



Acton Board of Health
Special Meeting
Meeting Minutes
August 26, 2020
7:30 P.M.
VIRTUAL PARTICIPANTS VIA ZOOM

Present:

Virtual Members Present: William McInnis -Chairman, Mark Conoby, Michael Kreuze, Dr. William Taylor and Joanne Bissetta.

Virtual Associate Members Present: Dr. Thomas Jacoby. Rekha Singh was absent.

Virtual Staff Present: Sheryl Ball-Health Director and Heather York, Nursing Director

Virtual Present: Diann Oster, Kim Kastens, C. Gibb, Russ Wilson, Joe Will, K. Witzell, Ty Hawkins, Kevin Sanders, Danell Baptiste, Rick Deegon and Bryan Cote,

1. Opening

Chair - William McInnis opened the meeting at 7:30 P.M. A script was read that was provided by the Town stating why the meetings are virtual during this crisis.

2. Regular Business

Director Operational Updates –

Ms. Ball stated Acton has changed from an unshaded color to green on the State of Massachusetts Metric for COVID-19 as of August 19, 2020. Acton was identified as having a 1.5% average daily rate per 100,000 in the past 14 days and a .55% positivity rate on 8/19/2020 and today, 8/26/2020, we are at 3.3% average daily rate and 1.04 % positivity rate. This is concerning news and Ms. Ball reminded all to remain vigilant and follow COVID-19 safety protocols. Ms. Ball also stated that the current classification will be changed from unshaded to grey in the coming week by the State.

Ms. Ball also mentioned that she has been in discussions with the School District for quite a few months and stated that they are planning to offer hybrid learning, full remote and full in school learning. The Department of Secondary Education (DESE) has offered guidance as well as the Department of Public Health (DPH) and together they are a bit different. DESE has since amended guidance to be more consistent with the DPH guidance. Ms. Ball also mentioned that she has discussed planning for possible transmission when school reopens and is pleased that the school has decided to be more restrictive than the guidance. Ms. Ball also stated that if clusters of positive cases are identified in the schools, the State is prepared to sponsor mobile testing units that can be sent to schools. This testing site would offer free testing and children under the age of 18 would need parental permission.



Ms. Ball also mentioned that Acton will be participating in a program similar to the States #MaskUpMA program and will begin photographing town departments with their masks on and place on social media venues to help bring awareness to the importance of wearing masks. Ms. Ball asked the Board to send photos of themselves wearing masks as well. Ms. Ball reminded everyone that we are all in this together and asked that everyone do their part to help stop the transmission of this virus.

The Board asked if the schools would be doing temperature checks and Ms. Ball stated it will be the parents responsibility to do this daily.

Nursing Service Director Updates-

Ms. York stated that Acton currently has 198 positive cases, 8 in active isolation, 169 recovered and 21 fatalities. Ms. York stated that the new cases are related to residents that are traveling and college students going back to school. Previously the MDPH stated that those college students that were attending colleges in other States were still the responsibility of the Nursing Service, and now the guidance has changed and the towns and cities that the colleges are located in will now be responsible for the followup. Ms. York also stated that they are working on the logistics of offering flu clinics and stated that the recommendations are for drive thru clinics only. Ms. York stated that they are still awaiting a supply of flu vaccines but will offer a clinic to the senior population first. In addition, DESE guidance is also requiring that all students receive a flu vaccination no later than 12/31/2020. The Board asked if college students will need to be quarantined when they come home for breaks in classes and Ms. York stated they should get a test or quarantine if they are arriving from a high risk State and follow the travel order currently in place. The Board asked Ms. York about the DESE guidance that now states that close contact is only the people are within 6' of you for a period of 10-15 minutes and prior it stated that the whole class (cohort) would be identified as close contact. Ms. York stated that she has mixed feelings about this change but stated that through this whole process we are learning as we go and we need to watch this. The Board also asked about any trends and Ms. York stated that the only trend we are seeing is the college age returning from school and residents that are traveling. The Board also asked about any lags in reporting cases. Ms. York stated that a couple of weeks ago there was some lag but all seems to be corrected now.

Next BOH Meetings

Ms. Ball stated the next BOH meeting is scheduled for Monday, September 14, 2020.

FOX Pest Control – Hazardous Materials Control Permit

The Health Division is in receipt of an application for a hazardous materials control permit from Fox Pest Control – 43 Nagog Park Acton. The site consists of a variety of insecticides, pesticides and baits that they use for their business. The Health Division has reviewed the application and finds that the site will be designated the following categories:

- 4: "Hazardous Materials User"
- 9: "Hazardous Materials Storer Small Industry"



Tyler Hawkins was present to discuss the application the Board. The Board asked if they held a pesticide application license and Mr. Hawkins stated yes. The permit is contingent upon an inspection to ensure that all safety protocols are being followed, including, eye wash stations and secondary containment to name a few. On a motion made by Ms. Bissetta, seconded by Mr. Conoby, the Board unanimously voted to grant a Hazardous Materials Control Permit to Fox Pest Control, 43 Nagog Park with the following conditions:

1. All liquid Hazardous Materials and Wastes shall be stored in a containment area capable of containing 110% of the largest volume stored in the containment area.
2. All Materials Safety Data Sheets (MSDSs) for the Hazardous Materials shall be maintained on site. MSDSs shall be reviewed with employees at the time of their employment and on an annual basis thereafter. MSDS must be made available to all employees upon request.
3. A Contingency Plan, including emergency contact numbers (Telephone numbers of owner, operator, etc.) and a sketch showing clearly all Hazardous Material and Waste locations shall be submitted and updated annually, to the Board of Health, Fire Department, Police Department, and Civil Defense.
4. Emergency procedures and local Emergency Response Telephone Numbers (Health, Fire, Police, D.E.P., Civil Defense, etc.) should a spill occur, shall be posted in clear view of all employees where Hazardous Materials or Wastes are used or stored.
7. All Hazardous Materials Containers shall be labeled and dated when filling first began.
8. Speedy Dry, or its equivalent, shall be kept in the storage area, in case of a Hazardous Materials or Wastes spill.
10. All floor drains shall be sealed or discharged into a closed system, with the waste disposed of by a D.E.P. approved Hazardous Waste Hauler.
11. Protective equipment, including chemical resistant gloves, eye goggles and (rubber) boots, in addition to soap and water, shall be made available to all employees, at all times, in any Hazardous Materials or Waste storage or use area.
12. No Hazardous Materials or Wastes shall be discharged into a sink or toilet.
13. A safety eye wash station shall be installed where any Hazardous Materials or Wastes are handled or used.
14. A fire extinguisher, containing an appropriate fire extinguishing agent, shall be placed in the Hazardous Materials Storage area.
15. No food or drink shall be stored or consumed in any area where Hazardous Materials are stored or used.
25. Prior to any new chemical or processes being used, the Board of Health shall be notified.
26. The operation of this facility shall be in compliance with all present and future regulations of E.P.A. and D.E.P. at all times. Nothing in this permit allows or requires non-compliance with all present and future applicable laws or regulations of the Federal or State Governments.
32. Copies of all Pesticide Applicator's current licenses shall be posted in an area that is visible to all employees.

The Chair took roll call and all were in favor.

Fire Station, Harris Street – Aquifer Special Permit

The Town is proposing to build a new fire station at the old Mass. Fish and Game building on Harris Street and is seeking an Aquifer Special Permit. The property is located in Zone 3 and



located outside the 100' buffer. The engineer showed a brief power point presentations with information on the proposed septic system and distance to drinking water wells. A set of proposed conditions was sent to them and only one issue regarding no floor drains was raised. They have requested the use of floor drains with that waste being directed to a tight tank. The floor drains are present to catch the water from the vehicles while in the bay. The Board asked about decontamination showers and it was stated that all non-sanitary waste will be directed to the tight tanks. There will be floats that will trigger an alarm when the tight tank needs to be pumped but the proposed tank will be 5,000 gallons instead of 2500 gallons. On a motion made by Mr. Kreuze, seconded by Mr. Conoby, the Board unanimously voted to approve the Aquifer Special Permit for the Proposed Fire Station on Harris Street with the following conditions:

1. The septic system plan shall be fully compliant with all State and local regulations and requirements.
2. This permit is an aquifer protection permit only and nothing in this permit allows or requires non-compliance with all other present and future applicable laws or regulations.
3. The sewage disposal system for the proposed buildings at this site shall be approved by the Health Division
4. A plan for construction site activities including earth removal, storage and fill shall be approved by the Health Division.
5. A plan documenting the proposed site activity poses no significant risk of reducing, interfering with, or degrading the groundwater or causing any threat to the public health and safety shall be approved by the Health Division.
6. A plan documenting the proposed site activity including soil erosion and run-off containment requirements, requirement to preserve groundwater recharge, limits on the extent of impervious cover and treatment of water run-off shall be approved by the Health and Engineering Divisions.
7. All subsurface wells, including geothermal and irrigation wells, shall be designed, installed and maintained as approved with conditions by the Health Division and shall be fully compliant with all other applicable State and local regulations and requirements.
8. No underground fuel storage tanks shall be permitted on the site.
9. The septic tank shall be pumped a minimum of once every year or as determined by the Health Division.
10. The site shall fully conform to the Town of Acton Hazardous Materials Control Bylaw.
11. Floor cleaning procedures for the building shall use only nontoxic and biodegradable cleaning compounds.
12. Sewage disposal system shall be a minimum 100 feet from flood plain and/or wetlands.



13. Floor drains are not permitted, except floor drains which are connected to a tight tank with monitoring system and maintenance plan as approved with conditions by the Health Division. All non-sanitary waste shall be directed to the tight tank.

The Chair took roll call and all were in favor.

110-112 Central Street – Variance Request:

The Health Division is in receipt of a request for a variance for the property located at 110-112 Central Street. The request consists of a variance from 310 CMR 15.211 – Distances and Acton Board of Health Rules and Regulations Article 16-6.2.7 for the reduction in the setback to wetlands:

- 1) Septic Tank to a street line – 3.5' proposed - 10' allowed
- 2) Pump Chamber to a street line 2' proposed - 10' allowed
- 3) Leach field to wetlands - 50.2' proposed - 75' allowed (Acton)
- 4) Edge fill to wetlands - 30.1' proposed - 75' allowed (Acton)

The Health Division has reviewed this request and recommends approval but would encourage that the pump chamber be moved away from the street a few feet and relocate under the existing walkway. The Board discussed moving the tanks closer to the house and installing a poly barrier. It was noted that the distances are shown to the town right of way and not to the street so approximately 10' can be added. The Board stated that they would like the engineer to install a poly barrier in the tank hole as the tanks are at an elevation above the house foundation.

On a motion made by Ms. Bissetta, seconded by Dr. Taylor, the Board unanimously voted to grant a variance from 310 CMR 15.211 Distances and Article 16-6.2.7 to the property located at 110-112 Central Street with the following conditions:

- 1) The system shall, at all times, be maintained in compliance with the most recent approvals issued by MADEP for the Presby Enviro-Septic System and Singulair 960DN.
- 2) The front property line must be staked by a professional licensed surveyor.
- 3) The septic tank shall be pumped as recommended by manufacturer.
- 4) The system shall be constructed in accordance with the above listed conditions and the plan stamped by Russ Wilson, dated July 28, 2020, with revisions required by the Acton Health Department comments.

The Chair took roll call and all were in favor

Other Update

Mr. McInnis asked the Board if they would like to continue to receive digital Board packets or if they would rather hard copies sent in the mail. The consensus of the Board was that digital copies be received. Ms. Ball suggested that we could number the digital packets to help with ease of reading. It was stated that would be helpful.



3. Minutes:

On a motion made by Mr. Kreuze, seconded by Dr. Taylor, the Board voted to accept the minutes dated July 29, 2020. The Chair took roll call the vote was 4-0 with Ms. Bissetta abstaining as she was not present at this meeting.

On a motion made by Ms. Bissetta, seconded by Mr. Kreuze, the Board unanimously voted to accept the minutes dated August 5, 2020. The Chair took roll call and all were in favor.

4. Adjournment

On a motion made by Dr. Taylor, seconded by Mr. Kreuze, the Board unanimously voted to adjourn at 9:09 PM. The Chair took roll call and all were in favor.

Documents and Exhibits Used During this Meeting;

- Town of Acton script for boards and committees opening meeting
- Board of Health agenda
- Fox Pest Control – Hazardous Materials Application and recommendation from Health
- Acton Fire Station – Aquifer Special Permit Application, Power Point presentation, maps, proposed conditions and septic design plan
- 110-112 Central Street – Variance request, recommendation from Health and proposed septic plan
- Minutes from July 29, 2020 and August 5, 2020

Respectfully Submitted,

Sheryl Ball
Sheryl Ball
Acton Board of Health

William McInnis
William McInnis- Chairman,
Acton Board of Health