

**Acton Board of Health**

**November 26, 2007**

**Members Present:** William Taylor, Chairman, Joanne Bissetta, Vice Chairman, William McInnis, Member, Mark Conoby, Member and Pam Harting-Barrat, Member. Phil Alvarez was also present.

**Staff Present:** Doug Halley, Health Director and Sheryl Ball.

**Others Present:** Scott Hayes, Janice Wilson and Peggy Mikkola.

The meeting was called to order at 7:36 p.m.

**Minutes**

On a motion made by Ms. Bissetta, seconded by Dr. Harting-Barrat, the Board unanimously voted to approve the Board of Health minutes dated November 5, 2007 as amended.

**Variance – Septic Permit Upgrade**

Ms. Janice Wilson, property owner of 11 Wingate Lane has requested a variance from Article 11- 9.1 (545 gpd provided – 550 gpd needed) to allow the issuance of a 5 bedroom septic permit. Currently the Health regulations require a minimum of 1,000 square feet of leaching area and a 1500 gallon septic tank for a five bedroom home and using the current long term acceptance rates and percolation rate the system would be adequate for 672 gpd according to today's standards. Based on this information the Health Department recommends issuance of this variance. Mr. Halley further stated that this system should be checked to make sure it is functioning. Ms. Wilson stated that there is a current passing Title 5 for this property. The Board agreed that would be adequate. On a motion made by Dr. Harting-Barrat, seconded by Ms. Bissetta, the Board unanimously voted to affirm the original septic system permit is adequate for 5 bedrooms with the following conditions:

1. The septic system shall be inspected.
2. The septic tank shall be pumped once every two years.

### **Nursing Service Administrator**

Merrily Evdokimoff, Nursing Administrator for the Acton Public Health Nursing Service (APHNS), is present before the Board to report the status of the Nursing Services and also for Board approval on a fee increase. Ms. Evdokimoff is proposing that the Podiatry Clinic fees be raised from \$20.00 to \$25.00 due to the increase in the Podiatrist fees. Ms. Evdokimoff has also stated that services will not be denied to anyone because of their inability to pay as the Friends of the Acton Nursing Service underwrite those costs. The increase in these fees would make the clinic self supporting.

Ms. Evdokimoff stated that she is delighted to be back as the Nursing Service Administrator and updated the Board as to the status of the Nursing Service. Ms. Evdokimoff stated that she has hired a staff nurse and social worker rather than hiring contractually which has brought these costs down. Also, Ms. Evdokimoff stated that she is actively working on increasing client referral base. Ms. Evdokimoff stated that upon her return the service was providing for approximately 27 or 28 clients per day and it is now approximately 36 clients per day. Ms. Evdokimoff also stated that she is working on outreach to other hospitals in order to try to drive up the client base and also looking at getting agreements with other nursing service agencies for specific services that we don't currently provide like hospice services. The agreement would allow a patient to be admitted to Nashoba Hospital and allow the APHNS to administer care and then directly bill Nashoba Hospital. Ms. Evdokimoff also stated that she has accepted patients discharged from Lahey Clinic and as a result has developed a relationship with them. Ms. Evdokimoff also presented the Board with a financial report. Ms. Evdokimoff stated that the Nursing Service in the last few years has had an outstanding balance of \$259,000 which mostly consists of insurance monies that were never collected. Ms. Evdokimoff stated that she has hired a billing consultant to work at resolving these outstanding debts. Approximately \$77,000 of the outstanding debt was a paperwork error which left a debt balance of \$185,000. Ms. Evdokimoff stated that since her return the monies have been collected bringing the balance down to \$112,000 which also includes current money due. Unfortunately, due to the time that has passed

since the services were provided approximately \$32,000 is uncollectable and this also includes a flat out denial of an insurance carrier to pay. It was also pointed out even with the best billing service there is also a 5% average of uncollectable funds. The Board asked and Mr. Halley confirmed that the APHNS was currently operating with a positive balance. Ms. Evdokimoff stated that it is her goal to provide top notch care and never to turn any potential client away. On a motion made by Mr. McInnis, seconded by Mr. Conoby, the Board unanimously voted to approve the rate increase for the podiatry clinic and further moved to write off the \$32,000 in uncollectable debt. The Board stated that they are happy and delighted to have Ms. Evdokimoff back with the service.

#### **Emergency Beaver Trapping Permit – 51 Flint Road**

On November 13, 2007 the Health Department conducted an inspection of the property located at 51 Flint Road as the owner of that property is concerned with the effects of the beaver dam. The Health Department noted that the water elevation of the wetlands was higher than the elevation of the existing onsite septic system which poses significant health risk. The Health Department recommends issuance of a 10 day permit. On a motion made by Dr. Harting-Barrat, seconded by Ms. Bissetta, the Board unanimously voted to grant a 10 day emergency beaver trapping permit starting today.

#### **Variance – 12 Sylvia Street**

The Health Department has received a request for a variance from Article 11-8.1 for a reduction in the required leaching area (600 sq ft required – 408 sq ft proposed which meets title 5) to the property located at 12 Sylvia Street. Mr. Hayes, engineer representing the property owners, has proposed the reduced leaching area to avoid the increased cost of adding retaining walls and further stated that there is a suspicious swale that runs along property line that he would like to stay away from. The Board asked Mr. Hayes what the projected cost of the retaining walls would be. Mr. Hayes estimated that they would increase the cost by approximately \$3-5,000. Mr. McInnis stated that the Board does not typically grant variances due to increased cost unless the projected cost exceeds 25% or more of the projected cost of the system and would only grant that variance if there is manifest injustice. Mr. McInnis further stated that the Board in the past has only granted variances for a 25% reduction and this request is for a 33% reduction

conditioned on providing additional environmental compensation (effluent tee filter and larger two compartment septic tank). The Board asked Mr. Hayes if the site would allow for a fully conforming system. Mr. Hayes stated that it is possible to put in a fully conforming system. Mr. Conoby asked if the two compartment tank and effluent tee filter were installed would it provide the same degree of environmental protection as a fully sized leaching field. Mr. Halley stated that it would be helpful but does not meet the same degree.

On a motion made by Mr. McInnis, seconded by Dr. Harting-Barrat, the board unanimously voted to deny the Article 11-18.1 variance to the property located at 12 Sylvia Street.

### **Other**

On a motion made by Ms. Bissetta, seconded by Mr. McInnis, the Board unanimously voted to appoint Justin Snair as a Health Agent for the Town of Acton.

### **Adjournment**

On a motion made by Dr. Harting-Barrat, seconded by Ms. Bissetta, the Board unanimously voted to adjourn at 8:55 PM.

Respectfully Submitted,



Sheryl Ball, Health Secretary  
Acton Board of Health



William Taylor, Chairman  
Acton Board of Health