



**Acton Board of Health  
Minutes**

**February 13, 2006**

**Members Present:** William McInnis, Chairman, Mark Conoby, Member, Dr. Bill Taylor, Member and Philip Alvarez (Associate voting for Dr. Pam Harting-Barrat).

**Staff Present:** Doug Halley, Health Director and Sheryl Ball.

**Others Present:** Mary Michelman, Joelle Darcy and Janine Gauntt

The meeting was called to order at 7:31 p.m.

**Minutes**

On a motion made by Mr. Alvarez, seconded by Dr. Taylor, the Board unanimously voted to accept the minutes of January 23, 2006 as amended.

**Public Hearing – Massage Practitioner Regulations**

The Board opened the hearing regarding the proposed amendments to Acton Board of Health Rules and Regulations - Article 13/Massage Regulations. The Board discussed the proposed changes and with no public comment on the proposed changes the public hearing was closed. On a motion made by Mr. Conoby, seconded by Mr. Alvarez, the Board unanimously voted to approve the amendments to Acton Board of Health Rules and Regulations, Article 13 based on no additional public comment.

**Massage Practitioner – Janine Gauntt**

The Health Department has received an application for a license to practice massage from Janine Gauntt. Ms. Gauntt will be working out of CBC Personal Training, located at 411 Mass. Ave..

Ms. Gaunt has submitted all the necessary paperwork with the exception of one professional reference and the Health Department recommends this request contingent upon submittal of that letter. Mr. McInnis stated that the Health Department could accept two professional references and one personal reference for any future approvals. Mr. McInnis also stated that given the Board approved the above Article 13 regulation change to grant the Health Department the authority to approve any Massage Practitioner's that meet all rules and regulations and it was the Board's opinion that the Health Department could act on that request.

#### **APHNS – Discussion/Joelle Darcy**

Ms. Darcy was before the Board with copies of the Acton Public Health Nursing Service (APHNS) financial documents. Ms. Darcy stated that the service has collected approximately \$404,000 with approximately \$100,000 past due. The Board stated that they like to see the enterprise fund balance at around \$350,000 to cover about 1 year's budget for the service. However, the enterprise fund balance was approximately \$230,000 at the start of this year due to the increase in salaries and having to hire a lot of contract services and outstanding monies not collected. At this point, the outstanding monies have been collected and it appears that the Nursing Service will be back on track for this year. Ms. Darcy stated that she is working closely with her staff to improve efficiency and communication with both the staff and contract staff which she feels will result in increased revenues. Ms. Darcy also stated that her main goal is to get the staff to pull together and reduce costs. Mr. McInnis stated that the Nursing Service runs a wonderful quality program with excellent staff. The Board also asked Ms. Darcy if referrals have increased. Ms. Darcy stated that it is a continual battle to get organizations to make referrals but she feels that more community outreach programs will help to obtain referrals. The Board also stated that they would eventually like to go back to an accreditation service. The Board also stated that they would like to see the Administrator on a quarterly basis.

#### **Environmental Fill Regulation - Discussion**

The Environmental Fill Committee has recommended their changes to the Hazardous Materials Control Bylaw and has received Board of Selectmen and Planning Board endorsement. The Board discussed the proposed changes to the Hazardous Materials Bylaw and stated that they will hold a public hearing on February 27, 2006 so that they can bring this change to the Spring

Town Meeting. A spot for this change as been held in the Town Warrant. It was also stated that the changes have been reviewed by Town Counsel and some changes in the wording were made to ensure consistency with the State's definition and our definition. The Board briefly discussed other concerns the Environmental Fill Committee has regarding the testing of the Big Dig fill, reuse of the landfill and testing of all fill brought into the Town of Acton.

### **Variance – 144 Great Road**

The Health Department is in receipt of a variance from Article 16-6.2.7 for a reduction in the setback to a flood plain in an aquifer zone to the property located at 144 Great Road. The current septic system is in failure. The Health Department has reviewed the plans and finds that the setback to the floodplain cannot be met at any point in the lot and that the existing septic system is 25' from the floodplain. The proposed system will be 50 feet from the floodplain. On a motion made by Dr. Taylor, seconded by Mr. Alvarez, the Board unanimously voted to grant a variance from Article 16-6.2.7 to the property located at 144 Great Road with the following conditions:

1. The system is pumped a minimum of once every two years.
2. The system is built in accordance with the above conditions and a plan stamped by Joseph March, PE dated 1/24/2006.

### **Other**

**Tobacco Bylaw** – Mr. Alvarez stated that he would make his changes to the proposed Tobacco Bylaw and will get them to the Health Department.

### **Adjournment**

On a motion made by Dr. Taylor, seconded by Mr. Conoby, the Board unanimously voted to adjourn the Board of Health meeting at 9:20 P.M.

Respectfully Submitted,



Sheryl Ball, Health Secretary  
Acton Board of Health



William McInnis, Chairman  
Acton Board of Health