

REGULAR MEETING OF THE BOARD OF HEALTH
December 1, 2014

A Regular Board of Health Meeting at the Town Hall was held on Monday, December 1, 2014 at 6:30 p.m. Board members present: Jeannine Lopes and Peter DeTerra. Ms. Barbara Acksen arrived at the meeting at 6:33 p.m. 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 Regular Meeting of October 20, 2014. Motion to approve the minutes was made by Mr. DeTerra; seconded by Ms. Lopes. The vote was two in favor and one member absent.

Appearing before the Board was Ms. Judith Sumner owner of 10 Bluepoint Road and her son-in-law Mike Ouimette. Alterations and renovations are being done at the property. Ms. Sumner stated she is taking care of her elderly mother and her two older children have also come home. There is no basement and the current attic structure leaves little room for storage. A renovation/alteration plan was approved by the health agent and the Building Department has issued a building permit. However, Ms. Sumner stated the contractor did not request what she wanted and she is before the Board of Health for that reason. Her intent from the beginning was to have a complete full attic space with permanent stairs, windows, full dormer and a walk-out deck for a view of Little Bay. The health agent refused to sign off on the proposed amendments to the building permit and thus the meeting with the Board. The health agent stated this is a three-bedroom dwelling per Board of Health record. The addition of a full attic as represented by the owner will lend itself to increased habitability thus creating a non-compliant dwelling per the Board of Health Regulations for the West Island Sewer Zone. Ms. Sumner stated the need for storage is extreme and the roof is off the structure at this time. A decision is required. Discussion ensued.

Motion to allow the attic structure with a full dormer and permanent stairs but no windows and no deck and to place a notice of same in the Registry of Deeds was made by Ms. Acksen. Ms. Lopes seconded. The vote was Ms. Acksen and Ms. Lopes in favor and Mr. DeTerra opposed stating he wished to remain consistent historically with such practices involving the West Island Sewer Zone Regulation.

The Board signed the newly amended Tobacco Regulations: Regulation Prohibiting Tobacco Use in Workplaces and Public Places and Regulation Restricting the Sale of Tobacco Products. A summary notice of the amendments will be published in the Fairhaven Neighborhood News December 4, 2014.

Health Agent Report:

The Health Agent reported an update of the New Bedford proposed "Cloud 9" ban. Other communities have done such a ban including Boards of Health. However, enforcement is the issue and the lack of personnel makes this difficult.

The Board received a request for the keeping of animals for emotional support. The Board will consent to what the federal law allows and the individual will be notified.

The health agent position will be reviewed by the Personnel Board for a level change on Friday, December 5 at 3:30 p.m. Two Board members will attend and a Board meeting notice will be posted.

The Health Agent informed the Board of her plans to retire in July 2017, and her intent to file with the Selectmen for the Early Retirement Incentive, as is required by the Personnel By-Law.

Invoices were signed.

There being no other regular business before the Board, motion to adjourn at 7:50 p.m. and enter into Executive Session to discuss a personnel matter was made by Ms. Lopes; seconded by Mr. DeTerra. Roll call vote: Ms. Lopes, yes; Mr. DeTerra, yes; Ms. Acksen, yes. The vote was unanimous.

The next Board meeting will be January 5, 2015.

Respectfully submitted,
Patricia Fowle, Health Agent