



TOWN OF TISBURY

Office of

THE BOARD OF HEALTH

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Meeting Minutes – September 26, 2017 – 4:00 PM

The Tisbury (Town) Board of Health (BOH) met on Tuesday, September 26, 2017, at the Tisbury Town Hall Annex.

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

Commissioner Jeff Pratt and Catie Blake, Assistant Health Agent, were absent.

Chairman Boyd presided and called the meeting to order at 4:06 PM.

Minutes

The commissioners reviewed and noted minor corrections to the minutes of September 12, 2017.

Appointment(s): N/A

Health Agent Operational Updates

NitROE pilot program

Ms. Valley reported: the first submission of two (2) applications have been received by the Massachusetts Department of Environmental Protection; one tank, 1500 gallons for Brandon Smith, has been received, and a 2000 gallon tank for Florin Gafencu has been ordered; Ms. Valley is hopeful that installation of both systems will occur over the next 2-3 weeks; Reid Silva, Vineyard Land Surveying, is working on another NitROE plan for submission to the BOH this week.

Legal appeal by Kuehn's Way abutter(s)

Ms. Valley reported that she has been in conversations with David Waterfall, Counsel for the Town, and she has signed an affidavit confirming the accuracy of the documents she assembled for submission to the court; Mr. Waterfall must respond to the court within 90 days of the date of the complaint.

Herbicide spraying at powerlines by Eversource

Ms. Valley reported that as requested in writing, Eversource has posted notifications of their intent to spray herbicides, in the *Martha's Vineyard Times and The Gazette*; according to the advertisement, spraying will ensue during the period of 9/25/17 through 12/31/17, which satisfies

Town of Tisbury - Board of Health Meeting Minutes – September 26, 2017, cont.

the required 48-hour advanced notification to the abutters. Ms. Valley has attempted to contact the company contracted to perform the mitigation to confirm more specific dates for spraying and abutter notifications, which should also include information for safely resuming the use of their property, to no avail.

Chairman Boyd informed Commissioner Loberg and Ms. Valley that he had sent an email to the Board of Selectman confirming his resolute opposition to Eversource's intent to spray, and to request the Board's support of the Board of Health's position.

Commissioner Loberg motioned, for the purpose of discussion, for Ms. Valley to contact George Balco, Tisbury's representative at the Steamship Authority, to request his assistance in ascertaining dates of ferry reservations to the Vineyard for Eversource's spraying contractor so that the BOH staff can identify and warn the abutters of specific dates of spraying. Chairman Boyd seconded the motion and all voted in favor.

Policy for bathroom in basement

Ms. Valley requested policy clarification for owners of a house on Hines Point that has five (5) bedrooms and is being rebuilt with five (5) bedrooms, the count of which has been grandfathered into the coastal district regulations since the rooms were preexisting; the property has running water in the basement for a laundry facility and bar sink, but there is no bathroom; and as such they are asking the commissioners to approve such an addition without the recognition of a bedroom. The commissioners agreed to enforce the current regulation; thereby denying the request to add a bathroom in the basement.

Assistant Health Agent Report:

Fitness program at Tisbury Senior Center

Ms. Valley reported on behalf of Ms. Blake: the fitness program at the Tisbury Senior Center will begin within the next two (2) weeks and will cover functional fitness, mostly, for one (1) hour every Thursday morning; there is no fee and other town residents may participate on an in-kind basis.

Commissioner Loberg encouraged inclusion of exercises for balance improvement and falls prevention as part of the curriculum, and requested regular reports from Ms. Blake.

Venison program

Ms. Valley confirmed that the program is a work in progress; however, no specific information is available to report.

General update on restaurant inspections

Ms. Valley did not have information to report.

Old Business: N/A

New Business: N/A

DWAs approved by the BOH

4067 Lucy Thomson 26 Hines Point Road / 11-A-9

Ms. Valley reviewed the terms of the application: the subject property, with a single cesspool, was recently acquired by Ms. Thomson, who is applying for a septic upgrade with a MicroFAST system; variances are being requested of which Ms. Valley recommended the approval due to limited lot space. Ms. Valley confirmed that according to the regulations for the prohibition of single cesspools, Ms. Thomson is required to complete the upgrade within 90 days.

Town of Tisbury - Board of Health Meeting Minutes – September 26, 2017, cont.

4:30P Public Hearing for Tobacco 21 regulations

The commissioners motioned to recess from the regularly scheduled BOH meeting to open the public hearing; Commissioner Loberg seconded the motion and all voted in favor.

Ms. Valley reviewed the proposed amendment to the current regulations: the age for tobacco sales within the Town of Tisbury is being changed from 18 to 21, including sales of electronic smoking devices; the amended regulations will also include an update to the definition of tobacco products, page 3, section C.

Chairman Boyd mentioned that he observed a patron leaving Puff and Pass on Main Street with supposed “edibles”; to which Ms. Valley confirmed that she would investigate.

Commissioner Loberg moved that the public hearing be closed; Chairman Boyd seconded the motion and all voted in favor.

Chairman Boyd moved to accept the amended tobacco regulations for adoption effective January 1, 2018. Commissioner Loberg seconded the motion; all voted in favor with no further discussion.

Payables and Permits for Approval

D.P. Canha Appliance Repair	\$ 268.32
CSA (Carmody database)	\$2,388.00
Maura Valley	\$23.75

The meeting was adjourned at 4:40 PM.

Respectfully submitted,

Valerie Soushek

Document(s)

The Board of Health accepts the meeting minutes, dated September 26, 2017, as presented.

Date:

9/27/2017

Signed:

