



TOWN OF TISBURY

Office of

THE BOARD OF HEALTH

PO Box 666, 66 High Point Lane

Vineyard Haven, Massachusetts 02568

Telephone (508) 696-4290

Fax (508) 696-7341

Meeting Minutes – March 28, 2017

The Tisbury (Town) Board of Health (BOH) met on Tuesday, March 28, 2017, at the Tisbury Town Hall Annex.

Commissioners in attendance were Malcolm Boyd, Michael Loberg and Chairman Jeff Pratt. Maura Valley, Health Agent, and Catie Fuller, Assistant Health Agent, were also in attendance.

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

Minutes

Commissioner Boyd moved to accept the minutes of February 28, 2017. Chairman Pratt seconded the motion. The motion was approved, unanimously, with no further discussion.

Health Agent Operational Updates

DWA Extension for 2-G-1 / 926 Main Street

Doug Sederholm, Esquire, requested an additional extension for a BOH required septic upgrade, Disposal Works Application (DWA) 3905, approved by the BOH on 2/5/2015. Expanded renovations and landscaping by the new owners, The McVey's, are not expected to be completed by 6/1/2017, the expiration date of the first extension; hence, they are requesting an extension to 12/1/17, an additional 6 months. The current DWA for the seasonal property expires January 5, 2018 and the current septic system is in sound operating condition according to an inspection by Doug Cooper in 2016. As this is the 2nd request for an extension, the BOH unanimously approved an amended motion for an extension to 10/31/2017, only.

Status of Septic Plan Review for Kuehn's Way

Ms. Valley is in the process of reviewing the septic plan for Kuehn's Way. She will email the commissioners information on the GPC filter, the proposed pilot system. Ms. Valley has also committed to keeping the commissioners informed on the water protections for public water supply. Ms. Valley has consulted with George Heufelder, Barnstable County, and Brian Dudley, Mass DEP, both of whom are familiar with the GPC filter technology and had no negative comments to provide. However, a mounding analysis should be required by the BOH as recommended by Mr. Dudley. Commissioner Loberg would like to see more historical data on the type of pilot system being proposed, i.e.

Town of Tisbury - Board of Health Meeting Minutes – March 28, 2017, cont.

what kind of data can the BOH expect to see from this advanced septic system. Ms. Valley will forward the presentation from Holmes and McGrath when it becomes available as it could answer some of the questions for the BOH. The BOH has to act by May 2, 2017 so it was agreed by all that a public hearing would be held at the next BOH meeting on April 11, 2017.

Status of Grant for Septic Pilot Programs

Ms. Valley and Dr. Loberg reported on the recent teleconference with the granting agency at the agency's request. They had questions regarding the town's intent for the grant. Ms. Valley and Dr. Loberg were received courteously during the meeting and were advised that the grant application has gone through a preliminary review and will move to the next phase of approval by the CEO who will be the final decision-maker. Once approved, a contract will need to be negotiated which can be time intensive. Ms. Valley has been keeping a list of residents who are interested in participating in the pilot program.

Revised Age Regulations for Tobacco Sales

West Tisbury is not interested in changing the age for tobacco sales from 18 to 21. Health agents from the other towns are still in favor of proceeding with the adoption of the new age regulation without West Tisbury. Commissioner Loberg would like to receive some form of formal resolution/recommendation from the other towns in favor of adopting as long as there are 5 interested towns.

Eversource Vegetation Management 2017

Ms. Valley reported that a letter opposing Eversource's plan to treat with herbicides in the right of way was sent from Ms. Valley, Mr. Grande, and Jeff Pratt, who is recommending that a point person from the BOH be identified for fielding questions and concerns from the general public and press. A fact sheet confirming the BOH's position and how they are attempting to protect Tisbury residents should also be available for town residents. The BOH voted to appoint Ms. Valley as the main contact person with the responsibility of drafting a press release for the MV Times and Gazette and a fact sheet. The Commissioners voted to approve the motion, unanimously.

I/A System Review and Approval

It has come to the attention of the BOH office that standards for approval of IA systems have not been uniformly enforced, i.e. immediate abutter notifications, deed notices, verification of a signed operations and maintenance contract before a Certificate of Compliance is issued, etc. Ms. Valley confirmed that all parcel files are being audited for the aforementioned criteria and the findings will be provided to Barnstable County for their tracking program service.

Barnstable County's I/A Tracking Program

Ms. Valley reported that a regulation for requiring the submission of monitoring reports to the BOH must be adopted. The BOH agreed that a public hearing will be held on 4/25/2017.

Rental Registration Bylaw

Ms. Valley reported on the status of the joint rental registration bylaw, which is intended to address the safety of residents, overcrowding and substandard living conditions. Much of the confusing self-certification language was removed for clarity and simplification of the process. Tisbury's Town Council has reviewed and approved the bylaw. It is now on the warrant article for the special town meeting and the Board of Selectmen still need to establish the fee structure.

Town of Tisbury - Board of Health Meeting Minutes – March 28, 2017, cont.

Nursing Contract

Ms. Valley reported that she and Marina of the Chilmark Board of Health are preparing a contract bid package that allows for multiple bidders, including Vineyard Healthcare and Cape Code VNA, on individual nursing services. The bid package is still in the early stages of drafting.

Tobacco License Application for Island Puff and Pass at 15 Main Street

Ms. Valley requested the BOH's approval on the tobacco license for Island Puff and Pass. The owners wish to sell rolling papers, blunts, vapor cigarettes, and other paraphernalia for smoking marijuana. Commissioner Boyd moved to approve the license. Chairman Pratt seconded the motion and it was approved by the Board, unanimously.

Old Business

Conflict of Interest Law Training

Chairman Pratt completed the training and submitted proof of completion to Ms. Kim Lucas, Human Resources for the Town. Commissioner Loberg asked to have the link for the web-based training re-sent to him. All other certificates of completion for the Board of Health staff and commissioners have been provided to Human Resources.

Appointments

4:30 PM Public Hearing re: Floor Drain Regulations

Chairman Pratt opened the hearing at 4:54PM.

Paul Wohler, Superintendent of the Tisbury Water Department and Bob Rafferty, Project Manager from Environmental Partners Group, were in attendance. According to Mr. Wohler, the Massachusetts Department of Environmental Protection drafted the regulations in the 1990s and most towns are already enforcing them. There were no attendees from the general public. Commissioner Loberg moved to approve the floor drain regulations as presented, effective March 28, 2017. Commissioner Boyd seconded the motion and it was approved unanimously by the BOH, at which point the hearing was closed.

4:45 PM David Dragas, Yu Asian Bistro dba Mikado's

Ms. Fuller confirmed that all required documents for Yu Asian Bistro to open at the top of Main Street have been received by the BOH. The Bistro will serve Japanese, including Sushi, Chinese and Thai cuisines, with beer and wine for now. Ms. Fuller recommended that the Board approve the license, which was granted unanimously by the commissioners.

DWA approved by the Board

4035 William Mueller 15 Fairfield Avenue 5-A-17.1

The Board of Health unanimously approved the Disposal Works Application No. 4035 for William Mueller.

DWA postponed by the Board

4029R Pokedam Partners 225 Bigelow Road 28-A-2

Reid Silva has designed a pump and tank system for installation within the watershed and a leaching field within a corner of the property that is outside of the watershed. The commissioners agreed to delay a decision and requested a meeting with Mr. Silva and the property owner at the next BOH meeting on April 11, 2017. The motion was approved unanimously.

Town of Tisbury - Board of Health Meeting Minutes – March 28, 2017, cont.

New Business

The Board of Health voted to unanimously approve a rabies vaccine exemption for Emma Swift, a female neutered American Shepherd.

Payables

The Commissioners approved payment of the following bills:

Advanced Printing	\$ 89.50
Sprint	\$ 78.49
Thomas Reuters	\$ 206.00
Town of Tisbury – Comcast	\$ 99.21
VNA/Cape Cod	\$ 595.00
Wright-Pierce	\$2,490.00

Next meeting

April 11, 2017 at 4 PM

With no further business to conduct the Board of Health meeting adjourned at 5:46 PM.

Respectfully submitted,

Valerie Soushek

Documents

Cape Cod Times article, posted March 27, 2017, *4 Cape towns lose appeal of Eversource herbicide plan*, by Cynthia McCormick

Draft, *Town of Tisbury Board of Health Floor Drain Regulations*

Draft of a joint bylaw for the registration of rental properties

Agent's Notes for Kuehn's Way, by Maura Valley

Letter of request to extend septic upgrade deadline at 926 Main Street, by Doug Sederholm

The Board of Health accepts the meeting minutes, dated March 28, 2017, as presented.

Date: 4/11/17 Signed: [Signature]