



Public Meeting

October 8, 2009
Grace Gouveia – Room 10
5:00 p.m.

Members Present: Jerry Anathan (left @6:15p), Duane Gregory,
Ken Janson, John Livingstone, and Mark Phillips.

Members Absent: none

Staff: Brian Carlson (excused) Health Inspector
Jane Evans Health Agent
David Gardner Ass't Town Manager

Others: Anthony Alva, George Bryant, and Greg Corbo

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

AGENDA

Public Comments

Anthony Alva, the attorney representing George Bryant, asked to speak to the Board. Duane Gregory welcomed him to speak explaining that he had 5 minutes and that the Board does not respond to Public Comments. Duane also said that if Mr. Bryant wished to speak that he too would be given 5 minutes. Atty. Alva said that litigation in Superior Court is scheduled for Friday, October 16th but would rather try to reach a compromise with the BoH prior to going to court. He offered that Mr. Bryant would be willing to remove some items and that he has a dumpster already at the site. He said the Mr. Bryant would be willing to commit to certain time frames for this removal. He would wait for your reply following the executive session. The Health Agent informed him, following the Boards

discussion during Executive Session, that the Board would not be reconvening to discuss the matter.

New Business

208 Bradford Street – Unit 5

Appeal Health Agents Decision – Number of Bedrooms

Owner requested this item to be moved to the October 22, 2009 agenda

208 Bradford Street – Unit 6

Appeal Health Agents Decision – Number of Bedrooms

Owner requested this item to be moved to the October 22, 2009 agenda

Duane Gregory moved to go into Executive Session at 5:10 p.m. for the purpose of discussing pending litigation. Ken Janson seconded the motion.

Roll Call:

Jerry Anathan	aye
Duane Gregory	aye
Ken Janson	aye
John Livingstone	aye
Mark Phillips	aye

6:10 p.m. Regular meeting resumed.

Approval of Minutes for August 13 & September 10, 2009

Motion: Move to approve the minutes of August 13th as amended.

Motion: Duane Gregory Seconded: Ken Janson Vote: 3-0-2 ab (JL & JA)

Motion: Move to approve the minutes of the September 10th meeting.

Motion: Ken Janson Seconded: Jerry Anathan Vote: 4-0-1 ab (DG)

Any other business that shall properly come before the Board

Mark Phillips met with staff last week for the purpose of revising the BoH regs. He has scheduled several meeting dates with Brian and Jane over the next couple of months the goal is to complete the task by December.

Mark also mentioned that he read in the Banner that coliform was found in the drinking water. Jane explained that whenever coliform bacteria shows up the public must be notified even though there are no requirements for boiling nor is there a ban on drinking the water. There was no e-coli or fecal coliform found in

the samples. The test results only require notification in the newspaper. Jane said that she is notified whenever test result comes up with a hit. Mark just wanted to make sure that Jane was involved in the process. Jane reminded the Board that she and Paul Roux, Woodard & Curran and Carl Hillstrom, Water Superintendant are in the process of creating a Boil Order Protocol for the town in the event of a fecal coliform or e-coli test result.

Mark said that he wants the BoH's opinion regarding the July 4th sewer failure. The Town has had 90 days to work on this issue and he wants to ask the Town Manager to provide us with data. Jane said that she is on the sewer team and has relayed updates to the Board whenever there was new information. Mark countered by saying that we called the sewer spill a public health emergency, had an emergency meeting with the Board of Selectmen, and no one has ever gotten back to us. Jane explained the problem regarding the cracked pump chamber that had been found BUT Mark said that everyone read that in the local paper and he wondered how – in the future - will this information get back to us?

Motion: Move to have Jane Evans request that the Town Manager provide sewer updates for the BoH on ALL matters pertaining to the sewer.

Motion: Mark Phillips Seconded: Duane Gregory Vote: 4-0-0.

Health Agent's Report

Jane notified the Board that she will not be here for next BoH meeting.

Jane explained that there is reason to believe that the cracked valve pit in Dyer Street may have caused the July 4th failure and also caused a more recent one. The unit has been replaced and so far no further incidents have occurred.

On Tuesday Jane will be out all day attending a joint Truro/Provincetown PLOG meeting where she will be introducing the draft boil order protocol.

Jane continued by saying that the H1N1 flu vaccine is still not available and we are still waiting delivery of the seasonal flu vaccine. No in-school clinics will be re-scheduled until the vaccines are in the refrigerator.

Board Members' Statements

Ken Janson reported that just last week he had seen dogs in Bubala's outdoor eating area. He suggested that Mr. Yingling apply for proper permission for a variance to the Federal Food Code to allow dogs in the outdoor dining area in preparation for next year.

Duane Gregory is very frustrated that we have the ability to issue fines but that the procedure involved in issuing them is so time consuming that it discourages those who issue the fines from doing so. To have an effective deterrent, we need to get rid of this bureaucratic nightmare. Let's look into it.

Adjournment happened at 6:30 p.m.

Respectfully submitted,
E. Rogers Gaudiano

Approved by the Board of Health on _____, 2009

Duane Gregory, Chair