

**Burlington Board of Health
Minutes – Regular Meeting
Tuesday, June 23, 2009**

Board Members Present: Terry McSweeney, Chair; Ed Weiner, Ph.D, Vice-Chair; Jim Dion; Cathy Read, Ph.D, RN; Wayne Saltsman, M.D., Ph.D

Staff Members Present: Sharon Walker Mastenbrook, Director of Public Health; Marlene Johnson, Health Agent; Andria Nemoda, R.N., Supervising Nurse

The meeting was called to order at 7:00 p.m.

Mr. McSweeney expressed the Board's regret upon the recent death of former Board of Health and office staff member, Jane Richard.

APPROVAL OF MINUTES

May 26, 2009

Motion: To approve the minutes of the regular meeting of May 26, 2009 as submitted (Dr. Saltsman; second: Mr. Dion). **Approved: 5-0-0**

CITIZENS TIME

Present was Nancy Playle, 4 Hope Street. She expressed her concern regarding the hills of loams that have been delivered to 1 James St. which abuts her property in the rear. She stated that there is no barrier between the two properties, and loam and debris are washing into her back yard.

Ms. Mastenbrook explained that the BOH had requested the property owner submit a drainage permit upon receipt of a complaint in May. The original grade is not known. The application was returned stating that "proposed activities would not result in drainage concerns." The BOH office was called again on the Friday previous to the meeting, and Ms. Mastenbrook visited the site, and the Board reviewed photographs taken at the time of the visit.

Mr. McSweeney said he also visited the site and stated his concern about the condition of the property and the amount of fill of unknown origin. Dr. Weiner added that they may possibly be burying existing tree stumps under the loam. Currently there is no permit, and the Board recommended that a cease and desist order be sent stating that the property, in its current state, is a public nuisance with the request that an engineer be engaged to prepare a plan to submit to the BOH.

Ms. Mastenbrook informed the Board that the property owner would be present at the July 28, 2009 meeting to request a kennel license.

MOTION: To forward a cease and desist order to the property owner of One James Street. Order will include a request for details from a qualified engineer with respect to the material being used, what work is being done, how the work will be performed, and what the final plans will be for the yard. For the time being, hay bales are to be placed around property line. Work may move forward if the Director of Public Health is satisfied with the property owner's response to request. (Dr. Weiner; second: Dr. Read) **Approved: 5-0-0**

HEARING (Housing)

▶ **116 Lexington Street (request for extension of time to complete repairs)**

Peter Gentile, property owner, was present. Ms. Mastenbrook explained that as a result of a complaint to the BOH office from the residents at this address, an inspection had taken place. A number of violations were found at the property, and an order letter, dated May 29, 2009, was sent to the property owner. Property owner, Mr. Gentile, was present to request a thirty-day extension of time because of the amount of items needing repair.

Andy Ungerson, Building Inspector, also inspected structural issues at the property and discussed necessary permits for repair with Mr. Gentile. Mr. Gentile said that he had an engineer in mind to contact about structural repairs.

Mr. Gentile reviewed for the Board the work that has already been completed to date, and added that he has a signed contract for a new furnace and hot water heater. Since there are residents currently living in the residence, Dr. Weiner requested that the furnace be repaired within 24 hours. Mr. Gentile agreed. Ms. Mastenbrook added that she will request that the Fire Department review the report about the furnace.

Mr. Gentile lives in Florida, and Dr. Saltsman stated his concern about properties not being maintained in a safe and proper manner when landlords are absent.

Mr. Gentile said he has not been able to contact the individuals living at the property.

MOTION: To approve a thirty-day extension of time for completion of remaining violations at 116 Lexington St., with the exception of the oil furnace, which must be repaired within the next 24 hours. (Dr. Weiner; second: Dr. Saltsman) **APPROVED: 5-0-0**

SITE PLAN

▶ ***Oakridge at Burlington, Murray Avenue at Skilton Lane – 14 Residential Townhouse Units***

As Mr. McSweeney is acquainted with the proponent, he recused himself from the proceedings, and the meeting was turned over to Dr. Weiner, Vice-Chair.

Attorney Mark Vaughn was present representing Robert Murray. Also present was David Romero of Commonwealth Engineering.

Mr. Vaughn explained that the 1.2 acre parcel is located on Murray Ave and Skilton Lane, and on this site his client is proposing to build 14 town houses within five buildings. It will be necessary to blast existing ledge. The project was designed with proper standards for run off from the property.

Mr. Vaughn added that recommendations made by the BOH subcommittee were incorporated into the plan, and the proposal is consistent with overlay requirements. Stormwater from the driveway and roof will enter catchbasins and Stormtech systems to remove solids prior to infiltration. Mr. Romero explained that stormwater from the grassy hill area will be directed to a

one-foot deep swale which will be lined with a perforated infiltration pipe. Water resistant grass would be in the swale.

Dr. Weiner stated his concern for standing water, and Mr. Vaughn replied that he understood this concern. No other alternative was provided. Dr. Weiner again asked about the standing water asking what would happen to the water in the swale during a 100 year storm. Mr. Romero replied that approximately nine inches of water would gather in the swale for about an hour. During normal storms, one inch may sit briefly, then quickly dissipate. Dr. Weiner replied, and Mr. Romero agreed, that the swale must be properly maintained per BOH conditions.

MOTION: To approve site plan application for Oakridge at Burlington, Murray Avenue at Skilton Lane. (Mr. Dion; second: Dr. Read). **APPROVED: 4-0-1**

STAFF REPORTS

► Environmental Engineer's Report

Ms. Porter was not present.

Wildwood School/Sport Fields: Mr. McSweeney said that he spoke with Ms. Porter about her meeting with Don Lorinovich, Director of Parks & Recreation and Doug Gillingham, Parks Superintendent. They said it would be necessary to bring in fill from another location in town, and Ms. Porter informed them at the meeting that all specification of the fill are to be identified. They were also informed that drainage plans are to be submitted for approval to the Town Engineer.

Grandview Farms Tank Removal: Mr. McSweeney commented that Ms. Porter did a fine job with her on-site observations of the excavation and removal of a 1,000 gallon fuel oil underground storage tank. She also assisted with the collection of soil samples from all necessary areas and it appeared that the soil was not contaminated. Samples were also sent to a lab for final testing for possible contaminants.

Dr. Weiner thanked Ms. Porter for all of the effort she puts forth in her work.

Radio Purchases: Ms. Mastenbrook reported that Motorola radios had been purchased from All-Com for Burlington's BOH emergency preparedness. They will be programmed to be compatible with similar radios in the area used for emergencies. The company and FEMA reps will provide training. All staff will be provided with a radio.

Motion: To accept the Environmental Engineer's report as submitted (Dr. Weiner; second: Dr. Read). **Approved: 5-0-0**

► Health Agent's Report

Nestle Cooke Dough: Specifics on the recall of the dough can be found on the BOH website.

Super H Mart: This large Asian Grocery store will have five to seven food courts located within its location. Two architects for the site have done an excellent job in keeping in contact with Ms. Johnson. An external grease trap has been installed, and they are looking to open in August.

Ms. Mastenbrook added that there have been issues with beaver dams creating an impact on the building project. The dams are being breached in stages.

120 Cambridge St.: One of the establishments at this location was selling unlabeled items and the company was possibly unlicensed. It appears the items were possibly made in a home outside of Burlington that has a catering permit, but no State license. The State is working to correct this issue.

Dr. Weiner thanked Ms. Johnson for the work she has done in her capacity as Health Agent.

Motion: To accept the Health Agent's report as submitted. (Mr. Dion; second: Dr. Read)
Approved: 5-0-0

► **Board of Health Nursing Report**

Blood Pressure Clinics: The blood pressure clinics continue, and Ms. Nemoda added that she has been making well-being checks. She is also working more with the COA in order to keep on top of the concerns of the senior citizens.

Conference: Ms. Nemoda mentioned that she attended a MEHA Conference where emergency sheltering was discussed.

Senior Volunteer: A senior on the Town's tax work-off program is assisting in the Nurse's Office. As she is also a member of Burlington's MRC, her "Points of Lights" volunteer hours will be posted on the BOH website.

Dr. Goldfarb: Dr. Goldfarb has signed all standing orders, and they are complete for 2009.

Motion: To accept the Nurse's report as submitted (Dr. Saltsman; Mr. Dion).
Approved: 5-0-0

► **Director of Public Health's Report**

Communicable Disease: Ms. Mastenbrook stated that the latest communicable disease report is now located on the BOH website.

Budget/MRC: An update is expected to be received in August or September with regard to a budget for Burlington's MRC. Also, Ms. Mastenbrook said that she will be applying for a grant in August, and added that first year units receive a larger grant amount.

Newspapers: The department has received good feedback from newspaper articles and updates.

School Cafeterias: In response to an article in the Globe about lax school cafeteria inspections in local towns, Ms. Mastenbrook sent a follow up letter to the newspapers describing the success that Burlington has had with inspections and monitoring. Burlington was not mentioned in the Globe article.

Motion: To accept the Director of Public Health's reports. (Dr. Weiner; second Dr. Read)
Approved: 5-0-0

DISCUSSION

Dr. Weiner suggested that the BOH formally thank Dr. Gary Goldfarb for his assistance and support of the department over many years. He asked that the nurse and director invite him to a BOH meeting in order to thank him personally.

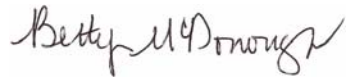
MOTION: That the BOH formally recognize Dr. Gary Goldfarb for his support over the years, and to inform him that the BOH looks forward to continuing to work with him.

Discussion: It was suggested that he be presented with a plaque and that a press release be submitted.

(Dr. Weiner; second: Dr. Read) **APPROVED: 5-0-0**

Motion: To adjourn at 8:00 p.m. (Dr. Read; second: Dr. Saltsman) **Approved: 5-0-0**

Respectfully Submitted,



Betty McDonough, Recording Secretary