



TOWN OF TISBURY

Office of

THE BOARD OF HEALTH

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Meeting Minutes – February 13, 2018 – 4:00 PM

The Tisbury (Town) Board of Health (BOH) met on Tuesday, February 13, 2018, at the Tisbury Town Hall Annex.

Commissioners in attendance were Chairman Malcolm Boyd, Michael Loberg and Jeff Pratt. Maura Valley, Health Agent, Catie Blake, Assistant Health Agent, and Valerie Soushek, Administrative Secretary, were also in attendance.

Chairman Boyd presided and called the meeting to order at 4:02 PM.

Meeting Minutes: The commissioners approved meeting minutes, with Commissioner Loberg's amendments, dated January 9, 2018.

Health Agent Operational Updates

NitROE Pilot Program

Ms. Maura Valley provided the following updates:

- There have been cost overruns;
- The project team may not proceed with a couple of the selected properties:
 - It won't be possible to install a 2,000 gallon tank at one of the properties on Skiff Avenue;
 - The elevations aren't adequate at another property in that there isn't enough of a pitch between the tank and leaching; however, the property owner doesn't believe this will be a problem. A meeting with the property owner and project engineer will be held next week to determine whether to proceed with this property.
- The project team is working to hire an electrical contractor so that pumps can be installed as systems are being installed. Cost is a factor for consideration.
- The project team has learned that several installers did not receive the original request for proposal, so the deadline has been extended with a closing date of this Friday, February 16, 2018.
- Additional State requirements to have elevations and contours included on as-built plans will add about \$1700 of engineering costs to each property installation. Mr. George Heufelder has agreed have a conversation with Sanh Tran when she

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returns from vacation about not including such requirements for retrofits of existing systems as he will have the same issue with the layer cake system installation at the Muldowney property.

- In general, the project team is considering options for cutting costs, staying within budget and meeting deadlines for the installation of 10 systems.

Chairman Boyd asked if Ms. Valley had discussed the matter with Sharon Strimling, to which she confirmed their conversation. Sharon understands the dilemma but would like to participate in the pilot program in some manner even partially if possible; however, Ms. Valley noted that she does not believe this will be an option with the State for such a 5-bedroom system. Ms. Valley added that unless they find a way to fit a 2,000 gallon tank on Sharon's property, the tank will be re-dispositioned to the Hambrecht property on Spring Street.

Commissioner Pratt questioned as he sits on other Town boards, when to introduce data on the NitROE pilot as plans are underway for warrant articles and budgeting to install Wick systems for disposal of treated effluent. Commissioner Loberg cautioned him to use a bit of restraint when considering other installations until real data from 8 or 9 of the NitROE pilot installations is available. Commissioner Loberg further advised that Wick installations at the downtown Tisbury/State Road corridor should move forward.

Commissioner Loberg confirmed Commissioner Pratt's point that installing 1,000 of the NitROE at a total (shared) cost of \$10 million is more effective than putting \$10 million into a sewer system.

Commissioner Pratt requested the other commissioners' permission to put this concept on the agenda for an upcoming Sewer Board meeting. Commissioner Loberg stated his preference to share the preliminary data when it is available. Commissioner Pratt agreed to table the motion as an agenda item until actual field data from the NitROE Pilot Program is available. All commissioners agreed with this path forward.

Appointments:

4:15 PM Ms. Julie Fay, homeowner, and Mr. Bill Potter, Squash Meadow Construction proposed renovations at 16 Morse Lane / 3-A-7

Ms. Fay and Mr. Potter sat before the commissioners to request approval to finish the basement in Ms. Fay's home, which already has three (3) bedrooms, the maximum allowed as the property is in the Coastal District.

Ms. Valley noted that once a bathroom is introduced into a basement the basement is counted as at least one potential bedroom. In order to allow for the finished basement, the homeowners are willing to file a deed restriction forever restricting the property as a three (3) bedroom home.

Ms. Fay responded to Commissioner Loberg's inquiry that she intends to convert the basement to an office and TV room.

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Mr. Potter added that the original building plan and permit included rough plumbing for basement bathroom; a 4th bedroom has never been part of the building plans.

Ms. Valley confirmed for Commissioner Loberg that variances for new construction are not allowed in the Coastal District; the plan meets all setback requirements; the contractor has constructed room openings to be greater than 7 feet, non-conductive to privacy.

Commissioner Pratt wondered if approval of the deed restriction would be setting a bad precedent, to which Ms. Valley confirmed that most homeowners don't offer to file a deed restriction with such (common) requests; such requests are always considered by the commissioners on a case-by-case. Commissioner Loberg stated that he believes it's a good precedent to set; Ms. Valley confirmed that the deed restriction would prevent the Fays from selling the home as a four (4) bedroom dwelling in the future and the coastal district regulations won't allow more than three (3) bedrooms on the lot.

Commissioner Pratt motioned to approve the construction of a half bath in the basement at 16 Morse Lane; Commissioner Loberg seconded the motion and asked Ms. Valley if she had any concerns with the plan, to which she confirmed she did not.

Chairman Boyd inquired about the grade of the lot, to which Mr. Potter confirmed that it is a flat lot.

All commissioners voted in favor of Commissioner Pratt's motion.

4:30 Lucy Morrison, Martha's Vineyard Commission (MVC) re: Eversource and Health Agent Operational Updates, cont.

Ms. Valley reminded the commissioners that she received Eversource's 5-year vegetation management plan for 2018-2022 and had forwarded it to them as an attachment in a recent email. Ms. Valley added that the report had been received from Ms. Morrison, who was before them to discuss a strategy for delivering a statement at one of the upcoming public hearings on March 1st and 6th.

Adam Turner, Lucy's Director at MVC also joined the meeting once the discussion was underway.

Commissioner Loberg requested inclusion of the following items in the statement from Tisbury:

- Removal of Triclopyr, which is chemically similar to Agent Orange, from Eversource's list of herbicides used on Martha's Vineyard;
- Regardless of the State approved list, Eversource should notify abutters of their intent to spray, the schedule for doing so, what is being sprayed, and when it's safe to return to their property after spraying.
 - According to Ms. Valley, Eversource believes that the Town doesn't have authority to ask for this information and therefore won't provide it.
- The Town is putting forth a warrant article to request "home rule" for the right to regulate the use of herbicides within the town..
- Protocols should be specific to residential versus roadway rights-of-way.

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Mr. Turner confirmed that the MVC will be looking at other States for their vegetation mitigation protocols; to “chip away” at Eversource’s plan by asking them to eliminate some of the more toxic herbicides, i.e. Triclopyr and Azadpur, from their list; requesting improved abutter notifications; proving that Martha’s Vineyard is a uniquely sensitive habitat; and requesting more advanced notice for responding to Eversource’s 5 year and annual plans.

Chairman Boyd encouraged the MVC to research PAN, who deals with such issues and has had success in California

Mr. Turner confirmed that private usage of fertilizers is much greater than Eversource’s efforts at vegetation management along their rights-of-way.

Ms. Valley confirmed to Commissioner Pratt that the commissioners are being asked to draft a statement for the upcoming hearings and to be shared with MVC.

Ms. Morris stated that MVC is trying to get as many letters for MDAR and Eversource, from boards of health, water departments and conservation commissions, as possible. She confirmed that she will be addressing this topic with the Towns of Oak Bluffs and Edgartown.

Mink Meadows Mosquito Control

Ms. Valley reported that all approvals have been obtained and work will be commencing for mosquito control at Mink Meadows.

Fertilizer License Renewals

Ms. Valley noted that the three (3) year licensure period is over.

ACEMV is offering refresher courses on March 24, 2018 at MVRHS. There is an information session, \$35, for homeowners, and a certification session, \$80, for licensed landscapers.

Assistant Health Agent Report

Flu Clinic

Ms. Blake reported: a flu clinic will be held this Thursday, February 15, 2018, 4-6 PM and is available by appointment at this time; 26 island residents have signed up so far; walk-ins will be accepted on the day of the clinic; advertising has been focused on the Brazilian community; VNA is providing nurses.

Ms. Valley stated that she continues to question the need to have BOH-sponsored flu clinics in the future as several Island pharmacies are administering the vaccine to the general public and, as a result, participation in the flu clinics has significantly declined

Ms. Blake added that she favored the health fair option for administering flu shots, checking blood pressure and providing general health information to the community.

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MRC (Medical Reserve Corp) Report

Ms. Blake noted that she is vice-chair of the MRC and will be working with Marina, BOH Chilmark, to regain momentum of the program.

Commissioner Loberg inquired about a documented procedure for a pandemic clinic, to which Ms. Valley confirmed that one exists and is held with the Board of Health.

DWAs approved by the Board

4104 Paulo Muniz / Skiff Avenue / 12-B-13.1

Ms. Maura Valley provided a review of the plan for the commissioners: the plan is for new construction, a subdivided lot in a watershed; an advanced treatment, FAST, system is being proposed. Ms. Valley confirmed that she has no concerns and recommended approval by the commissioners.

Commissioner Pratt motioned to approve the septic plan and disposal works application for Paulo Muniz; Commissioner Loberg seconded, and all commissioners voted in favor of, the motion. There was no further discussion.

DWAs approved for the NitROE Pilot Program: N/A

Old Business: N/A

New Business

Rabies vaccine exemption for Emma Swift

Commissioner Pratt motioned to approve a Rabies vaccine exemption in 2018 for Emma Swift; Commissioner Loberg seconded, and all commissioners voted in favor of, the motion. There was no additional discussion.

Deadline extension for septic upgrade for Lucy Thomson / 26 Hines Point / 11-A-9

Ms. Valley provided an update: the property owner recently acquired the property which has a single cesspool for its septic system; A FAST system has been approved for the property, which is in the Lagoon Pond Watershed and Ms. Thomson was given 90 days from sale and transfer to upgrade the system. The architect for the project has requested an extension for the upgrade until May to allow for system installation at the same time as major renovations are being done. The dwelling will remain unoccupied until renovations are complete and the new system has been installed.

Commissioner Loberg motioned to approve the request for an extension; Commissioner Pratt seconded the motion; the motion was unanimously approved.

Ms. Valley confirmed for Commissioner Loberg that she will add this property to the list of possible NitROE participants.

Approval of Town loan application for Joyce Allen / 12 Cromwell Lane / 7-F-15

Having met the criteria for qualifying, Commissioner Pratt motioned to approved Joyce Allen's loan application for the cost of connecting to the municipal sewer system at her residence on Cromwell Lane; Commissioner Loberg seconded, and all commissioners voted in favor of, the motion. No additional discussion was required.

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Approval of well application / John Hoft Road / 55-A-3.1

Commissioner Loberg motioned to approve the well application for Benjamin Spencer at John Hoft Road; Chairman Boyd seconded the motion; all commissioners voted in favor, unanimously.

Payables and Permits for Approval

MV Times / Advertising / \$691.20

Vineyard Gazette / Advertising / \$448

Town of Edgartown / Public Health Services / \$1,297.21

MHOA / Training / \$65

VNA/Cape Cod / \$850

Ms. Valley confirmed that the budget for FY 2019 has been reduced by \$1000, \$500 each in the equipment and overtime categories.

Commissioner Pratt left the meeting at approximately 5:35 PM.

Chairman Boyd adjourned the meeting at 5:42 PM.

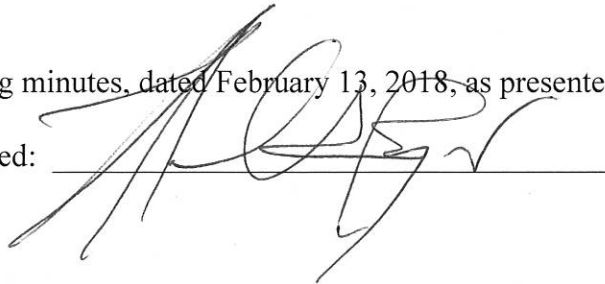
Respectfully submitted,

Valerie Soushek

Document(s)

The Board of Health accepts the meeting minutes, dated February 13, 2018, as presented.

Date: 27 March 2018 Signed: _____

A large, stylized handwritten signature in black ink, likely belonging to Valerie Soushek, is written over a horizontal line. The signature is fluid and cursive, with a prominent 'V' and 'S'.