



**Town of Provincetown  
Meeting of the  
BOARD OF HEALTH  
Thursday, May 31, 2018**

**Judge Welsh Hearing Room, Provincetown Town Hall,  
260 Commercial Street, Provincetown, MA**

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**Board Members Present:** Mark Phillips, Chair; Dr. Elise Cozzi; Dr. Janet Whelan; Kalliope Chute; Elizabeth Williams, Alternate; and Irv Morgan, Alternate

**Board Members Absent:** Steve Katsurinis, Vice Chair- excused

**Other attendees:** Morgan Clark, Health Director; Laura Marin, Health Agent

**Call to Order:** Mark Philips called the meeting to order at 4:00 p.m.

**I. Public Comments**

There were no public comments

**II. Public Hearings**

**a. Proposed changes to Board of Health Regulations Part IX: Tobacco Control and Tobacco Sales**

Proposed changes to Board of Health Regulations Part IX: Tobacco Control and Tobacco Sales include:

- Combined all sections of Part IX into one regulation
- Adopted the Wellfleet Board of Health regulatory taxonomy per Board of Health decision on January 22, 2018
- Updated definition of Marijuana Accessories per G.L. c. 94G, §1
- Reinstated the definition of public place
- Expressly prohibit smoking bars
- Removed ban on menthol cigarettes
- Updated signage requirements
- Updated acceptable identification methods in accordance with state law

Mr. Phillips read the public hearing notice

**Discussion:**

Ms. Clark noted that D.J. Wilson, Tobacco Control Director was present, and stated that the reasons for some of the proposed changes were closing a loophole regarding smoking bars and to correct and unintended ban on menthol cigarettes. Others need change in order to allow DPW to obtain State grants and Recycling and Renewable Energy Committee to request use of covered recycle bins. Mr.

Wilson explained the history of regulations on flavored cigarettes and menthol issue as well as smoking bars. Public spaces, marijuana laws, the definition of entranceways and the removal of entranceways from the proposed changes in regulation were also discussed.

**Motion:** *Move approval of Board of Health regulations excluding public space definition of entryway and renumbering as done by the health agent and upon posting for Part IX.*

**Motion:** Ms. Chute

**Seconded:** Dr. Whelan

**Vote 5-0-0**

**b. Proposed changes to Board of Health Regulations selected articles of Part VI: Articles 3, 4, 6, 7, 9, and 10**

- Board of Health Regulations Part VI, Art 3: Sanitation Collection & Disposal
- Board of Health Regulations Part VI, Art 4: Use and Operation of the Transfer Station
- Board of Health Regulations Part VI, Art 6: Infectious Waste Regulations
- Board of Health Regulations Part VI, Art 7: Solid Waste & Recycling Regulations
- Board of Health Regulations Part VI, Art 9: Refuse Haulers Permit
- Board of Health Regulations Part VI, Art 10: Refuse and Recycling Pickups

Proposed changes to Board of Health Regulations selected articles of Part VI, include:

- Combined all related sections of Part VI into one regulation, with one preamble and one set of definitions
- Renamed the regulation: Solid Waste
- Adopted the Wellfleet Board of Health regulatory taxonomy per Board of Health decision on January 22, 2018
- Included regulatory best management practices from the County Regional Waste Reduction Coordinator for the regulation of private solid waste haulers, which makes the Town eligible for state grants
- Removed sections better communicated via DPW Policies (ie: collection routes, materials accepted at the Transfer Station and Swap Shop), kept the requirement that such policies shall be approved by the Board of Health and be posted widely
- Required refuse haulers to provide recycling service
- Required generators of solid waste to recycle
- Required refuse haulers to report solid waste data
- Required all solid waste receptacles to be covered
- Edited for clarity; deleted redundancies

**Discussion:**

Ms. Clark described the changes in Part VI and discussed the timing of adopting the regulations. Discussion covered motor oil and antifreeze disposal being collected at hazardous waste days. The Board discussed edits to the proposed changes in sections 10.12 on page 3, 10.25, 10.31, 10.32 on page 4, deleted 10.33 on page 5, and made edits to 10.34.

**Motion:** *Move to approve proposed changes to selected articles: 3,4,6,7,9,10 in Part VI as enumerated by Mr. Phillips*

**Motion:** Ms. Chute

**Seconded:** Dr. Whelan

**Vote: 5-0-0**

**Discussion:**

The Board discussed which date that covered recycle bins goes in effect and it was determined that all of the other changes would go into effect at posting except that covered recycling bins would go into effect on December 31, 2018.

**III. Any other business that shall properly come before the Board**

Tour of sewer plant and the Transfer Station was discussed  
Mr. Phillips suggested they consider making alternative arrangement for minutes

**IV. Board Members' Statements**

Mr. Phillips welcomed Mr. Morgan to the board and Mr. Morgan introduced himself. Ms. Chute announced there would be hazardous waste collection from 9 am until 12 noon, Saturday at the Well-fleet Transfer Station.

**Adjournment:**

There being no further business, Mr. Phillips adjourned the meeting at 5:29 p.m.

Respectfully submitted,

Linda Fiorella

Approved by \_\_\_\_\_ on \_\_\_\_\_, 2018