

**Minutes of the Carlisle Board of Health
January 17, 2012**

Present: Board members Jeff Brem (Chairman), Mark Caddell, Bill Risso, Cathy Galligan, Donna Margolies; also present Linda Fantasia (Agent), Priscilla Stevens (Mosquito), Connie Wright

Caddell called the meeting to order at 7:00 p.m.

BILLS – It was moved (Risso) and seconded (Galligan) to approve the bills as presented. Bills consist of engineering services and payroll for the well inspector. Motion passed 4-0-0 (Brem had not arrived).

Joint Subcommittee Meeting(Brem arrived) – The Board agreed to invite the MRC Executive Committee, the Water Quality Subcommittee (WQS), Animal Inspectors and Well Inspector to the February 28th meeting to discuss current and future activities. Planning and Selectmen liaisons will be invited. The WQS needs to re-organize since the departure of Michael Holland, chairman. Brem would like the Animal Inspectors to report on local manure management and any problems they have encountered.

PH Interns – The Board submitted a request under BU’s “Local Health Internship Program 2012” for a summer intern to work on educating residents about the health risks associated with fertilizer and pesticide use and research whether the potential for impacting groundwater. The Board has also applied to UMass Medical School “Population Health Clerkship” program to get a better understanding of the impacts of co-infections from tick borne illnesses.

Employee Reviews – these have not been required since 2009. The Board agreed it should be done annually. Brem and Galligan will do a department head review for Fantasia. She will prepare one for Admin (Bobby Lyman).

Annual Report – due 2/6/12. Fantasia will collect the statistics and prepare a draft for the Board’s review.

Medical Reserve Corps - the Carlisle MRC has been in existence for six years. The Board would like to prepare an appreciation event which would also be used to solicit new members. The Board would also like to thank Tiffany Rule, DVM who donates her time every year at the rabies clinic and public safety officers for their work during the October Storm. Fantasia will check to see if there is money in the MRC budget to host an event.

Trainings – Risso and Margolies will attend a free “Voices” a communications training event on 3/23/12.

Agent Authorization – It was moved (Caddell) and seconded (Risso) to authorize the Health Agent in accordance with MGL Ch. 111 sec 30 to act on the Board’s behalf as noted in the Authorization Agreement dated 1/17/12 and expiring on 6/30/13. Motion passed 5-0-0.

PH (cont) 56 PETER HANS ROAD – the hearing was continued from 12/6/12 in order to survey the front property line. The waivers were approved at the previous meeting. Frado had reviewed and approved the survey. No further information was required. The Board agreed to close the hearing.

It was moved (Risso) and seconded (Galligan) to close the public hearing. Motion passed 4-0-1(Brem abstained since he was not present for the previous hearing).

DISCUSSION ITEMS

Middlesex School Complaint - Susan and Michael Bondurant (Autumn Lane) were present for the discussion.

S Bondurant had complained to the BOH office on 1/4/12 about an oil residue found on her house and cars. She was convinced that the source was the Middlesex School. Fantasia had investigated the complaint along with the Concord Health Director, Susan Rask. Following a site visit to the Bondurant and adjacent property, they met with the facilities director, George Torigian, at Middlesex. A linkage on one of the boilers had broken which affected the air to oil mix resulting in heavy particles (soot) being emitted from the smoke stack. The alarm system was not working at the time. The problem was being fixed. The Bondurants claim that for years they have noticed a strong odor similar to home heating oil or burning coal in the neighborhood, particularly during the winter months when

there is little vegetation. They are concerned that the cause may be the ‘antiquated’ smoke stack at the school since the problem seems to be present when the wind is blowing from a southwesterly direction (Middlesex). S. Bondurant claims to have noticed soot on snow throughout the years and on leaves and vegetation. The Bondurants are concerned about possible health effects, including asthma from the ongoing pollution. They would like the smoke stack filtered and monitored. The plant burns crude oil #6 which is heavier than typical home heating oil. There is no permit required for a small facility. Bondurant pointed out that there is almost a direct line of site from the smoke stack which is approximately 70’ in height and at the same elevation as their property because of the topography. The Bondurants said the school had offered to wash their house and cars. They would prefer to have the pollution problem eliminated. Fantasia said the school is aware that the plant needs updating and is looking into converting to gas in the next three years. The Concord Health Dept. agrees that there was a mechanical breakdown of the heating plant and alarm system, but it was most likely a one-time event and repaired.

The Board noted that the school was located in another community which limits its ability to take action. Since Carlisle residents are being impacted the Board felt compelled to address the issue. Air pollution can pose a significant health risk if it is long term. It was unclear if other residences have been affected since this is the first complaint filed with the Board. Galligan said a single documented complaint might not motivate the school to ramp up the conversion to a new heating plant. Risso suggested checking inspection reports for other problems. Fantasia said the plant is serviced in house. They do not keep logs. Torigian is certified to work on the system and a licensed plumber, also certified, is on staff. There is an annual inspection for the insurance carrier and one from the Concord Fire Department. The Board agreed that it did not have authority over the school but would ask the Concord Health Dept. to investigate further. If there is a source of pollution in Concord affecting Carlisle, both boards should address it. DEP has authority to cross municipal lines and the ability to take air samples. The Board asked Bondurant to keep a log of pollution – odors or soot.

The Board agreed to send a letter asking the Concord Board of Health to require Middlesex to have an independent evaluation done of the heating plant to make sure that it is functioning properly and not the cause of the ongoing pollution described. The report should be forwarded to the Carlisle BOH. Both towns should continue to monitor the issue. Brem offered to contact the Concord BOH Chairman.

FY13 Budget Preparation – The Board has been given a guideline budget including cost of living allowance of \$81,198. Fantasia does not think this will work. The Administrative Assistant position was incorrectly calculated. It was based on a temporary Grade 3 wage. The position was placed at a Grade 4 in October. There will only be \$210 for nursing under this guideline which is not realistic. The Board reviewed a revised budget and agreed to go back to the Finance Committee and ask for \$82,000. Fantasia will work out the numbers and request a meeting for Brem and Risso. The town’s fiscal picture has improved due to a reduction in CCHS enrollment.

PH Revolving Account – A place holder has been submitted. The Board would like to fund the article with last year’s flu clinic reimbursement. Risso had spoken with Larry Barton, Finance Director, who is resistant. Barton does not think public health and emergency preparedness are specific enough to avoid misuse of the fund. The Board noted that it is difficult to define specific expenses ahead of an event. There could be any number of related expenses such as custodial fees, venue costs, shelter supplies, which fall under public health. The Board may need to explain its request to the Selectmen at the warrant hearing.

CHNA Grant Application – Galligan reported that she, Fantasia, Margolies, Anne Marie Brako and Barbara Howland have been meeting regularly to prepare the application which if awarded would provide \$15,000 to do a community health assessment. Eight towns of the CHNA region are eligible for the two grants. Carlisle Planning Board and Concord-Carlisle League of Women Voters have signed on as committed supporters. Galligan is proposing 10 hrs/mo of in kind service from the health agent to administer the grant. The administrative assistant would be paid \$500 directly from the grant but without overhead since this is a non-benefit position. The Board wanted to be clear that it would not be adding new duties or taking time away from current jobs. The grant would allow it to better leverage the jobs it is already required to do. BOH agreed with the budget proposal. The Steering Committee will be volunteers. The BOH as the Lead Agency will be responsible for carrying out the requirements of the grant. Acton and Lincoln received funding during the last round. Concord, Bedford, Lexington and Winchester may be applying.

It was moved (Galligan) and seconded (Risso) to authorize use of the health agent's time as outlined in the grant proposal and identify the Board of Health to sign all documents related to the grant on behalf of the town and be the fiscal agent for the monies received. Motion passed 5-0-0.

Groundwater Protection

Galligan explained that the issue which grew out of the Zoning Board's decision to uphold the decision of the Building Commissioner to allow a second residence (guest house) on a single lot. The guest house would include a full kitchen which historically has not been allowed. In the Building Commissioner's opinion there was no zoning basis for denying the permit and it could happen again. Galligan pointed out that Carlisle's sole source of drinking water is the groundwater which supports private wells. Protection of this resource is critical for the town to survive. The Board has the authority and the responsibility to ensure this protection through regulations, policies and guidance. It is up to the Board to decide what is reasonable in protecting this resource. Allowing two residences on a single lot not only conflicts with zoning in a legal sense but in an environmental sense could pose a burden on the resources of the town. Protection of groundwater was one of the bases for Carlisle's two acre zoning but it is the environmental not the legal issue that compels the Board to act as a result of the Building Commissioner's decision.

Brem said the Board must adhere to the nitrogen loading limitations set by Title 5. A one acre lot is limited to 440 GPD of nitrogen loading. Risso said that Carlisle's position is often more conservative than the state's because there is no back up water supply or sewer system. There is the possibility of a second dwelling surcharging the land that must provide safe drinking water. Title 5 equates land area to nitrogen loading, but if this land is wet or underwater, there may be no removal of nitrogen or other pollutants normally associated with sewage. Risso suggests limiting nitrogen removal to upland areas. Brem warned that many lots in Carlisle are one-quarter wet. He would suggest a derivative formula similar to the design flow formula in the local regulations. One example would be a table format based on the idea that as the wetland on a lot increases the nitrogen discharge allowed. Brem was concerned about creating non-conforming structures and unbuildable lots. The Board cannot discriminate against multi-family dwellings or lots with wetlands. It should be possible to create an acceptable formula to deal with nitrogen loading without subsequent legal issues. Risso felt the regulation should be under the Carlisle Supplementary Sewage Disposal Regulations since it is a Title 5 issue. Galligan said she would like to move forward on this issue. Brem said the Board could start the process. Any regulation must apply to all dwellings.

A second issue dealing with groundwater protection is the unrestrained used of pesticides and fertilizers on private properties. Alan Carpenito had asked the Board to look into this. Caddell said that one homeowner may use no chemicals, but there is nothing to stop a neighbor from using them excessively. Fantasia said in 2005 the Board joined Westford in a TURI Grant. Funding was provided to address pesticide reduction. There was a letter sent out to all residents on pesticide alternatives and an informational talk on gardening was held. It would be possible for an intern to research this topic and create informative pamphlets. Marblehead has an active program.

509 South Street – high water testing. Fantasia asked the Board to decide whether the 5/19/10 deep hole testing was acceptable for high water. No soil logs or documentation were provided. There is a deteriorated structure on the site which will be razed. The system will be classified as new construction which requires high water testing. High water season is 3/15 through 5/15. Results of testing showed groundwater at 2.6 and 2.1 below surface. The Board agreed groundwater was already high on the site and would require a conservative design regardless of the date.

It was moved (Risso) and seconded (Caddell) to accept the 5/19/10 deep hole testing at 509 South Street as high water readings. Motion passed 5-0-0.

There was no further business discussed. Meeting voted to adjourn at 9:20 pm.

Respectfully submitted,

Linda M. Fantasia,
Recorder