

REGULAR MEETING OF THE FAIRHAVEN BOARD OF HEALTH
June 25, 2012

A Regular Meeting of the Board of Health was held at the Town Hall on Monday, June 25, 2012 at 6:30 PM. The meeting was duly posted. Board members present: Barbara Acksen, Jeannine Lopes and Peter DeTerra. Also present: Patricia Fowle, Health Agent.

The Chairman called the meeting to order at 6:30 PM and asked that the minutes of the meetings of June 4, 2012 be amended or approved.

Ms. Lopes motioned to approve the minutes. Ms. Acksen seconded. The vote was unanimous.

The Chairman stated the Board had just a few minutes ago received a mitigation plan from Fairhaven Wind LLC. There has been no time to digest the 15 page report. Audience members of Windwise asked to view the report but the majority of the Board stated that they needed to review it before releasing it. John Methia, 3 Shawmut Street, asked the Board to recess, study the report and share the information later this evening. Mr. DeTerra said he would need time to study the report and would not release it this evening. The Chairman also stated the Board had received a letter from the DEP stating they will do a sound study on behalf of the Board of Health. Ms. Acksen read the letter and it is part of this record. Karen Isherwood, 3 Teal Circle, asked what the Board's plans are if the sound study shows the turbines are within State regulations for sound. Mr. DeTerra stated he would wait and see what the study shows before responding. Ken Pottel asked for a copy of the report and stated he would seek a copy using the freedom of information act. The Chairman then asked the health agent for an update on complaints received on the wind turbines. There are 135-140 complaints registered but some are anonymous in nature, that being those who do not wish their information to be shared, and these have not been added to the spreadsheet for a tally. The health agent expressed concern as to how these complaints should be entered into the spreadsheet and asked for the Board's assistance. Ms. Acksen will meet with the health agent to establish a protocol. The health agent presented a 3'x4' map of the area surrounding the turbines that was prepared through the Town Planner, Bill Roth. Ms. Acksen will assist in establishing quadrants on the map as a visual for the areas of complaints. Audience members asked if the Board knew when the sound study would begin. The health agent stated Laurel Carlson of the DEP will perform the study but she is presently involved in the Falmouth sound study and there is no date at present for the Fairhaven study to begin. Questions were asked on how the study is done, but those questions must be answered by the DEP. The majority of the audience left the meeting. One anonymous resident stated for the record he is in favor of the turbines.

The Chairman asked if a representative of 131 Dogwood Street was present to discuss a proposed building plan. There being no response, the matter was tabled.

The Board reviewed a working draft of an amended Tobacco Control Youth Access Regulation. The Board expressed a desire to include in the regulation e-cigarette sales, tobacco sales at health care institutions and education institutions, roll-your-own tobacco machines and an extended tolling period of 36 months for retailer compliance with tobacco regulations. A question regarding cessation products was raised and will be directed to legal counsel within the Tobacco Free associations in Massachusetts. The health agent will prepare a final draft for review. It is anticipated the Board will then be ready for a public hearing on the proposed changes.

The Chairman signed the contract with Clean Harbors for a Hazardous Waste Day, August 11, 2012 from 9:00 AM to Noon at the Board of Public Works, 5 Arsene Street for up to \$9,900.

The health agent reported on the following:

Beach water testing for June 18, 2012 showed all beaches in bacteriologic compliance.

Upcoming events requiring food inspections are: Homecoming, June 30, Carnival July 6-8, Parade/Marine Day July 7, Farmers Market on Sundays and Family Fun Day, Cushman Park, July 14. Sharps, syringes and lancets, are to be excluded from trash starting July 1. The Board now has a contract for monthly pickup of sharp containers with Stericycle. The drop off box is at the Fire Station. Review of complaints received: compost piles, unkempt yards, bird feeding, junk and debris and one written complaint on noise and air particulate matter from Fairhaven Shipyard power spraying boats. The letter was read and is part of this record. The complainant was present and spoke to the Board of the situation. The air is dirty when the boatyard power washes. The complainant left sticky tape outdoors and showed the Board the particulate that was airborne. It appeared to be paint particles and dirt. She stated that since the boatyard was allowed to expand, the boats are larger and there is no covering or shelter the boats can be placed in to stop the air particulate. Ms. Acksen stated she will speak to the owners. The Board reviewed a spreadsheet used in the Building Department for employee vacation and sick days. Ms. Lopes motioned to use the spreadsheet for Board of Health employees starting July 1, 2012. Ms. Acksen seconded. The vote was unanimous. The Chairman asked if the Fairhaven Community Nurse contract for public health nursing for the Board was ready to be voted on. The health agent stated she did not have the contract available but it would be the same contract the Board presently has. Ms. Lopes motioned to approve the same contract for fiscal 2013. Ms. Acksen seconded. Vote was unanimous. The Chairman will sign the contract when it becomes available.

Ms. Kathleen Audette, 16 Paul Street, asked to speak to the Board. She inquired how one gets on the Board agenda. Mr. DeTerra responded that a request is received stating the need to meet with the Board. It is then placed on the agenda. Ms. Audette stated she does not have a problem with the wind turbines but many of her neighbors do and she is concerned they are not allowed to express themselves. She would like to see an open discussion that allows everyone to speak on the matter. Ms. Lopes stated the Board has heard the individuals many times and has read their written complaints either in letter form or the turbine complaint form on the Town's website. Ms. Lopes stated that until the DEP has completed its sound study, there is little the Board can offer. Ms. Acksen stated the complaints are all received and reviewed and they are of value to establish a pattern through the data. Ms. Acksen attended the Falmouth Board of Health hearing where residents gave written and oral testimony on the effects of their turbines. The things she heard are the same complaints being made in Fairhaven. The Board is concerned. Board members discussed the date for the next meeting. It is anticipated that each member, upon reviewing the Fairhaven Wind LLC mitigation plan, will have questions that will require responses from Fairhaven Wind LLC. If need be, a meeting prior to the next scheduled Board meeting could be held to discuss the Board's questions.

Invoices and payroll were reviewed and signed by the Board.

The next meeting will be Monday, July 16, 2012 at 6:30 PM.

There being no other business before the Board, Ms. Lopes motioned to adjourn the meeting at 7:55 PM. Ms. Acksen seconded. Vote was unanimous.

Patricia Fowle, Health Agent