

# CHILMARK BOARD OF HEALTH

## Minutes

September 1, 2021

5pm

**Present:** Katie Carroll, Jan Buhrman, Matt Poole, Chris Alley, Reid Silva, Tim Carroll, Jim Malkin, Ebba Hierta, Sean Slavin, Jonathan Klaren, Warren Doty, Forrest Filler, Jeremie Rogers, Margaret Maida, Sarah Nixon, Rodney Bunker, Pam Bunker

**Minutes:** Katie Carroll proposed amendments to the Minutes of August 18 2021, which were **approved** as amended.

**Homeport Restaurant:** The Board did a final review of the proposed plan of operations for the remainder of the 2021 season and **approved** the food establishment application.

**72 Quenames (17-12.2)** Chris Alley presented a proposed septic system for an existing 4 bedroom dwelling with a proposed renovation that would add 2 bedrooms. The Board asked Chris Alley to condemn soils at the time of installation and **approved** the application.

**Bell, Stonewall Road** Chris Alley requested permission to conduct an out-of-season perc test on the Bell property on Stonewall Road. He explained that the well on one of the lots under same ownership would be abandoned and a soil test conducted on the property to accommodate abandonment of a house which is too close to the eroding bank. The Board **approved** the out-of-season perc test and asked for a building plan of the proposed house which is currently served by the well and the existing septic system. This proposal will be reviewed at an upcoming meeting of the Board.

**Vaccine Mandate for town staff:** Katie Carroll read into the record a statement outlining her position on a proposed vaccine mandate. She explained that she did not favor a vaccine mandate for town employees. Instead, she advocated measures to accommodate staff that would respect their personal choice with regards to vaccine, measures such as indoor masking, distancing and flexible work schedules with remote work options. “Providing a choice to those employees who cannot or choose not to be vaccinated (means they) may be more apt to potentially discuss accommodations. This approach is more flexible, likely better-received, and certainly more supportive of our friends — yes, remember, we are all friends.” She stressed the importance of not letting the passions of the issue damage our relationships: “in the end, despite what “side” we are on, we will remain friends and neighbors and co-workers.”

While pointing out that vaccines “are good— they don’t always protect you from getting ill, but the majority of the time they downgrade your illness to something mild and manageable,” she warned against “vaccine fanaticism.” “I’m amazed at the vitriol directed at those who are

reluctant to get vaccinated,” she said. “That is not the community support and spirit Chilmark has been known for.”

Jan Buhrman agreed, stating that the emphasis should be on education around the value of vaccination and that the Board should “highly recommend,” rather than require, that individuals get vaccinated as soon as they are eligible.

Matt Poole observed that, so far, only the Pfizer vaccine is fully FDA-approved, while Moderna and Janssen vaccines are still under emergency use authorization. He felt that more stringent measures with regards to vaccination should be considered once full FDA approval for all vaccines is available.

Selectboard member Warren Doty expressed support for a vaccine mandate, following the example of the State and federal governments, plus the Town of West Tisbury, which have all mandated some form of protection, some with a testing option or other alternative to vaccination.

Bill Rossi of the Selectboard stated he too favors a vaccine mandate, but acknowledged the value of waiting for full FDA approval of the vaccines. He also felt that close scrutiny of the legitimacy of claimed “religious” exemptions is appropriate.

Selectboard member Jim Malkin noted that these types of measures are far more effective when the island is working as one. He was reluctant to go against the position taken by the Board of Health, and said that this issue will be revisited when the Modern and Jansssen vaccines received full approval.

Library Director Ebba Hierta pointed out the effect of not having a general mandate for town staff on the Library. By its nature, Library workers do not have the option of working remotely. Of the five employees, two are immune-compromised, and thus very vulnerable to the virus. She noted that the appointing authority for the Library is the Board of Library Trustees.

Pam Bunker, town hall staff person, expressed support for vaccination but not a mandate, and also noted that vaccinated persons can also transmit the virus, and that vaccination is therefore not a “cure-all” for COVID. Matt Poole pointed out that the school committee is also still grappling with this challenging question.

Jan Buhrman summarized the discussion as follows: the Board of Health will wait until FDA review and full approval of all available vaccines and will not rule on a vaccine mandate at this time. She noted that disease transmission on the island is still quite high. She also spoke in favor of using a broad range of precautions, in addition to vaccination, noting the “priority to not have unvaccinated people on my conscience” if they should become infected.

The Board moved and approved reconvening on this issue once the full FDA approval of the Modern and Janssen vaccines is achieved.

**33 North Road sanitary code inspection** The Board heard a request for public health involvement from Chilmark Police regarding conditions at the property at 33 North Road. Sean

Slavin described filthy conditions, innumerable police calls for noise and fights which appear to be escalating and now involve threats and weapons. He noted that there are frequently numerous people using the property in addition to the owners and residents. Piles of clothes, rotting food, abandoned motor vehicles, old batteries and animal carcasses paint a disturbing picture of potentially unsafe living conditions. He observed that alcoholism, substance use and mental illness play into this very difficult situation.

The Board felt that, along with a sanitary code inspection, this situation calls for a broad-based town response to address obvious concerns, and that the Fire, Building and Police Departments should be involved in a joint response when conducting a sanitary code inspection.

The Board asked Marina Lent to invite Brian O’Gorman to attend the next scheduled meeting of the Board, so that the Board could clarify its concerns around health hazards at the property and seek full cooperation and understanding about the sanitary inspection process. However, given the extreme nature of problems described, the Board stated its intent to pursue an administrative warrant to inspect, should a dialogue not lead to an agreement. Correction orders under the Sanitary Code, while not necessarily adequate to resolve all issues, could go some ways towards improving the safety of the residents and the public.

**Housing Bank initiative:** The Board approved sending a letter of support for a Martha’s Vineyard Housing Bank to the State legislature, noting that the housing crunch on the island is only increasing in intensity, and brings with it hazard, hardship and heartbreak, especially in the context of the pandemic.