

Truro Board of Health Minutes

May 1, 2018

4:30 PM-Truro Town Hall

**Members Present:** Chair Tracey Rose, Vice-Chair Jason Silva, Member Mark Peters, Member Tim Rose, Clerk – Peter Van Stratum

**Others Present:** Health Agent Emily Beebe, John Gainey (Pamet Valley Liquors), Martha Nagy, Danielle Niedzielski (The Captains Daughter), Dawn Dykeman (Fullers Package Store), Jarrod Cabral (DPW Director), Keith Althaus

Chair Tracey Rose called the meeting to order at 4:30PM. Ms. Rose requested that everyone speak clearly for the video recorder. She asked if anyone in the audience was recording. No one replied in the affirmative.

**PUBLIC COMMENTS**

None.

**AGENDA ITEMS**

**1. Tobacco Sales Ban Discussion**

John Gainey from Pamet Valley Liquors came to the table to reiterate the financial impact the ban would have on his business. He estimated that cigarette sales brought in about \$157,000 a year. Keith Althaus came before the Board and agreed with Mr. Gainey with regards to the negative effect the ban will have on businesses in Town. Mr. Rose disagreed with the ban. He felt it was up to the consumer (21yrs and older) to make the choice as far as their health. Mr. Peters stated that though tobacco is not good for you, he did not feel that the Board should ban the sale of it in Truro and create the negative impact for business owners. Mr. Silva supported the business owners as well and stated his opposition to the ban. Mr. Van Stratum felt it was the Board of "Health's" job to look out for the public welfare of its citizens. He continued to discuss the negative impacts of cigarettes. Ms. Rose agreed with the public welfare part of Peter's statement, but also felt that it is up to the individual to make the choice and own the responsibility of that choice. She reminded everyone that the Board just voted to move the age of tobacco sales to 21 years and older, which she felt was a step in the right direction, and that she did feel for the local business owner's concerns. With that being in said, she stated that she would not be in favor of the ban.

**Mr. Peters moved that the Board of Health not move ahead with formulating a tobacco sales ban.**

**Mr. Rose seconded.**

**Vote: 4-0-1, motion carries with Mr. Van Stratum abstaining.**

**Ms. Rose moved to change the order of the Agenda around and hear the license renewals next.**

**Mr. Rose seconded.**

**Vote: 5-0-0, motion carries.**

**LICENSING RENEWALS**

- 1. Sunset Village ; 372Shore Rd**
- 2. Moorlands; 11 Hughes Road**
- 3. Seascent Pines; 124 Castle Road**

- 4. Seascent 126; 126 Castle Road
- 5. Oceana Cottages; 345 Shore Road

**Mr. Peters moved to approve renewals 1-5 pending signatures needed on item #1 and items #3 & #4.**  
**Mr. Rose seconded.**  
**Vote: 5-0-0, motion carries.**

#### **AGENDA ITEMS**

##### **2. New Farmer's Market Vendor Permit: The Captain's Daughter**

Danielle Niedzielski of The Captain's Daughter approached the Board. She informed them that her shop is located in and licensed by the Town of Provincetown. Her intention is to sell her tea drinks and her packaged tea at the Farmer's Market, all of which will be processed in her shop in Provincetown.

**Mr. Peters moved to approve the Farmer's Market Vendor Permit for The Captain's Daughter.**  
**Mr. Rose seconded.**  
**Vote: 5-0-0, motion carries.**

**Mr. Peters moved to hear the DPW Director's report next.**  
**Mr. Rose seconded.**  
**Vote: 5-0-0, motion carries.**

#### **DPW Director Report**

- Solid waste tonnage has decreased, single stream recycling has increased = down by 26 tons (this year compared to last year)
- Scale installation is complete. Will be operational May 4, 2018. State permit has been received.
- Small group of commercial businesses refuse to obtain a license through the Board of Health and pay for their yard waste. The Director suggested contacting those businesses via snail mail, urging them to obtain their license and also including a copy of their outstanding bill. If they choose not to respond, he suggested banning them from the Transfer Station until they comply and their accounts are paid. Some of the outstanding invoices belong to non-commercial residents that don't feel like paying for things that have a dumping fee, such as monitors, TVs, etc. **Mr. Rose moved to allow the DPW to bill the delinquent accounts and exercise the authority to deny access to the Transfer Station until the account has been paid. The delinquent account will have 30 days to be paid and then an additional 15 days. If a person has a financial issue or grievance, they can come before the Board of Health to state their case. Mr. Peters seconded. Vote: 5-0-0, motion carries.**
  - **Ms. Peters moved to authorize the DPW Director to handle issuance of citations as cited in the Board of Health Regulations Article 3 Enforcement, for commercial haulers that bring out of Town waste & recycling. Mr. Silva seconded. Vote: 5-0-0, motion carries.**
- China is still not accepting recyclables from the United States. The US is looking into Pakistan & India as another option.
- **Swap Shop:** would go right where the existing building is. Waiting on approval of funds at Town election before the DPW can purchase new building. Ms. Rose mentioned moving the swap shop to the COA (7 Standish Way). She also asked what the plan was if the funds were not approved at the ballot. Mr. Cabral said he would have to discuss it with the Building

Commissioner and the Town Manager, but he felt that he would have to remove the building. The Board and Director discussed building options.

### **AGENDA ITEMS**

#### **3. Discussion on Bathing Beach variance renewal for Cold Storage Beach**

*[Beaches ranked as "Tier III" have demonstrated excellent water quality with minimal exceedances [zero within the past 2 beach season ] and have low risk for potential pollution sources .Cold Storage Beach has tier III status approval which entitles it for a sampling variance; this was last granted in 2014 and is due for renewal May 6, 2018]*

**Mr. Rose moved to approve the variance renewal for Cold Storage Beach.**

**Mr. Peters seconded.**

**Vote: 5-0-0, motion carries.**

### **REVIEW/APPROVE MINUTES**

April 17, 2018

**Mr. Peters moved to approve as submitted.**

**Mr. Rose seconded.**

**Vote: 4-0-1, motion carries with Mr. Van Stratum abstaining.**

### **REPORTS**

#### **Health Agents Report/WROC**

- Bug Off event held by the Outer Cape Health & Conservation Departments takes place on May 2, 2018 at 5:30-7:00PM. The meeting takes place at the Wellfleet COA.
- Health Fair: May 17<sup>th</sup> from 11-2 at the Truro Community Center.
- Marijuana Regulations: how they relate to the local Board of Health and Food Service Regulations. Mr. Peters suggested reaching out to a State that currently allows the sale of marijuana and seeing what their experience has been. It may help the Board for local regulation on the topic. The Board discussed sitting down with the Interim Police Chief.

#### **Report of the Chair**

- Year round condo bylaw passed at Town Meeting. Ms. Rose thanked her fellow Board members for their input.
- Ms. Rose asked the Health Agent to put the "I/A systems for ADUs" discussion back on the agenda.

**Mr. Rose moved to adjourn.**

**Mr. Silva seconded.**

**Cote: 5-0-0, motion carries.**

**Respectfully Submitted,**

**Arozana Davis**

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**Chair-Tracey Rose**

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**Vice Chair-Jason Silva**

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**Mark Peters, Member**

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**Clerk-Peter Van Stratum**

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**Tim Rose, Member**