



**Town of Provincetown  
Meeting of the  
BOARD OF HEALTH**

**Thursday, August 15, 2019**

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

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**Board Members Present:** Mark Phillips, Chair, Steve Katsurinis, Vice Chair; Dr. Janet Whelan; Dr. Elise Cozzi; Kalliope Chute; and Dr. Susan Troyan, Alternate

**Board Members Absent:** Irv Morgan, Alternate

**Other attendees:** Morgan Clark, Health Director; Lezli Rowell, Health Agent

**Call to Order:** Mr. Phillips called the meeting to order at 4:01 p.m.

**I. Public Comments:**

Dr. Troyan arrived at 4:02 pm

Paul Richardson expressed concerns about rats on Pearl Street and elsewhere in town particularly in regards to the role of local government in addressing the problem.

Elizabeth Brooke requested that the agenda item on rats be moved up in the agenda, but Public Hearings cannot be moved.

Catherine Russo of Fishburn Court stated that the issue was not accurately described in the newspaper, and supports humane solutions.

**II. Public Hearings:**

**a. Board of Health Regulations, 600: Subsurface Sewage Disposal Systems, under section 603 "Definitions" (Bedroom)**

**Discussion:** Ms. Clark read the hearing notice and explained the proposed changes regarding the definition of bedrooms and about bathrooms and presented the Board with a brief background of the changes. The Board discussed outdoor showers.

**Mr. Phillips opened the public hearing to comments from the public:**

**Public Comments:**

Jeff Epstein stated that the regulations proposed are very strict, particularly around half bathrooms.

**Discussion:** The Board discussed whether the proposed change regarding toilets would allow for one extra toilet per bedroom or one extra for the entire dwelling, suggesting that the intended meaning of one extra toilet for the entire dwelling be clarified. The outdoor shower issue was discussed again and it was suggested that the Conservation Agent might come to the next meeting.

**Mr. Phillips closed the public comments portion of the hearing.**

**Motion:** *With the clarifying language that the additional half bath is per property and not per bedroom, move to approve option B.*

**Motion:** Mr. Katsurinis      **Seconded:** Ms. Chute      **Vote:** 5-0-0

**b. Board of Health Regulations, Part VI Article 5 – Solid Waste Fees**

**Discussion:** Ms. Clark noted that the DPW Director is requesting that the fees be raised due to increased costs for the Town. The Board discussed with staff recycling costs versus regular garbage costs, fines for not recycling for haulers, and a desire for more information on what happens to trash and recycling once it has been picked up, and to hear from local trash pickup providers.

**Mr. Phillips opened the hearing to public comments and, hearing none, closed the public comment portion of the hearing.**

**Motion:** *Move to increase the solid waste fee per recommendation from DPW Director Rich Waldo from \$40 per ton to \$100 per ton due to the increased costs of recycling per the Town's contract with Casella, LLC.*

**Motion:** Ms. Chute      **Seconded:** Dr. Cozzi      **Vote:** 5-0-0

**III. New Business**

**Mr. Phillips, hearing no objection from the Board, moved item “c” up in the Agenda.**

**c. Discussion: Animal Welfare Committee - humane solutions to overpopulation, Elizabeth Brooke presenting**

**Discussion:** The members of the Animal Welfare Committee Elizabeth Brooke, Chair Carol McDonald, Barbara Murphy, and Clerk Sherry Brec introduced themselves and Ms. Brooke noted that Alternate Russell Dutra and Stormy Mayo of the Center for Coastal Studies were also in attendance. Ms. Brooke called the Animal Welfare Committee to order and discussed problems arising from an increase in the rodent population and proposed humane solutions such as a device developed in New Zealand to humanely euthanize rodents once they enter the trap. The long term solution she proposed is sterilization of the rats, garbage control and education. Stormy Mayo addressed the Board and advocated for humane solutions especially those which limit reproduction, and noted that the problem extends to other parts of the Cape, and is greater than currently realized. Mr. Mayo noted that the poisons some are using are dangerous and discouraged their use. The Board discussed potential causes for the current increase including flooding of the breakwater driving the rats from where they had been sheltering. Ms. Brooke requested the town help with the cost of deploying the humane traps. Further discussion covered how the birth control process would affect the environment and other wildlife and a desire to further investigate the science behind the method. Ms. Clark described current humane pest control being used at the Transfer Station and reported on her investigation and her findings that the Town cannot treat on private property, and some steps the Health Department is taking to spread the word. The Board discussed potential next steps regarding poisons, trash, and education.

**Public Comment:**

Mr. Richardson - need to look at how to work on the problem now as it's a public health issue.

Ms. Russo - her compost bin had rats and her neighbors have seen rats.

Robert Silva - rats used to be taken care of by cats.

Jeff Millikan - off Pearl Street - community wide problem. The community will want to band together but would hope to see some town wide leadership on the issue. Affects public health and the

economic health of the town. Maybe up to the Select Board. We need education and leadership on how to tackle the problem.

Lucy Siegel - Pearl Street - discussed absentee home owners renting and depending on renters to put out garbage and their negligence.

**Further discussion:** Ms. Chute noted the importance of fact sheets on how to manage anti-rodenticide and noted that on October 5 people can go to the Provincetown Transfer Station to get rid of unwanted pesticides. Further discussion included an upcoming talk on rats in September at the Library, the extent of distribution for education materials, and other Town entities which could be involved moving forward.

**a. Introduction to new Community Support Liaison, Jessica Handley — Morgan Clark, presenting**

**Discussion:** Ms. Handley of the Homeless Prevention Council introduced herself and the program which strives to identify and address unmet needs and services, and she noted the need for solid data. Ms. Handley's hours at the Library and the Methodist Church were discussed noting that the current hours are meant to be flexible. The method of the program was covered as was forms of collecting data, the ways clients are being referred to the program, and using services and collaborating with organizations already in place. The Board welcomed Ms. Handley.

**b. 5 Conwell Street, Local Upgrade Approval request - David Lajoie of FELCO Engineering presenting**

**Discussion:** Mr. Lajoie presented background on the request including the changes to the structures and landscaping. Ms. Clark noted that the systems were in failure last year and that a number of the apartments are going to be year round rentals.

**Motion:** *Move to grant the requested Local Upgrade Approval to 5 Conwell Street as presented.*

**Motion:** Dr. Whelan Seconded: Ms. Chute Vote: 5-0-0

**c. Discussion: Animal Welfare Committee - humane solutions to overpopulation, Elizabeth Brooke presenting [this item was moved to the top of the New Business agenda].**

**IV. Old Business**

**a. Designate voting representatives for 2021 International Energy Conservation Code:**

**Discussion:** Ms. Rowell presented a brief history of the agenda item noting that previously Ms. Chute, Mr. Katsurinis, Dr. Cozzi and Dr. Troyan had expressed interest.

**Motion:** *Move to appoint the four members of the board as stated.*

**Motion:** Mr. Phillips Seconded: Mr. Katsurinis Vote: 5-0-0

**V. Any Other Business That Shall Properly Come Before the Board**

No other business.

**VI. Approval of Minutes**

**Motion: *Move to approve the minutes for July 18, 2019***

**Motion: Mr. Katsurinis    Seconded: Dr. Cozzi    Vote: 5-0-0**

## **VII. Health Department Report**

**Food Establishment Inspections:** The Health Department has performed or coordinated 100% completion first round inspection of the Full Service Establishments (FSE) and Limited Facility (LF) restaurant licensees, with 28% of the FSEs and 37% of the LFs through second round inspections; 100% of the full breakfast residential kitchens and an 11% representative sampling of continental breakfast licensees; a 23% representative sampling of retail food service licensed establishments (commercially pre-packaged, ready-to-eat foods only); and, 83% of the annual non-profit/institutional license inspections. This was the last week with services of the Barnstable County Summer Sanitarian. A few refrigeration issues have been handled and mainly minor complaints have been handled.

**Food Establishment Pre-Application/Plan Review/Pre-Operational Inspections:** The Health Department is updating our 'Restaurant Checklist' provided in pre-application meetings with potential new/transfer licensees, with emphasis that there is no "grandfathering" on Food Code requirements. This guidance assists applicants in assessing establishments and preparing for plan review submittal. This month, Ms. Rowell has conducted another pre-operational inspection and is working with a new application.

**Pool Inspections:** The Health Department has performed or coordinated second round inspections to 18 of the 19 licensed semi-public pools, including two with DPH report follow ups. The Health Department monitors the requirement for monthly laboratory sampling, and on-site requirement for logging sampling four times daily. Following the recommendation of the DPH Community Sanitation Program, use of Taylor FAS-DPD K-2006 water chemistry kit may be required or recommended for 2020 season licensing. Ms. Rowell described her follow up on two pools which have had concerns over the summer that are being addressed.

**Beach Water Quality Testing:** Work with the Barnstable County lab and Summer Sanitarian services continue through the last week of August. Notices continue to be reported to the public through the Civic Alerts sign up system. Beaches which have had closures include Ryder Street, 451 Commercial Street and Town Landings 1 and 2 (across from Breakwater Hotel and Snail Road). Many of the closures have been under the 'geomean' calculation. This includes five most recent results collected, including samples impacted by rainfall, intended to reflect typical water quality of the testing location (DPH May 2019 memo enclosed).

**Grease Trap Pumpings:** Mr. Roderick reports that he has pumped a volume of approximately 90,000 gallons in July for his client base, and is on track to service all accounts meeting the new BOH requirement for FSEs to schedule at least one of their annual required grease trap pumpings between July 1 – August 31.

**Public Health Memo, Re - Bats and Rabies:** Memorandum issued 8/1/19 from the State Epidemiologist and State Public Health Veterinarian (enclosed) has been shared with the Animal Control Officer, upon receipt. Take-aways are: keep pet dogs and cats up-to-date on their rabies vaccines, never handle a bat with bare hands, and do not release a captured bat outdoors until it can be safely ruled out that there has been an exposure.

**Buried in Treasures Workshop:** Cape Cod Hoarding Task Force and the Provincetown Council on Aging are sponsoring a multi-week group starting 10/15/19 (announcement attached) with the goal of changing problematic acquisition and discarding behaviors. This is a free workshop but requires registration.

**Upcoming BOH Event:** The Importance of Eliminating Rat Poisons in Our Environment talk will be held immediately after the BOH meeting on Thursday 9/19/19 at 6 pm at the Provincetown Library.

**Test N Treat Program:** The grant funding provided to OCHS for the TnT program is helping to provide testing and treatment for patients and their sexual partners for whom insurance will not cover.

**New Partner Agency/Service:** At the last Hoarding Task Force meeting on 8/1/19 staff learned about the Massachusetts Tenancy Preservation Program (TPP) which is a state homelessness prevention program. TPP works with tenants, including families with children with disabilities, facing eviction as a result of behavior related to a disability (e.g. mental illness, mental retardation, substance abuse, aging related impairments). TPP functions as a neutral party to the landlord and tenant. In consultation with the Housing Court, TPP works with the property owner and tenant to determine whether the disability can be reasonably accommodated and the tenancy preserved. At the meeting, staff learned that there is only one TPP case worker assigned to the entire Cape, and that the case-worker is only allowed to have two active hoarding cases at a time, so this program provides very minimal services to aid the complex problem of hoarding.

**Upcoming Program Launch:** Please see the attached promo card for the Crop Swap: Provincetown's Produce Swap Shop, a collaborative project of the Health Department, Library and Soup Kitchen in Provincetown. The Crop Swap opens with a launch party on the Provincetown Library Lawn on Tuesday 9/3/19 at 4 pm. We are still looking for volunteers and the volunteer training will be held on 8/27/19 at 1 pm at the Library. Please spread the word.

## **VII. Board Members' Statements**

Mr. Phillips requested to be kept informed regarding the increase in rodents.

Mr. Katsurinis suggested looking into a non-binding resolution potentially with the animal welfare committee against the use of rodenticides.

Dr. Whelan suggested working with the Animal Welfare Committee.

Dr. Cozzi suggested starting a task force including members of the Animal Welfare Committee.

Ms. Rowell will share the letter she sends to the area around Pearl Street with the Board.

## **Adjournment:**

There being no further business, Mr. Phillips moved to adjourn the meeting at 6:08 pm.

Respectfully submitted,

Linda Fiorella

Approved by \_\_\_\_\_ on \_\_\_\_\_, 2019