

REGULAR MEETING OF THE BOARD OF HEALTH
Minutes of Meeting
June 27, 2019

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A Regular Meeting of the Board of Health was held at the Town Hall on Thursday, June 27, 2019, at 6:30 p.m. The meeting was duly posted. Board members present: Chairwoman Jeannine Lopes, Michael Silvia and Peter DeTerra. Also present: Mary Freire-Kellogg, Health Agent and Amanda Blais, Administrative Assistant.

FAIRHAVEN,
MASS.

Before the Board:

Chairwoman Lopes asked for a motion to approve the minutes of the Regular Meeting of May 23, 2019. Motion to approve the minutes was made by Mr. Silvia; seconded by Mr. DeTerra. The motion passed unanimously.

Nancy Santoro of 148 Dogwood Street requested to appear before the Board to discuss the correction order she received after an anonymous complaint was made to the department regarding her residing in a shed while her home is under construction. Ms. Santoro informed the Board that she does stay in the shed overnight and asked how the matter could be resolved. The Health Agent stated the shed is not a habitable space and Ms. Santoro asked if a tent could be put up instead. The Health Agent responded a tent could only be placed with permission from the Board; continued to discuss correction order. Ms. Santoro stated she is only requesting a temporary solution during the time of construction. Chairwoman Lopes stated the Board is responsible if something occurs while residing in the shed, despite only for a temporary amount of time, and asked how often Ms. Santoro stays on the property. Ms. Santoro responded the longest she has stayed has been two nights and three days at a time. The Health Agent asked if the Fire Department has visited the property and Ms. Santoro stated there has not been any reason for them to. Mr. Silvia asked Ms. Santoro why she doesn't stay only during the day and she responded that traveling is difficult and produced an electric bill to show there is not an electrical hookup. Ms. Lopes stated the Board could not allow the resident to sleep on the property and Ms. Santoro responded that regulations state a tent can be placed as part of temporary housing. Mr. DeTerra mentioned the Board is held liable and the resident is not allowed to stay on the property overnight due to the shed not being an approved facility. Ms. Lopes informed Ms. Santoro to revisit the Building Department to have both plumbing and electrical inspected, however Ms. Santoro stated the regulations do not mention this is a requirement for temporary housing. Ms. Lopes responded the Building Department has to give permission; Ms. Santoro is residing with friends and is not homeless; asked for a motion from the Board. Motion to deny Ms. Santoro permission to sleep on the property was made by Mr. Silvia; seconded by Mr. DeTerra. The motion passed unanimously.

The Board reviewed proposed well plans for Earle Street, Map 31A – Lots 434 and 453. The Health Agent informed the Board the resident is requesting to install a private well because municipal connections would be too expensive. Motion to approve the proposed well plans and permit for the referenced location was made by Mr. Silvia; seconded by Mr. DeTerra. The motion passed unanimously.

The Board reviewed plans for a one lot subdivision for 304 New Boston Road. A motion was not required because the plans were for informational purposes.

The Board reviewed a tobacco permit application for Black Horse Vapor to be located at 32 Sconticut Neck Road. The Health Agent informed the Board this establishment is strictly a vape shop and is not in

line with our tobacco regulations. The Health Agent further recommended this application be tabled until guidance has been given from Town Council. Mr. Silvia stated the Board should review the previous vote that was made whether or not to put a cap on the number of tobacco establishments allowed in Town. Motion to table the tobacco permit application for Black Horse Vapor until advice has been given from Town Council was made by Mr. Silvia; seconded by Mr. DeTerra. The motion passed unanimously.

Joseph Carvalho, Tobacco Inspector for the Town, updated the Board on his tobacco inspections, stating that all tobacco establishments have been inspected and products are up-to-date. Mr. Carvalho had to issue two violations to two separate tobacco establishments for selling to minors and believed this incident was due to the rise in interests with vaping.

The Board reviewed a food permit application for Plan It Eats to be located at 6 Sarah's Way. The Health Agent informed the Board that an opening inspection had been performed on June 26, 2019, however a floor plan is needed; the owner is to become anti-choking certified and an inspection is required for the establishments' food truck. Motion to approve the food permit for Plan It Eats was made by Mr. Silvia; seconded by Mr. DeTerra. The motion passed unanimously.

The Board reviewed a Title V Inspection Report for 2 Alcobia Drive. The septic system had passed inspection. Motion to approve the Title V Inspection Report was made by Mr. Silvia; seconded by Mr. DeTerra. The motion passed unanimously.

The Board reviewed the FY20 contract for Brown and Caldwell regarding landfill inspections. Motion to approve the contract was made by Mr. Silvia; seconded by Mr. DeTerra. The motion passed unanimously. Chairwoman Lopes signed the contract, as only one signature was required.

The Board reviewed the FY20 contract for Community Nurse. Motion to approve the contract was made by Mr. Silvia; seconded by Mr. DeTerra. The motion passed unanimously. All Board members signed the contract.

Public Hearing:

None.

Health Agent's Report:

Ms. Freire-Kellogg informed the Board the department currently does not have any private well regulations, however the Health Agent researched what other areas have for regulations and discovered well installers are heavily regulated by the State. Chairwoman Lopes stated the Board should leave this matter at status quo.

Ms. Freire-Kellogg reviewed tobacco ticket violations with the Board.

Ms. Freire-Kellogg informed the Board of campers being parked on beaches, in backyards, etc. The Health Agent felt certain questions should be asked of the owners of these campers, such as "Are the hook ups safe?", "Do you have facilities?" and "How and where are you pumping these facilities?" A meeting is to be held with the Building Commissioner, Town Administrator and other necessary departments.

Ms. Freire-Kellogg asked the Board for their opinion regarding pet friendly food establishments, specifically exterior seating areas. Mr. DeTerra stated there should be a designated area and asked what would happen if a dog wasn't friendly to another dog; he felt there would be liability issues. The Health Agent responded liability would fall under the owner of the establishment. Chairwoman Lopes stated food establishments should be told this matter is out of the jurisdiction of the Board.

Ms. Freire-Kellogg informed the Board of CBD in food products. The Health Agent stated CBD is not allowed in food that is sold to the public, however CBD in food is regulated by the Department of Agriculture. Food products with CBD cannot be sold without a permit from the Department of Agriculture.

Ms. Freire-Kellogg informed the Board there was grant money available for hoarding remediation through collaboration with New Bedford. The Health Agent utilized grant funds to purchase a laptop, printer and scanner to lend to members of the workshop to help reduce paper. Planners, folders and aroma therapy through the use of essential oils were also purchased.

Ms. Freire-Kellogg informed the Board she had attended a training that discussed having a form completed for emergency personnel to know how to manage individuals with behavioral and developmental disabilities. The Health Agent is to speak with both Police and Fire Departments to discuss using this form.

Ms. Freire-Kellogg informed the Board she had attended the Health and Wellness Fair at Fairhaven High School and was approached by a student who asked if she could intern with the Health Department to see if public health is an area she would be interested in studying when she attends college.

Invoices/Other Business:

The next Board meeting will be July 25, 2019.

There being no other business before the Board, Mr. Silvia made a motion to adjourn and was seconded by Mr. DeTerra. The motion passed unanimously. Meeting adjourned at 7:46 p.m.

Respectfully submitted,



Amanda L. Blais
Recording Secretary/Administrative Assistant