

REGULAR MEETING OF THE BOARD OF HEALTH
September 15, 2014

A Joint Meeting of the Board of Health and Board of Public Works was held at the Board of Public Works, 5 Arsene Street on Monday, September 15, 2014, at 6:00 p.m. The meeting was duly posted. Board of Health members present: Jeannine Lopes and Peter DeTerra. Also present: Patricia Fowle, Health Agent. Board of Public Works (BPW) members present: Michael Ristuccia, Robert Hobson, Kathy Sturtevant, Brian Wotton and Steven Riley. Also present: Vincent Furtado, Superintendent, Linda Shick, Sewer Superintendent and Kathy Tripp, Administrative Assistant.

Mr. Furtado stated the purpose of the meeting was to collaborate on reducing the amount of fats, oils and grease entering the sewer system particularly from food establishments. The BPW is working on updating their regulations including requirements for grease traps/interceptors and was looking for input from the BOH on what is done onsite with food establishments. The health agent stated the routine is to visually check the in-line grease trap during the bi-annual food establishment inspection, including the posting of a maintenance record with sign-off by establishment personnel regarding cleaning and maintenance. In-ground grease interceptors of 1,000 gallons or more are pumped annually with the pumping record forwarded to the BOH office. Members of the BPW felt the BOH should be more involved in this regard and require the establishments to open the in-line units for inspection. The health agent stated this not a practice any BOH utilizes because of the pungent odor, mess and time consumed while on a restaurant inspection. The responsibility lies on the user. The Federal Food Code currently in effect in Massachusetts states if a grease trap is in use it must be accessible for cleaning. The food service inspection does not encompass the actual cleaning of the units. If this is what the BPW would like, perhaps its regulations can be changed to reflect this and an inspectional service can perform the job for a fee. Mr. Furtado indicated such a system was in use in New Bedford, his former employer. Ms. Lopes noted that the BPW adopted a grease trap regulation in 2008 that should have alleviated if not abated the problem if enforced by them. Discussion ensued on responsibilities. Mr. Furtado provided copies of the BPW regulations with proposed changes and asked for written comments from the BOH. The BOH also stated they would provide a list of food establishments in town that have in-line grease traps and in-ground grease traps. The BOH left the meeting at 6:35 p.m.

A Regular Board of Health Meeting at the Town Hall was held on Monday, September 15, 2014 at 6:48 p.m. Board members present: Jeannine Lopes, Peter DeTerra and Barbara Acksen. Also present: Patricia Fowle, Health Agent.

Chairman Lopes called the meeting to order at 6:48 p.m. and asked for a motion to approve the minutes of the meeting of August 25, 2014. Motion to approve the minutes was made by Ms. Acksen; seconded by Mr. DeTerra. The vote was unanimous.

Appearing before the Board were members of the Tobacco Free Communities Partnership-Judith Coykendall, Kathy Wilbur and Sarah McColgan. The purpose of the discussion was to inform the Board of new regulation changes that other local communities are in the process of making to their own tobacco regulations regarding sales to minors and the smoke free workplace law. Ms. Wilbur showed some of the new and evolving tobacco products that the Board stated clearly were enticements to minors-flavored cigars, flavored wraps, cheap pricing. Ms. McColgan gave updates that other communities are following through with each community's tobacco regulations: uniform language, change of minor age to 21, use of e-cigarettes, ban of all flavored tobacco products, cessation signage in stores, cap on number of tobacco permits allowed, tobacco sales permits not allowed within 500' of a

school, cigars not to be sold for less than \$2.50 each and if in packs of two for not less than \$5.00 and other such changes. Discussion ensued. The Board expressed interest and said they would follow-up with Ms. McColgan who stated that if the Board does amend its regulations the amendments will be prepared, if requested, by the attorneys working for the Partnership.

Next appearing before the Board were Jami Franco, General Manager and Armando Pereira representing the Seaport Inn, 110 Middle Street. The establishment has an old indoor pool that was constructed in the 1960's and has not been in use for many years. Four sets of plans were presented to the health agent over the last 9 months for review for compliance with the State code, 105 CMR 435.000 "Public and Semi-Public Swimming Pools" . The plans presented this evening before the Board appear to be in compliance. The intent is to demolish the operational parts of the pool and, using the pool structure, to renovate as per plan and bring the pool into compliance. The Board reviewed the plans and stated they would approve them with the condition that an as-built construction plan of the finished pool be provided to the Board by an engineer and stamped by the engineer that the pool is in compliance.

Motion to approve the plan with the stated condition was made by Mr. DeTerra; seconded by Ms. Acksen. The vote was unanimous to approve the plan with the condition that an as-built construction plan of the finished pool be provided to the Board by an engineer and stamped by the engineer that the pool is in compliance.

Health Agent's report:

The Board reviewed a septic system inspection report for 316 New Boston Road as prepared by Jason Haskell of all Clear Septic & Wastewater Services, Inc, Acushnet, MA dated August 21 and September 3, 2014. The health agent was present during the inspection. The inspection passed.

Motion to accept the report as written was made by Ms. Acksen; seconded by Ms. Lopes. The vote was two in favor with Mr. DeTerra abstaining.

The first 300 doses of 2014-2015 flu vaccine have been received. The DPH is requiring that all individuals receiving the vaccine have their data entered into the State's data base through MIIS. The Fairhaven Community Nurse Association will be doing that work for the Board as they are contracted as the Board's public health nurse. This may be the last year the Board will offer flu vaccine due to use restrictions the DPH will place on the 2015-2016 vaccine. Clinic dates are Tuesday, October 14 from 11:00 a.m. to 1:00 p.m. and Tuesday, October 21 from 5:00 to 7:00 p.m. at the Recreation Center.

The Board then reviewed the five applications for the advertised Health Inspector position. Of the five, two were chosen to be interviewed. The candidates will be called and a Board meeting will be scheduled thereafter for that purpose.

Invoices were signed.

There being no other business before the Board, motion to adjourn was made by Mr. DeTerra; seconded by Ms. Acksen. The vote was unanimous. The meeting adjourned at 8:00 p.m.

Respectfully submitted,
Patricia Fowle, Health Agent