



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

BOARD OF HEALTH MEETING MINUTES – October 1, 2019 – 4:00 pm

The Tisbury Board of Health (BOH) met on Tuesday, October 1, 2019, at the Tisbury Town Hall Annex.

Chairman Pratt called to order at 4:00 PM.

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

Meeting minutes from September 17, 2019 were accepted as presented.

APPOINTMENTS

4:30 PM Show Cause Hearing – Jay's Septic Service

The Board of Health Commissioners scheduled this hearing to allow Jay Araujo the opportunity to show cause why he should not be fined and/or have his license to operate within the Town of Tisbury suspended or revoked for failure to obtain pumpout permits as required by Board of Health regulation and the State Environmental Code 310 CMR 15.000.

Mr. Araujo has a history of failing to obtain permits prior to pumping systems within the town. To make the process as simple as possible for Mr. Araujo, Valerie Soushek agreed to allow Mr. Araujo to call in the permits which she would then issue and charge to a credit card on file. Logs submitted by Edgartown Wastewater show that Mr. Araujo pumped seven (7) systems in July and four (4) systems in August without obtaining the necessary permits. September logs are not yet available.

BOARD OF HEALTH MEETING MINUTES OCTOBER 1, 2019

Mr. Araujo apologized for not obtaining permits, explaining that he does try to obtain the permits but is so busy at times that he doesn't have the opportunity to do so. He understands that it is his responsibility to get the permits and will accept any fines the Board imposes.

Discussion of the issue followed with the Commissioners stressing the importance of obtaining permits so that this office can monitor the state of septic systems within the town. The Commissioners agreed to have Ms. Valley and Ms. Soushek work with Mr. Araujo and issue blocks of permits in advance so that he has permits available when an emergency arises, or he is too busy to obtain a permit. Mr. Araujo will then forward a copy of the permit to the BOH office when it is used. This process will also be made available to other pumpers if they wish. Ms. Valley will also discuss establishing an online permitting process with the IT Director.

It was further agreed that Mr. Araujo would pay permit fees due for all outstanding pumpout permits. Additionally, the Board of Health Commissioners MSC to fine Mr. Araujo \$500.00 for failure to obtain pumpout permits with the understanding that any future violations would result in suspension of his license to operate within the Town of Tisbury.

HEALTH AGENT OPERATIONAL UPDATE

Landfill – Ms. Valley reported that she had an appointment with the Finance Committee on October 16th to request a reserve fund transfer for costs associated with applying to amend the state mandated landfill testing requirements. She also reported that she had requested information from the Mass DEP regarding food waste composting requirements.

Flu Clinic – The annual all-island flu clinic is scheduled for Saturday, October 19th from 10:00 am to Noon in the high school cafeteria.

ASSISTANT HEALTH AGENT OPERATIONAL UPDATE

Food Code Pro Program Update – Ms. Blake reported that she had completed the training on the inspectional software and would begin using it during restaurant inspections. It appears that the program will be extremely helpful with conducting and tracking inspections.

Scottish Bakehouse Hood Fire – Ms. Blake reported that there had been a small hood fire at the Scottish Bakehouse over the weekend. Prior to her inspection Danielle Barrick, the establishment owner, had fired her hood maintenance contractor for failure to complete inspections in a timely manner and hire a new contractor. The hood has been cleaned and complete BOH and fire inspections were conducted prior to the establishment reopening.

DISPOSAL WORKS APPLICATIONS APPROVED BY BOH COMMISSIONERS

4220 Amelia Hambrecht 12-D-24 – Proposed NitROE system approved pending receipt of NitROE design sheet and Mass DEP approval. Commissioner Boyd recused himself from reviewing the Plan as he is a paid contractor for Ms. Hambrecht.

NEW BUSINESS

Vaping Ban – Ms. Valley reported that she and Ms. Blake had visited the stores permitted to sell tobacco products to enforce the emergency ban on the sale of vaping products. All stores that were selling the products have removed them from their shelves.

OLD BUSINESS

Hall Property Wastewater Issues – Ms. Valley stated that she had spoken to Brian Dudley of the Mass DEP who recommends that the existing tank be excavated and repaired if it is a simple repair. If the tank is structurally unsound both buildings on the property must tie into the sewer. The Commissioners accepted Mr. Dudley's recommendations and set a deadline of November 1st for the excavation and December 1st for the property to tie into the sewer if necessary. Ms. Valley will witness the excavation to confirm the condition of the tank.

Request for Continued Use of 317 State Road – 317 State Road is currently an occupied dwelling with a failed septic system. The Sawyer family had received BOH approval to continue using the property until December 31, 2019 on the condition that they monitor the system and pumpout as often as necessary to prevent any overflow. Effective December 31st the property was to be vacated and remain unoccupied until the system is upgraded. Michael Sawyer has now submitted a request to remove all plumbing from the building and continue to use it as office space after December 31st. Ms. Valley explained that this would be a violation of the State Plumbing Code which requires employee bathrooms for commercial properties. The BOH has granted waivers in the past for buildings without existing plumbing that had bathroom facilities available within 300 feet but have never allowed for the removal of plumbing and continued use of the property. The BOH Commissioners voted to deny the request for continued use of the property and reaffirmed that the property must be vacated by December 31st and remain unoccupied until such time as the septic system is upgraded.

BILLS AND PERMITS APPROVED

MV Times \$124.65 - Advertising
Proforma \$78.63 - Printing
MHOA \$760.00 – Training/Dues
Federal Express \$29.66 – Rabies Control

BOARD OF HEALTH MEETING MINUTES OCTOBER 1, 2019

With no further business to conduct the Board of Health Commissioners adjourned their meeting at 5:05 pm.

Respectfully submitted,
Maura Valley
Health Agent

Document(s)

APPROVAL: The BOH Commissioners MSC to accept the meeting minutes as presented.

Date:

22 October 2019

Signed:

(Signature)
Jeffrey Pratt, Chairman