

## MEETING OF THE FAIRHAVEN BOARD OF HEALTH

June 14, 2010

A regular meeting of the Board of Health was held at the Town Hall on Monday, June 14, 2010. The meeting was duly posted. Board members present were: Peter DeTerra, Dolores Caton and Jeannine Lopes. Also present: Patricia Fowle, Health Agent.

Mr. DeTerra, Chairman, called the meeting to order at 6:30 PM. The Chairman requested the minutes of the meeting of May 24, 2010 be amended or approved.

Motion to approve the minutes of May 24, 2010 was made by Ms. Caton; seconded by Ms. Lopes. Vote was unanimous.

Appearing before the Board were Mr. John Roy & Mr. Conrad Roy, Jr. in regards to a housing inspection on their property of 30 Beach Street, 3<sup>rd</sup> Floor. The Roy's stated that the tenants, now gone from the property, caused the majority of the violations. The owners intend to make the necessary corrections and then notify the Board office when completed. A reinspection will be performed by the Health Agent prior to a letter of compliance being issued.

Appearing before the Board were Mr. Gary Staffon, Ms. Susan O'Brien and Ms. Linda Crompton. They are in receipt of demands to have their properties connected into town sewer. Ms. O'Brien owns 59 Ocean Avenue and 60 Grandview Avenue. Ms. Crompton owns 45 Seaview Avenue and 58 Grandview Avenue and they also represented their elderly parents William and Carol Crompton for their home of 32 Capeview Street. The family stated these are difficult times financially for them and they are requesting additional time to make the sewer connections. They each intend to connect one house this year and the next house the following year. Therefore, they each requested a two year extension to connect the properties into town sewer.

Motion to grant the two year extension was made by Ms. Caton; seconded by Ms. Lopes. Vote was unanimous.

Appearing before the Board was Ms. Justyna Kaisig who is co-applicant for a deli/take-out service proposed for Sconticut Neck Plaza at the site of the former card trading shop. The site has never been used as a commercial kitchen and by Board of Public Works regulation is required to have an in-ground grease trap. Ms. Kaisig stated there is a small amount of grease that will be generated because the kitchen will only be used two to three days per week to prepare the take-out food. They hope to specialize in Polish and Russian foods. The intent of the business is to see if the concept is well received by the public and then proceed to a full restaurant at another site. There will be 5 seats for dine-in, a dry goods area, a deli display cooler and a warming tray. All foods will be served in disposable ware. The cost estimate for the in-ground grease trap is \$45-50,000 by the site owner. This would make the venture cost prohibitive. The reason Ms. Kaisig is before the Board of Health is that the BPW has requested some guidance in writing from the Board of Health as to the need for the in-ground grease trap. Discussion ensued.

The Board reviewed the requirements of both the federal and state food codes which the Board of Health is entrusted to enforce. Neither code requires any grease trap but rather states that should there be a grease trap, it must be accessible for maintenance.

Ms. Caton motioned to write the BPW that though the Board understands at this time that only a small amount of grease is most likely to be generated, the enforcement of the BPW's regulation is clearly out of the jurisdiction of the Board of Health and therefore no recommendation can be made; seconded by Ms. Lopes. The vote was unanimous.

Mr. Dennis Aubin, Aubin's Building Inspection, 6 Nye's Lane, New Bedford, MA, was asked to attend the meeting regarding his submittal of a septic system inspection for 3 Brownell Avenue. Mr. Aubin did not attend the meeting. The Board has information on groundwater elevation on an abutting lot that does not coincide with the report submitted by Mr. Aubin and may indicate that the septic system at 3 Brownell Avenue is failed per Title 5.

Motion to inform the owner, Mr. Scaffiddi of 43 Chandler Street, Malden, MA that a soil evaluation test pit is required to determine the actual groundwater elevation on site as it relates to 3 Brownell Avenue was made by Ms. Caton; seconded by Ms. Lopes. Vote was unanimous. A copy of the notice will be forwarded to Mr. Aubin.

The Board office is in receipt of a DPH notice that 700 seasonal flu vaccine doses will be made available to the Board for its public clinics in Fall 2010. The DPH is requiring that the vaccine be prioritized for children ages 6 months to 18 years, then chronically ill individuals and lastly people over the age of 50. The DPH is allowing Boards of Health to request additional doses however the doses are not guaranteed.

Motion to request an additional 1,300 doses from the State and to reserve an additional 500 doses through Sanofi Pasteur was made by Ms. Lopes; seconded by Ms. Caton. Vote was unanimous.

A septic system inspection was performed by Fairhaven Honeywagon at 460 Bridge Street. Groundwater information was compared against a percolation test/soil evaluation done at 449 Bridge Street one week ago. The system passed.

Motion to approve the septic system inspection report for 460 Bridge Street was made by Ms. Lopes; seconded by Ms. Caton. Vote was unanimous.

The Board reviewed a continuing complaint as reported by the Animal Control Officer (ACO), Cat Mindlin, on 45 Marguerite Street against a free roaming guinea hen owned by Alphonse at 7 Jessica Street. Many approaches have been taken to remedy the situation by the ACO and the Board, including trapping the animal, to no avail. Since no one else is complaining about the hen, the Board believes it should be handled as a private nuisance as compared to a public health nuisance and the complainant should handle it through their own resources.

**In other matters:**

The hazardous waste day contract with PSC Environmental, Inc. was signed by the Board.

Mark Dakers of the DEP has approved the Board's request to remove the solar flares at the landfill and replace them with passive gas vents. This will be accomplished using FY 10 funds under supervision by the Board's contracted landfill engineers Brown & Caldwell, Inc.

Beach water sampling began today. The required beach postings have been placed at each beach. Changes to the Open Meeting Law were discussed by the Board for regulatory compliance starting July 1 and meeting notices will be changed to comply.

The Board received the written report of a car accident involving the health agent and the Board of Health vehicle. The insurance company will inform the amount of damage, though it is anticipated the car is totaled. The health agent is using her own car presently. A copy of the police report is part of this record.

Upcoming events requiring food inspections by the health agent are: soccer tournament June 19 & 20, opening of the Farmer's Market June 20, Homecoming June 26, Firemen's Muster June 27, Liberty Concert July 3.

There being no other business before the Board, motion to adjourn the meeting at 8:15 PM was made by Ms. Lopes; seconded by Ms. Caton. Vote was unanimous.

Patricia Fowle, Health Agent