

Terri A. Guarino
Health Agent

TOWN OF BOURNE BOARD OF HEALTH

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REMOTE MEETING MINUTES September 16, 2020

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TOWN CLERK BOURNE

Members in attendance: Kathleen Peterson, Chairwoman; Galon Barlow Jr., Vice Chairman; Stanley Andrews, Donald Uitti; and Kelly Mastria.

Support Staff in attendance: Terri Guarino, Health Agent; and Syreeta Amaral, Administrative Assistant.

Meeting was called to order at 5:00pm

Beth Treffeisen, Cape Cod Times, acknowledged she was recording the meeting.

1. COVID-19 and Phased Re-opening Plans—Terri Guarino, Health Agent to provide information and updates. The Board of Health to discuss and possibly vote as necessary:

- a. **Disease Surveillance News—public health data & cases --** Miss Guarino starts off the agenda item by addressing that there is new COVID-19 case data, confirming that there have been 176 confirmed cases within the Town of Bourne to date. She also noted that there are less than 10 active cases within the town at this time. The Board took no action at this time.
- b. **Mandatory Workplace Standards & Industry Specific Guidance—food establishments, breweries, pools, recreational camps, outdoor recreation, & other sectors, businesses, and operations not otherwise mentioned –** Miss Guarino continued with stating that there was new workplace guidance issued from the State for arcades and other indoor and outdoor game and recreation businesses effective 9/17/2020 (Order #50). The Board took no action at this time.
- c. **Local Updates & FAQs—permitting, inspections, public facilities, large gatherings, flu clinics, miscellaneous-** Miss Guarino continued with stating that the town hall is still closed to the public. The public library is continuing with their pickup and drop off program. She also noted that the Council on Aging will have some new programs starting in the fall. There is a regional flu clinic that has been posted on the Town of Bourne's website. This clinic was scheduled by the Barnstable County Department of Health and Environment on September 26th and it will take place at the Barnstable County Complex in Barnstable off of Main Street. The Town of Bourne's local flu clinic has been scheduled for Thursday, November 5th from 10:30 to 12:30pm at the Bourne Community Center. More information for this event will be made available within the next coming weeks. She added that there will be a need for volunteers for this clinic and is encouraging anyone who is interested in volunteering to please call the office. The Board took no action at this time.
- d. **Bourne Schools Reopening Plans –** Miss Guarino stated that the Bourne Public School System will reopen with remote learning. She added that new updated guidance and protocols were sent from the Department of Elementary and Secondary Education and that that information has been distributed to all our public schools. Ms. Peterson asked if there were any questions from the Board. Mrs. Mastria asked if the schools are reopening remotely if there are any plans or a date for a hybrid model full in person learning. Miss Guarino replied that while the date for school reopening is not set at this time, they are

hoping to resume in-person or hybrid learning as safely and as soon as possible, hopefully within a month. Ms. Peterson asked if there were any other questions from the board. There were no other questions from the Board. The Board took no action at this time.

2. **Arbovirus Update –Terri Guarino, Health Agent to discuss mosquito and tick-borne disease surveillance efforts**—Miss Guarino summarized the Massachusetts Department of Public Health weekly surveillance report and ongoing efforts. She stated that the risk of human transmission for Eastern Equine Encephalitis and West Nile Virus exists until the first hard frost. Aerial spraying was conducted in the beginning of August in abutting counties. There are 7 human cases of WNV and 4 human cases of EEE recorded within the Commonwealth of Massachusetts. Miss Guarino advised that everyone should continue to take precautions until the hard frost occurs. Ms. Peterson asked if there were any questions from the Board. There were no questions from the Board. The Board took no action at this time.
3. **ISWM Update-- General discussion and update on landfill operations with Daniel Barrett, Operations Manager at Bourne Landfill.** Mr. Barrett started by explaining the permitting updates that were submitted to the Board (**Exhibit A**). After explaining his submission, Ms. Peterson asked if there were any questions or changes requested from the Board. Miss Guarino replied that she had a question for Mr. Barret. She inquired as to what the landfill was doing in regards to accepting mattresses. Mr. Barrett replied that mattresses are the only thing that the facility is not accepting at this time due to COVID-19. He added that the facility has been looking into safe options for getting rid of mattresses. He stated that they have found a company that will take the mattresses by the trailer load. The residents will place the mattress on the ground and staff will pick up the mattress with an excavator to place them in the trailer. Mr. Barrett continued with updating the Board in regards to Dorothy's Swap Shop which is located within the ISWM facility. He stated that the Swap Shop will remain closed until it can be reopened safely. With current staffing levels it would be impossible to disinfect each item fast enough. He noted that most residents have been understanding due to the current pandemic. Miss. Guarino asked Mr. Barrett if there was any possibility of advertising some of the items that come in online on platforms such as virtual yard sales and Facebook Marketplace. Mr. Barrett replied that that is something that he has been shown and that he is open to administering a system like that. Ms. Peterson asked if there if there any questions. Mr. Andrews asked Mr. Barrett if he read the submitted report correctly where site assignment for the ISWM facility would be in front of the Board of Health by mid-January. Mr. Barret replied that statement was correct. Mr. Andrews continued his question with at what point should the Board be looking at getting a hearing office and counsel for accomplishing this site assignment. Ms. Peterson replied to Mr. Andrews question by stating that the Board was already looking into these. Mr. Barrett noted that he would do his best to keep the Board informed on where they were in the permitting process and when they would be ready. Ms. Peterson stated that she would like to see this accomplished by the middle of November. Mr. Andrews stated that he thought that would be in the best interest of the applicant and the Board of Health. Mr. Barrett agreed with Mr. Andrews. Ms. Peterson asked if there were any questions from the Board or from the audience in regards to this agenda item. There were no questions. **Mr. Barlow Jr. made a motion to approve the Residential Recycling Center Policy for the year 2021 as presented to the Board. Roll call vote to approve. Mrs. Mastria...yes, Mr. Andrews...yes, Mr. Barlow Jr....yes, Mr. Uitti...yes, Ms. Peterson...yes. All were in favor and the motion to approve passed unanimously.** Mr. Barrett thanked the Board for their time and stated that he wanted to discuss the process of issuing stickers to residents. He continued with the first scenario being after a resident proves residency for a sticker the resident scrapes the old sticker off of their car and takes the new sticker from the ISWM attendant to place on their windshield. The second scenario would come into effect if the resident was not comfortable with scraping the old sticker off of their windshield. In this case the ISWM attendant would ask the resident to step out of their car so that the attendant could remove the old sticker and replace it with the new sticker. After the new sticker is attached the attendant would use antibacterial wipes to wipes the areas inside of the car in which he/she touched and exit the vehicle. Ms. Peterson asked for Miss Guarino's input on these scenarios. Mr. Barlow Jr. commented that he thought this was a good policy as long as the attendant wore gloves and a mask at all times to protect themselves. Health Agent, Terri Guarino suggested to look into the possibility of a portable handwashing station for the employees. Mr. Barrett stated that he would certainly look into the possibility of adding a handwashing station. He added that the company that supplies the porta-potties for the facility now offers portable sanitation stations that he could inquire about. Miss Guarino also

notes that if he has any trouble finding the services he could also look into companies that supply mobile food operations and temporary events. Miss Guarino suggested the residents put on their own stickers. Mr. Barlow Jr. asked Mr. Barrett whether or not the landfill had looked into using exterior stickers. Mr. Barrett answered by stating that they had thought about using them but the reason the exterior stickers had never been implemented is because they can easily be removed and used by a non-resident. He stated that they would take another look at exterior stickers but at this time he thought that the interior stickers may be the best option in regards to security. Mr. Barlow Jr. stated that he was just suggesting another option in regards to the safety of staff at the facility but would support whatever decision they made. Ms. Peterson asked if there were any other questions. There were no questions or public comment. Ms. Peterson then asked Mr. Barrett if he had anything else to discuss with the Board. Mr. Barrett stated that he will continue to inform the Board if there are any other changes in operations and then thanked the Board for their time.

4. **26 Indian Trail – J.E. Landers Cauley on behalf of Owners Steven & Jean Cohen – Requesting septic variances including a 2.8 foot reduction in the required 10 foot setback from the proposed leaching facility to the front property line and a 62.6 foot reduction from the 150 foot setback requirement from the proposed leaching facility to a coastal bank.** Ms. Peterson stated that there were documents provided to the Board on September 16th and that she did not have time to review them. She asked if the rest of the Board if they had had time to review the documents submitted on prior to the meeting. Mrs. Mastria stated that she did not have time to review the new materials. Mr. Barlow Jr. states that he did not have the chance to review the documents either. Miss Guarino stated that she was able to review the documents and that the supplemental information were documents that she had requested after the initial submission was received on the 9th of September. She continued that she had requested the documents to further clarify how the applicants were going to achieve the removal of a bedroom and go from 4 bedrooms to 3 bedrooms. Miss Guarino noted that she reviewed the submission and the space that is now considered as a bedroom that the applicant is planning to remove is in the attic. She stated that the attic bedroom is finished as of right now and that it is hard to tell if the ceiling height is makes it truly habitable space and by definition of a bedroom. Miss Guarino suggested doing a site visit to take measurements with a Board member to make this determination. Mr. Andrews stated that he reviewed the pictures submitted and from what he saw he thinks that it could be habitable space that has fairly decent headroom and could possibly be considered a bedroom. Miss Guarino stated that it was truly hard to tell if there is enough ceiling height to constitute a bedroom without proper measurements. She added that Jack Landers Cauley was able to join the meeting. Mr. Cauley introduced himself to the Board and explained that Miss Guarino had asked for sketches of the home and that he and his clients had also provided the pictures for further clarification. He continued explaining that the pictures of each floor are noted with the amount of bedrooms. The basement has zero bedrooms. The first floor has zero bedrooms, the second floor has 3 bedrooms and the third floor has the additional bedroom that is in question. He stated that he also questioned if the space could be considered as a bedroom but after visiting the space and given the length and the width of the space, he did think that there was sufficient headroom to fit the definition of bedroom. He did not know the history of when the space was finished but added that the renovation was done thoughtfully and completely. Mr. Cauley continued to say that Mr. & Mrs. Cohen do not need 4 bedrooms within the home and want to be considerate of the Conservation Commission and the Board of Health concerns in regards to the number of bedrooms within a home that is so close to wetland areas. This is why they have proposed to remove the fourth bedroom from the attic. Ms. Peterson asked Mr. Cauley how the Cohens intended to remove the fourth bedroom. Mr. Cauley replied that the plan was to remove the door so that the space could not provide privacy. Ms. Peterson stated that she agreed with Miss Guarino that a walk through was necessary in this situation because she was not convinced that removing the door to the space was enough to remove the designation of a bedroom. Mr. Cauley acknowledged Ms. Peterson's comments and stated that he did not think that there were any viable structural solutions to the changing the upstairs space. He continued that the Cohens are anxious to get this matter resolved so that the new system can be put in the ground before the winter months but stated that he understood why the Board would like to know if the space constituted a true bedroom space. He reiterated that the Cohens do not care if the home is designated as a 3 or 4 bedroom home. The reason why the Cohens had proposed the 3 bedroom system was they were hoping to overcome any issue with not installing an Innovative Alternative Technology System by reducing the potential nitrogen loading. Ms. Peterson asked Mr. Cauley to clarify whether or not the proposal includes an IA system. Mr. Cauley stated that

the proposal does not include an IA system due to the fact that the property is only used seasonally and the added cost of maintaining the system on a yearly basis. Ms. Peterson asked Miss Guarino for her input on this situation. Miss Guarino stated that according to the Bourne Board of Health's bedroom definition from 1992 that even a loft space is considered as a bedroom so she is not convinced that removing a door would take away the bedroom designation from the space. Miss Guarino continued with asking Mr. Cauley that if the property is indeed used as a seasonal dwelling if the space has a heat supply. Mr. Cauley responded that he did not know whether the space had heat or not. Miss Guarino stated that her next suggestion would be to install a different type of IA technology system that could possibly have less maintenance requirements. Mr. Cauley responded that he would take that into consideration if absolutely necessary. He continued with stating that he was not comfortable with asking for a continuance but would be inclined to ask his clients to consider a 3 bedroom deed restriction so that in the future there is no question as to how many bedrooms are in the home if that would help the Board to approve the project as presented. Ms. Peterson asked how many IA systems were within the area of the home. Miss Guarino replied that a couple of IA systems were just installed on Phillips Rd which is in the area but not on the highlands. Mr. Barlow Jr. stated that this was a different situation where Indian Trail is located really high above the coastal bank in question where the Phillips Rd projects were right on the wetlands where there is a tough time achieving 4 foot separation from groundwater. Miss Guarino replied that his assessment of the area was correct. Mr. Barlow Jr. stated that he agreed that a site visit was necessary and that the Cohens should have the opportunity to provide the Board with a plan on how they intend to remove the 4th bedroom so that a 3 bedroom deed restriction could be applicable. Ms. Peterson remarked that she was trying to ascertain the amount of IA technology systems that were in the area. Mr. Barlow Jr. replied that he could not recall any IA technology systems up in that area. Mr. Cauley interjected to note that he did some research on the homes surrounding the site and stated that 5 or 6 homes to the south of the location there are no IA technology systems that have been installed in that area. He continued with the statement that further south in the Sagamore Rd area there have been substantial improvements where the systems have been upgraded to this kind of technology but they are not in the same area as his client's property. Miss Guarino stated that she did agree with that statement. Mr. Cauley noted that he thinks forcing the IA technology system on his clients feels excessive taking into consideration the location of the vegetated wetlands, the location of the beach itself, and the number of feet the system will be above groundwater. Mr. Cauley then asked when the next meeting would be. Ms. Peterson stated that the next meetings would be held on October 14th and 28th. Ms. Peterson asked Mr. Cauley if he could arrange a site visit with the clients so that Miss Guarino and a Board member could view the property. Mr. Cauley stated that his clients are anxious to get this project started do he did not foresee any issue with making those arrangements. Ms. Peterson asked if there were any questions from the Board. Mrs. Mastria replied that she had no questions. Mr. Barlow Jr. replied that he had no questions. Mr. Andrews stated that he did have a couple of concerns with the project. Mr. Andrews stated that he reviewed the pictures of the 4th bedroom and stated that if the space is found to be an actual bedroom by definition then instituting a 3 bedroom deed restriction does not take away the fact that the space is indeed a 4th bedroom. He also noted that on the plan it is noted that there is a 40 mil poly liner where the S.A.S. is within 10 foot of the water service. Further stating that typically the Board looks for a sleeve to be put over the water service when it is this close to the S.A.S. Mr. Cauley replied that the plan could easily be modified and that the change would be made by the time of the next hearing. Ms. Peterson asked if Mr. Andrews was interested in doing the site visit. Mr. Andrews stated that he would be able to conduct a site visit with Miss Guarino at the client's convenience. Mr. Cauley stated that he would be in contact with the clients shortly and that he would arrange the site visit taking into consideration staffs availability and his client's schedule. Ms. Peterson asked if there were any other questions from the Board or public. There were no other questions. **Mr. Barlow Jr. made a motion to continue the variance waiver request for 26 Indian Trail to the next meeting. Mrs. Mastria seconded the motion. Roll call vote: Mr. Uitti...yes, Mrs. Mastria...yes, Mr. Andrews...yes, Mr. Barlow Jr...., yes, and Ms. Peterson...yes. All were in favor and the motion to continue passed unanimously.**

5. **Approve the Minutes— Approve the minutes from the previous meetings dated July 15, 2020 and August 12, 2020.** Mr. Andrews made a motion to approve the minutes as presented to the Board for July 15th, 2020. Mr. Barlow Jr. seconded the motion. Roll call vote to approve. Mrs. Mastria...yes, Mr. Andrews...yes, Mr. Barlow Jr....yes, Mr. Uitti...yes. Ms. Peterson asked for a motion on the August 12th meeting minutes. Mr. Uitti made a motion to approve the minutes from August 12th. Mr. Barlow Jr. seconded the motion. Miss Guarino interjected

and stated that the minutes from the meeting of August 12th had to be revised due to an omission of a recording and a formatting error that the revised minutes were not sent to the Board. Mr. Uitti withdrew his motion and Mr. Barlow Jr. withdrew his second. The August 12th meeting minutes were moved to the next meeting so that the Board could have time to review the revisions.

6. Set tentative date for next meeting and adjourn. A tentative date for the next meeting was set for October 14, 2020

Mrs. Mastria made a motion to adjourn the meeting. Mr. Barlow Jr. seconded the motion. Roll call vote to adjourn. Mrs. Mastria...yes, Mr. Andrews...yes, Mr. Barlow Jr....yes, Mr. Uitti...yes, Ms. Peterson...yes. All were in favor and the meeting adjourned at 6:05 p.m.

Taped & Typed by Syreeta Amaral, Administrative Assistant
Edited by Terri Guarino, Health Agent

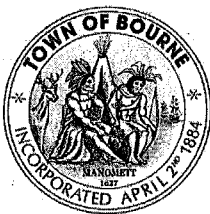
Kathleen Peterson _____

Stanley Andrews _____

Galon Barlow Jr. _____

Don Uitti _____

Kelly Mastria _____



TOWN OF BOURNE
Department of
Integrated Solid Waste Management



Mailing:
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Location:
 201 MacArthur Blvd
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TO: Bourne Board of Health

FROM: Daniel Barrett, General Manager
 Town of Bourne, ISWM Department

DATE: September 16, 2020

RE: Landfill Update

Permitting Update:

As you may remember ISWM submitted an Expanded Notice of Project Change (ENPC) to the Massachusetts Environmental Policy Act (MEPA) Group on February 19, 2020. On April 24, 2020 we received a response to the ENPC from the Secretary of the Department of Energy and Environmental Affairs. Her response determined that we would have to file a Single Supplemental Environmental Impact Report (SSEIR), similar to what she requested for the Phase 6 ENPC.

We have spent the summer formulating a response which includes detailed responses to all comment letters submitted to MEPA by all impacted regulatory agencies and the general public. Currently we are completing the final review of the document and plan to have it ready for submittal by next week (the week of September 21, 2020). Assuming a positive response from MEPA by early October of 2020, the permitting trajectory has us submitting to the Cape Cod Commission (CCC) by Mid-October 2020 and concurrently we will submit to MADEP for Site Suitability consideration. Assuming a positive finding from the CCC and MADEP we would appear before the Board of Health sometime in mid-January of 2021. These dates are tentative and are dependent upon requests for additional information and response timelines associated with each agency's review.

The renewal of the Authorization to Operate (ATO) Permit for the Construction and Demolition (C&D) Transfer Station has been submitted. The renewal application included the minor modification that will allow us to accept Single Stream Recycling and Municipal Solid Waste along with C&D at this facility. As we discussed at the last meeting this will position ISWM for future operations as well as emergency situations.

(over)

The last time I appeared before the Board back in March, I requested that the Facility be allowed to open at 6:00 AM to lengthen the delivery window. This would provide a cushion to make adjustments for interruptions in normal operations such as summer traffic irregularities. The Board limited early access to only Covanta Ash deliveries and specified to cease this schedule adjustment if any complaints were lodged. The Board voted in favor of allowing this accommodation moving forward. I am happy to announce the change in start time began the week after the meeting and has been on going ever since with no complaints. The order to discontinue the trial immediately if the Board receives any complaints regarding the change in operational start time will remain in effect. Thank you and we will continue to monitor the situation.

Residential Recycling Center Updates:

I had submitted for inclusion in your meeting preparation packets for this meeting a copy of the **“Draft” Calendar Year 2021 Recycling Center Policy**. You will notice other than the effective dates there are no changes submitted by the ISWM Staff. The Management and Operations staffs met and concluded that there are no changes necessary for this year. I am here to see if the Board of Health had any changes they would like to consider.

As we move forward with no apparent end to the COVID-19 Pandemic in the foreseeable future, in an effort resume sticker sales in a safe manner we have come up with some alternative methods for applying Residential Recycling Center (RRC) stickers to Residents cars.

Scenario 1; After submitting proof of residency the resident remains in their car, scrapes the old sticker off the windshield, takes the new one from the ISWM Attendant and places it on their windshield themselves, keeping the interpersonal contact to a minimum.

Scenario 2; The Resident exits their vehicle allowing the ISWM Attendant to scrape off the old sticker and apply the new one without physically entering the vehicle and avoiding contact with the resident. The attendant would then wipe down any area they inadvertently or potentially came into contact with.

As it appears now we will hold off doing this until 2021 stickers go on sale in Mid-December.