

Acton Board of Health – Minutes  
September 29, 2003  
Room 126, Town Hall

Board Members Present: William McInnis, Chairman, Mark Conoby, Roxanne Hunt, and Associate Member Rita Dolan.

Staff Present: Doug Halley, Health Director & Sheryl Ball, Secretary and Merrily Evdokimoff, Nursing Supervisor

Others: Todd Fenniman, Ginger Hobson, Kelly Allen, Kevin Barnes and Dylan James.

The meeting was called to order at 7:33 p.m.

**Quarterly Reporting and Policies – Acton Public Health Nursing Service**

**Flu Vaccine** - Merrily Evdokimoff, Nursing Supervisor, was present before the Board to discuss the cost of purchasing and administrating the flu vaccine and is seeking approval of the Nursing Service Policies. Ms. Evdokimoff stated that the APHNS has previously given the town and school employees the shot for free. However, the cost of the vaccine has risen to a cost of \$8.00 per vaccine from \$3.00 per vaccine. Ms. Evdokimoff explained that industrial clinic's help offset these costs but would like to see the amounts factored into the Nursing Service's 05 budget. Ms. Evdokimoff stated that most seniors in Acton's shots are covered through insurance but would recommend that the seniors who are not covered be allowed to have the fee waived if needed. On a motion made by Ms. Hunt, seconded by Mr. Conoby, the Board unanimously voted to recommend to the Board of Selectmen that the APHNS charge \$15.00 per flu vaccine and waive the fee for all town & school employees and also for seniors who do not have access to health insurance and cannot afford the cost of the shot.

**Clinics** - Ms. Evdokimoff also stated that she would like to do additional clinics to increase public awareness of the Nursing Service. Ms. Evdokimoff stated that she is currently speaking with Robbins Brook Assisted Living about the APHNS conducting clinics. The Board suggested that the APHNS conduct clinics at Acton Day or Oktoberfest.

**Policies** - Ms. Evdokimoff is also seeking Board approval for the following APHNS policies:

1. Confidentiality
2. Patient Grievance

### 3. Electronic Security

Ms. Evdokimoff stated that all of the policies have been reviewed and approved by the Professional Advisory Committee. On a motion made by Mr. Conoby, seconded by Ms. Hunt, the Board unanimously voted to approve the following new and amended APHNS policies:

1. Confidentiality
2. Patient Grievance
3. Electronic Security

### **Massage Practitioner – Kelly Allen**

The Health Department has received a request for a Massage Practitioner License from Kelly Allen to work at the Elizabeth Grady salon in Acton. Ms. Allen is currently licensed in the Town of Lincoln and is furthering her career by taking additional massage classes. Ms. Allen will need to submit a copy of a recent TB test to the Health Department prior to getting her license. On a motion made by Ms. Hunt, seconded by Mr. Conoby, the Board unanimously voted to grant a Massage Practitioner License to Kelly Allen contingent upon submittal of a recent negative TB test.

### **Nuisance Complaint – Ginger Hobson**

Ms. Hobson, 3 Blueberry Path, has filed a noise complaint against Rex Lumber, 840 Main Street. Mr. Todd Fenniman, Esq., is representing Ms. Hobson with this complaint. Mr. Fenniman stated that Ms. Hobson began complaining about thundering noise levels beginning in June 2003, which her husband tracked to Rex Lumber. The Hobson's contacted the police about the noise levels who referred them to the Health Department. Ms. Hobson stated that the noise levels cause the walls in her home to vibrate. Ms. Hobson also stated that the intensity of the noise varies but always has a similar pitch and sounds like constant drumming. Based on the Hobson's complaint, the Health Department conducted sound monitoring on August 14, 2003. The ambient noise level including allowances for auto and truck traffic on Rt. 27 and other industrial operations in the immediate area and over flight noise from airplanes was found to be 55 dB at Rex Lumber's property line. It was also found that during the time that all of Rex Lumber's equipment was operating the noise level was found to be 64dB. These results show that Rex is marginally under the 10 dB limit. Based on this information, Mr. Halley ordered Rex Lumber to contract with a consultant to analyze the noise on site and make recommendations on how to keep the noise levels in compliance at all times. Rex Lumber hired a private consultant to conduct

sound monitoring which was conducted on September 11, 2003 and witnessed by Mr. Reagor. The Health Department is awaiting results of this testing. Mr. Fenniman stated that this is a quality of life concern causing the Hobson's to lose sleep and needs to be rectified. Mr. McInnis stated that Rex Lumber has to be in compliance with the sound levels at their property line and the Board of Health is committed to help the Hobson's get relief by ensuring that Rex Lumber operates within the parameters set by the DEP noise level regulation.

### **Aquifer Special Permit – 55 Knox Trail**

The Health Department has received a request for an Aquifer Special Permit from the property located at 55 Knox Trail. This property has previously been before the Board of Health but the property has since been sold. The new applicant is proposing to split the site into three (3) phases all with their own onsite disposal system. The applicant conducted additional soil testing and the systems as designed are fully compliant. On a motion made by Ms. Hunt, seconded by Mr. Conoby, the Board unanimously voted to grant an Aquifer Special Permit to 55 Knox Trail with the following conditions as modified and conditioned on meeting Health Department approval:

1. All pavement onsite shall be sealed with a high density paving grade coating (Massachusetts DPW asphalt grade Class 1 M311 mix type or equivalent).
2. All electrical transformers onsite shall contain no oil or shall be certified as PCB-free by design, analysis or inspection test.
3. All holding ponds, retention basins or wetlands on site shall be tested, by a DEP certified lab, for fecal coliform bacteria, NO<sub>3</sub>-N, total nitrogen, total phosphorous and VOC's (EPA Method 624) on an annual basis. The results of this testing shall be submitted to the Board of Health within thirty (30) days of the testing date.
4. Prior to use or installation a Hazardous Materials Control Permit will be required for the propane storage areas on the site.
5. The operation of this facility shall be in compliance with all present and future regulations of EPA and DEP 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.
6. The property owner and all tenants on the property will be required to be in compliance with the Town of Acton Hazardous Materials Control Permit at all times.
7. No floor drains will be allowed within the facility unless they discharge to a non-hazardous waste industrial waste holding tank.

8. All cleaning agents used within the building shall be biodegradable and meet the approval of the Health Department.

**Emergency Beaver Trapping Permit:**

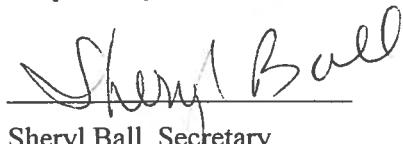
The Health Department has received a request from the School Department for an Emergency Beaver Trapping Permit to address a beaver problem impacting the Gates and Douglas School. The beaver dam is located on Fort Pond Brook. The brook is causing a boardwalk between the two schools, which serves as an emergency evacuation route, to flood. Mr. McInnis questioned if this area is used as an emergency evacuation route since there are many other areas to use as an evacuation route. Mr. McInnis stated that the Board of Health's role in granting these emergency trapping permits are for health related issues and does not see this request as a health issue. The Board directed the Health Department to look into this matter. On a motion made by Ms. Hunt, seconded by Mr. Conoby, the Board unanimously voted to table this request until more information is provided.

**Other Business**

- APHNS Clinic's – Rita Dolan stated that she would like to see some diabetes screening clinic's offered as well as information on childhood obesity. Ms. Dolan stated that these are two areas that need to be diagnosed early.

On a motion made by Mr. Conoby, seconded by Ms. Hunt, the Board unanimously voted to adjourn the meeting at 9:15 p.m.

Respectfully Submitted,



Sheryl Ball, Secretary  
Acton Board of Health



William McInnis, Chairman  
Acton Board of Health