 Jacks Place. Mr. Gallagher seconded. Vote was unanimous

**8. Public Hearing- Continued**

- a. Mr. DeTerra made the motion to open the Public Hearing, Mr. Gallagher seconded, the vote passed unanimously.
- b. Mr. Flaherty addressed the Board and the public that the proposed regulations are highlighted in yellow. The yellow highlighted portions are State regulation that the Town of Fairhaven would be adopting to be in line with the State. The highlighted regulations are already in effect with the State.

Mr. Gallagher questioned Page 11 about cigar sales and the sale of a single cigar. Mr. DeTerra stated the sale of the single cigar was adopted by the Board in years past due to cigar packages being separated and sold, it is not a new regulation.

Mr. Flaherty said the Health Office has only received 1 email about the proposed regulations, the resident had concerns that did not directly pertain to the regulations and he gave guidance to the resident.

Mr. Gallagher made a motion to continue the Public Hearing to the next meeting. Mr. DeTerra seconded the motion. Vote was unanimous.

**9. Invoices/ Other business**

- a. In other business, Mr. Flaherty said a resident in Town applied for a pool permit in November and it has since been approved by the Board of Health as well as the building department. Since November the pool manufacturer had reached out to the home owner stating that they need to change their pool choice since the oval is not available anymore

and would need to change it to round, this would affect the allowance of 10ft from the property line and reduce it to 7ft.

The consensus of the Board gives approval for the homeowner to allow the 7ft from the property line and at the next meeting it will be on the agenda for a variance.

In other business Mr. Gallagher asked the chair for his consideration to have couple of FY22 Budget items on the agenda for discussion, and that he will have it written and presented to the Chairman.

**10. Public Comment**

- a. No Public Comment.

**11. Next meeting Date: May 12, 2021**

- a. Mr. DeTerra made the motion to adjourn the meeting at 5:45PM, Mr.Gallagher seconded, vote was unanimous.

