

Public Meeting

**July 10, 2008
Caucus Hall
5:00 p.m.**

Members Present: Jerry Anathan, Tom Gaudreau, Duane Gregory,
and John Livingstone.

Members Absent: Ken Janson (Excused)

Staff: Jane Evans, Health Agent
Brian Carlson, Health Inspector (excused)

The meeting was called to order at 5:00 p.m.

AGENDA

Public Comments

There were none

New Business

646 Commercial Street

ACO Request

Dana Berry, Esq. was present to represent his property where his elderly mother lives. Jane Evans said that this was an emergency since the failed cesspool was being pumped every week. She explained that she has issued an ACO, which has been recorded and the first payment made, so she could issue a permit for a “quick fix” as soon as possible to avoid additional pumping. She further explained that this was just a housekeeping request in order to keep with BoH protocol.

Motion: Move to recommend approval of the ACO and a “quick fix”.

**Motion: Jerry Anathan Seconded: John Livingstone Vote: 4-0-0.
Michael C. Escher – d.b.a. M.C.E. Dirtworks, Inc.**

New Septic System Installer

Jane has received his proof of liability insurance and verified that he is licensed in both Eastham and Orleans. Since Mr. Escher is a brand new installer in Provincetown, the Health Agent recommended to the Board that partial inspections should be required for the first three installations. Jane requested 24 hrs. notice prior to each inspection.

Motion: Move to recommend approval of Michael C. Escher of M.C.E. Dirtworks, Inc. for a Septic System Installers License with the condition that partial inspections will be made during the first three installations.

Motion: John Livingstone Seconded: Tom Gaudreau Vote: 4-0-0.

7-9 Lovetts Court

Title 5 Variances

Alan Cabral from Felco Engineering presented a heavily variances septic system design plan to the Board of Health. Romanos Rizk, a direct abutter, expressed concerns that no work take place within his property including dumping of dirt.

The Health Agent recommended that, based upon the Board of Health Regulation requiring properties with failed septic systems to connect to the municipal sewer system that the owner of the property be required to enter into an Administrative Consent Order (ACO) and allowed to do a “quick fix” to his failed cesspool.

Mr. Cabral requested that the variance hearing for the septic system be continued until the next Board of Health meeting on July 24th in order to see if his clients wish to request that the variances be granted in case they should want to install the septic system as a quick fix while still entering into an ACO. The Board agreed to continue the variance hearing to the next BoH meeting.

Motion: Move to require an ACO with a quick fix allowed. The engineer must stake the property line prior to any work beginning.

Motion: Duane Gregory Seconded: John Livingstone Vote: 4-0-0.

7 Oak Drive

Appeal Health Agents Decision – Order to Upgrade Cesspool

Mark Kineen had verbally requested this appeal on behalf of the owner of the property but he failed to submit anything in writing within 14 days of receipt of the Order to Upgrade. Although notified of the Board of Health meeting date, he did not appear. The time to appeal the decision is now expired.

Approval of Minutes for May 15, 2008 and June 5, 2008

Motion: Move to approve the minutes of the May 15th meeting.

Motion: Duane Gregory Seconded: Jerry Anathan Vote: 3-0-1 ab (TG)

Motion: Move to approve the minutes of the June 5, 2008 meeting.

Motion: Duane Gregory Seconded: Tom Gaudreau Vote: 3-0-1 ab (JL)

Discussion

Hearing Loss Prevention Health Regulation

Tom Gaudreau stepped down from the discussion. A copy of the proposed regulation, authored by John Livingstone, was distributed for discussion. John said that he would appreciate comments and then would like to get legal advice.

Duane feels the regulation encompasses much more than she anticipated it would and is

not comfortable with it. It's just too involved and she doesn't see that it will ever fly. The document talks about getting special permits for parades, etc. – there are too many prohibitive items. She would like something really simple and she encouraged John to go ahead and contact the chief to discuss and to get his input.

Health Agent's Report

Jane, at the request of BoS Chair Michele Coture, asked if the board would be willing to do a regulation regarding the rinsing out of restaurant mats and draining them into the catch basins? Ms. Coture told Jane she has received a few comments about restaurants rinsing out their floor mats and letting the water run into the catch basins resulting in odor complaints. The Board was disinclined to create such a regulation

She's been doing a lot of work with the transition of people from the Town Hall to the trailers. On Veterans Day week-end the move will take place.

Health Inspector's Report

Brian Carlson's report was an e-mail submission since he was unable to attend the meeting. In it he spoke of the frequency of beach monitoring, signage for tick warnings, the rabies program, and lastly an update on Emergency Preparedness.

The meeting adjourned at 5:51 p.m.

Respectfully submitted,

Evelyn Gaudiano

E. Rogers Gaudiano

Approved by the Board of Health on _____, 2008

Duane Gregory, Chair