



TOWN OF BURLINGTON, MA  
BOARD OF HEALTH  
MINUTES  
TOWN HALL MAIN MEETING ROOM

TUESDAY, APRIL 12, 2022

**Board Members Present:** Ed Weiner, PhD, Chairman; David McSweeney, Vice Chairman; Andrea Sheehan, Maribeth Welch, Gayle DaMore

**Board Members Absent:** None

**Staff Members Present:** Susan Lumenello, REHS/RS, CHMM, Director of Public Health; Christine Mathis, Environmental Engineer; Michael Greene, Associate Health Director; Samantha Hardy, Associate Health Inspector

**I. Open Meeting/Pledge of Allegiance**

Dr. Weiner called the Board of Health meeting to order at 7:00 PM. The Pledge of Allegiance was recited.

**II. Approval of Minutes:**

No minutes to approve.

**III. Citizen's Time:**

There were no citizens coming forward.

**IV. Chairman's Report:**

Dr. Weiner announced and introduced newly elected board member Gayle DaMore. Ms. DaMore, who was recently elected on Saturday, April 8<sup>th</sup>, said thank you to Burlington for giving her the opportunity to be a part of the board and a thank you to all the people who helped her get there. Dr. Weiner acknowledged the Board of Health's professional staff, board members and town departments for their hard work and commitment to the Town of Burlington. He stated that the Board of Health has worked hard to keep the town safe and well during this historic pandemic time and has hopes that the situation is getting better and that the town will not have to take a step back to where it was a few months ago.

Dr. Weiner stated that the Board of Health is here to discuss any questions that arise and that the website is a great resource and is accessible to anyone at any time. Most importantly, we are always just a phone call away.

At that point, Dr. Weiner opened up the floor to any board members for comments before moving on. Ms. Welch congratulated Dr. Weiner on his re-election and expressed they were lucky to have him on the board. She congratulated Ms. DaMore on her elected position and thanked her for reaching out to every board member during the campaign process. She appreciates that each member brings a different perspective to the board.



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Mr. McSweeney welcomed Ms. DaMore and is looking forward to working with her. He felt she ran a really good campaign and stated the town is lucky to have her on board. He congratulated Dr. Weiner on a well fought campaign and in starting his 34<sup>th</sup> year on the board. The town recognized the value he brings to the community.

**V. Permits**

***4 Westwood Street, Keeping of Animals***

Ms. Hardy presented Chuck Carnell's application for 4 chickens. She stated that there is enough space between the coop and abutting properties, an adequate sized coop, and waste will be composted in the garden. Feed is to be stored in the basement. Ms. Hardy recommended that the permit be granted. 5 letters to abutters were sent and no feedback was received. Dr. Weiner also reviewed the property and had no objection.

Mr. McSweeney asked about the applicant's interest in chickens. Chuck Carnell stated that he was a respiratory therapist for 38 years in the health field and knows basic rules of sanitation. Mr. Carnell is retired and is looking to do this as a hobby. He feels that he is able to take care of them.

Mr. Carnell noted that one neighbor came over with concerns. He showed her the coop he had built and explained the town rules and she found it acceptable.

Dr. Weiner noted that the applicant cannot have roosters. He wanted to make sure the chicks have been sexed. Mr. Carnell was assured by O'Connor Hardware that all 4 chicks are female and was told that male chicks are not allowed to be sold in the state to laypersons. Dr. Weiner asked if anyone had any further comments.

**MOTION** – Mr. McSweeney moved to approve the permit of Keeping of Animals for 4 Westford St. The motion was seconded by Ms. Welch and unanimously voted 5-0-0. On a roll call vote: Mr. McSweeney voted Yes, Ms. Welch voted Yes, Ms. Sheehan voted Yes, Ms. DaMore voted Yes, and Dr. Weiner voted Yes.

**VI. Discussion**

***Reorganization of the Board of Health***

Dr. Weiner stated the need to elect a chairman and vice chairman of the board and asked if there any motions to appoint a chairmen.

**MOTION** – Mr. McSweeney moved to nominate Dr. Weiner as Chairman for another year. The motion was seconded by Ms. Welch and voted 5-0-0. On a roll call vote: Mr. McSweeney voted Yes, Ms. Welch voted Yes, Ms. Sheehan voted Yes, Ms. DaMore voted Yes, and Dr. Weiner voted Yes.

Dr. Weiner opened the discussion to nominations of Vice Chairman. Mr. McSweeney stated that he is happy to accept the nomination, however if anyone else would like to step in, he is happy to hand the torch over.



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**MOTION** - Ms. Welch motioned to nominate David McSweeney as Vice Chairman. The motion was seconded by Ms. Sheehan and voted 5-0-0. On a roll call vote: Mr. McSweeney voted Yes, Ms. Welch voted Yes, Ms. Sheehan voted Yes, Ms. DaMore voted Yes, and Dr. Weiner voted Yes.

**VII. Staff Reports**

***Associate Health Inspector***

Ms. Hardy presented highlights from her report.

- Participated in trainings - Risk based Inspection Methods in Retail as part of the work on the grant to become standardized for the FDA. Managing Bed Bugs with Limited Resources, and Changing the Game Redux - an updated playbook for E-cigarettes regulation
- Ms. Hardy has been studying for the registered sanitarian exam. She has signed up and will be taking it in June.

Ms. Welch requested an explanation of “Changing the Game Redux” training and what has changed. Ms. Hardy stated that one change on e-cigarettes is that the whole device used to be purchased at once, and replacement pods would be purchased, however now they are being sold as individual, disposable vaping products which are more accessible to kids. Ms. Hardy had an interest in finding out if this may affect tobacco inspections. She also learned that the vaping devices can be considered hazardous waste due to the containment of certain batteries or leftover nicotine. This has been brought to the attention of the Board of Health Environmental Engineer and the Director as it may be something that needs consideration for household hazardous waste.

Ms. Welch noted that the investigation report at 2 Baron Park Lane showed multi-violations. Ms. Welch asked if the complaint came in as an entire list or it increased during inspection. Ms. Hardy explained that typically complaints come in with specific concerns, however, when we go in to do the inspection we ask if they want a full inspection or if there is anything they would like us to look at. Ms. Welch inquired if the items marked possible health or safety issues were resolved within 24 hours. Ms. Hardy stated she has not been out for a re-inspection but has been in communication with the property manager.

Ms. Welch wanted explanation if one large fine was issued for all the violations. Ms. Lumenello explained that fines are issued when the problems are not being corrected. We don't typically issue a fine, but rather write an order letter and depending upon the violation, they will have a certain period of time to correct it. Some orders may state 24 hours, however that means 24 hours to begin correcting the problem. It may take longer to get a contractor if needed, but progress should have begun in that period.

Ms. Welch asked how it would be handled if the situation was beyond the safety to habitat. Ms. Lumenello stated that if it was a situation that she felt that the person could not live there, then it would result in a condemnation. At that point there would be an emergency meeting of the board. In emergency situations, we could go to the court and get an injunctive relief if needed.



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Ms. Welch asked if a fine would be applied if items are not corrected or rectified. Ms. Lumenello noted there are different avenues that could be used to rectify situations. She added that tenants have certain rights and that when the BOH writes an order letter, they have by law certain rights to withhold their rent until violations are corrected. So this is another avenue to get landlords to comply. Ms. Lumenello stated she has never had to issue a fine on a housing complaint.

Ms. Welch was really impressed the investigations. She felt the report Ms. Hardy presented was very thorough and quite large and thanked her for protecting the resident.

Dr. Weiner asked about the “Managing Bedbugs with Limited Resources” training and was wondering if the webinar could be posted on the website. Ms. Hardy will review her email notes on the presentation to see if a copy of the presentation or slides were sent to her.

**MOTION** - Ms. Welch motioned to approve the Associate Health Inspector Report. The motion was seconded by Ms. Sheehan and voted 5-0-0. On a roll call vote: Mr. McSweeney voted Yes, Ms. Welch voted Yes, Ms. Sheehan voted Yes, Ms. DaMore voted Yes, and Dr. Weiner voted Yes.

### *Environmental Engineer*

Ms. Mathis presented her report.

- Update on drainage matter at 207 Cambridge St. They are in the process of renewing their Mass DOT connection permit. According to DOT it should be a fairly simple renewal. It had lapsed because they were waiting on action from the planning board. Construction of drainage should begin late spring to early summer.
- Household Hazardous Waste event was held on 4/2/22. 370 residents attended. Ms. Mathis thanked board members, Director and Associate Director for attending as well as the BVRC volunteers.

Dr. Weiner asked for Ms. Mathis to explain to new member Ms. DaMore where the drainage problem is at 207 Cambridge St. Ms. Mathis explained that due to the layout of the building and the topography of the area there is a lot of water that comes off the side property which goes right across the parking lot and into Cambridge St. During the winter, there is sometimes such a volume it impacts the passability due to freezing. She has been working with the owner to correct the issue. The ground water table is really high so there were no options to infiltrate the water onsite. They are close to a connection to the storm water system however, Cambridge Street is a Massachusetts highway therefore authorization from Mass DOT was required. Owners were then required to go before the planning board.

Ms. Welch inquired about HHW day and if we could to possibly move the date out. She felt that a lot of residents have not had a chance to start cleaning for spring. Ms. Mathis stated she was constrained to the day due to Passover, Easter, the town election as well and the availability of the vendor. She will try to move it to later in April for future events.



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Ms. Welch also said that many residents wish to utilize the playground during the HHW event. She addressed sending a message to community members that it is a safety issue to have them in that space during the event. She felt that the park should be closed during those hours. Ms. Mathis explained that we reserved the entire grounds including the building, parking lots and fields. The Board of Health checks in with the school, Parks & Recreation Dept. as well as Youth Soccer league. Ms. Mathis felt that it is a great suggestion to add to our posters, signs and website that the grounds will be closed during that time. Ms. Lumenello suggested we reach out to the Parks and Recreation Dept. Ms. Mathis also stated we should inform the schools to add it to their newsletters. Ms. DaMore suggested that communicating that the parks would be closed during the event could be stated during the town's reverse phone call (CodeRED message).

Mr. McSweeney asked about the chemical reaction that occurred at Desktop Metals. Ms. Mathis stated that it was a very small and well-responded to event. They were doing an experiment to add a polymer to one of their chemicals to see if they could get better use of it in the equipment. There was a site equipment failure and the heating element stayed on while they were doing the reaction. The attendant noticed it and turned off the heating element but it was still warm and it caused an exothermic reaction which caused the chemicals to continue to heat. The lab chemist got a supervisor and immediately contacted the fire department and implemented their emergency response plan. They evacuated the building. Nothing escaped the lab. The fire department responded and they called in the State emergency response team. By the time they all arrived, the reaction had started to dissipate.

Mr. McSweeney was curious if Desktop Metals followed the protocol. Ms. Mathis explained that they did follow protocol and the emergency response plan. They treated it as a near-miss as they would have under OSHA. They went through a whole review of the emergency response procedures and how they responded. They made changes to the standard operating procedure and retrained staff. Dr. Weiner added how they handled the situation was a success and that we helped them put together an emergency response protocol. It is important to know that these plans are working because the town has the appropriate staff in place and the appropriate oversight.

Mr. McSweeney inquired about the 276 Cambridge St. drainage issue. Ms. Mathis explained that the puddles were a result of a melting snow pile rather than the rooftop drains.

**MOTION** – Mr. McSweeney motioned to approve the Environmental Engineer's Report. Ms. Welch seconded the motion. Voted 5-0-0. On a roll call vote: Mr. McSweeney voted Yes, Ms. Welch voted Yes, Ms. Sheehan voted Yes, Ms. DaMore voted Yes, and Dr. Weiner voted Yes.



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***Associate Director of Public Health***

Mr. Greene presented his report.

- Congratulated Dr. Weiner and Ms. DaMore on their election to the board.
- Highlighted that he and Ms. Mathis attended 2 IBC meetings March 23rd for Cambridge and Protogene.
- Has been working with Ms. Mathis on streamlining the application review process, setting biosafety inspection checklist.
- They have been putting together training program for the IBC new community representative.

Dr. Weiner commented that in just 2 weeks we have been dealing with 7 biotech companies. He felt that we are really becoming a hub of science in the community. He stated that we really do need the staff that we have, especially the Associate Director, the newest staff member.

**MOTION:** Ms. Welch motioned to approve the Associate Director's Report. The motion was seconded by Ms. Sheehan and unanimously voted 5-0-0. On a roll call vote: On a roll call vote: Mr. McSweeney voted Yes, Ms. Welch voted Yes, Ms. Sheehan voted Yes, Ms. DaMore voted Yes, and Dr. Weiner voted Yes.

***Director of Public Health***

Ms. Lumenello presented reports which included the Health Agent (Marlene Johnson) and Supervisory Nurse (Christine Paulik).

- No highlights were addressed.

Mr. McSweeney had a question on the orders for flu vaccines. Ms. Lumenello stated they have been reserved. Flu clinic will be planned for end of October. She noted that we do have a few COVID vaccines available. A clinic has been sent up in May for a limited amount of doses (approximately 18 doses).

Dr. Weiner commented that he has spoken with Ms. Paulik and stated she has been working closely with the school dept. to provide vaccines to many students in the high school. This under the Vaccines for Children program and it is working out fine

Dr. Weiner also noted that Ms. Paulik has been working on the Health Fair – she has been in contact with Dana Farber. He commented on how our Fire Department has been extremely helpful and he issued a thank you to Chief Patterson for partnering with us.

Ms. Lumenello mentioned that the fire department secured the safe house with smoke simulation for the Health Fair. This is new to the health fair.



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Mr. McSweeney asked about annual Mobile food inspections. Ms. Lumenello stated that Ms. Johnson or Ms. Hardy will perform inspections on food/ice cream trucks. Dr. Weiner noted that there is also a police requirement that they need to be CORI'ed and coordinated with the Police Department.

Ms. Welch inquired about how we communicated the agenda for the Health Fair. Ms. Lumenello stated that we will use the regular channels such as newspapers, flyers/posters, weekly school updates, electric sign, social media, the Patch, and the Buzz.

Ms. Lumenello commented that this year's event will be outside. It will be difficult to determine the amount of attendees, however we will use the raffle as a gauge. There are currently over 40 tables. We are getting volunteers to help with the setup of the tables to have fewer cars driving on the common.

Ms. Lumenello presented her report:

- Ms. Lumenello highlighted the social media plan and how it's important to get the word out about what the Board of Health does. It is being tied into the BVRC newsletter where the staff will write articles. In addition, the staff will create social media posts. Our social media has been connected with other Burlington media outlets following us. If you want to follow us, go to Burlington.org website or burlingtonmrc.org. The Board of Health and BVRC can be followed on Facebook and Twitter.
- A photo of the new Board was requested for social media.
- Ms. Lumenello wanted the board to be aware that the planning board was coming up with draft regulations with the seasonal high ground water table. The Board of Health was in this regulation, however she did not feel that we should be involved in it.

Mr. McSweeney wanted to follow up on ConCom and the new regulations as it pertains to storm water. He inquired if they created a draft of the proposed regulation. It was Ms. Lumenello's understanding that they will be bringing it to the town meeting in September. Mr. McSweeney asked if they agreed to share changes with the Board of Health to see if there were any conflict with regulations. Ms. Mathis agreed to look at the last one to see if there are any changes. Mr. McSweeney suggested a subcommittee meeting once the draft is finalized.

Dr. Weiner announced that the budget was approved.



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Dr. Weiner stated that tentatively the next meeting will be discussing a multiple dimensional mosquito issue. He stated that Ms. Lumenello would be providing updates on what the state is doing with mosquitos. He would like to have one of the local beekeepers come to discuss some of the problems that they have faced.

**MOTION:** Ms. Sheehan moved to approve the Director of Public Health reports. The motion was seconded by Ms. Welch and unanimously voted 5-0-0. On a roll call vote: Mr. McSweeney voted Yes, Ms. Welch voted Yes, Ms. Sheehan voted Yes, Ms. DaMore voted Yes, and Dr. Weiner voted Yes.

**VIII. Adjourn**

**MOTION:** Ms. DaMore moved to adjourn the Board of Health regular meeting at 7:57 PM. The motion was seconded by Mr. McSweeney and unanimously voted 5-0-0. On a roll call vote: Mr. McSweeney voted Yes, Ms. Welch voted Yes, Ms. Sheehan voted Yes, Ms. DaMore Yes, and Dr. Weiner voted Yes.

*Respectfully Submitted by Michele Nichol,  
Administrative Assistant to the Board of Health*



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**DOCUMENTS REVIEWED AT MEETING – TUESDAY, APRIL 12, 2022**

**I. Open Meeting/Pledge of Allegiance/Agenda**

**II. Approval of Minutes: None**

**III. Citizen's Time: None**

**IV. Chairman's Report: None**

**V. Applications:**

*Keeping of Animals – 4 Westwood Street* – 4/12/22 Application for Keeping of Animals by S. Hardy, coop photos of 4 Westwood St, 2/28/22 completed application with site plan by C. Carnell, 3/8/22 memo by S. Hardy, 3/8/22 (5) letters to abutters by S. Hardy.

**VI. Discussion - None**

**VII. Staff Reports:** Associate Health Inspector's Report, Environmental Engineer's Report, Associate Director of Public Health's Report and Director of Public Health's Report (including Supervisory Nurse's Report and Health Agent Report)

**VIII. Adjourn: None**