

MEETING OF THE FAIRHAVEN BOARD OF HEALTH  
June 27, 2011

A Regular Meeting of the Board of Health was held at the Town Hall on Monday, June 27, 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 June 14, 2011 be amended or approved.

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

Mr. DeTerra stated that in regards to the dog-friendly outdoor eateries issue, this is an informational meeting only and not a public hearing. Ms. Caton stated that the Board had received information from the health agent that is helpful in the matter. Ms. Lopes stated that the requirements for allowing any pet at a food establishment have not changed as of yet and the regulations must be complied with by all food establishments in town. The health agent indicated that the Board had received information from Michael Moore, Department of Public Health, Food Protection Program indicating that the Board does have the authority to allow a variance for any part of the State Sanitary Code, Chapter X and the Food Code as long as the procedure as set forth in Section 8-103 of the Food Code is adhered to. The health agent also contacted many Massachusetts communities listed in Dog-Friendly.com as having dog-friendly outdoor eateries asking if a variance to the Food Code had been granted. Provincetown was the only community that acknowledged the process and the Provincetown health agent forwarded their requirements and process. The Board reviewed the written information. Ms. Schubert, owner of Narragansett Star Café, 230 Huttleston Avenue, was informed that in order for the Board to vote on whether or not to grant a variance to the food code, a written request must be received by the Board or its agent and a public hearing must take place at which time the Board could vote on the request. Ms. Schubert stated she would be making the variance request before the next scheduled meeting. Mr. DeTerra reminded Ms. Schubert that complaints have been received stating that her dog is sometimes in the café or running loose in the parking lot. Ms. Schubert stated that she is working many hours now and is therefore spending fewer with her dog. She keeps him at the establishment so that he does not get lonely. She is considering building a pen for the dog on the north grassed lot of the site. Mr. DeTerra reminded her that she needs to be compliant with all the regulations. Ms. Caton stated she was happy to have a process to at least give the variance request a review. Ms. Schubert stated she was happy with the process now. The health agent noted that the Board does have the authority to grant a variance however no decision has been made at this time and the present regulations are in effect.

A septic system inspection for 23 Nelson Avenue was performed by All-Clear Title 5, Acushnet, MA. The system passed the inspection.

Motion to accept the septic system inspection for 23 Nelson Avenue was made by Ms. Lopes; seconded by Ms. Caton. Vote was unanimous.

The health agent's report:

Tobacco Free Communities Partnership (TFCP) requested a meeting with the Board to discuss a tobacco product sales ban at all health care institutions including pharmacies. The regulation has been adopted by Boston and more recently Fall River and now Wareham without incident. Both New Bedford and Dartmouth Boards of Health are moving forward on the ban. There is a grant the TFCP can use to defray the costs for advertising the public hearing, signage and other associated costs of a new regulation. The meeting is scheduled for the next Board meeting of July 11, 2011.

The 2011-2012 flu vaccine allotment has been received: 180 doses for children under 19 years of age and 310 doses for individuals over the age of 19.

The 2011-2012 Community Nurse Association contract was presented for review and signatures. There are no changes to the contract.

Lab performance evaluation for the Board's drinking water laboratory was 100%.

The public health coalition for emergency preparedness will be issuing one or two ipad-2 to the Board of Health for use in emergency dispensing sites and other health department needs. A technology fee will also be allotted to the Board. The exact date of receipt is not known but it will be within the next few weeks.

Food establishment inspections were reviewed. Complaints received 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 7:10 PM was made by Ms. Lopes; seconded by Ms. Caton. Vote was unanimous. The next meeting is Monday, July 11, 2011 at 6:30 PM.

Patricia Fowle, Health Agent