

Town of Concord
Board of Health

Minutes from the Meeting

Tuesday, October 20 2009

PRESENT: Ann Snow, Chairman Pro-tem
Deborah Farnsworth
Dr. Susanna Bedell

Brent L. Reagor, Public Health Director
Karen M. Byrne, Administrative Assistant

OTHERS: Judith Quanrud, 36 Rollingwood Lane (FinCom); Robert and
Janice Locke, 95 Spring Road

Ann Snow was selected as the Chairman, pro-tem for this meeting.

1. **MINUTES**

The Board reviewed and discussed the minutes from the meeting on Tuesday, September 15, 2009. Dr. Bedell moved to accept the minutes as submitted. Deborah Farnsworth seconded it. All VOTED in favor.

2. **BOARD CALENDAR**

The meetings scheduled for the remainder of the calendar year were confirmed:

November 17, 2009
December 15, 2009

3. **PUBLIC HEARING – ON-SITE SEWAGE DISPOSAL SYSTEM**

95 Spring Road – Request for Local Variance

The Board heard a request from Brent Reagor on behalf of Jeff Perley, PE, system designer, for his clients Robert & Janice Locke, 95 Spring Road to replace the on-site sewage disposal system serving this property. The applicant asked the Board to grant one variance from Local Board of Health Regulation CBHR 3.00, Section 3.06(A):

Local Variance

- To locate a septic component (septic tank) 43 feet from a wetland instead of 50 feet as required by CBHR 3.00.

Due to lot constraints including the wetlands, Mr. Reagor explained that this was the location most favorable for a replacement system. He said that if the system was pushed further away from the wetlands area, it would then create issues that could compromise the existing foundation/structure.

He noted that the plans had been reviewed by both he and Stanley Sosnicki and that it was their opinion that locating the septic tank 7 feet closer than allowed by the local regulation would not affect the environmental effectiveness of this system design.

Following a brief discussion, Dr. Bedell moved to GRANT the local variance to locate a septic component (septic tank) 43 feet from a wetland instead of 50 feet as required by CBHR.300. Deborah Farnsworth seconded it. All VOTED in favor.

4. PUBLIC HEARING – Well Regulations

Concord Board of Health Regulation – Chapter 7, “Minimum Sanitation Standards for Private & Semi-Public Water Supplies”

In August, the Board reviewed a draft set of revised regulations for the “Minimum Sanitation Standards for Private & Semi-Public Water Supplies” and set a public comment period for interested parties (to end 10/2/09) prior to a public hearing. Various well drillers, testing laboratories, and other interested parties were notified by mail and sent a copy of the regulations for comment. The public hearing was also advertised in the Concord Journal on October 8, 2009.

Let it be noted that there were no public comments received. There were no interested parties in the audience for the public hearing.

Following a brief review of the final draft of the regulation, Deborah Farnsworth moved that the Board APPROVE and ADOPT “Concord Board of Health Regulation, Chapter 7: *“Minimum Sanitation Standards for Private and Semi-Public Water Supplies”* as submitted and drafted by staff. Dr. Bedell seconded it. All VOTED in favor.

This regulation will supersede all previous Board of Health Regulations pertaining to Private and Semi-Public Wells.

6 BOARD DISCUSSION

Mr. Reagor provided the Board with copies of the Town’s regulations relating to tobacco control. He advised the Board that both the “Sale of Tobacco to Minors Bylaw” and the “Smoking in Food Establishments Bylaw” were out of date and in some cases,

no longer pertinent as it related to enforcing tobacco regulations. He said since 2003, the State Workplace Smoking laws have changed significantly and that it was very important for the Town to keep our public health protection programs up to date.

After speaking with representatives from the Massachusetts Municipal Association, Mr. Reagor was put in contact with DJ Wilson an attorney who works with the Massachusetts Tobacco Control Program for the group. One of his services is to look at and rework local communities existing tobacco regulations to better reflect today's issues and needs.

Mr. Reagor invited Mr. Wilson to attend the next regular board meeting and provided it with Mr. Wilson's first draft of a proposed regulation which incorporates both existing bylaws into one, as well as the addition of language that other communities use to control and monitor tobacco use/sale.

Mr. Reagor hopes to have a regulation the Board can vote on at the next regular meeting and hopes to bring a warrant article for a vote at the 2010 Town Meeting.

7. REPORT FROM PUBLIC HEALTH DIRECTOR¹

The Public Health Director (PHD) presented the Board with his monthly update outlining the Health Department's activities since the last meeting.

Flu Clinics

The first shipment of seasonal influenza vaccines arrived in early September (650 doses) and the Health Division in conjunction with Council on Aging was able to hold its annual influenza clinic at Harvey Wheeler Community Center on October 2, 2009. The influenza vaccine was administered by nurses from Emerson Hospital Home Care (with whom the BOH contracts nursing services) and served approximately 350 seniors over the age of 60. Mr. Reagor reminded the Board that immunization against flu is still the most efficient public health tool we have to fight against this illness.

Karen Byrne noted that Concord normally receives 1,300 regular influenza vaccines per season from the MDPH which is used to supplement a public clinic held by Emerson Home Care open to the all residents and all ages. Unfortunately, with the sporadic delivery and delays, Emerson will not schedule another clinic until it has vaccines on hand.

Food Inspections

Almost one year to the day when a fire destroyed Verrill Farm Stand on Wheeler Road, the Health Department issued a License to Operate a Food Service Establishment for their new farm stand/food service on September 18th. Mr. Reagor gave kudos to his staff for working extremely hard to help the process move along, in

¹ Board of Health Director's Report - attached

particularly, he commended Public Health Inspector Gabrielle White for her patience and commitment to assisting the Verrill family through a trying time, but also ensuring compliance with all food and sanitary codes.

The meeting adjourned at approximately 8:15 p.m.

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Respectfully submitted,

Karen M. O'Keefe-Byrne, Administrative Assistant
Concord Board of Health

Ann M. Snow, Chair Pro-Tem

Dr. Susanna Bedell

Deborah R. Farnsworth