

Acton Board of Health

August 15, 2011

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

Staff Present: Justin Snair.

Others Present: Peg Mikkola, J.J. Supple, Janice Nevola, Pat Jones and Joshua Nyer

The meeting was called to order at 7:32 p.m.

Robbins Brook – Noise Pollution Continuation

JJ Supple was present before the BOH with the following update:

1. Wednesday following Aug 1 BOH, met on site with HVAC contractors to determine:
 - a. Mitigation options
 - b. Relocation options (impossible due to constraints, setbacks, manufacturing specifications)
2. Received estimate for mitigation steps; proposal from Supple Construction
3. Trustees will review proposal and once done they will need a few months for design and bidding.

Mr. Conoby asked Mr. Supple what actions have been taken for temporary mitigation. Mr. Supple indicated that temporary steps have been tabled as their top priority is permanent mitigation. Mr. Supple is requesting a 60 day continuance for remediation study. Mr. Supple also stated that chillers will be shut off at the end of October for the season, eliminating the noise issue. Mr. Conoby asked what the length of implementation when considering all variables. Mr. Supple stated that they are unknown but further stated that testing of system could not happen until spring, as the system will be configured for heat until then. A resident of 35 Hartland Way questioned who would be the responsible party. Mr. Conoby stated that the condo owners would be the responsible party. Mr. Conoby updated the Board members that were not present at the previous meeting stating that the appeal was requested, should the Board continue or close, granting a 45 day continuance and whether the initial Health Department order should be upheld.

Ms. Nevola indicated that she can accept a prolonged remediation, provided that steps are being taken to address the issue. Ms. Tavernier expressed her concerns with the delay.

The Board discussed possible options. On a motion made by Mr. Krueze, seconded by Dr. Taylor, the Mr. Conoby, Dr. Taylor and Mr. Kreuzer voted to uphold the Departmental Order subject to modifications, conditioned that a compliance and interim mitigation plan be established and implemented. Mr. McInnis and Ms Bissetta abstained from voting due to not being present at the first hearing meeting. Compliance schedule shall not exceed 30 days; reasonable cause may extend 30 days at the Departments approval. Mitigation measure must be completed and verified by May 1st

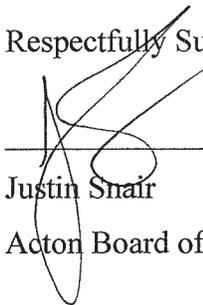
CMMCP WNV Update

Tim Deschamps from Central Massachusetts Mosquito Control Project (CMMCP) provided the Board an update regarding the response they took after identifying positive mosquitoes with West Nile Virus. Mr. Deschamps stated the public was notified of the issue and the order for spraying the affected area was conducted weather dependent of that neighborhood. The Board questioned Mr. Deschamps about the procedures that were followed once the mosquitoes were identified. Mr. Deschamps stated that the Department of Public Health (DPH) controls what procedures have to be followed. Mr. Conoby asked if larvicide applications will continue. Mr. Deschamps indicated yes. The Board also asked if aerial spraying is needed. Mr. Deschamps stated that that decision would be made by the DPH.

Adjournment

On a motion made by Dr. Taylor, seconded by Mr. Krueze, the Board unanimously voted to adjourn at 9:00 PM.

Respectfully Submitted,



Justin Snair
Acton Board of Health



Mark Conoby, Chairman
Acton Board of Health