



TOWN OF TISBURY

Office of

THE BOARD OF HEALTH

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Meeting Minutes – January 22, 2019 – 4:00 PM

The Tisbury Board of Health (BOH) met on Tuesday, January 22, 2019, at the Tisbury Town Hall Annex.

The meeting was called to order at 4:00 PM.

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

The commissioners voted to approve the meeting minutes of January 8, 2019, as written.

APPOINTMENT

4:30 Bill Westman / 29 Franklin Street / 7-H-8
re: half bath in basement

Mr. Westman is requesting approval to construct a half bath in a full basement/game room, with a deed restriction. The dwelling is a year-round residence and no rooms will be rented.

The commissioners asked Mr. Westman to return before the BOH with official drawings at their next meeting on February 5th, 2019.

HEALTH AGENT OPERATIONAL UPDATE

Condemnation at 209 Franklin Street / 6-A-12

Ms. Valley reported on the recent fire and condemnation by the BOH at Ms. Roni DeLuz's property, 209 Franklin Street. Ms. Valley confirmed that all tenants of the property were able to find housing. The room at the front of the basement, an illegal room, was the location of the fire, and hoarding that prevented access to the exit. There

was only one mean of egress given that the other routes led to crudely-built closets and walls for narrow passageways. There were occupants at the back part of the basement, formerly (small) treatment rooms for the spa, where smoke detectors could not be heard. It was estimated by one of the occupants that eighteen (18) people were living in the dwelling, which is contrary to Ms. DeLuz's claim to eleven (11) residents.

On Friday, January 18th, Ms. Valley met with Mr. Ken Barwick, Tisbury Building Inspector, and Ms. DeLuz's Attorney, Erik Hammarlund, at the site. They walked the dwelling, room-by-room. The rooms had been emptied of the beds and items that made them efficiency units. It was agreed that an enforceable order for a maximum of eight (8) bedrooms, according to the septic capacity, will be drafted by Mr. Hammarlund.

Ms. DeLuz is also requesting that the electricity be turned back on; however, nothing can happen until Chief John Schilling returns from vacation. As stated in the BOH order, prior to lifting the condemnation status, the fire chief and building and electrical inspectors must sign in agreement.

Commissioner Pratt commended the all-team response to the fire and condemnation order.

The commissioners stated their concern regarding maintaining accountability for knowledgeable attempts to circumvent Town processes and regulations for the sake of maximizing income at the expense of safety. Ms. Valley confirmed that the Board of Health can only levy fines if Ms. DeLuz doesn't comply with the terms of the condemnation order and continued non-compliance for failing to have her septic system inspected. The building department will be addressing and enforcing the illegal wiring and wall construction, and she believes, that Chief Schilling will be citing and fining Ms. DeLuz.

The commissioners requested that Chief Schilling attend an upcoming BOH meeting to review the matter at hand as it applies to implementing and enforcing rental regulations in the future.

Budget / Social Service Programs

Ms. Valley reported that she met with Mr. Jeff Kristal and representatives from the County regarding the establishment of better processes for managing the Town's social service programs. The programs will be listed on one warrant article for the upcoming Town meeting. There was also a discussion about having some of the programs, such as those for community services, shifted to the BOH budget for better oversight and rather than paying the County a 5% pass-through fee as a fiduciary agent for simply writing a check.

Ms. Valley stated that she will be sharing a proposal from Island HealthCare, who is seeking a grant to conduct a health needs assessment that reviews service programs currently provided, needed and the availability of, for the purpose of advising the Town when prioritizing programs in the future.

Ms. Valley confirmed that there are no new program initiatives being proposed at the upcoming Town meeting.

NitROE

Ms. Maura Valley reported that she is planning to have a discussion with George Heufelder of Barnstable County regarding gathering data and comparing NitROE to other (advanced treatment) systems.

February meeting schedule

Ms. Valley reviewed the February meeting schedule with the commissioners. The commissioners agreed to meet on February 5th; however, due to limited availability, meeting on February 22, 2019 should be cancelled.

SanTOE system / Island Housing Trust (IHT) / Greenwood Ave.

Ms. Valley reported that the proposed SanTOE system for Island Housing Trust at Greenwood Avenue was approved by the State. Installation of the system is planned in March.

Pending Disposal Works Applications (DWAs) for Mayrand properties

Ms. Valley reported that Mr. Michael Mayrand has three (3) properties under order for septic inspections and citations have been issued for non-compliance. In the meantime, Mr. Mayrand has submitted two (2) new DWAs, which are being held for approval pending resolution with his non-compliant properties. The DWAs will be denied if the properties are not brought into compliance within the allowed 45-day approval period.

Town Sewer

Ms. Valley reported that she has been asked by the Tisbury Sewer Advisory Board to provide an update on properties who have not yet connected to the municipal sewer system.

ASSISTANT HEALTH AGENT OPERATIONAL UPDATE

Falls Prevention Coalition (FPC) update

Ms. Catie Blake reported that the Edgartown Council on Aging has had a program for visiting elderly residents' homes for the past six (6) months. Their representative has partnered with the Edgartown fire department to conduct home evaluations. With donations they have been able to make repairs and improvements, such as install railings and motion lights, nail down stairs and carpets, update interior lighting, install grab rails, anything that could mitigate a possible fall.

Ms. Holly Bellebuono, who runs the FPC, contacted South Mountain Company. Ms. Bellebuono was informed of the Martha's Vineyard Building Association, a group of 80 handy persons, who will do the work for the property owner for a fee.

The FPC is now working through the Criminal Offender Record Information (CORI) requirements, if any, as the property owner, not the town, will be responsible for hiring their own contractor(s).

Commissioner Pratt suggested that Chief Schilling or Tracey Jones be contacted to see if the Tisbury Ambulance Association would be willing to formulate a plan for 3 or 4 volunteers who could conduct home visits.

Ms. Blake stated that Ms. Joyce Stiles-Tucker of the Tisbury Council on Aging is very supportive of the proposed program and would be the main point of contact.

Chairman Loberg requested a written description and proposed budget for the Town. He stated that Tisbury doesn't have to be the project leader, but more information should be made available.

Inspection updates

Ms. Blake reported that she had recently conducted an inspection at Main Street Convenience Store. She ordered the business owner to remove various vaping items, flavored tobaccos, and cigarettes that were on display for sale, as he had not been licensed to sell such items to date. Ms. Blake and Ms. Valley stated that they will work to bring Main Street Convenience Store into compliance according to the licensing requirements.

DWA(s) REVIEWED AND APPROVED BY THE COMMISSIONERS – N/A

NEW BUSINESS

- Postponement of septic upgrade / 11 Tashmoo Avenue / 26-B-22 – **Approved until 6/30/2019 as long as the dwelling remains unoccupied.**
- Citation appeal – Earle Ray – **Decision postponed until all of Mr. Ray's Tisbury properties are brought into compliance according to the regulations, at which point the commissioners will consider reviewing the citations.**
 - 37 Pasture Gate Rd. / 54-C-3.2
 - 12 Surveyors Lane / 23-A-20.1
 - 409 State Road / 23-A-28

BILLS AND PERMITS FOR APPROVAL

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With no further business to conduct the Board of Health commissioners adjourned the meeting at 5:22 PM.

Respectfully submitted,

Valerie Soushek
Administrative Secretary

Document(s)

The Board of Health accepts the meeting minutes, dated January 22, 2019, as presented.

Date: 3/19/19

Signed: 