Dr. Saltsman called the Board of Health (BOH) meeting to order at 7:00 followed by the Pledge of Allegiance.

Citizen's Time: No one spoke.

Chairman's Report: Dr. Weiner reported that Ways & Means supported the Board of Health budget 11-0 which included the request for an additional new staff member to replace the part-time contract inspectors.

Subcommittee Reports: None.

Applications
• Application for Approval of a Preliminary Subdivision, Off Wheeler Road
Present was Attorney Robert Buckley, Riemer & Braunstein with Scott Weiss, Gutierrez Company. Attorney Buckley explained that the portion of Wheeler Road in the direction of Millipore would be aligned to comply with state approved MassDot's plans to totally repave Middlesex Turnpike. Dr. Weiner asked about on-going water remediation. Mr. Weiss said, and Ms. Mathis agreed, that alignment of the road taking place at the end of Wheeler Road and a part of the subdivision off Wheeler Road will not disturb remediation.

Motion: Mr. McSweeney moved to approve the application of a Preliminary Subdivision, off Wheeler Road as submitted. Seconded by Ms. Welch and approved. (4-0-0)

• Application for Special Permit, LeMaitre Vascular, 43 Second Avenue
Present were Attorney Robert Buckley, Riemer & Braunstein with Joshua Reinhart, Director of Marketing, LeMaitre Vascular seeking BOH approval of a special permit. Mr. Reinhart described briefly vascular procedures and the development and manufacturing of products they provide internationally.

Dr. Saltsman inquired about safety, Mr. Reinhart explained that they and their products are regularly audited by the food and drug administration.
Mr. McSweeney said a subcommittee meeting was held to discuss storage of biological matters and tissue and there are no concerns. The subcommittee's request for written description of the manufacturing process and safety of their product and storage was received.

**Motion:** Dr. Weiner moved to approve the Application for Special Permit for LeMaitre Vascular, 43 Second Avenue. Seconded by Mr. McSweeney and approved. (4-0-0)

**Variance Request**

- **Tuscan Kitchen, 2400 District Avenue, Plumbing Variance Recommendation**
  Present was Kevin O'Connell, O'Connell Plumbing with Ron LeDuc, Manager of Tuscan Kitchen, seeking a plumbing variance recommendation from the BOH with respect to the MA Plumbing Code in order to use one mounted pump for two dump sinks, three ice bins, and one glass washer in place of an individual pump for each unit for their outdoor patio area. Under the plumbing code each unit is required to have a pump. Ms. Lumenello said this type of request has not come before the BOH in the past and added that based on the plumber's assessment, there should not be any issues because the volume of water going into the pump is very low. Mr. O'Connell said there would be no impact to public health since it is a sealed pump.

  **Motion:** Dr. Weiner moved that the Board of Health provide documentation for the Board of State Examiners of Plumbers and Gasfitters Health that the board has no objection to the request that one pump be used for two dump sinks, three ice bins, and one glass washer for Tuscan Kitchen, 2400 District Avenue. Seconded by Mr. McSweeney and approved. (4-0-0)

- **LaCascia's, 326 Cambridge Street - reduced oxygen packaging (ROP)**
  Present was General Manager David LaCascia. Ms. Johnson said LaCascia's is seeking BOH approval to use reduced oxygen packaging (ROP) for raw meat and poultry products that will be sold retail to customers. She is satisfied with the HACCP plan developed for this process. Oxygen is removed and sealed mechanically. This method has been approved by this BOH for two other locations. LaCascia's has a good record with the BOH Department and she is recommending approval of their request with the submitted six conditions which describe training, logs and following the HACCP plan.

  Dr. Weiner was comfortable with this request given the good track record at other locations and with the conditions.

  **Motion:** Mr. McSweeney moved to approve the request to use the process of reduced oxygen packaging as specified in the discussed five condition at LaCascia's, 326 Cambridge Street. Seconded by Dr. Weiner and approved. (4-0-0)

**Hearing**

- **Big Easy Grille, 75 Middlesex Tpk. - progress report**
  Present was owner Miss Yun Yan Lin with interpreter Mr. Dong. Ms. Johnson presented the history and progress report following an emergency food permit suspension and the requirement to hire a food consultant to train employees and conduct audits. At this time they continue to be in compliance on all conditions. Ms. Johnson recommended, and the board agreed, to vote in favor of allowing Big Easy Grille to continue to operate a food establishment in Burlington.

  **Motion:** Mr. McSweeney moved to allow Big Easy Grille to continue to operate a food establishment at 75 Middlesex Turnpike. Seconded by Ms. Welch and approved. (4-0-0)
Permits

- Irrigation Wells - 12 Julia Connors Drive & 9 Douglas Avenue

Applicant Robert Jones of American Artesian Well, LLC was present seeking BOH approval to install irrigation wells at 12 Julia Connors Drive and 9 Douglas Avenue. The potential effects of underground private wells during drought conditions were discussed. It was also discussed at the January 10, 2017 BOH meeting with Mr. Jones present, and it was agreed to continue the discussion at a future meeting in order for the applicant to collect further data.

Mr. Jones described an impermeable barrier when drilling into bedrock and stated he does not believe these private wells in bedrock overburden the water supply at any time. The BOH department conducted research and contacted sources of information including geologists, a hydro-geologist, Mass DEP, and more with the conclusion that overburden can be affected by water withdrawal from irrigation wells drilled into bedrock.

At this time, it was agreed that with the adherence to the 13 conditions on the permit, the BOH would allow the request to drill into bedrock for irrigation wells. But Mr. Jones' client was also informed that the Board of Selectmen, at the request of the Department of Public Works, may eventually request to have a total ban on all watering during a severe drought, including private wells.

In May the BOH is expected to hold a public hearing in order to discuss this issue further and to review their Private Well Regulations. After much discussion it was decided to take a vote, and the petitioner was advised that although a private well is being installed under the current BOH Private Well regulation, it could possibly change at any time as necessary.

[Condition 13: The property owner must adhere to any town-wide water restrictions on non-essential water use as required by the Town of Burlington Board of Selectmen or any other jurisdiction.]

Motion: Dr. Weiner moved to approve the installation of irrigation wells at 12 Julia Connors Drive and 9 Douglas Avenue with the submitted 13 conditions. Seconded by Mr. McSweeney for discussion.

Motion failed (1-3-0 with Mr. McSweeney, Ms. Welch and Dr. Saltsman voting against)

Motion: Mr. McSweeney moved to approve the irrigation well permits for 12 Julia Connors Drive & 9 Douglas Avenue with the existing conditions and if the Board of Health, after a vote by the Board of Selectmen for a Town-wide water regulation on irrigation and private wells, Condition 13 will be stricken during that period. Seconded by Dr. Weiner.

Discussion: Dr. Saltsman explained that protecting the community is of main importance and, and the BOH's private well regulations may change after the public hearing in May of 2017.

Motion passed. (4-0-0)

The petitioner and well installer were advised that the BOH is expected to hold a public hearing during the May 23, 2017 regular meeting to discuss potential amendments to the Private Well Regulations. The agenda will be on the BOH and Town websites.
Discussion

- **2017-2018 Flu Vaccine Purchase**
Ms. Gullage said all State supplied vaccine was dispensed and they were allowed to return 90 of the 600 doses of private purchase. She is currently seeking BOH approval to allow the purchase of up to 600 doses of the Quadrivalent flu vaccine for the 2017/2018 flu season. She would be able to purchase 450 doses at this time and another 150 would be considered after March 31 following a reassessment.

**Motion:** Dr. Weiner moved to authorize the Board of Health nursing office to purchase 600 doses as is deemed appropriate. Seconded by Mr. McSweeney and approved. (4-0-0)

Staff Reports

- **Environmental Engineer’s Report**
Ms. Mathis said Household Hazardous Waste day is April 29, 2017 from 8:30 to noon at the Francis Wyman School.

During renovation of 135 Cambridge Street an underground tank with contents was encountered. Approximately 930 gallons were pumped from the tank, and there was evidence of a release in the soil and ground water surrounding the tank. The impact on soil and groundwater is yet to be determined. The Licensed Site Professional had applied to the Conservation Commission to allow for the installation of borings and monitoring wells, and they will be applying to the BOH for ground water wells and a Phase I report is expected. They did an initial removal of 60 yards for the borings and monitoring wells to see how far the contamination spread and they will determine the additional soils that need to be excavated or ground water that needs to be treated.

Construction has commenced at 186 and 174 Middlesex Turnpike and the former Millipore building has been demolished. The first round of sentinel well monitoring was completed with one of the wells showing a TCE level of that was just above the notification level. Re-sampling came back below the level and construction activities do not need to be changed. The wells are tested every six weeks.

**Motion:** Mr. McSweeney moved to accept the Environmental Engineer's report as submitted. Seconded by Dr. Weiner and approved. (4-0-0)

- **Health Agent's Report**
Ms. Johnson said the AMC Theater is being treated for mice and capturing is taking place by a pest control company.

Newly planned restaurant Davio's has withdrawn their permit application and there will be a new establishment submitting permit plans.

**Motion:** Mr. McSweeney moved to accept the Health Agent’s report as submitted. Seconded by Ms. Welch and approved. (4-0-0)

- **Nurse's Report**
Ms. Gullage gave an update on the Community Health Fair taking place at the Burlington High School on May 6, 2017. Many exhibits will be present. It is being sponsored by Lahey Hospital and Medical Center.

She has been going to Nurses Improving Care for Healthsystem Elders meetings and four people joined the Medical Reserve Corps (MRC).
A sun safety informational display is located outside the BOH offices at the Human Services Building. It is also scheduled to be at the public library, the health fair and this summer's town farmers' markets. A dermatologist is being sought for this program.

**Motion:** Mr. McSweeney moved to approve the Nurse's Report as submitted. Seconded by Dr. Weiner and approved. (4-0-0)

- **Director of Public Health’s Report**

  Ms. Lumenello said the MRC's quarterly meeting is March 29, 2017 at the Human Services Building. The speaker, Dr. Donald Craven, will address emerging infectious diseases. The public is invited to attend.

  The deliverables for 4A for the public health emergency preparedness grant are complete.

  She and Ms. Mathis met with school officials to discuss the school's water sampling for lead as well as the problems with the bio-retention basin at Memorial School. The School Department is submitting capital requests for these items to the May 8, 2017 Town Meeting, and School officials will come before the BOH on May 9, 2017.

**Motion:** Dr. Weiner moved to accept the Director of Public Health's report as submitted. Seconded by Ms. Welch and approved. (4-0-0)

**Miscellaneous:**

Dr. Weiner is seeking volunteers to assist with the student vote taking place at the April Town election.

**Adjourn**

**Motion:** Mr. McSweeney moved to adjourn at 8:45 p.m. Seconded by Ms. Welch and approved. (4-0-0)

Submitted by,

Betty McDonough
Recording Clerk