



TOWN OF TISBURY

Office of

THE BOARD OF HEALTH

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MEETING MINUTES – January 28, 2020 – 4:00 PM

The Tisbury Board of Health (BOH) met on Tuesday, January 28, 2020, at the Tisbury Town Hall Annex.

Chairman Pratt called the meeting to order at 4:01 PM.

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

Meeting minutes from January 14, 2020 were approved as written.

Discussion point: Chairman Pratt and Commissioner Loberg noted a discrepancy in the reinstatement terms of Mr. Jay Araujo's license to pump septic systems; *if Mr. Araujo has two (2) unexplained infractions, he will immediately lose his license for six (6) months* was not included in the motion. Therefore, the commissioners agreed that they would vote on suspension terms at the time of an incident.

APPOINTMENTS

4:30 PM Sheri Caseau, Martha's Vineyard Commission (MVC)

Ms. Sheri Caseau was in attendance at Commissioner Boyd's suggestion to discuss partnering with MVC to monitor nitrogen levels in the groundwater at Lake Tashmoo (the Pond). Ms. Caseau has installed monitoring wells at Amelia Hambrecht's property, 187 Lagoon Pond Road, and could be a source for installing wells around the Pond, such as at Town properties. Ms. Caseau explained that it is not financially feasible to place wells at random around the perimeter of the Pond; they must be strategic about the placement. Analysis is expensive at \$100 per test. The commissioners and Ms. Caseau agreed to consider installations at areas where there is known groundwater seepage.

Ms. Caseau provided documentation showing Nitrogen and Phosphorous measurements obtained at three (3) locations at Tashmoo Spring Pond during the period of May 29 through September 3,

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2019. Of the locations, Nitrogen readings are highest at the well behind the Spring Pond building. The cause is unknown.

Ms. Caseau confirmed that water samples are taken all summer long from the Pond.

Commissioner Loberg suggested using information published by the Town of Falmouth as an example.

It was agreed that the commissioners should develop a scope of work for the testing project at a future meeting. In the meantime, Ms. Valley and Ms. Caseau will have discussions about developing a scope of work, and Ms. Caseau will conduct research to see if any town on Cape Cod has information on such a project.

5:00 PM Ackee Tree Caribbean American Grocer

Ms. Alexia, the owner of Ackee Tree, came before the commissioners to request an amendment to the scope of her food service business. She currently has a retail license and has been selling mainly pre-packaged foods. She would like to add sandwiches, wraps, smoothies, and soups, all requiring minimal preparation, to her menu. Very few items would be made-to-order; only re-heating will be required.

Ms. Alexia confirmed that she purchases her food products from Restaurant Depot.

Ms. Blake confirmed that a (3)-bay sink, hand washing sink, and a prep area have already been installed. There is adequate wastewater flow available, even with the two (2) bedroom apartment on the second floor. A grease trap still needs to be installed under the 3-bay sink and Ms. Alexia needs to provide a copy of her Servsafe certificate to the BOH office before her license is issued.

The commissioners approved Ms. Alexia's request to provide additional food service at Ackee Tree.

HEALTH AGENT OPERATIONAL UPDATE

Coronavirus updates

Ms. Valley confirmed that Island health agents have continued to hold discussions on this topic. Public health fact sheets from the Center for Disease Control (CDC) were provided to the commissioners. She stated that a fact sheet summary was also provided to Mr. Jay Grande, Town Administrator.

Ms. Valley assured the commissioners that public health officials on the Island are monitoring the Coronavirus situation and will follow directives issued by the Center for Disease Control (CDC) and Department of Public Health (DPH).

Public health messaging for Tisbury will need to be addressed in a future BOH meeting.

The Town website has been updated with the public health fact sheet, which has also been sent out to Town employees. Island health agents have also had discussions with representatives

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from Martha's Vineyard Hospital. At this time, it is recommended that precautions for avoiding a flu infection should be followed.

9 Cook Road

Ms. Valley provided a copy of the court order from the hearing on December 13, 2019 for contempt charges against Mr. Taylor Wilson. Mr. Kirk Metell, Tisbury Department of Public Works (DPW), assisted her with the coordination and removal of two (2) dumpster loads, mostly rubbish, more than half of which was removed by Mr. Wilson and relocated for storage at Morning Glory Farm. Mr. Wilson was notified that the rest of the loose items were taken to the dump.

The Town is in land court proceedings with Mr. Wilson for recovering dumpster, dump and labor costs. In the meantime, Ms. Valley is scheduled to meet with the Board of Selectman and Finance Committee to recoup funding to reimburse the DPW budget for all expended costs.

300 State Road

Ms. Valley provided a copy of letter to Mr. Clarence Barnes, dated December 19, 2019, for the commissioners' review. She explained that there are many issues with the property, including habitation, zoning, and business licensing. Town Counsel, David Doneski, will be addressing each issue separately. The BOH office will be addressing the illegal habitation matter and non-compliant septic system with Mr. Barnes.

February meeting schedule

Vacation schedules were reviewed. Regularly scheduled meetings are February 11th and 25th. Dr. Loberg will be on vacation February 12 - 26th. Ms. Valley will be on vacation February 8 - 25th. Ms. Blake and Commissioner Boyd will not be available to meet on the 25th.

It was agreed that the meeting on the 11th will be tentatively scheduled and there will be no meeting on the 25th.

Massachusetts Department of Environmental Protection (DEP) Recycling Business Development Grant

Ms. Valley provided a copy of the letter written to Mass DEP Commercial Waste Reduction requesting grant funding for organics/food waste as eligible recycling materials, for the commissioners to sign. The letter was written based on a meeting with, and as requested, by Eunice Yeomans, general manager of the Trustees of Reservations on Martha's Vineyard and Nantucket.

Short-term rental registration regulations

Ms. Valley reported that she met with the short-term rental working group on January 27, 2020. The draft of the regulations, as written by the managers of the Town fire, building, and health departments, was provided to the commissioners. The working group are proposing that rental registrations be routed for the first approval to the BOH office, who will assign maximum occupancy based on septic system capacity. There are still questions about the inspection process and department assignment of the regulatory oversight. Ms. Valley noted that the regulations will be for long- and short- term rentals, ideally.

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ASSISTANT HEALTH AGENT OPERATIONAL UPDATE

Food trucks

Ms. Blake reported that she has received several requests about licensing food truck establishments in the Town. Currently, the Town has no regulations nor is parking reserved for such purposes on any Town property. Many of the truck owners have found private parking areas. Unlike other Town departments, the BOH has food code standards to follow for food trucks; however, Ms. Blake is the last approver in the licensing process.

New food service establishments

Ms. Blake reported that there are several activities occurring with new food service establishments in Tisbury. Fella's will be up and running this summer in its former location on Union Street. Vineyard Caribbean Cuisine is using the Larder for its main kitchen but is now serving food items out of their Oak Bluffs' location. Both Bobby B's stores have been sold to Elio, owner of Vineyard Grocer. Cakes will be added to the menu at the ice cream store. Bobby B bought Porto Pizza, which will be managed by his son. Little House Café has been sold to a developer from Washington DC. Shepherd's Provisions has closed and Pie Chicks is moving in to their former location at State Road and Colonial Drive.

Styrofoam usage

Ms. Blake will provide a report at a future meeting.

DISPOSAL WORKS APPLICATIONS (DWAs) APPROVED BY THE
COMMISSIONERS

4239 Abigail Canfield – 284 Herring Creek Rd. / 33-A-6 – Postponed.

At the commissioners' request, Ms. Valley agreed to talk to Mr. Chris Alley, Schofield, Barbini & Hoehn, about using a NitROE, instead of a FAST, system.

NEW BUSINESS

Rabies Vaccine Waiver – Harry Zablotny – Approved.

Rabies Vaccine Waiver – Hazel Zablotny – Approved.

Rabies Vaccine Waiver – Mercedes Maciel – Approved.

OLD BUSINESS – N/A

BILLS AND PERMITS FOR APPROVAL

<u>Vendor</u>	<u>Budget Category</u>	<u>Total Due</u>
N/A	N/A	N/A
TOTAL		\$

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With no further business to conduct, the Board of Health Commissioners adjourned the meeting at 5:26 PM.

Respectfully submitted,

Valerie Soushek
Administrative Secretary

Document(s)

The Board of Health commissioners accept the meeting minutes, dated January 28, 2020, as presented.

Date: _____

Signed: _____

DocuSigned by:

Jeff Pratt

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