

REGULAR MEETING OF THE BOARD OF HEALTH  
October 6, 2014

A Regular Board of Health Meeting at the Town Hall was held on Monday, October 6, 2014 at 6:30 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 6:30 p.m. and asked for a motion to approve the minutes of the meeting of September 15, 2014. Motion to approve the minutes was made by Mr. DeTerra; seconded by Ms. Acksen, noting she was not present for the joint meeting with the Board of Public Works. The vote was unanimous.

At 6:40 p.m. Chairman Jeannine Lopes motioned to enter into Executive Session pursuant to M.G.L. 30A § 21 and to re-convene in Regular Session:

To interview two candidates for the position of health inspector.

Mr. DeTerra seconded. The vote was unanimous. Roll Call vote: Mr. DeTerra in favor, Ms. Acksen in favor, Ms. Lopes in favor.

At 7:25 p.m. Chairman Lopes motioned to re-convene the Regular Session of the Meeting of the Board of Health; Mr. DeTerra seconded. The vote was unanimous.

The Chairman stated the two interviews for Health Inspector were completed and the Board would now vote to appoint a new Health Inspector.

Mr. DeTerra motioned to appoint Thomas Hemingway as Health Inspector; seconded by Ms. Acksen. The vote was unanimous.

The Board entered into a discussion on rate of pay for the position. Mr. DeTerra motioned to approve Level 11, Step 3, \$20.68, in the Personnel Pay Schedule 2014-2015; seconded by Ms. Acksen. The vote was unanimous. The Board directed the Health Agent to inform the candidates by phone the next day and to have Mr. Hemingway sign a one-year contract with the Board of Health. It is anticipated that he will start immediately and will be under the direct supervision of the Health Agent.

Health Agent's report:

The Board reviewed a septic system inspection report for 12 Saltmarsh Road as prepared by Ronald Arruda of Fairhaven Honeywagon, Fairhaven dated September 23, 2014. The health agent was present during the inspection. The inspection passed.

Motion to accept the report as written was made by Mr. DeTerra; seconded by Ms. Acksen. The vote was unanimous.

The Board next reviewed proposed changes to its Tobacco Sales Regulations, ETS Regulations and Tobacco Use in Municipal Buildings Regulations as discussed at the previous meeting of September 15, 2014, with members of the Tobacco Free Communities Partnership. The Board expressed interest in having Sarah McColgan of the Partnership have Cheryl Sbarra of MAHB draft the amended regulations for the Board's consideration. Proposed changes to the regulations include: define e-cigarettes, hookas

and liquid nicotine as a tobacco product to limit use publically, include cessation signage at registers, include minimum pricing on single and double cigars, cap on number of tobacco permits allowed (now at 17), ban all flavored tobacco/nicotine products, require a disposal plan for all liquid nicotine products, ban sale of tobacco products within 500' of a school, define tobacco/nicotine products more clearly and incorporate municipal buildings and the required 25' setback for tobacco use in the ETS Regulation thereby eliminating the Board's Municipal Building Regulation.

The Board will discuss adoption of the draft regulations at its next regular meeting and proceed with a public hearing in the near future if the Board intends to adopt some or all of the proposed changes. It is anticipated the amended regulations, if adopted, will be effective for the new use year starting January 1, 2015.

The Board reviewed its fee schedule which has not been reviewed since 2010. Changes were made in the following categories: Animals, Garbage/Offal, Food Establishment, Funeral Director, Swimming Pool, Septic, Well Permit and Tanning Salons.

Motion to approve the new fee schedule was made by Ms. Lopes; seconded by Mr. DeTerra. The vote was unanimous. A copy of the new schedule is attached and is part of this record.

The Board was invited to attend a public meeting of the DEP on October 17, 2014, at 2:30 p.m. in the Town Hall at which time DEP will discuss and explain the DEP signed agreement with the Fairhaven Shipyard on 24 Water Street.

Flu clinics are scheduled October 14 and 21 at the Recreation Center, Huttleston Avenue.

The Government Study Group requests to meet with the Board at a Board of Health meeting on October 20, 2014 at 6:30 p.m.

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 8:20 p.m. The next meeting will be held on Monday, October 20, 2014 at 6:30 p.m. at the Town Hall.

Respectfully submitted,  
Patricia Fowle, Health Agent