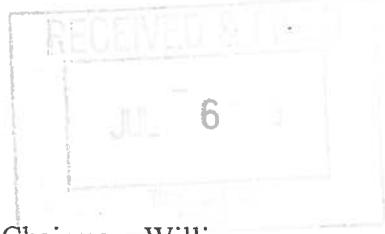


Acton Board of Health
December 15, 2008



Members Present: William Taylor, Chairman, Joanne Bissetta, Vice Chairman, William McInnis, Member, Phil Alvarez, voting for Pam Harting-Barrat and Joseph Iannelli, Associate.

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

Others Present: Merrily Evdokimoff, Nursing Administrator, Brent Reagor and Peggy Mikkola, League of Woman Voters Representative.

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

Minutes

On a motion made by Mrs. Bissetta seconded by Dr. Taylor, the Board unanimously voted to approve the Board of Health minutes dated November 17, 2008 as written.

Discussion – Acton Public Health Nursing Service (APNHS) - Merrily Evdokimoff

Merrily Evdokimoff, APNHS Administrator was before the Board to discuss the future of the Nursing Service. Merrily stated that the APNHS entered this fiscal year with a budget surplus, partially due to the old revenue that has actively been collected this year, however, new revenues have declined. Merrily also stated that she expects to completely utilize the FY 09 budget unlike previous years when surplus was present. Merrily stated that exact projections will not be available until the beginning of March. The Board asked why revenues are declining. Merrily stated that she feels it is a shift of the type of payers. The APNHS typically has 92% of their clients receiving Medicare reimbursement, however this year the amount is down to 70%.

Merrily also stated that the APNHS has seen an increase in HMO payees which do not reimburse as well. Merrily stated that she is looking at trying to decrease expenses and increase revenues and will be presenting a smaller budget in FY10 as the town is considering funding the public health portion of their budget. The APNHS payroll currently equates to 75% of the budget and reducing some of the funding will be beneficial. The Board asked if these decreases were a

result of the current economic downturn. Mr. Halley stated that in the 80's a lot of agencies closed during a Medicare shift which we are currently facing right now and we survived due to our existing enterprise funds. Additionally our enterprise funds will keep the APHNS a float for the next few years but once those funds are depleted it may be the end of the Nursing Service. Mr. Halley feels that these enterprise funds can help us in the next few years during this economic downturn with the hopes that the future economic stability will have occurred by the time those funds would be depleted. Merrily feels that a transition plan will help see us through these times and is working on strategizing how to keep a float. Merrily stated that she is working on collaborative agreements with other towns in the contiguous area, meeting with discharge nurses at the local hospitals and is meeting with other agencies to see what we can do to help each other. One service Merrily would like to add is maternal care, however, staff training is required before this can happen. Merrily also would like to purchase private flu vaccines so we can begin giving shots early and tapping into that market. Merrily stated that she will come back to the Board sometime after January 15, 2009 to give the Board another update.

Variance – 26 Duggan Road

The Health Department is in receipt of a request from the owners of the property for a variance from Article 16-6.2.7 for a reduction in the distance to wetlands, Article 11-9.1 for a reduction in the minimum size leaching area and Approval for General Use 310 CMR 15.287(7) for the use of alternative system for the property located at 26 Duggan Road. The Health Department has reviewed the plans and finds that the site is restricted by wetlands and additional environmental compensation has been provided by the installation of an effluent tee filter and a two compartment septic tank. Mr. Reagor, representing the owner, was present to discuss the repair of the malfunctioning system. Mr. Reagor stated that they system is the original system and found it to be installed at a depth of 4 feet. Mr. Reagor stated that soil testing found interlocking boulders and in order to carry the contours the proposed system would need to be mounded toward the wetlands. Mr. Reagor stated that due to site restrictions the proposed system has been designed to meet maximum feasible compliance. On a motion made by Mr. McInnis, seconded by Philip Alvarez, the Board unanimously voted to grant a variance from Article 16-6.2.7, Article 11-9.1 and Approval for General Use 310 CMR 15.287(7) to the property located at 26 Duggan Road with the following conditions:

1. The system, shall at all times, be maintained in compliance with the most recent Modified Certification for General Use issued by the MADEP for the Cultec C4 Chamber Panels.
2. The septic tank shall be pumped once every two years.
3. The effluent tee filter shall be cleaned in accordance with the most recent MADEP approval.
4. The system shall be constructed in accordance with the above listed conditions and in accordance with the plan stamped by Brent Reagor, RS dated 12/2/2008.

Emergency Beaver Trapping Permit – Town of Concord/Nagog Water Supply

The Health Department is in receipt of a request from the Town of Concord seeking an Emergency Beaver Trapping Permit for their property located at Nagog Pond in Acton. The activity from the beavers has caused a threat to the surface water supply. DEP has conducted an inspection and has determined that there is a threat to the public water supply. The Health Department recommends approval of this request with one ten day permit beginning on December 16, 2008 and if needed an extension for an additional ten day period. If more time is needed a 30 day extension can be applied for from the State. On a motion made by Mr. McInnis, seconded by Philip Alvarez, the Board unanimously voted to grant a ten (10) day Emergency Beaver Trapping Permit to the Town of Concord for a period of ten (10) days with an additional ten (10) days if needed.

Variance – 93 Great Road – Sieve Analysis

The engineers, Stamski and McNary, for the property located at 93 Great Road in Acton are seeking the Boards approval of a sieve analysis for the property located at 93 Great Road. The Health Department stated that a percolation test could not be conducted due to the saturated soils. The results of the sieve analysis showed the following:

1. Test Pit 2 – C2 Horizon, Class III, 0.15(60 mpi)
2. Test Pit 4 – C2 Horizon, Class III, 0.33(30mpi)

Mr. Halley recommended that Test Pit #4 be utilized for design purposes. On a motion made by Ms. Bissetta, seconded by Mr. McInnis, the Board voted to grant approval of the use of sieve analysis for the property located at 93 Great Road.

Board Reorganization

On a motion made by Mr. McInnis, seconded by Philip Alvarez, the Board unanimously voted to move Joanne Bissetta from Vice Chairman to Chairman for a one year term.

The Board stated that since two members are absent they will appoint the Vice Chairman at the next meeting when everyone is present. It was also suggested that we ask the two missing members if they have an interest in this position.

Title 5 Waiver – 208 Parker Street

The owners of the property located at 208 Parker Street have requested an extension of the Title 5 Waiver that was previously approved by the Board in July, 2008. The extension is needed due to the challenging market conditions and the owners have been unable to sell the property. The owners feel that this home will be razed and will need to be connected to the sewer once the new home is built. Mr. McInnis stated that he is comfortable granting an extension if the home remains vacant and if not, he would like to see the Health Department conduct an assessment of the onsite SAS in order to confirm that the existing system is not causing any environmental problems. On a motion made by Mr. Alvarez, seconded by Mr. McInnis, the Board unanimously voted to grant an extension to the Title 5 Waiver for the property located at 208 Parker Street with the following conditions:

1. The property located at 208 Parker Street shall connect to the Middle Fort Pond Brook Sanitary Sewer System within 120 days from the date of the extension waiver letter.
2. The onsite sewage disposal system will be serviced as necessary and an enforcement letter from the Acton Board of Health or the Massachusetts Environmental Protection Agency may shorten this waiver period should the system endanger the public or the environment.
3. The waiver, along with these conditions, shall be communicated in writing to the purchaser and any subsequent owners until the property at 208 Parker Street is connected to the Town of Acton Middle Fort Pond Sanitary Sewer System.

4. If the property remains vacant then no further action is required, however, if the property becomes occupied then an assessment of the soil absorption system needs to be conducted by the health department to confirm that conditions of the septic pose no health risks.

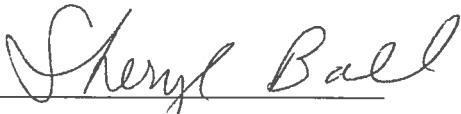
Other

- Mr. Halley stated that the Town is getting payments from QRCC.
- Mr. Halley stated that Nancy Tavernier is seeking a Board member to attend a meeting on February 11, 2008 designed to give the citizens of Acton more awareness as to what Boards and Committees do. Bill Taylor will represent the Board.
- Mr. Halley explained that the Health Department is in the early stages of a program to encourage local restaurants to participate in providing healthy menu choices in exchange for a 10% reduction in their food service permit fees. This will equate to a \$1700 reduction if all restaurants participate. In addition to the Board's approval the Board of Selectmen will also need to approve this request. On a motion made by Mr. McInnis, seconded by Joanne Bissetta, the Board unanimously voted to recommend the adoption of this program to the Board of Selectmen for their approval.

Adjournment

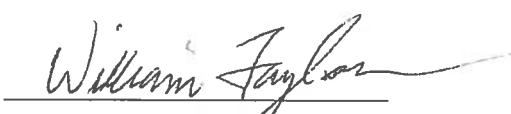
On a motion made by Ms. Bissetta, seconded by Mr. McInnis, the Board unanimously voted to adjourn at 8:38 PM.

Respectfully Submitted,



Sheryl Ball, Health Secretary

Acton Board of Health



William Taylor, Chairman

Acton Board of Health