



## Town of Fairhaven Board of Health

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

January 3, 2024

**PRESENT:** Kevin Gallagher, Justine Frezza, Brian Meneses, David Flaherty

**1. Call to Order**

- a. Chairman Gallagher called the meeting to order at 5:00pm. Chairman Gallagher welcomed everyone.

**2. Pledge of Allegiance**

**3. Welcome and Media Notification**

- a. Chairman Gallagher read the media and recording notifications.

**4. Minutes of the Meeting**

- a. **Motion:** Vice Chair Frezza made the motion to accept the minutes of the meeting December 20, 2023. Member Meneses seconded and motion passed. The vote is unanimous (3-0-0).

**5. Health Agent Report**

- a. Health Agent Flaherty reports COVID numbers are at 14.25%, which is down from 15.33%. This is from positive tests in a clinical setting only. COVID Test Kits are no longer available. Please visit the local pharmacies for test kits.
- b. Medication disposal bags are available in the Health Office at the Town Hall, Library, COA, Rec Center, Fire Department and Police Department.
- c. Blood pressure and wellness clinics offered every Wednesday at the COA from 1-3 pm.
- d. No Perc tests were witnessed and three Title 5 were witnessed.
- e. There were multiple Chapter II housing issues followed up on.
- f. Rodent complaints have leveled off. 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 Greater New Bedford Health Alliance to provide an in-home vaccine. Please call the Health Department for more information. The COVID vaccine is not yet available for home-bound residents. The Health Department is preparing to have a flu vaccine clinic hopefully in the next couple of weeks.
- h. 2024 Permit season is underway, currently about 95% have already permitted. Please be sure to permit by January 12, 2024 to avoid a \$100.00 late fee.
- i. Health Department website now has information for sheltering assistance, food pantries, and hoarding remediation.
- j. Agent Flaherty has been working with the Fairhaven Fire Chief to update the town EDS plan, which is an emergency dispensing site. This will be shared with the Bristol County Emergency Preparedness contractor.
- k. Chairman Gallagher commented that in previous years there was an emergency preparedness drill. Chairman Gallagher asked if this would resume. Agent Flaherty affirmed that a drill usually takes place yearly.

**6. Discuss weekly Board of Health related topics** – Chairman Gallagher asked if there are any updates on the website. Agent Flaherty noted there has been some streamlining done regarding food pantries, sheltering assistance and hoarding remediation. Vice Chair Frezza asked if any info should be posted regarding the upcoming storm. Agent Flaherty noted that the Fairhaven Fire Department handles this and there is a place on the Fire Department's website to sign up for Fairhaven Emergency Alert, which is a free service that will send notifications via email, text or phone.

**7. Discuss Expanded Role of Health Department in Town of Fairhaven Recycling** – Agent Flaherty reviewed that the Health Department oversees the fees for recycling and will be conducting a fee assessment at a future date. The Health Department will also help with advertising events at the Recycling Department. Agent Flaherty reviewed the Health Department will be taking a more active role in the Town's recycling and more information to come.

8. **Discuss the Mass DEP Nitrogen in the Harbor Issue** – The issue and the goal of this proposal is to reduce the levels of nitrogen going into the harbor and Buzzards Bay. Chairman Gallagher agreed that everyone is in favor of a clean harbor and waterway. Fairhaven and New Bedford are moving forward by upgrading the sewage treatment plant to reduce the amount of nitrogen going into the harbor. The upgrade to the sewage plant was implemented by the state and is currently underway in Fairhaven under the proficient direction of Mr. Vincent Furtado, Fairhaven BPW Superintendent. This means an increase in water and sewer rates estimated to be \$20 a month. However, the state said there are other sources of nitrogen going into the harbor that are of concern, which is from septic systems. This would require a nitrogen reducing system to go into the septic system. The cost of this is estimated to be \$30,000-\$35,000 per septic system. Chairman Gallagher noted this would be at a cost to the homeowner. Agent Flaherty noted that there is about 3% of habitable properties on septic in Fairhaven, which is about 200-300 properties. The proposal was originally discussed over a year ago and was sent out to the communities. There were efforts from many Boards of Health and Boards of Selectman with Mass Legislators to slow down the timeline of this proposal to all of the South Coast. Chairman Gallagher noted a letter was submitted jointly from the Fairhaven Board of Health and the Fairhaven Select Board to the Mass DEP dated January 26, 2023 noting that Fairhaven understands the need for a clean environment, a better harbor and a better bay; however, due to the cost for property owners it was requested that the South Coast be off the radar to implement the septic system upgrades for a time. Especially since the sewage treatment plant is in the process of being upgraded. There was unofficial response that only Cape Cod would be on the radar of implementing the nitrogen reducing systems for septic systems and the state would back away from the South Coast communities. Chairman Gallagher noted that on 12/27/2023 the New Bedford Light published an article "State targets nitrogen pollution in New Bedford harbor". The article eludes that Fairhaven supports the state's move to upgrade not only the sewage treatment plants, but also septic systems. Vice Chair Frezza noted it may be helpful to reach out to the New Bedford Light to let them know they misrepresented the Fairhaven Board of Health. Chairman Gallagher commented that the upgrade to septic systems has not had a timeline determined by the state and there is no established funding to help from the state and this is what is not supported by the Fairhaven Board of Health. The Board of Health was hopeful to delay the septic upgrade until the sewage treatment plant is complete (in order to see the effects of nitrogen in the harbor from this upgrade alone), baseline nitrogen levels in the harbor and bay are established, as well as understanding the impact of agriculture from cranberry bogs on nitrogen levels. Chairman Gallagher asked if there would be a motion for Agent Flaherty to engage the Town Administrator and Town Counsel to discuss options for implementing this regulation upon the transfer of sale of the individual property. **Motion:** Vice Chair Frezza made a motion to authorize Agent Flaherty to engage Town Counsel with the Select Board and Town Administrator to further this discussion. Member Meneses seconded. A roll call vote was taken: Justine Frezza in favor, Brian Meneses in favor, Kevin Gallagher in favor. The vote is unanimous (3-0-0).

**9. Title 5 Inspection Report Review for 100 Douglass Drive** – Agent Flaherty reviewed the inspection done was a conditional pass. Title 5 allows for conditional passes under certain circumstances. This property had a leak at the seam. This septic had a lower piece and a top piece that are sealed by a gasket and this is where the leak was. The pump also failed on this system. If these two items are corrected it would pass, which is why it is considered a conditional pass. Agent Flaherty reached out to the homeowner, but has not heard back yet regarding this result. Chairman Gallagher reviewed that these items need to be fixed in order to get a passing Title 5, to which Agent Flaherty affirmed. Chairman Gallagher asked if there is a motion to accept Agent Flaherty's recommendation. **Motion:** Vice Chair Frezza made a motion to accept Agent Flaherty's recommendation for 100 Douglass Drive Title 5. Member Meneses seconded and motion passed. The vote is unanimous (3-0-0).

**10. Public Comment** – No public comment at this time.

**11. Invoices, Correspondence and other business**

a. Invoices reviewed and approved.

**12. Next Meeting Date** – January 17, 2024.

**13. Future Agenda Items**