

Truro Board of Health Minutes
February 3, 2015
4:30 PM-Truro Town Hall

Members Present: Chair-Tracey Rose, Vice Chair-Jason Silva, Clerk-Mark Peters, Tim Rose

Members Absent: Dianne Eib, Alternate-Ansel Chaplin

Present: Health Agent-Pat Pajaron, BOH Secretary-Noelle Scoullar, BoS Liaison-Bob Weinstein, William Evaul

REVIEW/APPROVE MINUTES

January 20, 2015

Tracey called the meeting to order at 4:30PM. She announced that the meeting was being recorded, and asked if anyone in the audience was recording. Hearing no response in the affirmative, she asked that anyone coming up to speak to please state their name for the minutes.

Mark Peters made a motion to approve the minutes as presented.

Jason Silva seconded this motion.

Vote: 3-0, motion carries.

REPORTS

Water Resources Oversight Committee

Mark reported that the Water Resources Oversight Committee met on January 29th, at which time they went over the timetable involved as far as public outreach. The group also went over the regional wells, strategic analysis, the investigation of storm water runoff, and the budget for that (which was approved). Pat added that they went over the Phase 2 contract. Mark added that the next meeting was to be held on February 26th, with another meeting tentatively scheduled for March 12th. It is the intent of the committee to have as much public education as possible in order for anything that comes up to be thoroughly understood by the population at large. Pat stated that the contract will be presented to the Board of Selectmen on February 10th for their review.

Health Agent's Report

The Board had inquired about the upgrade at Adventure Bound Campgrounds. Pat had emailed Brian Dudley at the DEP, but has not heard anything back from him. The last correspondence Pat had was from two years ago in which it was stated that Adventure Bound Campgrounds would issue an amended Administrative Consent Order, or an amended permit combining both facilities. She may call Brian at the end of this month. The Board discussed with Pat the possible location of the treatment plant at one facility.

Pat also mentioned the dune system at Ballston Beach being breached during the last storm. She has notified the property owners along the Pamet Valley that if they are concerned with flooding, they can get their well tested. There will be a discussion tomorrow at the Town Hall regarding the extent of repair. Attending the discussion will be the Cape Cod National Seashore, the Center for Coastal Studies, a member from the Conservation Commission, the DPW Director, the Health Agent, and the Town Administrator.

Robert Weinstein came up to speak. He would like the Board of Health to put a discussion about the Ballston Beach breach on their next scheduled meeting. There may be people who wish to ask Pat questions.

PUBLIC HEARINGS

1. William Evaul, 11 Hughes Road, Request for Extension of Time to Install Septic System.

William Evaul approached the Board. He explained that the plans have been done, and he has given them to five different companies. He has not received any bids back yet, and believes the weather has set companies back. Pat reminded the Board that this property had been heard back on their November 5, 2014 meeting. At that time, they were granted a three month variance to put the system in, and that three month timeframe expires on February 5, 2015.

Mark Peters made a motion to extend the timeframe to install the septic system to May 1, 2015.

Jason Silva seconded this motion.

Vote: 3-0, motion carries.

2. Show Cause Hearing, Carolyn Delgizzi, David J. Delgizzi and Daniel R. Delgizzi, The Highland Inn at 4 Moses Way and The Beacon at 101 Shore Rd., Licensing Requirements per BOH Regulation, Section III, Article 3.

Tracey announced that no one was here to represent this hearing. Mark suggested taking the next step in the legal process. Tracey explained that the reason for the Show Cause Hearing was because these two properties are year-round businesses and they are in violation for not having their license for 2015. The Delgizzi's are habitually late in turning in their renewal applications. Since the last meeting, Licensing has received the applications, however the proper fee was not submitted, and the worker's compensation insurance expires in four days. Jason asked if no fee was submitted. Pat explained that there is a "double the cost of fees" in place for applicants operating without a license. The Delgizzi's submitted a \$50.00 payment per application when it should have been \$100.00 per application. Tracey stated that there is a blatant disregard from this business for Truro's local policy. Mark added that he is receiving complaints from neighbors in the area about the condition of the property. Mark would like to consult legal counsel for the next step in relief from this situation. He wanted confirmation that the property was not being condemned, and therefore was not "putting anyone out in the snow". Tracey stated that he was correct. Pat stated there were two courses they could take.

#1-Resume ticketing. A motion could be made stating that the applications are not complete, and they are operating without a license.

#2-Consult legal counsel.

Mark Peters made a motion to deny the licenses, due to receiving them incomplete, to seek legal counsel on what the Board's next step would be, and to resume ticketing for non-compliance.

Jason Silva seconded this motion.

Vote: 3-0, motion carries.

AGENDA ITEMS:

- 1. Discussion: Truro Board of Health Regulation Section III, Article 3, Manager Regulation (continued from 1/20/15)**

Tracey believes the full Board of Health should be present.

Mark Peters made a motion to continue this discussion to their next scheduled meeting (February 17, 2015)

Jason Silva seconded this motion.

Vote: 3-0, motion carries.

LICENSING RENEWAL APPROVALS

- 1. Stephen Ryan, Mgr of Highland Inn, 4 Moses Way, Motel License.**
- 2. Michael McGuinness, Mgr of The Beacon, 101 Shore Road, Motel License.**

These two licenses have been denied. No vote is required.

Pat brought up an item for discussion. Licensing has been receiving inquiries from condo associations that currently have an onsite manager, and wish to have a co-manager, which is an off-site property management company. How would the Board of Health like to handle this? Will this trigger a change of manager team inspection? Will this simply be an amendment to the current license? Mark asked why both an onsite and off-site manager would be needed. Pat explained that the idea is to have 100% coverage. Tracey suggested that amending the license to show a co-manager would be the way to go, with the understanding that the off-site management company needs to come before the Board before they sign the license. If the property has had the same manager for 20 years, and it's been a while since anyone has inspected the property, then Pat could use her judgment for a possible team inspection.

Mark Peters made a motion to adjourn the meeting at 4:56PM.

Jason Silva seconded this motion.

Vote: 3-0, motion carries.

Chair-Tracey Rose

Vice Chair-Jason Silva

Clerk-Mark Peters

Dianne Eib

Tim Rose

Alternate-Ansel Chaplin