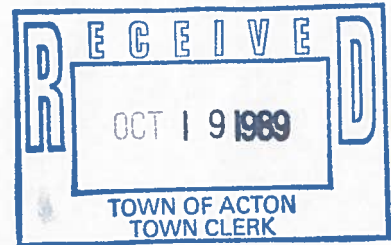


TOWN CLERK

AGENDA

BOARD OF HEALTH MEETING 8/28

- 7:30 P.M. REVIEW MINUTES
- 7:45 P.M. JULIA - OVERALL CONCERNS
- 8:15 P.M. BROOKSIDE POOLS - NONCOMPLIANCE
- 8:30 P.M. 13 DURKEE ROAD - OWNER REQUESTS HEARING
- 9:00 P.M. HAZARDOUS MATERIALS BYLAW



ACTON BOARD OF HEALTH

MEETING 8/28/89

MEMBERS PRESENT: Joseph Glannon (Chairman)

George Emmons

Gerhard Heinrich

Marilyn Hotch

STAFF PRESENT: Doug Halley (Health Director)

Steven Ward

Alan Perry

Sheryl Howe

OTHERS PRESENT: Julia Stevens

Gary Pave

Dorothy Sawyer

Ronald Sawyer

Richard Sawyer

Attorney David Barratt

Jonathan Bosworth

The meeting opened at 7:38 P.M.

MINUTES:

On a motion made by Mr. Heinrich, seconded by Mr. Emmons, the minutes from the July 24, 1989 were unanimously approved following some minor corrections.

JULIA STEVENS - NURSING SERVICE - FINANCIAL STATUS:

Ms. Stevens is before the Board to explain the present status of the nursing service. The fiscal year ended as of June 30, 1989 with an over expenditure of the 89 fiscal year budget. Ms. Stevens feels that the over expenditure resulted because the referrals have dropped, costs of cholesterol screening have increased, new desks and cabinets were purchased, liability insurance increased, and overall costs of supplies have increased dramatically. Ms. Stevens discussed the total number of cases for the past three (3) years and most showed that for areas of service the number of cases declined. Ms. Stevens has explored membership of APHNS in the visiting nurses association, however, Acton is not allowed to join because they are a public service. Ms. Stevens feels that by joining the visiting nurses the APHNS would gain more referrals.

Another problem that Ms. Stevens faces is that there are many uncollected bills for APHNS for services rendered. Ms. Stevens is finding it extremely difficult to collect back bills ranging from \$200.00 to \$3,000.00. The Board briefly discussed alternatives for collecting those unpaid bills.

Ms. Stevens also mentioned combining the Town of Boxboro with Acton for the well child clinic.

BROOKSIDE APARTMENTS - GARY PAVE - HEARING CONCERNING POOL:

On a routine inspection of the pool located at Brookside Apartments Steven Ward, R.S., noted that the pool was in noncompliance with Acton's Rules and Regulations. Mr. Ward has spoken with Mr. Pave, property manager of Brookside Pools, on numerous occasions concerning these violations. Following a routine inspection, Mr. Ward issued an order letter and noted four (4) violations. The order letter stated that Mr. Pave was ordered to close the pool immediately until such a time that a reinspection showed compliance with the regulations. One of the major violations was that Mr. Pave was operating the pool without an on-call lifeguard. Mr. Ward spoke with Mr. Pave concerning difficulties in finding a lifeguard. Mr. Pave finally found and hired one and reopened the pool without the reinspection by Mr. Ward. When Mr. Ward checked the credentials of the lifeguard his certification had expired.

During the time that Mr. Ward ordered the pool closed he noted on two (2) occasions that the pool gate was opened, and the closed sign was face down on the concrete, and people were in the pool enclosure.

Mr. Pave eventually hired another lifeguard and subsequently re-opened the pool without requesting that the Health Department reinspect the pool. The Health Department was also concerned with the water quality of the pool.

On a motion made by Mr. Heinrich, seconded by Mr. Emmons, the Board unanimously voted to put Brookside Apartments' swimming pool on probation for the next season, and any violation of Acton's swimming pool regulation that is not corrected shall immediately result in suspension of the pool permit for the remaining part of the year.

On an amendment made by Mr. Emmons, seconded by Mr. Heinrich, the Board unanimously voted to amend the original motion to provide that the use of pool by residents during the period that it is closed by the Health Department shall result in suspension to operate the pool for the rest of the season.

On a motion made by Mr. Heinrich to amend the amendment, seconded by Mr. Emmons, the Board unanimously added this condition to the amendment: Suspension shall occur unless management demonstrates that it has made all reasonable efforts to prevent such unauthorized use of residents in the pool enclosure when the pool has been closed per order of the Health Department.

13 DURKEE ROAD - HEARING - ILLEGAL SEPTIC SYSTEM:

On August 16, 1989, Mr. Halley responded to an anonymous complaint and observed an illegal septic system being installed. Mr. Halley noted a 4' X 4' leaching pit surrounded by stones resting on top of ledge with leaching pipes none of which are Board of Health approved. Since the job was almost complete Mr. Halley ordered the unlicensed installers to fill in the hole so it would not become a health hazard. Mr. Halley also issued an order letter to the Sawyer's on August 17, 1989 stating all the regulations with which the repairs did not comply.

Mr. Halley reviewed this site for the Board by stating that in 1975 the Health Department issued an order letter to the Sawyer's pertaining to illegal repairs. In 1986 the Board granted a variance for the Sawyer's from Title 5 to start repair of their septic system, however, an application for a permit to repair the septic system was never made. In 1988 an application was received but in reviewing the plans submitted, the Director noted that revisions were necessary due to changes in the

regulations that were made during the interim. The Health Department never received the revised plans.

Attorney Barratt who represents the Sawyer's, stated that the Sawyer's are financially strapped. The Sawyer's have had considerable legal fees and what money they had saved went towards those debts. In the past the Sawyer's had saved \$6,000 and then the price of a repair went from \$6,000 to \$12,000. The Sawyers also believed that they would eventually be tied into the town's sanitary sewer system which unfortunately is not and never was planned for their neighborhood. In short, Attorney Barratt is asking that the Sawyer's be allowed to use the existing system for three years until they are able to save the money required.

On a motion made by Mr. Emmons, seconded by Ms. Hotch, the Board unanimously voted to table this until September 25, 1989 so Attorney Barratt is able to gather more information that will be obtained either by a Professional Engineer or a Registered Sanitarian.

**HAZARDOUS MATERIALS CONTROL BYLAW - DRAFT:**

Some corrections were made on the draft of the Hazardous Materials Control Bylaw. Discussion ensued as to what revisions the Board should make concerning the hazardous material bylaw. Mr. Heinrich who had made further revisions on the draft also posed a couple of questions to ask the Board what they thought about those issues.

On a motion made by Mr. Emmons, seconded by Ms. Hotch, the Board unanimously voted to adjourn at 11:00 P.M.

**NEXT MEETING:**

The next regularly scheduled meeting will be held on September 11, 1989 at 7:30 in Room 126 of the Town Hall. The following meeting will be held on September 25, 1989 same time same place.

Respectfully Submitted,

Sheryl Howe

Sheryl Howe, Secretary

Signed and Approved,

Joseph Glannon

Joseph Glannon, Chairman