



**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

Alan R. Sousie, Chair • Fernand C. Crete • Ian C. Galbraith • Mary D. Hart • James Vos

BOARD STAFF ASSISTANT

Margaret Van Brunt

HEALTH OFFICER

Kathleen Butler

**BOARD OF HEALTH REGULAR MEETING
MONDAY, APRIL 6, 2009**

The meeting was commenced at 5:00 p.m. on Monday, April 6, 2009 in the DPW Front Conference Room at 645 Pine Street. Present were Chair Sousie; Members Crete, Hart, and Vos; Staff Assistant Van Brunt; and Jeanne Markey-Duncan, Burlington resident.

1. Approval of Agenda

Chair Sousie suggested adding an Item “e” to the Chairman’s Report to report on the vehicle idling ordinance, as well as an Item “f” to discuss and distribute Board of Health educational materials. Member Vos suggested striking Item 7 (b) from the agenda as he did not have anything to discuss with the Board regarding Channel 17 programs at that time. Revised agenda approved unanimously.

2. Approval of Minutes

Members reviewed March 2009 meeting minutes. Minutes approved unanimously.

3. Public Forum

Chair Sousie opened the Public Forum. Burlington resident Jean Markey-Duncan addressed the Board. Ms. Markey-Duncan reminded the Board of the brief discussion with Maurie Bartlett from TruGreen at the March Board of Health meeting regarding inert ingredients in TruGreen applications. Ms. Markey-Duncan stated she brought a report on inert ingredients from the New York Attorney General’s office. Instead of having the members review the report during the meeting, Chair Sousie made the recommendation that the Board members visit the appropriate website to review the New York Attorney General’s report. Ms. Markey-Duncan pointed out that chemical fact sheets, like the one TruGreen will provide, only review the target chemical; they do not address the inert chemicals. Ms. Markey-Duncan spoke about concerns regarding the toxic effects of these chemicals, emphasizing that research and a growing body of scientists are saying that not

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only does the dose of the chemical in a one-time exposure matter, but exposure over time matters, as well as exposure to a mixture of chemicals. Ms. Markey-Duncan addressed the question of how to move forward with this in Burlington, stating that she believes one very important part will be the education of the public. Ms. Markey-Duncan thanked the Board of Health for the “Lawns We Can Live With” article in the North Avenue News. Discussion of this topic and possible public education avenues followed. Chair Sousie concluded by suggesting that the Board look into assembling a “focus group” comprised of citizens who may be interested. Chair Sousie stated this group would concentrate on developing a public educational piece and/or program regarding pesticides.

4. Chairman’s Report

a. Follow-up: Hookah Smoking Rule

Chair Sousie stated he was informed that the document is being passed between the City Attorney’s Office and the Health Commissioner’s Office. Interim Code Enforcement Director Eugene Bergman stated that the document was sent back to the Commissioner’s office from the City Attorney’s Office with questions for clarification on their suggestions.

b. Board and Staff Transition of Leadership

Chair Sousie acknowledged that Eugene Bergman was present at this meeting as the Interim Code Enforcement Director. Chair Sousie stated he will be transitioning off as the Board of Health Chairman in June, but noted that he is interested in serving as a Board member following that transition and intends to seek reappointment as a member. Chair Sousie urged the Board to seek new members as new perspectives would make excellent additions to the Board.

c. Follow-up: BOH Presentation at Wards 5 & 6 NPAs

Chair Sousie stated the Board’s presentations at the Wards 5 and 6 NPA meetings went well. Discussion of the presentations followed.

d. Report on Review of Board Educational Materials

Chair Sousie acknowledged that he spoke about some of the education materials before the meeting began and reiterated that he believes any new Board member in the future will benefit from reviewing some of these materials. Chair Sousie stated he will pass along some educational videos he has after viewing them. Discussion followed regarding the possibility of attending the NALBOH Conference in Philadelphia which is scheduled to take place in July.

e. Idling Revisory Report

Chair Sousie stated there is a proposed change to the ordinance regarding idling vehicles, that the allowed idling time be changed from five minutes to three minutes.

f. Education

Chair Sousie brought up a recent Time magazine article which addressed the flu strain that is becoming tolerant to vaccinations. Chair Sousie recommended that members read the article if possible, stating the he believes it is worth reading. Chair Sousie suggested keeping this topic in mind in case it does become pandemic and something the Board needs to address. Discussion followed.

5. Pesticide Ordinance Present and Future Consideration

a. Production and distribution of public information including signs to be posted in 500' Buffer Zone

Chair Sousie stated an idea was presented in the past that the Board consider putting up signs in the 500 foot Buffer Zone as educational and warning tools for the public. Chair Sousie stated that he discussed this with the former Code Enforcement Director Kathleen Butler, and they concluded that putting up signs in this manner would be somewhat complicated. Chair Sousie explained it would raise questions of obtaining permits for the signs, deciding who would manage and pay for them, how to keep them from being stolen if they were non-permanent signs, etc. Chair Sousie stated that the Board wants to be sure to bring this educational information to the public, but that the Board should be sure to choose an effective method of doing so. Chair Sousie stated that if the Board decides to use signs, he believes they should be permanent signs. Chair Sousie also presented an alternative possibility of developing a flyer of some kind that could be distributed to households in the 500 foot Buffer Zone, preferably as early as this year's growing season. Discussion followed. Chair Sousie concluded by asking Member Hart to edit the piece published in the North Avenue News to bring it down to a more workable size for distribution as a flyer. Chair Sousie requested that Member Hart have the piece edited by the Board's meeting in May.

b. Board review of utilization and enforcement of the existing ordinance

Chair Sousie stated that the Board may be called upon more often during this growing season to make determinations on applications for permission to use pesticides than in the past due to the transition between directors in the Code Enforcement Office. Chair Sousie stated that the Board members should be ready to educate themselves about pesticides and the associate chemicals. Chair Sousie also stated that the Board should be prepared to have some emergency meetings this season if necessary to make quick decisions on applications.

c. Finalization of Ordinance Revision and its movement to City Council

Chair Sousie stated he made some additions to the Pesticide Ordinance revision and provided copies of the document for the Board members and for Interim Code Enforcement Director Eugene Bergman to review. Chair Sousie asked the members to read through the introduction, stating that his goal was to have the Board accept this as a working introduction for the revision which can then be sent to the City Attorney's Office for further revisions before sending the document to the City Council. Chair Sousie clarified that the Board only needed to approve the introduction as they had already approved the body of the document in a previous meeting. Discussion of the document followed. Motion to accept the introduction made by Member Vos. Motion seconded by Member Hart. Interim Code Enforcement Director Eugene Bergman suggested that the introduction be attached to the Ordinance Revision document as a Memo and sent to the City Council in that form. Following discussion between Chair Sousie and Interim Director Bergman regarding the next step in the process, Chair Sousie stated for the record that the Board was withdrawing the motion to send the document to the City Attorney's Office and that the Board motions to send the document to the Code Enforcement Office for consideration with a report expected to the Board at the May Board of Health meeting. Chair Sousie asked that the record reflect that he will take responsibility to change the introduction into a memo to be attached to the Ordinance Revision document. Motion accepted unanimously.

6. Follow-up: City Water Fluoridation

a. City Attorney's review of Oregon correspondence

Chair Sousie stated he is still waiting for a response from the City Attorney regarding the Oregon correspondence. Chair Sousie stated he also sent a copy of the document to the Vermont Department of Health. Chair Sousie stated he sent a copy of his testimony to the City Council on January 26 to a gentleman in Plattsburg who contacted Chair Sousie looking for support for a movement against the fluoridation of water. Chair Sousie stated he is also responding to request made by chemist Paul Connett.

b. Status of Board's Resolution for Preventive Discontinuation of Fluoridation

Chair Sousie stated the Board's Resolution for Preventive Discontinuation of Fluoridation was submitted to the City Council and was before the Ordinance Committee.

c. Communication from Kevin Hurley, SWAB-VT

Chair Sousie reported that Kevin Hurley with Swab-VT corrected his statement from the February Board of Health meeting in which he said the Vermont Association of Dental Assistants had taken a position against water fluoridation. Chair Sousie stated the Mr. Hurley sent out an email communication apologizing and correcting this error, stating that they had not taken a position against water fluoridation as he had thought. Chair Sousie also stated that Mr. Hurley wanted the Board of Health to know that he

was informed that the Vermont Association of Dental Assistants remains undecided on this matter as an organization.

Chair Sousie distributed the Vermont Department of Health handout on fluoridation in water used for infant formula to remind the Board of the VDH's standpoint on the issue.

7. Member Reports

a. Follow-up: Burlington Board of Health Youth Membership

Members Vos and Hart reported they have been looking further into having a youth join the Board of Health by communication with Wanda Hines and Brian Williams. Discussion followed regarding when a youth member may join. Members Vos and Hart stated the Board could possibly have a youth member begin in early summer if students are open to being involved during the summer. Chair Sousie stated he will set dates for summer meetings but stated the new chair person may change them if so desired.

8. Staff Reports

Staff Assistant Van Brunt reported that emergency meetings require 24 hours notice, in response to Chair Sousie's request in March that Staff Assistant Van Brunt find out how far in advance emergency meetings must be warned.

Chair Sousie reported that Ita Meno is the new Code Enforcement Inspector. Chair Sousie also requested Board members submit copies of correspondence to Staff Assistant Van Brunt for record keeping.

9. Adjournment

Chair Sousie adjourned the meeting. All approved.