



Town of Oak Bluffs
Board of Health
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William White
Chairman
James Butterick
Thomas Zinno
Board Members
Meegan Lancaster
Health Agent

BOARD OF HEALTH MEETING February 26, 2019 – MINUTES

Members Present: William White, Thomas Zinno

Members(s) Absent: James Butterick

Others Present: Meegan Lancaster, Lorna Welch, Lisa Merritt, Jim Monteith, Rachel Perry, Nadine Barrett, Joan Chaput, Ryan Estrella, Albert Lattanzi, Chris Alley, Bruce MacNelly, James Ragen, Ayoung Cho, Deon Thomas

Chairman White called the meeting to order at 10:00 am.

HEARING:

- **Public hearing to discuss proposed Fat, Oil and Grease (FOG) handling regulations. The proposed regulation would require regular maintenance and documented monitoring to be performed on grease removal devices located at food establishments in the Town**

Copies of the regulations were available for review. Ms. Lancaster stated that the purpose of the FOG regulation, in conjunction with the Wastewater Department, is to protect public health. There are recurring issues with fat buildup which is causing sewage backups into food establishments which is directly attributable to a lack of maintenance of the grease traps. The regulation is to help prevent blockages and sewage backups into restaurants which would result in a closure. Ms. Lancaster stated that most municipalities in other towns have an FOG regulation. Our draft regulation is in line with the plumbing code as to which plumbing devices are to be attached to a grease trap.

Jim Monteith, Facilities Manager of Oak Bluffs Wastewater, spoke about the issues they have had due to restaurants not pumping out their grease traps when they should. The backups tend to cost the restaurants twice as much in the end if not more to have clogs removed and pumps replaced. The operators are supposed to do a pump-out on a yearly basis but the restaurants aren't doing it and the wastewater department doesn't have strong enforcement capabilities.

Mr. Zinno asked Mr. Monteith to explain about the exact problems that they have. Mr. Monteith replied that the problem they are having is sewage backup and pump damage, usually because of grease buildup. He went on to say that these backups usually wind up occurring during the busiest time of the year. He went on to recommend that the restaurants pump-out the grease in the fall when they are closing while it's still soft as opposed to doing it in the spring when the grease is more solidified.

Mr. White asked the restaurant operators in attendance if they had any questions or comments on the proposed regulations. Ms. Barrett stated that where she works they are doing the grease trap pump-outs. Mr. White stated that together with the Wastewater Dept. we are being proactive to help with the problem spots. It only takes one or two people that don't do it to cause a problem for everyone down the line.

Ms. Lancaster stated that the major points for discussion for the proposed regulation are the timeframe for implementation and ensuring that people have the devices that they need. There are 2 options listed, option A and option B, which have different time frames. Option A would be to have a hard time frame to come into compliance and have the devices installed. Option B would be if the device isn't installed currently then what would trigger the installation: remodeling through a building permit process, new ownership, new occupant or new construction. Mr. White asked what her suggestion would be. She responded that Mr. Monteith stated that most of the establishments do have the devices installed already and as part of the food establishment plan review process this would be looked at. Mr. Monteith stated that most of the establishments have at least an internal device for the sinks and dishwashers and any that have room for an exterior device would have one. Ms. Lancaster suggested the operators be required to have a log documenting the clean outs. If it was new construction and they did not have the space for an external trap then they could come to the BOH for a variance. There are some other grease removal devices that are considered active traps internally that have chilled devices which solidify the grease in the process of removal. These are more effective than a standalone passive trap.

Mr. Alley asked how often the regulation would require a grease trap pump-out. Ms. Lancaster responded that a pump-out would be required every 180 days (6 months) which would mean that most seasonal operators would need to pump their grease interceptors once per year and year-round operators would likely need to pump twice per year. Mr. Monteith stated that he would assume that would be the minimum and that some places choose to do it every 3 months depending on how much grease they produce. We are just looking for a minimum and an establishment can choose to do more.

Mr. Zinno suggested that we have a list of what equipment each establishment has onsite. Ms. Lancaster pointed out Section 7 - FOG pre-treatment operation and maintenance section addresses those concerns and lays out the maintenance schedules for the different components. Mr. White stated that the Board will possibly vote on this at the next meeting.

APPOINTMENTS:

- **Chris Alley – Proposed upgrade to system at 5 Canonicus Ave. M 10 P 153**

Mr. Alley stated that he does not have an application in for this property yet. He showed the Board the septic plan from 2009 of a 5 bedroom upgrade design they did which was approved with several variances. They were replacing 2 cesspools but the system was never built and the house is falling apart. Now the owners want to renovate but Mr. MacNelly stated it is a teardown so they would like to do new construction with the same footprint. One thing they would change is the use of piers instead of crawlspace where the septic is encroaching on the setbacks. The applicants also wondered if they would be allowed to put 5 bedrooms on this property with the lot constraints. Ms. Lancaster stated that there have been many complaints about this property and thinks they are making reasonable efforts to make this a compliant installation in terms of using the piers. Mr. Alley will submit a revised plan.

- **Chris Alley – Land Bank representative update**

Mr. Alley updated the Board on a meeting 3 weeks prior where 2 members of the public attended. One of the issues was coordinating and reporting back to appointing Boards. One subject that came up that is relevant to the BOH is the Water Dept. looking at putting in a new well. Mr. Zinno talked about this coming up in the past when he was the Planning Board representative for the Land Bank and they decided not to do it because they didn't want to create another Zone 2. They considered putting a well in on Land Bank property but they didn't want one on their properties at the time. Mr. Alley stated that they are looking at an area near Mahoney's which would create a Zone 1 that would overlap the Farm Neck well in Zone 2. This would add in Sengekontacket and possibly Hidden Cove.

BOARD MEMBER DISCUSSION:

- **Vaping – issues, concerns and potential harm-reduction strategies. Consideration of using permit fees towards revolving fund reduction and educational opportunities**

Ms. Lancaster postponed this discussion so that Mr. Butterick could take part.

- **Eversource Spraying – 5 Year Vegetation Management Plan (VOP) and Yearly Operational Plan (YOP) discussion of potential actions to help mitigate YOP spraying**

Ms. Lancaster just received the YOP, they are not planning to spray anywhere on the island in 2019. There was some talk that other towns were working on a petition to ban the use of herbicides on the island.

APPROVAL OF MINUTES:

- **January 29, 2019** – Postponed until next meeting due to Board member absent from meeting.

AGENT UPDATES:

- **Food Establishment Plan Review Fee Structure – current and proposed fees for plan review**

Ms. Lancaster explained that currently we have a \$100 fee for new establishments and \$50 for a revision. These fees are not accounting for the amount of time it is taking to go through these applications. She is proposing \$200 or \$250 minimal for new establishments. They are being submitted incomplete which prompts many revisions and extra time spent tracking down the information needed to complete the review process. The Board was in agreement with raising the fee. She will return to the Board at a later time to formally revise the fee.

OTHER DISCUSSION:

Mr. Zinno asked about the permitting software and why it isn't up and running. Ms. Lancaster explained that the communication has been extremely poor. The scheduled go live date was Monday, February 25th and her office was not contacted by either the IT department for the Town or the Viewpoint account representative in order to let her know that they weren't ready to launch. She went on to explain some of the difficulties including having to do our own testing and have been asked to run our credit cards through the system. She doesn't think the onus should be on the BOH, it should be on the IT Department and the Treasurer to get the system up and running as far as payments are concerned. There are many other issues that we have no control over. This is not the first municipality that this company has done so it was unclear as to why it seems that the project is starting from scratch. Mr. Zinno mentioned that he had a similar experience with getting the Planning Board a presence on the town website which took 8 months. Mr. Zinno asked for a list of the issues so he could speak with Bob regarding the concerns that the Board has.

Mr. Zinno made a motion to adjourn. All in favor.

Respectfully submitted by Lorna Welch, Administrative Assistant.

DOCUMENT(S): Proposed Rules and Regulations for Maintenance of Grease Traps and Removal of Fats, Oils & Grease (F.O.G.) from Food Establishments