



Town of Oak Bluffs
Board of Health
P.O. Box 1327
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William White
Chairperson

James Butterick
Thomas Zinno
Board Members

Garrett Albiston
Health Agent

Alexa Arieta
Assistant Health Agent

BOARD OF HEALTH MEETING MINUTES

July 6, 2023 – 11:00 AM

In accordance with Governor Healey's extension of the temporary provisions of the Open Meeting Law, this meeting was held virtually.

Members Present: William White, James Butterick, Thomas Zinno

Others Present: Garrett Albiston, Alexa Arieta, Lorna Welch, Bridget Palmieri, Walter Vail, Terry Donahue, Cassandra Bowler, Gail Barmakian, Ethan Genter, Anastasia Rudenko, Adam Turner, Kris O'Brien, Michael Watts, Eunki Seonwoo, Patrick Hickey, Emma Green-Beach, Maura McGroarty, Sheri Caseau

Chairperson White calls the meeting to order at 11:01AM.

A member asks to move the last item to the top of the meeting.

BOARD DISCUSSION

- **Discussion of proposed CWMP Regulations**
 - Mr. Albiston shares his screen to show the proposed regulations. One board member had responded that a change to be made was "any transfer of the sale" would initiate the required upgrade. Mr. Butterick speaks of the fact that nitrogen is nitrogen, and family member transfers should not be excluded. Mr. Zinno asks about the timeframe that a new owner has to comply with the upgrade requirement. Mr. Butterick asks if this regulation is clear about failures within the area that is to be sewered, if it states that they MUST tie into the sewer system if it is available.
 - The board asks the engineer, Anastasia Rudenko, to address the bedroom limitation numbers. She explains the chart and how the bedroom allowance goes up when the effluent number gets reduced.
 - Mr. Butterick
 - Mr. Albiston asks why this is more restrictive than the Zone II regulations. MS Rudenko states that this is to address growth management for nitrogen.
 - Mr. Butterick states the only systems that can achieve the numbers of 11mg/L are in provisional state. Ms. Rudenko states they have been in testing for about 1.5 years, and 3 years provisional are required before they are approved for regular use.

- Mr. Albiston asks about the plant being able to accept effluent from haulers pumping septic systems. At this time, they have no plans to include that.
- Mr. Hickey states the Edgartown might be accepting septage in the future. In the future, the town would have to pay for the septage removal. Mr. Hickey states that he would be able to manage a new employee that would provide this role. How it would get funded would need to be worked out.
- Mr. Butterick asks why this new plant is not designed to accept sewage from Oak Bluffs homes with septic systems.
- Ms. Barmakian states that the Wastewater Plant could accept septage, but it is like conducting another business. The reason Edgartown no longer does it is because of the cost associated with it. Perhaps we can partner with Edgartown in order to work something out. It is not part of the workings of the treatment facility and is essentially another entity.
- Mr. Hickey explains that the “holding” of the sludge is what creates the most cost.
- Mr. Albiston states that this portion of the regulation needs to be approved by us so that the CWMP can present this plan to the state. Ms. Rudenko states that they are requesting concurrence from the BOH so that they can continue on with this regulation proposal. The next step will be public comment.
- Mr. Albiston states that the Board has the ability to endorse this now, if they choose.
- Mr. Zinno makes a motion that the BOH endorses moving forward with the CWMP process to the next stage. Mr. Butterick seconds. Approved 3-0. Motion passed.
- **Guidelines for distribution of ARPA septic grants and possible vote**
 - Mr. Butterick states that he does not feel we should pay for entire systems, and that we should put a cap on the grant money distributed. We will need to find more grant money somewhere.
 - Mr. Zinno states that perhaps we will cover the first twenty systems, and just the IA portion, which is the extra tank.
 - Ms. Barmakian states that systems are intended to last about 20 years,
 - There are restrictions to be set: Full Time residency, as well as being under 200% AMI.
 - The goal of this is to put this in place ahead of the state regulations, so we are compliant and do not need to comply with the state regs.
- **Board Discussion of potential letter to be drafted to the Oak Bluffs Select Board and the Oak Bluffs Planning Board; in reference to the Board’s potential enactment of a moratorium on certain artificial sports playing surfaces in the Town of Oak Bluffs**
 - Mr. Albiston says this was requested to be put on the agenda by a board member at the last meeting. Essentially the letter would be a reminder that this draft moratorium could go in to place if the field is allowed after the closure of the planning board court case.
 - Mr. Zinno states that more PFAS regulations are coming at the state and federal level, and that we should change the use of PFAS anyway.
 - Mr. White asks if the proposed regulation is available online. Mr. Albiston states that it is in draft form, so it is not published on our website.
 - Ms. McGroarty asks for a copy of the moratorium. Mr. Albiston asks for an email for a public records request.

- Mr. Vail asks why the moratorium was not put in place last year. He asks if composting is going to be regulated? If there is already PFAS in the soil, why is this different?
- Mr. White explains that based on the lawsuit, the Board wanted to see where things ended up. There was no need for the moratorium at the time, because the proposed installation of the turf field is with the courts.
- Mr. Vail asks what the nature of the letter is to the planning board and select board. Mr. White states this is a wait and see issue at this point.
- Mr. Zinno states he feels we should draft a letter reminding the other boards that we have this moratorium that we are prepared with.
- Mr. Butterick and Mr. White agree that at this time, we should continue to wait and see.

Mr. Butterick makes a motion to adjourn at 11:55AM. Mr. Zinno seconds. Adjourned 3-0.

Respectfully Submitted by Alexa Arieta, Assistant Health Agent