

REGULAR MEETING OF THE BOARD OF HEALTH
Minutes of Meeting
November 29, 2017

RECEIVED
TOWN CLERK

2018 JAN 25 P 2:27

A Regular Meeting of the Board of Health was held at the Town Hall on Wednesday, November 29, 2017, at 6:30 p.m. The meeting was duly posted. Board members present: Chairman Peter DeTerra and Jeannine Lopes. Also present: Mary Freire-Kellogg, Health Agent and Amanda Blais, Administrative Assistant. Board member absent: Lindsay Gordon.

Chairman DeTerra called the meeting to order at 6:30 p.m. and asked for a motion to approve the minutes of the Regular Meeting of October 2, 2017. Motion to approve the minutes was made by Ms. Lopes; seconded by Mr. DeTerra. The vote was unanimous.

Public Hearing: 308 New Boston Road – Laundry Connection

Doreen Renaud appeared before the Board of Health to discuss her concerns regarding the laundry connection on her property at 308 New Boston Road. Ms. Renaud explained she has owned the property for the past three years and is now selling the property. Ms. Renaud provided documentation of a Title V Inspection report that was completed when she first purchased the property. Ms. Renaud was told the washing machine needed to be tied in to septic under Title V, however she believed the seller should have had washing machine tied in before she originally purchased the home. Ms. Renaud questioned the Board of Health as to why she now has to take care of this matter.

Ms. Lopes stated the reason as to why Ms. Renaud now has to take care of this matter falls under the original inspector, real estate agent and the prior seller of the property. Discussion ensued and Title V Inspection report dated three years prior was examined. Ms. Lopes explained former Health Agent Patrica Fowle signed off on inspection in 2013 but washing machine was not inspected. The Title V report did not state that the washing machine was on a separate sewer system, making the documentation contradictory. Ms. Lopes further explained that the Board of Health signed off on this document because the inspector simply answered questions regarding if the washing machine was inspected or not. According to the Title V Inspection report, the washing machine was not inspected. Ms. Lopes stated Ms. Renaud should have been notified of the washing machine not being tied in, however Ms. Lopes explained to Ms. Renaud that the Board of Health does not have anything to do with this matter. Ms. Lopes advised Ms. Renaud to refer back to her real estate agent, the seller of the property, the engineer and the inspector.

Ms. Renaud further questioned the Board as to why the washing machine should be tied in to begin with if the contents of the washing machine damages the septic system. Ms. Lopes stated the members on the Board are not engineers and cannot provide an answer. Ms. Freire-Kellogg stated the Health Department has to follow requirements from the Department of Environmental Protection and the staff of the Health Department are only the keeper of records.

Before the Board:

The Board discussed updates regarding various septic system inspections. The septic system for 29 Charity Stevens Lane has been inspected. The septic system for 4 Montauk Avenue has not been finished. The septic system for 27 Charity Stevens Lane has been inspected but not finished.

The Board reviewed previously approved plans for Ebony Street, Map 43B, Lots 300 & 302-305. Motion to approve the plans for Ebony Street was made by Ms. Lopes; seconded by Chairman DeTerra. The vote was unanimous.

Ms. Freire-Kellogg questioned the Board as to when the Health Department fee schedule should be updated. Chairman DeTerra replied the fee schedule should be updated annually.

ABC Recycling Contract:

Jerry Dugan from ABC Disposal provided documentation to the Board that included answers to questions that were demonstrated in a letter drafted by Attorney Thomas P. Crotty. Mr. Dugan presented a synopsis as to how a determination of increase was generated. Ms. Lopes questioned if the Town of Fairhaven is separated from other towns and cities or is it combined. Mr. Dugan replied the Town of Fairhaven is combined. Mr. Dugan continued to explain tip fees and tonnage expenses. Discussion ensued regarding fees.

Mike Camara from ABC Disposal asked if this discussion could go into executive session, however Attorney Thomas P. Crotty replied executive session could not be done at this time. Mr. Camara explained that ABC Disposal is currently having an issue with the disposing of materials, and it is unprecedented that there is such an issue with disposing of materials. Mr. Dugan further explained that the company is trying to do all they can, however increasing the education to residents about better quality may help with future pricing.

Town Administrator Mark Rees explained that the Town of Fairhaven has an annual budget process. In this situation, additional funds would need to be requested by the Finance Committee and at Town Meeting, however, requesting additional funds in the middle of budget season would seem skeptical. Discussion ensued.

Ms. Lopes questioned as to why we are only dealing with China to dispose of materials. Both Mr. Camara and Mr. Dugan explained that other entities do not have the capacity to handle such tonnage of materials. Ms. Lopes made a motion for Mr. Rees to correspond with Ms. Freire-Kellogg about going to the Finance Committee to request additional funds and was seconded by Chairman DeTerra. The vote was unanimous.

Ms. Lopes questioned as to why the bond has not been paid at this time. Mr. Camara replied he was waiting for this matter to be resolved. Ms. Lopes explained the contract is being defaulted and Mr. Camara said he understood. Discussion ensued.

Chairman DeTerra expressed how he felt as though this matter will be resolved.

Health Agent's Report:

The Board reviewed and discussed the food establishment inspection log sheets. Ms. Freire-Kellogg reported that inspections have been going very well. These inspections have currently involved nursing facilities, restaurants, convenience and grocery stores. Ms. Freire-Kellogg also discussed the use of fillable forms to be utilized in the future. Although these forms are currently being created, establishments have been notified and are providing positive feedback.

Ms. Freire-Kellogg reported an issue regarding domestic animals. According to the Health Agent, tenants are housing barn animals. Chairman DeTerra advised that the Board will need to work on rewording the animal regulations. Ms. Freire-Kellogg reported a service pig at the Seaport Inn and Marina. Currently, there are no regulations pertaining to keeping barn animals inside of a hotel. Attorney Thomas P. Crotty advised that permits should be required to house these types of animals.

Ms. Freire-Kellogg reported to the Board a copy of the Town of Bourne's By-law. According to the Health Agent, there is a loophole in regards to body art regulations; pieces from Framingham should be tied in with Bourne's by-law. Ms. Lopes explained approval would be needed from the Board of Selectmen to send Attorney Thomas P. Crotty to see what needs to be changed to adjust the Town of Fairhaven's by-law.

Ms. Freire-Kellogg reported she had attended a seminar on November 14, 2017 regarding lead regulation changes. The seminar discussed many changes made to the regulation involving what homeowners will not have to do. It was reported that lead levels have decreased.

Ms. Freire-Kellogg reported she, along with Chairman DeTerra and Ms. Lopes had attended training on November 18, 2017 regarding MAHB certification renewals. All had received their certificates for completing the training.

Ms. Freire-Kellogg reported she had attended a seminar on November 29, 2017 regarding medical marijuana. The seminar discussed how the medical marijuana is being made with pesticides. Levels will follow under the Board of Health because medical marijuana can be consumed in food items.

Town Administrator Mark Rees touched upon the Opioid Task Force. Mr. Rees mentioned the task force is comprised of Police and Fire departments, as well as a medical team. Mr. Rees further explained that Ms. Freire-Kellogg and he need to form together a task force that includes the Police, Fire and School departments.

Ms. Freire-Kellogg reported the Health department held two flu clinics during the month of October at Town Hall and Leroy Wood Elementary School. Ms. Freire-Kellogg spoke with the pharmacist at Walgreens about flu clinics being provided for severe elderly individuals. At the moment, Walgreens does not make home visits, however they will look into creating a mobile flu clinic once a month for the elderly community.

The next Board meeting will be January 24, 2018.

There being no other business before the Board, Ms. Lopes made a motion to adjourn and was seconded by Chairman DeTerra. The motion passed unanimously. Meeting adjourned at 8:10 p.m.

Respectfully submitted,



Amanda L. Blais
Recording Secretary/Administrative Assistant