TOWN OF BURLINGTON, MA  
BOARD OF HEALTH  
MINUTES  
Main Meeting Room, Town Hall

TUESDAY, DECEMBER 10, 2019

Board Members Present:  Ed Weiner, PhD, Chairman; Dr. Wayne Saltsman, MD, PhD; Libby Walendziewicz, RN, MSN

Board Members Not Present:  David McSweeney, Vice Chairman; and Maribeth Welch

Staff Members Present:  Susan Lumenello, REHS/RS, CHMM, Director of Public Health; Christine Mathis, Environmental Engineer; and Marlene Johnson, Health Agent

Dr. Weiner called the Board of Health meeting to order at 7:00 PM followed by the Pledge of Allegiance.

Approval of Minutes:  November 12, 2019

Dr. Weiner stated that the approval of minutes will be postponed until there is a full board.

Citizen's Time:  No one spoke.

Chairman's Report:

Dr. Weiner thanked the Board of Health staff for all their hard work on the proposed biotechnology regulations. They will be having a subcommittee meeting to discuss this item on Thursday morning.

Subcommittee Reports:  There were no Subcommittee Reports

Discussion:

●  Planning Board Amendments to Article X, Section 10.5.0 “Additional Regulations for Biotechnology”

Dr. Weiner stated that there was a proposed amendment to Section 10.5.0 of the zoning bylaws that was drafted to address the Board of Health concerns on biotechnology.

Ms. Mathis provided a history of the Life Science zoning bylaw. The Board of Health endorsed the zoning change in January 2019 because it only affected three sites in Burlington and these sites were not amenable for Life Science. There is now a proposal to add three additional sites and if approved, Life Science would be an allowed use by right and the concern was there would be no oversight by the Board of Health.

Ms. Lumenello stated that the proposed amendment to Section 10.5.0 would have provided Board of Health oversight for Biotechnology. This amendment was sent to Town Counsel and her opinion is that it is not necessary to add this to the Zoning Bylaw if the Board of Health has its own Biotechnology regulations. After a joint phone call today with herself, Dr. Weiner, Ms. Mathis, Ms. Kassner and Town Counsel, it was decided to delete Section 10.5 from the Zoning Bylaw and have the Board of Health enact their own regulations for Biotechnology safety. They are working on these regulations now and hope to have them ready for the Board to approve at their January 14, 2020 meeting prior to the January Town Meeting. Town Counsel also indicated that any Life Science application would have to comply with the Board of Health regulations as long as they are approved.
Dr. Weiner stated that they are looking at other communities regulations and will hopefully be ready for approval at the January 14, 2020 meeting. The Planning Board has been very positive and supportive of the Board of Health.

- **2020 Board of Health Schedule**

Dr. Weiner stated that the proposed 2020 Board of Health schedule has been proposed.

**MOTION:** Ms. Walendziewicz moved to approve the 2020 Board of Health meeting schedule as presented. The motion was seconded by Dr. Saltsman and unanimously approved. (3-0-0)

**Staff Reports**

**Environmental Engineer**

Ms. Mathis presented her report:

- 207 Cambridge Street is working with Mass DOT to tie into the drainage system. Mass DOT will not be completing their review until the end of the year. They have been told to stay diligent this winter.

Dr. Saltsman asked what the status of Ray Avenue was. Ms. Lumenello stated that there have been no reports of any issues. They are still waiting on November’s report and they have not received the October report from Bickford’s. Dr. Saltsman stated that we need to stay diligent on this issue.

Dr. Weiner stated that there was another mercury break in Town and asked where can people find out what to do. Ms. Mathis stated that mercury should not be vacuumed or swept up. There is a link on our website or residents can call the Board of Health or Fire Department for help.

**MOTION:** Ms. Walendziewicz moved to approve the Environmental Engineer’s report. The motion was seconded by Dr. Saltsman and unanimously approved. (3-0-0)

**Health Agent**

Ms. Johnson presented her report:

- All retail tobacco permit renewals have been sent out.
- There is one vape shop in Burlington and he is deciding on whether or not to reopen.
- There are new State regulations for flavored tobacco. There is a webinar that they will be attending to learn more about it.

Dr. Saltsman asked what cooking does William Sonoma do. Ms. Johnson stated that they do small cooking demonstrations for the smell so customers come into the store. They cannot do this until they renew their permit.

**MOTION:** Dr. Saltsman moved to approve the Health Agent report. The motion was seconded by Ms. Walendziewicz and unanimously approved. (3-0-0)

**Director of Public Health**

Ms. Lumenello presented her report:

- 111 Middlesex Turnpike was issued a nuisance order a few months ago for ponding water. She met on property with the owner, engineer and DPW representatives to discuss the detention basin. The detention basin needs to be cleaned out and maintained but there are issues with endangered species. There could also be issues with drainage pipes. This will be monitored.
● There is a CBD store in Burlington, but the products are not marijuana based and there can be no edibles.

Dr. Weiner stated that the Board of Health radios were not transmitting very far. Ms. Lumenllo stated that their radios did not have repeaters which are needed to make them go long range. There is a town wide channel that has repeaters and with the help of the Fire Chief, our radios have been reprogrammed with the town wide channel and will be able to be used for distance. These radios are in her office and will be used for Board of Health staff or Board members only.

**MOTION:** Ms. Walendziewicz moved to approve the Director of Public Health’s report. The motion was seconded by Dr. Saltsman and unanimously approved. (3-0-0)

Dr. Saltsman reminded residents that the flu is here and residents should wash their hands, stay isolated if sick, drink fluids, see their health professional and get a flu shot if not already done.

**Adjourn**

**MOTION:** Ms. Walendziewicz moved to approve to adjourn the Board of Health meeting at 7:27 PM. The motion was seconded by Dr. Saltsman and unanimously approved. (3-0-0)

Respectfully Submitted by Dawn Cathcart,
Recording Clerk
DOCUMENTS REVIEWED AT MEETING – TUESDAY, DECEMBER 10, 2019

Agenda

Minutes: November 12, 2019

Chairman’s Report: None

Subcommittee Reports: None

Discussion:

Planning Board Amendments to Article X, Section 10.5.0 “Additional Regulations for Biotechnology” – 12/10/19 Memo from C. Mathis and Proposed Amendment

2020 Board of Health Meeting Schedule – Proposed Meeting Schedule

Staff Reports: Environmental Engineer’s Report; Associate Health Inspector’s Report; Supervisory Nurse’s Report; Director of Public Health’s Report