



**Town of Provincetown**  
**Meeting of the**  
**BOARD OF HEALTH**  
**Thursday, March 19, 2015**  
**Caucus Hall, Provincetown Town Hall,**  
**260 Commercial Street, Provincetown, MA**

---

**Board Members Present:** Steve Katsurinis, Acting Chair; Elizabeth Williams and Dr. Janet Whelan

**Board Members Absent:** Mark Phillips, Chair; Ken Janson, and Joseph Freitas, Alt.

**Other attendees:** Morgan Clark, Health Department Director and Eric Larsen, Deputy Director, DPW

**Recording Secretary:** Susan Leonard

**Call to Order:** Steve Katsurinis, acting as chair, called the meeting to order at 4:00 p.m.

**I. Public Comments:**

There were no members of the public present at the meeting.

**II. Old Business**

There was no old business raised.

**III. New Business:**

**a. Presentation: Disaster Preparedness - American Red Cross**

The individuals who will be giving the Red Cross presentation were not present at this time. This Agenda Item will be delayed until their arrival.

**b. Public Hearings:**

**i. Review of Requested Changes to Board of Health Regulations and Fees by DPW:**

**1. Part VI, Article 4 - Rules & Regulations for the Use & Operation of the Transfer Station**

**2. Part VI, Article 5 - Solid Waste Fees**

**3. Part VI, Article 7 - Solid Waste Recycling Regulations**

#### **4. Part VI, Article 9 - Provincetown Refuse Haulers Permit**

##### **Discussion:**

Mr. Eric Larsen, Deputy DPW director, was present to discuss the proposed changes to the regulations. He informed the Board the small proposed changes and new fees are part of a comprehensive overview of the Transfer Station. They are also a part of an effort to recoup some of the expenses of operating the transfer station. The changes are related to expanding use by refuse haulers outside the scope of Provincetown. Commercial haulers would be able to dispose of Truro refuse in Provincetown. Commercial haulers would also be allowed to dispose recycling for a fee. An exception to this is there would be a benefit for the haulers that separate out and bundle cardboard for recycling. The cardboard would not be included in the tonnage fees.

Mr. Katsurinis asked what the estimated revenue would be for the year with the fee changes. Mr. Larsen said it would be hard to estimate the revenue on the expansion of refuse from other towns. The fee changes would probably break even. It will offset the costs. He can get more information if the Board would like it. Mr. Katsurinis would like to know that Provincetown is charging enough. Mr. Larsen stated that the DPW continues to look at the cost effectiveness of changing the hours of operation. It has not been determined yet. In addition to the changes presented, the DPW also proposed adding a fee so that the Transfer Station could start taking residential mattresses and box springs.

Ms. Clark said that since this is a Public Hearing, the mattress fee could be added to the Fee Schedule as an amendment. If the Board chooses to accept the changes in the regulations it can include mattresses. The fee changes presented today are the bare minimum that the DPW needs at this point to move forward. The department is not prepared to discuss any changes in Transfer Station hours of operation yet.

Mr. Katsurinis, at this point, opened the Public Hearing portion of the meeting for the purposes of taking comments on the changes to Regulations and Fees. There was no one present who wished to comment. The Public Comment period was closed and the Board continued with its deliberation.

***Motion: To approve changes as recommended by DPW staff to Part VI, Article 4 - Rules & Regulations for the Use & Operation of the Transfer Station; Part VI, Article 5 - Solid Waste Fees; 3. Part VI, Article 7 - Solid Waste Recycling Regulations; and Part VI, Article 9 - Provincetown Refuse Haulers Permit and to be amended to include the acceptance of residential mattresses for a fee of \$20. The Department of Health is authorized to make the conforming amendments.***

**Motion: Betty Williams**

**Seconded: Dr. Janet Whelan**

**Vote: 3 – 0 - 0**

##### **a. Presentation: Disaster Preparedness - American Red Cross**

##### **Discussion:**

Emily Meshumar and Carolyn Meklenburg from AmeriCorps Cape Cod appeared before the Board to discuss Disaster Preparedness. Their individual placements are with the American Red Cross this year. They meet twice a week. They give preparedness presentations to both adults and children. They speak mostly about sheltering. Provincetown is different since it has its own satellite shelter. They stressed the importance of having a “Stay at Home Kit “ and a “Go Kit ” when one has to go to a community shelter. Once you lose power it is harder to find things. The AmeriCorps Cape Cod

volunteers are responsible for assisting at the various shelters during emergencies. The Board was asked to share their experiences with the shelter during Winter Storm Juno.

Ms. Clark shared how much was learned to by being in the shelter this winter. The Provincetown Local Emergency Planning Committee was helpful in planning and preparing the shelter with supplies etc., but is nothing like actually being there. Mr. Katsurinis mentioned the number of dogs the shelter received. And questioned whether the shelter was entirely prepared for it. Ms. Clark thought they were ready for the dogs. The owners are asked to bring their own dog food. The Town has a great Animal Welfare Committee. Provincetown has built into the dog licensing process the opportunity to register dogs for the shelter. This means that the Town has a data base of rabies vaccinations available. Local veterinarians also report vaccinations every six months to the Town Clerk. Mr. Katsurinis added that emergency responders also used the shelter during the day; it helped with communication, as well. It was a center for everybody. Ms. Meklenburg asked if the Board had any suggestions of other local groups and organizations that she could reach out to. Ms. Clark suggested the AIDS Support Group and Helping Our Women. Mr. Katsurinis thought it would be good to set up a kiosk with preparedness information at Outer Cape Health Services. Ms. Williams added that the Year 'Rounders Festival is also a good place to set up a table.

Dr. Whelan offered to volunteer as a medical professional at the shelter in the future. Ms. Clark informed her that since the recent winter storm OCHS has now agreed to have someone stationed at the shelter. Dr. Whelan can volunteer with the Medical Reserve Corp. Ms. Meshumar shared her experience during the Valentine's Day storm at the County MAC control center where emergency resources and information are coordinated and shared for the County.

## **ii. Review of Town Meeting Warrant Articles**

### **Discussion:**

The Board reviewed the following Special Town Meeting Articles:

#### **Article 1. Home Rule Petition/Charter Amendment/Additional Alternate on Board of Health.**

To see if the Town will vote to instruct its senator and representative in the General Court to file a home rule petition for a special act to read as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court; and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

The Charter of the Town of Provincetown, which is on file in the office of the Archivist of the Commonwealth as provided in Section 12 of Chapter 43B of the General Laws, is hereby amended by changing Chapter 6, Section 8-1, to add a second alternate member to the Board of Health, for a total of five regular members and two alternate members, to read as follows:

6-8-1. There shall be a board of health as provided by G.L. c. 111, consisting of five regular members, one of whom shall be a professional health practitioner, and one two alternate members appointed by the board of selectmen for three-year overlapping terms so arranged that the term of at least one regular member shall expire each year; or to take any other action relative thereto.

[Requested by the Board of Health]

**Motion: *I move to endorse Article 1.***

**Motion: Dr. Janet Whelan**

**Seconded: Betty Williams**

**Vote: 3 – 0 - 0**

#### **Article 5. Transfer of Funds from Previous Article to Fund Contaminated Waste Removal from the Johnson Street Parking Lot.**

To see what sum the Town will vote to raise and appropriate or transfer from available funds for the purpose of

paying the additional costs related to the removal of contaminated waste from the Johnson Street parking lot; or to take any other action relative thereto.

[Requested by the Town Manager]

**Motion: To support Article 5 funding the removal of contaminated materials at Johnson Street Parking Lot.**

**Motion: Betty Williams**

**Seconded: Dr. Janet Whelan**

**Vote: 3 – 0 - 0**

**Article 6. Home Rule Petition/Charter Amendment/Residency Requirement.**

To see if the Town will vote to instruct its senator and representative in the General Court to file a home rule petition for a special act to read as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court; and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

The Charter of the Town of Provincetown, which is on file in the office of the Archivist of the Commonwealth as provided in Section 12 of Chapter 43B of the General Laws, is hereby amended by changing Chapter 7, Article 1, Section 7-1-2:

Section 1: Qualifications

7-1-2. The Town Manager shall be a resident of Provincetown or Truro or shall become a resident of Provincetown or Truro within six months following his or her appointment; or to take any other action relative thereto.

[Requested by the Board of Selectmen]

**Article 7. Home Rule Petition/Charter Amendment/Residency Requirement.**

To see if the Town will vote to instruct its senator and representative in the General Court to file a home rule petition for a special act to read as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court; and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

The Charter of the Town of Provincetown, which is on file in the office of the Archivist of the Commonwealth as provided in Section 12 of Chapter 43B of the General Laws, is hereby amended by changing Chapter 8, Article 1, Section 8-1-1 to read as follows:

Section 1: Residency Requirements

8-1-1. The Director of the Department of Public Works, the Police Chief and the Fire Chief shall be residents of Provincetown or Truro or shall become residents of Provincetown or Truro within three six months of assuming office; or to take any other action relative thereto.

[Requested by the Board of Selectmen]

Although he thinks it is important for the Town's Public Safety Department heads to be readily available, Mr. Katsurinis voiced support of the article because the Town of Truro is so closely linked with Provincetown. Ms. Williams mentioned that when she was on the Charter Review Commission they had even considered expanding the residency area beyond Truro.

**Motion: To support Article 6 and Article 7 to include the town of Truro.**

**Motion: Betty Williams**

**Seconded: Dr. Janet Whelan**

**Vote: 3 - 0 - 0**

**Article 10. Wastewater Optimization and Expansion – Borrowing Authorization.**

To see if the Town will vote to appropriate and borrow the sum of \$3,000,000 to be expended under the direction of the Town Manager and the Board of Selectmen, for the development of plans and specifications and for construction, optimization and expansion of the Town’s sewer system including the expansion of the treatment capacity of the wastewater treatment plant and further extensions of the Town’s sewer system, including without limitation all costs defined under Chapter 29C, Section 1 of the General Laws and all other costs incidental and related thereto; and to raise said appropriation the Town Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum of money under and pursuant to Chapter 44, Section 7(1) and/or Chapter 29C of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefore; and that to the extent that any State, Federal or other funds are or become available for the purposes set forth above, the Board of Selectmen is authorized to apply for and accept such funds; and, further, the Town votes to authorize the Water and Sewer Board to assess one hundred percent of the project cost to the Town upon those who benefit from the project, such assessments to be made by the Uniform Unit method as provided by General Laws Chapter 83, Section 15; or to take any other action relative thereto.  
[Requested by the Board of Selectmen and the Town Manager]

Mr. Katsurinis explained that this is for expanding the capacity of the Sewer Treatment Plant. He knows the Board supports an even larger capacity plant than this article supports.

**Motion: *To support Article 10 and authorize the Chair or other designated representative to speak in favor of more funding directed towards wastewater treatment.***

**Motion: Steven Katsurinis**

**Seconded: Betty Williams**

**Vote: 3 – 0 - 0**

**Article 12. Designation of Recycling and Renewable Energy Committee Receipts.**

To see if the Town will vote to designate that all receipts from the RREC cotton bags with logo be deposited into the RREC gift fund; or to take any other action relative thereto.  
[Requested by the Recycling and Renewable Energy Committee]

Ms. Clark stated that the Recycling and Renewable Energy Committee is an advisory committee to the Board of Health. One of the things they pay for are the recycling bins found around town. This would put the funds in a Gift Fund instead of the General Fund.

**Motion: *To support Article 12 to allow the Recycling and Renewable Energy Committee to have its own funds.***

**Motion: Dr. Janet Whelan**

**Seconded: Betty Williams**

**Vote: 3 – 0 - 0**

**Article 14. Capital Improvement – Veterans Memorial Community Center Roof Replacement.**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$100,000 to be expended under the direction of the Town Manager and the Director of Public Works for Phase II of the VMCC roof replacement, and costs related thereto; or to take any other action relative thereto.  
[Requested by the DPW Director and Town Manager]

Mr. Katsurinis mentioned that the Community Preservation Committee is seeking money to do a study to add a second floor on this building. This is in conflict with this article. The desirability of a second level is in question.

**Motion: *Motion to support Article 14.***

**Motion: Betty Williams**

**Seconded Dr. Janet Whelan**

**Vote: 3 – 0 - 0**

**The Board of Health considered the following Annual Town Meeting Articles for endorsement:**

**Article 3. Cape Cod Greenhead Fly Control District Assessment.**

To see if the Town will vote to raise and appropriate an amount for Greenhead Fly Control as authorized by Section 24, Chapter 252 of the General Laws; and authorize the Town Treasurer to pay said appropriation into the State Treasury; or to take any other action relative thereto.

[Requested by the Board of Selectmen and the Town Manager]

**Motion: Motion to support Article 3.**

**Motion: Dr. Janet Whelan**

**Seconded; Betty Williams**

**Vote: 3 – 0 - 0**

**Article 4. Amendments to Personnel Bylaw/Classification and Compensation Plan.**

To see if the Town will vote to amend Schedules A, B and C of the Town's Classification and Compensation Plan as follows:

Schedule A: To amend Schedule A, "Permanent Full and Part-time Non-Union Positions," of the Classification and Compensation Plan of the Town, effective July 1, 2015, by replacing the existing compensation plan with the following new compensation plan as adopted by the Personnel Board:

Conservation Agent and Health Agent

Ms. Clark informed the Board that among the Town Employees covered by this article are the Board's staff, namely the Health Agent and the Conservation Agent. A consultant compared positions and determined pay grades and steps for non-union employees comparable to similar communities and municipalities relative to work performed and levels of responsibility. It will help professionalize the staff and attract qualified candidates.

**Motion: Motion to support Article 3.**

**Motion: Steve Katsurinis**

**Seconded: Betty Williams**

**Vote: 3 – 0 - 0**

**Article 6. FY 2016 Human Services Grant Program.**

To see if the Town will vote to raise and appropriate the sum of \$78,025 to be expended under the direction of the Board of Selectmen, to fund grants to assist nonprofit agencies and organizations to maximize available resources to meet needs identified by the community by providing services to local residents, particularly those of low and moderate income and those who are uninsured or underinsured, as follows:

AIDS Support Group of Cape Cod \$9,000  
Alzheimer's Family Caregiver Support 5,050  
Cape Cod Children's Place 5,500  
Consumer Assistance Council 550  
Gosnold on Cape Cod 14,500  
Helping Our Women 8,000  
Homeless Prevention Council 4,000  
Independence House 5,000  
Lower Cape Outreach Council, Inc. 6,500  
Mass-A-Peal 525  
Outer Cape Health Services 9,000  
Sight Loss Services, Inc. 600  
Soup Kitchen in Provincetown 5,000  
South Coast Counties Legal Services 4,800  
Total \$78,025

or to take any other action relative thereto.[Requested by the Board of Selectmen and Human Services Committee]

Mr. Katsurinis stated that everything they do in Public Health is about building partnerships. Without the help of these agencies the work of the Department would be much more difficult.

**Motion: Motion to support Article 6.**

**Motion: Betty Williams**

**Seconded: Steve Katsurinis**

**Vote: 3 – 0 - 0**

**Article 9. Fund Food for Emergency Shelter.**

To see if the Town will vote to raise and appropriate the sum of \$10,500 to fund food for the emergency shelter; or to take any other action relative thereto.

[Requested by the Board of Selectmen and the Town Manager]

Ms. Clark explained that originally, estimated costs came from when the Emergency Shelter thought it would be able to get food supplies from the Red Cross Commissary at the Dennis Shelter. The estimate was \$15.00/person/day. Truro put the funds aside last year. Truro and Provincetown were planning for 100 people from each town for seven days. The actual cost was calculated by Brandon Quesnell who was in charge of food during the recent winter storm at the shelter. It was approximately \$5.00 per person. The \$10,500 is based on \$5.00/ person/ meal.

**Motion: Motion to support Article 9.**

**Motion: Betty Williams**

**Seconded: Dr. Janet Whelan**

**Vote: 3 – 0 - 0**

**Article 13. FY 2016 Operating Budget.**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$23,954,057 to fund operating budgets for the several Town departments for Fiscal Year 2016 in accordance with Chapter 9, Section 1 of the Provincetown Charter, as follows:

Budget Divisions	FY 2015	FY 2016 15-16%
I. General Government	\$1,102,255	\$1,122,644 +1.8%
II. Finance	9,578,685	9,731,389 +1.6%
III. Public Safety	4,738,904	5,120,066 +8.0%
IV. Public Works	3,228,088	3,314,835 +2.7%
V. Public Services	932,313	956,121 +2.6 %
Sub-total, I-V	\$19,580,245	\$20,245,055 +3.4%
VI. Public Schools	3,590,298	3,709,002 +3.3%
Total, I-VI	\$23,170,543	\$23,954,057 +3.4%

or to take any other action relative thereto.

[Requested by the Board of Selectmen and the Town Manager]

**Motion: To support the Operating Budget as drafted and that we oppose any Finance Committee reductions.**

**Motion: Steve Katsurinis**

**Seconded: Dr. Janet Whelan**

**Vote: 3 – 0 - 0**

**Article 18. FY 2016 Capital Improvements Program.**

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the following sums to defray the costs of the Fiscal Year 2016 Capital Improvements Program submitted in accordance with Chapter 9, Section 2 of the Provincetown Charter as follows, provided that one or more of the appropriations listed below shall be contingent on a Proposition 2½ Capital Outlay or Debt Exclusion ballot question:

**4. Electric Vehicle Charging Stations and Electric Vehicle - \$35,000**

to be expended in conjunction with the Massachusetts Electric Vehicle Incentive Program Phase III and Workplace Charging Grants Program under the direction of the Town Manager to purchase four electric vehicle charging stations for public use in the MPL and for an electric vehicle for Community Development inspections and related equipment, and costs related thereto;

6. Storm Water Management - \$75,000

to be expended under the direction of the Town Manager and the Director of Public Works to be used for ongoing improvements to the Town's drainage system in conjunction with making application for various grants which may become available, and costs related thereto;

7. Roadway Paving Plan - \$200,000

to be expended under the direction of the Town Manager and the Director of Public Works to continue additional roadway maintenance as outlined in the Town-wide paving plan, and costs related thereto;

Ms. Clark suggested that Roadway Paving, Storm Water Management and the Electric Vehicle Charging Station and Electric Vehicle are of particular interest to the Board of Health.

**Motion: *That we support Article 18 the Capital Improvements Program.***

**Motion: Betty Williams**

**Seconded: Dr. Janet Whelan**

**Vote: 3 – 0 - 0**

**c. Discussion – Cesspools and Municipal Sewer Lines**

Ms. Clark explained the series of maps that she has presented to the Board for its review. Map #1 highlights properties that are potential sewer connections. Mr. Katsurinis offered the suggestion that instead of reviewing them on a case by case basis the Board consider taking connection request every 3 to 6 months in order to have better control over the gallons available. Map #2 is a detail of the present sewer system in town. Map #3 details existing cesspools. Mr. Katsurinis is also concerned with cesspools. Cesspools are definitely not as safe as Title 5 Systems. He would like to ask staff for an educational program for the public and staff about cesspools. What does a cesspool failure cost the town and property owners. We should move in the direction of eliminating cesspools. We should explore new technologies that are available when there is no sewer option. Mr. Katsurinis asked what authority the Board might have to pressure the Town owned properties to get off of cesspools? If a government owned property is permitted for work could it trigger an upgrade of a cesspool?

Mr. Katsurinis would like to have all pertinent boards convene and discuss sewer technologies. The rest of the Board agreed it would be beneficial.

**IV. Any other business that shall properly come before the board**

Ms. Clark informed the Board that the Surf Club has just received permission from the Conservation Commission to drive onto the beach in order to comply with deactivating and filling with sand the Title 5 system. The license for the restaurant will be held until the work is completed.

Ms. Clark brought to the Board's attention the 40B project proposed for 350 Bradford Street. The remaining sewer gallons that the Board of Health may allocate are for public health emergencies. We should inform them that the Board of Health would require a compliant Title 5.

Dr. Whelan asked what the project plans to do? Ms. Clark replied they want a sewer connection. Mr. Katsurinis added that a sewer connection would be preferable if it was available somehow through expanded capacity. Ms. Clark thinks it is a valid point and it should be discussed at the next meeting.



Mr. Katsurinis thinks the project would be in process for 3 to 5 years before it is completed. Mr. Katsurinis would like to see the Board discuss a policy statement from that supports expanding the sewer infrastructure for a large project if the developer assumes the costs. It should not cost the Town anything. It should be borne by the rate payer.

Mr. Katsurinis asked Ms. Clark about orders to correct at the Aquarium Mall. Each tenant has different issues to comply with. They were mostly minor things like washable ceiling tiles, compliance with separate hand washing and mop sinks and each food stall must have a means to completely close off at night when it closes. The East End Market is under renovation and she will check it soon.

## **V. Approval of Minutes**

**February 19, 2015**

**Motion: *Move to approve the minutes of Thursday, February 19, 2015***

**Motion: Elizabeth Williams**

**Seconded: Dr. Janet Whelan**

**Vote: 3 – 0 - 0**

## **VI. Health Department Report**

Ms. Clark informed the Board that the joint meeting with Water & Sewer will be May 7, 2015 at 4:00. It will begin with a Public Hearing and then the Boards will begin their discussion. Morgan will provide the board with the joint regulations regarding grease traps for the meeting.

There is a new Health Agent, Laura Marin. Ms. Clark will train her for doing inspections right away since it is the beginning of the inspection season. Ms. Marin just finished an internship with the County.

A training session is being scheduled with the MDPH Department of Epidemiology. She would like Ms. Marin and herself to know more about it although it is usually handled on the County level. Dr. Whelan would like to attend, as well. The annual Choke Safety Class date will be set soon. A ServSafe class will be held and a food handlers quick course too.

Ms. Clark has reapplied for an Americorp volunteer.

On line permitting will be fully operational next year. The data base is being created now. Ms. Clark is working on regulations and fee changes for the next meeting. There will be a workshop session at 3:00 for the food regulations.

Morgan has had a meeting with the Director of Behavioral Health at OCHS. The Selectmen have tasked the Health Department with arranging a mental health response to certain situations. Ms. Clark will talk to the Police and other stake holders.

Mr. Katsurinis is of the opinion that the Town could offer case management, but not provide the services.

**VII. Board Members' Statements**

There were no statements made by the Board members.

**Adjournment:**

*There being no further business, Betty Williams moved to adjourn the meeting at 5:53 pm. The Motion was seconded Dr. Janet Whelan. It was passed by unanimous vote.*

Respectfully submitted,

Susan Leonard

Approved by \_\_\_\_\_ on \_\_\_\_\_, 2015