



## **TOWN OF TISBURY**

*Office of*

### **THE BOARD OF HEALTH**

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### **Meeting Minutes – June 12, 2018 – 4:00 PM**

The Tisbury Board of Health (BOH) met on Tuesday, June 12, 2018, at the Tisbury Town Hall Annex.

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

Vice Chairman, Jeff Pratt, was absent.

Chairman Loberg presided and called the meeting to order at 4:00 PM.

Chairman Loberg and Commissioner Boyd voted to approve the meeting minutes of May 8, 2018, as amended. The commissioners also voted to approve the meeting minutes of May 22, 2018, as presented.

### **APPOINTMENTS**

#### **4:15 PM      Peter Lodi / Blue Crab Kitchen / 20 Union Street**

Mr. Peter Lodi is the new owner of Fella's, now known as Blue Crab Kitchen, on Union Street. Mr. Lodi is proposing to use the location as his commercial base of operation for catering arrangements and food preparation. The location will also serve as a market from 8 AM – 3 PM with simple pastries, a barista coffee station and deli with pre-made salads and sandwiches, cheese and crackers to go, etc. He will be petitioning the Zoning Board of Appeals for outdoor seating. The patio with a garden in the back will be used for catering private parties and events. Mr. Lodi stated that he may attempt to obtain a liquor license this winter and open the space for breakfast, lunch and dinner in May 2019.

The commissioners voted unanimously to approve Mr. Lodi's application for a site of catering/manufacturing and customer service doing business as Blue Crab Kitchen.

**4:30 PM Bid Opening for Visiting Nurse Contract**

Ms. Valley provided sealed bid responses from Island HealthCare and VNA Cape Cod for opening by the commissioners. She asked the commissioners to open the responses for review and acceptance, and take them under advisement until they can be compared and references are checked.

Chairman Loberg acknowledged opening the bids and motioned to give Ms. Valley the opportunity to come back before the Board with her recommendation(s), to which Commissioner Boyd concurred. The commissioners agreed to meet to finalize the bid review process and contractor selection on Tuesday, June 19, 2018, at 9 AM.

**HEALTH AGENT OPERATIONAL UPDATE**

**Dorsey Property / Daggett Avenue**

Ms. Valley reported that this has been a problem property for some time; it has been frequented by Tisbury Police due to drug use and dealing on a several occasions, and there have been multiple complaints about accumulated and scattered trash on the property. Recent complaints have been received from one of the neighbors, who was concerned about scattered trash and debris in the yard. Ms. Valley contacted one of three sisters, two (2) of whom are deceased. The remaining sister explained that the house was left to the grandchildren, who reside off-island, and advised Ms. Valley to call her son, Toby. Upon phoning, Toby agreed to have the property cleared of the trash and debris. Additional family members have also been clearing the trash on the weekends. The property owners are trying to sell the house, which will be a complete tear-down and is currently unoccupied.

**Bat Research**

At Chairman Loberg's request, Ms. Valley inquired with Mr. George Balco. A team from BiodiversityWorks is gathering data for their research on the decline of the bat population due to white-nose syndrome. They have requested approval from Mr. Matt Crowther at Mink Meadows to install a sensor that detects and records sounds in the frequency that bats make. If bats are detected, they will be captured and banded for long-term monitoring.

**Herbicides at Landfill**

Ms. Valley reported that there is a problem with invasive bamboo at the landfill. The contracted arborist is proposing the use of Finalsan Herbicide, an ammonium soap of fatty acids. It will be used on a capped and secured area of the landfill and applied directly to the bamboo shoots. The commissioners were not opposed to the recommended use.

**Mink Meadows Mosquito Control**

Ms. Valley reported that the Board of Health received a thank you note from Ms. Lindsey Lawrence at Mink Meadows for the Board's assistance in getting the dredging project completed. Ms. Lawrence has also extended an invitation to the commissioners and health agents for a tour of the finished trenches. The commissioners confirmed their interest and Ms. Valley agreed to establish a meeting time with Ms. Lawrence.

**Needle Exchange Program**

Ms. Valley reminded the commissioners of a previous meeting discussion about the AIDS Alliance of Cape Cod establishing a needle exchange program on the Island. They were initially considering a location at the hospital or a community services center. They will also provide cost-free and confidential HIV, HCV and STD testing, expedited access to pre-exposure prophylaxis, overdose education, Narcan distribution, and syringe retrieval and disposition services. The proposed location is now at the Family Planning office in Vineyard Haven. With the proposed location change, a new vote and letter of support from the Tisbury Board of Health is needed.

The commissioners voted in favor of the proposed program in Vineyard Haven and Chairman Loberg signed the letter as confirmation of the Board's support.

**Disposal Works Application Approval Process**

Ms. Valley reminded the commissioners that she currently approves plans for septic system upgrades that are not being expanded and have no variances. In other words, new construction or upgrades to expand and/or with variances are currently approved by the commissioners. Ms. Valley explained that there are times when she believes she could approve minor and uncontested variances rather than delaying approval until a meeting of the commissioners is held. Ms. Valley agreed to draft a list outlining examples of the variances encountered on a regular basis.

**ASSISTANT HEALTH AGENT OPERATIONAL UPDATE**

**The Larder** – Ms. Catie Blake reported that the Larder, a commercial kitchen, has been very busy. She has received six (6) recent requests for new licenses. This is in addition to the ten (10) licenses already issued. Ms. Blake believes that Danielle and Jefferson, proprietors of The Larder, have been very responsive to BOH requirements since opening the kitchen. They have addressed sanitation and scheduling issues of the past. Based on Ms. Blake's recent inspection, the space is clean and their schedule for licensees is organized. An inspection was recently conducted by a newly hired State inspector, who noted one infraction.

Ms. Blake also noted that Danielle and Jefferson have recently switched from internal management of pest control, to a professional service, Griggs and Brown.

**Beach Testing** – Ms. Blake reported that she will start beach testing next Monday, June 18, 2018.

**Annual Inspections** – Ms. Blake reported that she has been very busy with annual inspections of new food businesses, bed and breakfast establishments, and public swimming pools.

**Disposal Works Applications approved by the Health Agent**

4131 Thomas Tate / 101 Passamaquoddy / 66-A-5

4043R Raymond Bilodeau / 12 Bayberry Lane / 27-A-53

4132 Ruby Antik / 18 Martin Road / 8-G-7.1

**Disposal Works Applications approved by the Board**

- 4127 Nancy Penhune / 25 Delano Road / 8-O-2
- 4133 Diana Hamilton / 81 Dudley Street / 2-B-4
- 4135 Peter Muldowney / 339 Lake Street / 37-A-6
- 4136 James Hale / John Hoft Road / 55-A-8.2

**OLD BUSINESS**

**Postponement of septic upgrade for Andrew Peterson** / 99 North William Street / 5-K-20: Deadline extended to October 15, 2018. Fines of \$100/day will apply for the duration of the violation, effective October 16, 2018.

**Postponement of septic upgrade for Peggy Jewett** / 55 Jewett Lane / 4-G-7: Deadline extended to November 1, 2018. Fines of \$100/day will apply for the duration of the violation, effective November 2, 2018.

**NEW BUSINESS**

**Well application for John Hale** / John Hoft Road / 55-A-8.2 – Approved.

**Rabies vaccine exemption / Nala McGuiggin** – Decision postponed until year-round residency can be verified and justification for exemption can be obtained from Dr. Tuminaro.

**Rabies vaccine exemption / Vic McGuiggin** – Decision postponed until year-round residency can be verified and justification for exemption can be obtained from Dr. Tuminaro.

**Rabies vaccine exemption / Bjorn Cassiani** – Decision postponed until year-round residency can be verified and justification for exemption can be obtained from Dr. Tuminaro.

**Rabies vaccine exemption / Sophie Gabrielle** – Approved.

**Town loan application and septic upgrade extension / Antonio Marcos Cardoso 47 Warner Street** - Town loan application approved and installation extension granted. System must be installed by September 29, 2018.

**Drinking water testing / letter from Stephen Power**

Mr. Stephen Power appeared before the Board of Health commissioners to request that the Town of Tisbury test its drinking water for the presence of the herbicide, Glyphosate, given the recent spraying by Eversource for vegetation management at the power lines. Mr. Power also requested that the Board of Health identify abutting well locations and coordinate the testing with National Testing Lab, Inc. As stated in Mr. Power's letter, the lab fee is \$129.99 per test.

After further discussion, Chairman Loberg agreed to review the request for pesticide screening as well as other materials provided by the meeting attendees. He committed to providing a response from the Board of Health in approximately one (1) month.

**Fish waste and trash at Lake Street Landing** – Ms. Valley reported that this issue is being addressed by the Department of Public Works (DPW), who is working with the Harbormaster and Harbor Management. They were relying on Bruno's to remove trash and fish waste at Lake Street Landing, to no avail.

**Septic upgrade dispute / Richard Washington / 23 Sanborn Way –**

The commissioners agreed to enforce the established deadline for Mr. Washington to upgrade his (failed) septic system at 23 Sanborn Way. Ms. Valley is to draft a registered letter to confirm the justification of the failure and deadline to Mr. Washington.

**Committee reappointments – Approved as follows:**

Plumbing Inspector → Michael Ciano  
Assistant Plumbing Inspector → William Haynes  
Harbor Management → Malcolm Boyd  
Land Bank Advisory → Jeff Pratt  
Site Planning Review Board → Jeff Pratt  
Sewer Advisory → Jeff Pratt  
Animal Inspector → Laurie Clements and Catie Blake  
Regulation and Taxation of Marijuana Bylaw → Maura Valley  
Wastewater Planning → Michael Loberg

**Payables and Permits for Approval**

USPS / postage / \$120  
Realty Publishing Center / subscription/dues / \$150  
Vineyard Health Care Access / public health services / \$750  
Vineyard Health Care Access / public health services / \$750  
MAHB / subscription/dues / \$55  
Edgartown Board of Health / public health services / \$1,290.44  
Wright – Pierce / landfill monitoring / \$3,450.63

With no further business to conduct the Board of Health Commissioners adjourned their meeting at 6:04 PM.

Respectfully submitted,

Valerie Soushek  
Administrative Secretary

Town of Tisbury - Board of Health Meeting Minutes – June 12, 2018, cont.

Document(s) Safety Data Sheet, FiNALSAN Herbicide, Neudorff North America  
Biodiversity Works, May 24, 2018  
Bats on the brink, May 29, 2018

The Board of Health accepts the meeting minutes, dated June 12, 2018, as presented.

Date: 7/10/18

Signed: 