



**Acton Board of Health**  
**Meeting Minutes**  
**August 30, 2021**  
**7:30 P.M.**  
**VIRTUAL PARTICIPANTS VIA ZOOM**

**Present:**

**Virtual Members Present:** William McInnis -Chairman, Michael Kreuze, and Dr. William Taylor. Joanne Bissetta and Mark Conoby were not present.

**Virtual Associate Members Present:** Dr. Thomas Jacoby was present and voted for absent Mark Conoby and Dr. Rekha Singh was present and voted for absent Joanne Bissetta.

**Virtual Staff Present:** Sheryl Ball-Health Director

**Virtual Present:** Laura Lefebvre, Mark Hald, Prasad Kimmineni, Select board liason, Himaja Nagireddy, Peter Bay, Peggy Mikkola and Scott Buchannan.

**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 pandemic.

**2. Regular Business**

**Kmart – Vaccine Update**

Ms. Ball informed the Board that the Kmart site is no longer available for us to utilize for vaccinations.

**Board of Health Meetings**

Ms. Ball stated that the summer is almost over and questioned the Board as to whether or not they would like to continue meeting virtually or in person. The Board stated that they would like to meet in person beginning September 13, 2021 but also would like to allow those that are not comfortable to meet virtually. The Board expressed concern with meeting in a small room and advised staff to book a larger room.

**Mask Discussion**

The Board discussed whether or not they would like to issue a mask mandate. The Board reiterated their discussion from two weeks ago that focused on Acton's high vaccination rates and the current positivity rate. The Board stated that this should be discussed again at a future meeting and if something unique to Acton changes they will discuss whether or not to issue a mandate specific to Acton and will continue to follow State guidance.



## **Nursing Service Director Updates-**

Ms. York stated that numbers are going up and mentioned that we have had 1056 since the beginning of the pandemic, 14 currently on isolation, 1010 recovered and 32 fatalities. Ms. York also stated that our current break through positive cases equal 47% among those that are vaccinated and 53% for unvaccinated. Ms. York stated that LifeCare Center is doing well with no cases; however, Benchmark at Senior Living has one positive case. Benchmark at senior Living instituted testing for all residents and staff with a repeat test in three days. Ms. York also stated that she is not seeing trends and the positive cases are spread amongst many households.

## **Hazardous Materials Control Permit – 16 Knox Trail and 284 High Street – Acton Water District Solar Project**

Ms. Ball stated that an application was received from the Acton Water District (AWD) to install solar panels in Zone 2 which is located on 5 acres of property located at 16 Knox Trail and 284 High Street. The hazardous materials on-site will be Lithium-Ion electrolytes and mineral oils. The applicants were represented by WeBo Solar Panels, LLC and they were present to discuss the application with the Board. A PowerPoint presentation was shown outlining the proposed project. Mr. Peter Bay stated that this will be a solar site plus energy storage. This site will provide all power necessary to run the South Acton Treatment Plant plus some other AWD properties. Mr. Bay also stated that the MADEP has already approved this application. Last year, the Board approved a Hazardous Materials Application for another solar project on 28 Lawsbrook Road. These two sites will align with each other. Mr. Bay also expressed concern with the proposed condition stating that no transformers or battery panels be located in Zone 1. Mr. Bay stated that Ever source currently has a transformer located with in Zone 1 and they will need to replace that transformer with theirs. The Board discussed this at length and amended that condition to allow the transformer that has been identified in the current plan to be allowed but any subsequent changes will need to be approved by the Board. The Board also asked that this site be monitored weekly to ensure there is no leakage. On a motion made by Mr. Kreuze, seconded by Dr. Singh, the Board unanimously voted to grant a Hazardous Materials Control Permit to the Acton Water District for the property located at 16 Knox Trail and 284 High Street 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 (MSDS's) for the Hazardous Materials shall be maintained on site. MSDS's shall be reviewed with employees at the time of their employment and on an annual basis thereafter. SDS sheets 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.
5. All Hazardous Wastes must be disposed of by a Licensed, D.E.P. approved, hauler or be recycled on site.
6. Copies of either all invoices or manifests for any Hazardous Materials or Wastes, received or disposed, shall be submitted to the Board of Health annually.
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.
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.
13. A safety eye wash station shall be installed where any Hazardous Materials are stored 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.

In addition to the above we also recommend the following conditions:

1. The Health Department will be required to conduct an inspection prior to use.
2. No battery panels or transformers may be placed within Zone 1 of the Aquifer Protection Zone except as outlined in the current proposal only. Any future changes in transformers locations must be re-reviewed by this department for compliance.
3. Full Compliance with DEP Guideline Bureau of Resource Protection Drinking Water Program for Proposed Solar and Wind Energy Projects.
4. Upon termination of project the site must be fully restored to appropriate conditions.
5. All operations shall be in full compliance with the Acton Water District requirements.

The Chair took roll call and all were in favor.

#### **Board of Health Agent Appointment – Felix Garcia:**

Ms. Ball asked the Board to appoint the Health Divisions new hire, Felix Garcia. Mr. Garcia will begin employment with the Town of Acton on Monday, September 13, 2021. Ms. Ball outlined Mr. Garcia's expertise. On a motion made by Dr. Taylor, seconded by Dr. Jacoby, the Board unanimously voted to appoint Mr. Garcia as an agent to the Board of Health, concurrent with his employment with the Town of Acton. The Chair took roll call and all were in favor.



## Minutes

On a motion made by Mr. Kreuze, seconded by Dr. Jacoby, the Board unanimously approved the minutes of August 16, 2021 as amended. The Chair took roll call all the vote was 3-0-2(abstentions). Motion passes.

## Next Meeting

The next BOH meeting is scheduled for September 13, 2021.

## Other Business

The Board discussed mandating vaccine for Town employees. The Board discussed this at length and concluded there was not enough Board support to require this. The Board asked Himaja to report to the BOS to let them know the BOH discussed this.

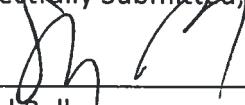
## 4. Adjournment

On a motion made by Mr. Kreuze, seconded by Dr. Singh, the Board unanimously voted to adjourn at 9:03 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
- WeBo Solar partners haz mat application and Health Division recommendations
- Health Division request to appoint Felix Garcia an agent of the BOH
- Minutes of 8-16-2021

Respectfully Submitted,

  
Sheryl Ball  
Acton Board of Health



William McInnis- Chairman,  
Acton Board of Health