



## **Acton Board of Health**

Meeting Minutes

October 29, 2024

7:30 PM.

Virtual Meeting via Zoom

### **Present:**

**Virtual Members Present:** Mark Conoby – Chairman, William McInnis, Dr. William Taylor and Dr. Rekha Singh

**Staff Present Virtually:** Matthew Dow – Environmental Health Director, Penelope Funaiole – Health and Family Services Director

**Others Present Virtually:** Alissa Nicol – Select Board Liaison, Stefanie Wood – HETI, Morgan Seale – Hancock Associates and Brian Gaudreau – Hancock Associates

### **1. Opening**

Chairman – Mark Conoby opened the meeting at 7:31 P.M. A script was read that was provided by the Town and this meeting of the Board of Health was called to order.

### **2. Regular Business**

#### **Environmental Health Director Update**

Mr. Dow informed the Board that the Health Division has hired a part time admin Jennifer Schmidt and moved part time admin Yan Li over from the Building Division. These two admins, Yan in the morning and Jen in the afternoon will replace Wei Sun. In the meantime, the staff are working with both of them to bring them up to speed.

LandTech has been reviewing septic plans as they are being submitted. They have been doing a great job helping out the Division.

Deb Rosati has been doing food inspections and Arleny Soto has been taking care of the hazardous materials inspections.

Mr. Dow informed the Board that he sent out the 2025 dates for the Board of Health meetings. The meetings are scheduled for the first and third Tuesday of every month. After some back and forth with the Board, it was decided that the second and fourth Tuesday would work better for all parties. Mr. Dow will have to reserve a room for the 2025 calendar dates, with either the Library or 30 Sudbury Rd being the possibilities. He will update the Board when he figures the room situation out.



The next meeting is scheduled for November 19<sup>th</sup>. Mr. Dow hopes to have Corey York the DPW Director present to discuss road salt.

The December meeting is scheduled for December 17<sup>th</sup>. Mr. Dow hopes to have Tim McGlinchy from CMMC in to discuss end of year wrap up.

### **Nursing Service Update**

Mr. Dow informed the Board that over the last month the Nursing Division has treated 3 cases of influenza and 15 cases of COVID.

The Nursing Department is hosting Acton Pharmacy for a FLU and COVID clinic at the Senior Center, 30 Sudbury Rd on Wednesday November 13, 2024 at 10:00 AM – Noon. Registration is required.

### **Health and Family Services Director Update**

Mrs. Funairole updated the Board that the Nursing Director and herself are actively looking for a possible solution to the public health nurse vacancy. They are looking at partnerships, possibly with other municipalities.

Mrs. Funairole also updated the Board that herself and Laura Ducharme along with the Town Managers office and the finance team has applied for a transportation grant. Laura is now the point of contact for transportation.

Mrs. Funairole continued that the Northwest Public Health Coalition wellness coordinator Britney Nash is leaving her position and the coalition is looking to hire a licensed social worker to help the communities with challenging inspections and hoarding cases.

### **3. New / Special Business**

#### **Stefanie Wood – Senior Environmental Scientist, HETI: Insulet well testing requirements**

Stefanie Wood clarified Insulet's sampling and equipment upgrades. She confirmed there is no chemical treatment on-site, as the cooling towers use electric pulses for microbial control. The facility benefits from advanced filtration reducing bacterial potential. Insulet pursues further bacterial growth solutions.

Focus turned to altering well sampling protocols to remove several rarely detected metals and decrease sampling frequency of VOCs and SVOCs. Stephanie proposed well sampling annually, not quarterly, unless effluent detection mandates it. Mark clarified agreements ensuring metals get tested again upon system changes.



On a motion made by Mr. McInnis seconded by Dr. Taylor, the Board unanimously voted to approve the revised sampling regime as presented, with the condition that VOCs and SVOCs for the production well be sampled annually, and effluent sampled quarterly. Further conditions include resampling metals upon any change in the cooling process. The Chair took roll call and all were in favor.

#### **Hancock Associates – 17 Woodbury Lane – Board of Health waiver request from Title 5 310 CMR 15.221 (7)**

Brian Gaudreau and Morgan Seale from Hancock Associates sought a waiver for 17 Woodbury Lane to allow septic tanks and pump chambers deeper placing than state regulation permitted. They detailed the impossibility of elevating tanks due to a fixed sewage outlet at the building, necessitating the request.

The meeting discussed considerations about maintenance access and construction compliance. Assurance was given toward reinforced cover and security measures of system components. Upon reviewing, the waiver was recommended by the Health Division and LandTech reviews.

On a motion made by Mr. McInnis seconded by Dr. Singh, the Board unanimously voted to approve the waiver of 310 CMR 15.221 (7) for 17 Woodbury Lane, Acton. The Chair took roll call and all were in favor.

#### **Rapscallion Update**

Mr. Dow presented an update on enforcement actions for Rapscallion. Enforcement was required due to consistent over-extension of seating capacity beyond septic permit limits. Options discussed included application of fines based on a per-seat excess or revocation of food service permits. It was noted that earlier communications had seen negligible responses.

Agreement was to issue a 10-day notice ultimatum for Rapscallion to produce a viable compliance plan or face permit revocation. This was viewed as the most urgent compliance action option.

Consensus: Notify Rapscallion that unless compliance is achieved or a valid plan provided by November 8th, the Board will revoke the food service permit, delegating decision implementation to the Health Division.

#### **Minutes – October 1, 2024**

On a motion made by Dr. Taylor, seconded by Mr. McInnis, the Board unanimously voted to accept the minutes of October 1, 2024. The Chair took roll call and all were in favor.

#### **Adjournment**



On a motion made by Dr. Taylor, seconded by Mr. McInnis, the Board unanimously voted to adjourn at 8:56 P.M. The Chair took roll call and all were in favor.

### **Next Meeting**

The next Board of Health meeting will be on Tuesday November 19, 202

### **Documents and Exhibits Used During this Meeting;**

- Town of Acton script for boards and committees opening meeting
- Board of Health Agenda
- BOH 2025 Room Reservation
- Insulet Quarterly Report
- BOH Sampling Modification Proposal
- Letter to Board – Insulet Well Testing
- 17 Woodbury Lane Acton SDS Plan
- Peer Review Response Letter – 17 Woodbury Lane
- Letter to Board – 17 Woodbury Lane
- Rapscallion Letter
- Board of Health Meeting Minutes from 10/1/24

Respectfully Submitted,

Matthew R. Dow  
Matthew Dow  
Environmental Health Director

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Mark Conoby, Chairman  
Acton Board of Health