



## **Acton Board of Health**

Meeting Minutes

September 20, 2022

7:30 PM.

**VIRTUAL PARTICIPANTS VIA ZOOM**

### **Present:**

Virtual Members Present: Mark Conoby, William McInnis, Dr. William Taylor and Dr. Thomas Jacoby. Michael Kreuze was not present.

Virtual Associate Members Present: Dr. Rekha Singh voting for absent Michael Kreuze

Virtual Staff Present: Sheryl Ball-Health Director, Matthew Dow and Felix Garcia

Others Present: Himaja Nagireddy, Select Board liaison and Mary Lynn Miller.

### **1. Opening**

Chair – Mark Conoby opened the meeting at 7:31 P.M. A script was read that was provided by the Town stating why the meetings are virtual during this pandemic and this emergency meeting of the Board of Health was called to order.

### **2. Regular Business**

#### **Health Director Update**

Ms. Ball stated that she spoke to the school nurse regarding COVID cases and stated that the schools typically have seen 5-15 cases since school began.

Ms. Ball also stated that we inadvertently sent out a flyer with incorrect information so we have postponed Household Hazardous Waste day until October 25 from 4-7PM.

Ms. Ball further stated that in the future, Jill Salamon, RN, will be giving the nursing service update instead of Heather. The Board asked if there was an organizational realignment occurring and Ms. Ball stated that Jill is the public health nurse so Heather asked her to represent.

#### **Nursing – Update**

Ms. Salamon stated that Acton is running around 20-24 cases and reminded the Board that this count does not include those doing home tests. Ms. Salamon further stated that the state is now allowing you to isolate for 5 days and you can now test out of wearing a mask for those additional 5 days if you have two negative tests after day 6 within a 48-hour period. Ms. Salamon also stated that the CDC has approved a bivalent booster. Ms. Salamon stated that Life Care of Acton has no cases right now but is continuing to do surveillance testing once per week and if there are positive cases, they will up that testing to twice per week. Ms. Salamon stated that this facility is in the process of getting their flu shots as well. Ms. Salamon stated the Inn at



Robbins Brook Senior living has no cases right now either and they are also starting their flu shots.

The Board asked about daycare numbers and Ms. Salamon stated that we no longer track those cases per the DPH unless there is an outbreak at the facility but so far that has not happened since the beginning of the school year. The Board asked if the bivalent booster is available and Ms. Salamon stated that it is being dispersed, so some pharmacies already have it available. The Board stated that President Biden has declared the pandemic over and asked Ms. Salamon to comment. Ms. Salamon stated that while the President declared that, the Massachusetts Department of Public Health has not and we follow their guidance but will update the Board if that changes. The Board also asked if we are following monkey pox and Ms. Salamon stated we are as well as attending all trainings by the State which most recently are including monkey pox tick-borne illnesses and COVID.

#### **Timothy Deschamps – Central Massachusetts Mosquito Control Project (CMMCP)**

Mr. Deschamps was present this evening to update the Board regarding mosquito activity in Acton this year. Mr. Deschamps stated that is has been a relatively quiet year and there were some concerns with the early summer heat, however, the drought did keep the mosquito population low enough that they were able to focus on continued treatment of catch basins, wetland and ditch maintenance and overall focused on the control programs due to the low consumer requests for spraying this year. Mr. Deschamps stated that requests for spraying were down by 50-75%. Mr. Deschamps stated that West Nile Virus (WNV) was identified in Middlesex County but not Acton this year and the State will suspend the testing of mosquitos on October 7<sup>th</sup> this year. Mr. Deschamps also asked the Board to put out notice that they have a tire recycling program so our residents are aware of this program. The Board thanked Mr. Deschamps for the update.

#### **Acton Board of Health Rules and Regulations – Article 2 and Recycling Regulations**

Ms. Ball stated that there are two sets of regulations in the Board packet and Article 2 is the regulation that the Board saw a few months ago and asked staff to send the proposed changes to the licensed Commercial Haulers for comments. Ms. Ball stated that was done and no comments were received. Since that time, the State has looked at the proposed changes to Article 2 which initially were for Human Habitation and had further comments that were significant so we are bringing those revisions back for Board review. The Board reviewed the proposed changes to Article 2 as well as the sample best practices for municipalities for private hauler regulations and asked that staff separate out the recycling components from Article 2 and create a new article for recycling to bring back before the Board. Ms. Ball stated she would do that and bring back at a future meeting. The Board also asked if the State would assist in helping with enforcement of the recycling regulations and Ms. Ball stated that they are helping us with the development of the regs but the enforcement will be on us.



## **Acton Board of Health Rules and Regulations – Article 11**

Ms. Ball stated that since the public hearing on the changes to Board of Health Rules and Regulations Article 11, we noticed that there should be three additional updates. Ms. Ball stated that the updates include:

1. Delete section - 11-5.1 Deep test holes, for determining the Estimated Seasonal High Groundwater Elevation, within Aquifer Zones 1, 2 and 3 (as defined in Article 16) for new construction, may not be excavated in June, July, August, September, and October. This recommendation is due to Title 5 changes that were made in 1995 that ask soil evaluators to look at mottling in soils rather than whether or not the soil is currently wet so soil testing can be conducted year-round.

2. 11-7.2 All residential septic tanks, cesspools, or other structures shall have their contents pumped out a minimum of once every two years by a septage hauler licensed by the Town of Acton. The Board discussed this and asked that this be amended to state: The Health Director can review reasonable requests from homeowners seeking to wait an additional year to pump due to certain conditions that the Health Director sees fit to allow an extension.

3. Add the following language - 11-14 Enforcement and Penalties

11-14.1 The provisions of any Permit shall be enforced by the Health Department. Permittees shall provide access, at reasonable times and upon notice, to employees or authorized agents of the Department for inspection of records or facilities, sampling, or other observation, testing or procedures necessary to ensure compliance with this regulation.

11-14.2 Any initial violation of the provisions of this regulation shall result in a fine of not more than fifty dollars per day for each day during which the violation continues. Any second or subsequent violation of the regulation shall result in a fine of not more than one hundred dollars per day for each day during which the violation continues. Upon learning of an initial violation, the Health Director shall contact the person or persons involved and attempt to resolve the matter informally. The Health Director may hold a hearing on the violation and require the person or persons alleged to be in violation to attend.

11-14.3 In the event that an initial violation cannot be resolved by the parties, or of a second or subsequent violation, the Board of Health shall hold a hearing, after notice to the person or persons alleged to be in violation of the regulation, who shall be required to attend and provide any information necessary to resolve the issues and assure compliance with this regulation.

The Board asked Ms. Ball to make those changes and schedule a public hearing.

### **NARCAN Distributor**

Ms. Ball stated that she would like the Health Division to be a NARCAN distributor. Ms. Ball stated there is a process that we must complete and an application will need to be submitted to the State for approval. If we are approved we can also ask for free NARCAN. Ms. Ball stated that Dr. Knights has agreed to oversee this process and we will work on getting our applications submitted and required trainings if the Board would like us to pursue this. The Board asked Ms.



Ball if police and fire have the ability to get their own and Ms. Ball stated yes. The Board also asked Ms. Ball to speak with the schools to ensure that they also have a supply and Ms. Ball stated she would. The Board asked whether there is an evaluation program that we could use to know if the program is working and also asked that we hand out a flyer with resource, health information and optional questions so those receiving the NARCAN have knowledge of organizations that can assist with addiction help and/or so we can better understand if this program is useful. Ms. Ball stated she would look into evaluations but cautioned that asking personal questions might deter those that are in need but we could ask optional questions and provide helpful information to all those accepting NARCAN. One question that Board would like to know is; 1. Have you received NARCAN previously from us and if so, did you need to use it? Ms. Ball stated that we will poll others that are dispersing NARCAN to see what other towns have for handouts or staff will keep a log of quantities in and out and create a handout if needed.

On a motion made by Mr. McInnis, seconded by Dr. Taylor, the Board voted to endorse the Health Division's request to obtain NARCAN for distribution to the public in accordance with the plan as proposed.

The Chair took roll call and all were in favor.

#### **Minutes – 8-2-2022**

On a motion made by Mr. McInnis, seconded by Dr. Taylor, the Board voted to accept the minutes of August 2, 2022 as written. The Chair took roll call and all were in favor.

#### **Next Meeting**

The next BOH meeting is scheduled for October 18, 2022.

#### **4. Adjournment**

On a motion made by Dr. Jacoby, seconded by Mr. McInnis, the Board unanimously voted to adjourn at 8:55 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
- Proposed updates to Article 2 and Acton Hauler best practices regulations
- Proposed updates to Article 11
- Memo from Health Seeking BOH support to be NARCAN distributor
- Minutes from 8-2-22

Respectfully Submitted,

Sheryl Ball  
Acton Board of Health

Mark Conoby, Chair  
Acton Board of Health