

MEETING OF THE FAIRHAVEN BOARD OF HEALTH  
May 16, 2011

A Regular Meeting of the Board of Health was held at the Town Hall on Monday, May 16, 2011 at 6:30 PM. The meeting was duly posted. Board members present: 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 and asked for the minutes of the meeting of May 2, 2011 be amended or approved.

Motion to approve the minutes was made by Ms. Caton; seconded by Ms. Lopes. Vote was unanimous.

The owner of 182 Ebony Street was not able to attend the meeting and asked for a postponement to May 31, 2011.

An owner or representative of Jake's Diner, 104 Alden Road did not affirm the appointment before the Board scheduled for this evening to discuss deficiencies noted in a recent food establishment inspection. The Board will perform an on-site inspection in the near future to observe whether or not the deficiencies have been corrected.

The Board reviewed a proposed house alteration/addition for 9 Almond Street. It was noted that a proposed second floor living room may not be in keeping with the requirements of the West Island Sewer Zone Regulations. A letter of explanation and an invitation to meet with the Board will be forwarded to the owner.

Ms. Fowle reported on the following:

The owner of Narragansett Star Café, 230 Huttleston Avenue, is in receipt of the letter from the Board stating that pets cannot be allowed on an outdoor deck intended for use by the patrons as a dining area. The owner visited the office and intends to fight the law. A few days later, a reporter from the Standard Times called regarding the Board's letter. The law and intent of the letter were discussed.

A new restaurant, Vivvy's, 7 Howland Road, was opened today. Specializing in hot dogs, it serves breakfast, lunch and supper. The establishment meets Code requirements and all permits have been secured.

One week ago the facility manager of The Skipper and The Seaport Inn requested an inspection of a bar area to be placed in the old "Scuttlebutt" lounge of the building. Upon investigation through the Selectmen's office it was learned there is no liquor license approval for that location. A new liquor license application would have to be submitted to the Board of Selectmen and ABCC for approval prior to use of the site. The planned inspection of the "Scuttlebutt" site by the health agent was therefore not necessary. This however was not communicated well to the facility manager and he was upset. The facility manager later in the week informed the health agent that they will use an outdoor tent near the Seaport Marina at the rear of the property. The tent area and "dry bar" have been used in the past for temporary one or two day events. However, this year the tent has been moved to a new location without proper permits from the Building Department. The health agent plans to do the inspection tomorrow, May 17 at 10:00 AM. Board members questioned if the new tent location was permanent and whether or not standard procedures were being followed by the health agent reasoning that the prior location and bar area were properly processed, reviewed and permitted. A new location requires the same compliance with the Food Code as the original setup. Upon review of the Food Code, the consensus of the Board is not to perform the inspection until the Food Code requirements have been met, specifically, plans and specifications provided and approved, proper application forms submitted and the area to be used defined and permitted by the regulatory authorities that issue the required permits. The health agent was instructed to inform the manager of the Board's decision and the requirements of the Code which must be adhered to.

The Greater New Bedford Tobacco Control Program (GNBTCP) has heard that funding for fiscal 2012 will not be made because, for a number of years now, new communities have not joined the GNBTCP and the grant submittal proposed joint grants for tobacco control and alcohol education and prevention with tobacco efforts consuming 40% of the work load. The State grant supervisor indicated a minimum of 50% was required and therefore the grant will not be funded. The New Bedford Health Director, Marianne DeSouza, will be speaking with the State to clear the

issue and requests at the same time that Fairhaven and Dartmouth contribute financially along with New Bedford to maintain the program. The suggestion is that permit fees collected for tobacco licenses be used to support the program. The Board took the information under advisement.

Food establishment inspections were reviewed.

Invoices and payroll were reviewed and signed by the Board.

There being no other business before the Board, motion to adjourn the meeting at 7:35 PM was made by Ms. Lopes; seconded by Ms. Caton. Vote was unanimous. The next meeting is Monday, May 31, 2011 at 6:30 PM.

Patricia Fowle, Health Agent