



**CITY OF BURLINGTON  
BOARD OF HEALTH**

645 Pine Street  
Post Office Box 849  
Burlington, VT 05402-0849  
802-863-0442  
802-652-4221 FAX  
802-863-0450 TTY

**BOARD OF HEALTH**

Austin Sumner, Chair • David Casey • Mary D. Hart • Julie Hathaway • Caroline Tassej

**HEALTH OFFICER**

William Ward

**BOARD ADMINISTRATOR**

Linda Ayer

**MINUTES FOR REGULAR MEETING OF  
BURLINGTON BOARD OF HEALTH  
DPW – CONFERENCE ROOM  
THURSDAY, JULY 11, 2013, 5:30 PM**

Attending: *Austin Sumner, David Casey, Mary Hart, Julie Hathaway, Caroline Tassej, William Ward, Linda Ayer*

Absent:

Public: None present

Meeting called to order by David Casey 5:41 PM

ITEM	DISCUSSION	ACTION
1. <b>Approval of Agenda and Minutes of Prior Meeting</b>	Amend Agenda Pesticide Application Issue	Approved Amended Agenda Approved June 13, 2013 Minutes
2. <b>Public Forum/Emerging</b>		

An Equal Opportunity Employer

*This material is available in alternative formats for persons with disabilities. To request an accommodation, please call 802.863.0442 (voice) or 802.863.0450 (TTY).*

<p><b>Issues</b></p> <ul style="list-style-type: none"> <li>• Discussion of pesticide issues:</li> <li>• Nector's building structural safety in question</li> <li>• Healthy Lawns, Healthy Lives Public Service Televised Program</li> <li>• Go For Gold Initiative</li> <li>• Climate Change – Weather</li> </ul>	<p>Alan Thompson, applicator out of Waterbury, VT answered general questions and stated that treatment for invasive weeds at Appletree Point beach area was not time sensitive. Formal application had not been made to BOH for treatment within the buffer zone. W. Ward invited him to BOH meeting, but he did not appear.</p> <p>Spot treatment at YMCA with Round-Up of weeds on sidewalk where children enter/exit day care, do chalk drawings. Addressed with property manager and suggested non-toxic alternative.</p> <p>Channel 17, July 24, 2013 LIVE at 5:25 Craft the program – W. Ward as moderator, D. Casey BOH member, Lisa Hoare and Jurij Homziak as lawn and water experts will sit on panel. Encourage call in questions.</p> <p>Discussion: A.Sumner: great life benefit and BOH can advocate for potential health benefits and safety issues related to crosswalks, bike paths, walking programs, etc. Determine:</p> <ul style="list-style-type: none"> <li>• which city department is taking the lead.</li> <li>• what specific role can BOH play</li> </ul> <p>Discussion: Weather is impacting the aging infra-structure of Burlington.</p>	<p><b>Health Officer ,W. Ward</b>, investigated, educated about city pesticide ordinance.</p> <p>Board took no action as no application for pesticide use was filed.</p> <p><b>Health Officer ,W. Ward</b> to report on result of inspection of Nector's building with DPW, N. Holt.</p> <p>Set up meeting of HLHL Coalition to plan and execute program on pesticide ordinance education. Live @ 5:25</p> <p>Get input from DPW C. Spencer on Go For Gold –</p> <p><b>D. Casey</b> to invite Jason Van Driesch from Local Motion to next BOH meeting to address action steps to reach goals.</p> <p><b>BOH</b> to look at offering a resolution in support of the Go For Gold initiative next month.</p>
--	---	---

An Equal Opportunity Employer

*This material is available in alternative formats for persons with disabilities. To request an accommodation, please call 802.863.0442 (voice) or 802.863.0450 (TTY).*



	<p>products. Fall of 2013 is the target completion date for choosing a product. This could expand to a statewide food tracking system. Link: <a href="http://bit.ly/1d23drZ">http://bit.ly/1d23drZ</a></p>	
3. Urban Agriculture Task Force	Confirmation that Christian Haus, State Veterinarian, will address the group at the next meeting on July 24, or 25 <sup>th</sup> .	<b>W. Ward, Director of Code Enforcement and Health Officer</b> is representative at this Urban Ag meeting to examine how it fits into the Zoning Ordinance.
<p>4. Chair's Report</p> <ul style="list-style-type: none"> <li>Review of revised F-35 DEIS:</li> </ul>	<p>Does BOH want to make a public statement in response to revised DEIS report? M. Hart shared NYTimes article re: scientific evidence submitted by Air Force as being ambivalent. Should BOH revise resolution?</p> <p>DISCUSSION: A.Sumner: Board needs to act on the citizenry we represent. Is our current position adequate? M. Hart: Homes in fly zone will not be insurable. D. Casey: Homes decrease in value; housing stock and price will go up. Housing and security is a public health hazard – concerns for Burlington because of this basing. A. Sumner: GBIC report on real estate values: Winooski is in flight path; yet has seen greatest economic boon in last 20 years. Increase in value over time. Does the BOH want to make a formal comment to the Air Force regarding the basing of the F-35 at BTV?</p>	<b>BOH subcommittee members</b> to submit a brief report to Chair, A. Sumner for his report to the City Council.

An Equal Opportunity Employer

*This material is available in alternative formats for persons with disabilities. To request an accommodation, please call 802.863.0442 (voice) or 802.863.0450 (TTY).*

	<ul style="list-style-type: none"> <li>• Motion and second, voted : Opposed (3-2) that BBOH will not make further public comment on the F-35 issue at this time.</li> <li>• Motion and second, voted: Approved (4-1) that BBOH submit a comment on the F-35 as part of the Air Force public comment period.</li> </ul> <p>DISCUSSION:  A.Sumner: BOH should take a definite position.  “An ounce of prevention is worth a pound of cure”</p> <p>D.Casey: BOH is in a public policy position. The evidence is based on a spectrum... there is never an absolute.</p> <p>A.Sumner: BBOH are professionals with a high level of expertise. However, there is not enough evidence that the F-35 poses a health hazard, and there is not enough evidence that it is a safe.  It is more difficult to prove something is hazard than it is safe. With the F-35 there exists evidence that it has an adverse effect. It is more difficult to prove that something is a hazard than that it is safe.</p> <p>D.Casey: All environmental issues should be examined using this model for discussion and decision.</p>	<p><b>BBOH Approved</b> (4 yes w/ 1 abstention)  Statement:  <i>The BBOH has determined that there is inadequate evidence for the demonstration of harm as well as inadequate evidence for the demonstration of safety in basing the F-35 at the Burlington International Airport.</i></p> <p><i>Therefore the BBOH cannot endorse basing the F-35 in Burlington until the Air Force completes a full health impact assessment following criteria established by the Centers for Disease Control and Prevention.</i></p> <p><b>BBOH Approved:</b> BOH Chair, A. Sumner to sign and to cc: Congressional Delegation, Governor, VDH Commissioner, City Council, and Mayor.</p>
<p>5. Staff Report</p> <ul style="list-style-type: none"> <li>• Code Enforcement Updates</li> </ul>	<p>See report: Addendum A</p> <p>One article was approved for publication on</p>	<p>Revise approval process for FPF postings</p>

An Equal Opportunity Employer

This material is available in alternative formats for persons with disabilities. To request an accommodation, please call 802.863.0442 (voice) or 802.863.0450 (TTY).

<ul style="list-style-type: none"> <li>• Web Updates/Front Porch Forum</li> </ul>	FPF in June. Approval process cannot be done in timely fashion. Received 2 queries re: Rabies postings. Topics: Advertise Live @ 5:25, See Click Fix, Bats, Internship,	
6. Agenda Items/Next Meeting	Speakers: Jason Van Driesch - Local Motion Go For Gold Megan Moir – Storm Water Health Impact Issues Urban Ag Update Drug Awareness- CIA report Ordinance on Gun Control? Proposal NALBOH Conference	<b>Next Meeting: August 8, 2013 @ 5:30          Robert Miller Community Center</b>
7. Adjournment	8:30 PM	

#### **ADDENDUM A: Code Enforcement update from Health Officer, William Ward for June/July 2013**

##### **Operations**

##### **Inspections**

The year to date total of Minimum Housing inspections for 2013 is 1,396 units. (January 1 to June 30, 2013) The target number is 250 rental units per month, so we are slightly below the 1,500 unit figure expected in 6 months. Last year at this time the number was 1,237 units for the same 6 month period in 2012.

##### **Rental safety concerns**

5 rental units were posted unfit for human habitation since my last monthly report. Below are brief summaries and the current status for each location:

I was with an inspector on Handy Court on June 26, 2013 when we heard the alarms sounding at a rental unit adjacent to the one we were inspecting. We notified the Fire Department who arrived and entered the unoccupied unit to silence the alarms. The apparent cause was moisture damage to one of the detectors. The unit was deemed unfit due to inoperable smoke/CO detection. It remains unoccupied and is still posted currently.

An Equal Opportunity Employer

*This material is available in alternative formats for persons with disabilities. To request an accommodation, please call 802.863.0442 (voice) or 802.863.0450 (TTY).*

The neighboring building to the one above on Handy Court was found to have standing water in the basement and posed an electrical hazard. The two units in that building were posted for a period of 24 hours until the property owner mitigated the hazard by removing the water.

A South Winooski Avenue basement rental unit had sewage back up into the shower, toilet and sinks. The unit was deemed “unfit” on July 1, 2013. It remains posted.

A rental unit on Church Street was deemed unfit on July 5<sup>th</sup> due to water damage from a reported vandalism. The water damage resulted in destruction/deterioration to the flooring and the unit currently does not have a working toilet or bath/shower area. Repairs are under way currently but the unit remains posted until repairs are completed.

### Key projects for July

#### **Recycling ordinance**

The City council will hear a proposal from me at their Monday July 15, 2013 meeting for covered blue recycling bins. The ordinance change recommends a three phase implementation for a better organized recycling system that includes mandatory covered toters for densely populated properties. The proposed ordinance and accompanying resolution are attached for additional information.

#### **Sec. 18-105. - Sanitation.**

- (a) Every occupant of a dwelling unit shall dispose of all rubbish, ashes, garbage and other organic waste in a clean and sanitary manner by placing it in approved storage or disposal facilities.
- (b) Every owner or his or her agent of a dwelling unit or units shall provide common storage or disposal facilities for garbage and rubbish. Said common facilities shall be properly sized to eliminate overloading and improper disposal and properly covered and isolated from the general environment so as not to be a public nuisance or hazard and properly maintained. Owners or their agents shall be further responsible for placing out for collection all common garbage and rubbish containers. Owners shall be responsible for providing for and paying the cost of the collection of all refuse on a not less than weekly basis.
- (c) In the case of a single-family house, the occupants are responsible for the provision and proper maintenance of required garbage storage and disposal facilities.
- (d) In addition to the above requirements, owners of rental property with 10 or more units on the property shall provide to the occupants of each unit covered, wheeled recycling containers with a capacity of at least 20 gallons per unit, or an equivalent receptacle that is approved by the director, for the purpose of collecting and properly disposing of the solid waste that is required to be recycled pursuant to chapter 14 of this code of ordinances. The effective date of this subsection shall be October 1, 2013.

An Equal Opportunity Employer

*This material is available in alternative formats for persons with disabilities. To request an accommodation, please call 802.863.0442 (voice) or 802.863.0450 (TTY).*

**Draft of Resolution Re: Toters**

WHEREAS, one of our goals as a City is to maintain clean neighborhoods, free from litter whenever possible; and  
 WHEREAS, there are neighborhoods in the City with the visible nuisance of windblown litter from poorly organized recyclable materials; and  
 WHEREAS, the common theme in these neighborhoods is multiple rental units needing greater capacity for recycling than the standard 15-gallon uncovered recycle bins; and  
 WHEREAS, the Department of Public Works is charged with the collection and organization of the recycling program; and  
 WHEREAS, the Code Enforcement Office is responsible for enforcement of the Minimum Housing requirements in Chapter 18 of the Burlington Code of Ordinances; and  
 WHEREAS, both the Department of Public Works and the Code Enforcement Office believe that requiring owners of rental properties (other than single family or duplexes) in the City to provide wheeled, covered recycling toters of a minimum of 60 gallons (hereinafter "toters") for every three units, or portion thereof, would greatly reduce the level of windblown litter associated with these properties (properties already containing a dumpster with lid would be exempt); and  
 WHEREAS, the Department of Public Works and the Code Enforcement Office also believe that a phased-in approach of this policy would be the most prudent course of action given the complexity of its implementation;  
 NOW, THEREFORE, BE IT RESOLVED that the City Council requests that the Department of Public Works and the Code Enforcement Office work with appropriate City staff and, as appropriate, the Chittenden Solid Waste District, to implement a first phase of this new toters policy that would require owners of rental properties (other than single family or duplexes) in the City to provide wheeled, covered recycling toters of a minimum of 60 gallons (hereinafter "toters") for every three units, or portion thereof (properties already containing a dumpster with lid would be exempt); and  
 BE IT FURTHER RESOLVED that the City Council requests that the Department of Public Works and the Code Enforcement Office work with appropriate City staff and, as appropriate, the Chittenden Solid Waste District, to implement second and third phases of this covered, wheeled recycling toters policy to include properties with six or more units and three or more units, respectively; and  
 BE IT FURTHER RESOLVED that City staff shall use the initial implementation period for an evaluation of further improvements and report back to the City Council on or before November 1, 2013 with additional timelines and plans for implementation of a mandatory recycling toters initiative for the second and third phases.

**Healthy Lawns/Healthy Lives**

We received notice from VT Channel 17 that they have an opening for a live television show at 5:25 p.m. on July 24, 2013. The Pesticide Education subcommittee had previously discussed using such an opening as an opportunity to produce a show to update the public on the pesticide ordinance and our healthy lawns/healthy lives progress. An additional subcommittee meeting will be needed to prepare for a 3 to 4 person panel to host the July 24, 2013 show.

**Vermont Public Radio**

An Equal Opportunity Employer

*This material is available in alternative formats for persons with disabilities. To request an accommodation, please call 802.863.0442 (voice) or 802.863.0450 (TTY).*

Charlotte Albright from VPR was in Burlington Tuesday July 9, 2013 to continue our discussion on housing inspections. She interviewed me in my office and then we went to a housing inspection on Walnut Street in a 100 year old building. Her focus was on the fire safety aspect of our housing code. The inspection included an interview with Deputy Health Officer/Code Inspector Kim Ianelli and the property owner.

Charlotte noted that while preparing for the story she reviewed the fire statistics statewide over the last 5 years she found in particular that Burlington per-capita has an excellent record. She asked if I thought our inspections were responsible. I told her that I thought those statistics were likely the result of good teamwork in the City of Burlington. I explained that Code Enforcement works regularly with the Fire Marshal's office, the DPW trades division and property owners to bring properties into compliance with city ordinances/state statutes. Each of the departments has its own requirements, but by working together they support each other and property owners to provide better conditions citywide. I also noted that there are many property owners who make improvements that exceed the minimum standard.

The story should air in the coming weeks.

APPROVED

An Equal Opportunity Employer

*This material is available in alternative formats for persons with disabilities. To request an accommodation, please call 802.863.0442 (voice) or 802.863.0450 (TTY).*