



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

TUESDAY, APRIL 11, 2023

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

Board Members Absent: None

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

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:

MOTION: Ms. Sheehan made a motion to approve the Minutes from the January 24, 2023 Board of Health meeting. The motion was seconded by Ms. Damore and voted 3-0-2.

III. Citizen's Time:

There were no citizen's coming forward.

IV. Chairman's Report:

Dr. Weiner stated that after discussions with the Town Clerk and a Selectman, we will continue to incorporate citizens' time into our meetings. Tonight, we'll reorganize the Board at the end of the meeting. The Chairman, whoever that is, should ask for an individual for a subcommittee to join them in a review of the standing policies that we have, the new Supreme Judicial Court rulings, and if necessary, meet with Town Counsel, and present to this Board what will be sufficient to accomplish what we need to do and serve this town.

MOTION: Mr. McSweeney made a motion to take three agenda items: The Mama Bear Effect, General Bylaw Review Committee, Remote Meetings, and 9 Crawford Road, Keeping of Animals Permit, out of sequence for discussion purposes. The motion was seconded by Ms. Welch and voted 5-0-0.



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V. **Discussion:**

The Mama Bear Effect

Adrienne Simeone, Delbar Mamedzade, and Jenna Lloyd appeared before the Board.

Ms. Simeone stated that I founded this organization called The Mama Bear Effect over 10 years ago to address what I saw was a need for improved awareness and educational resources for the prevention of child sexual abuse. The CDC estimates that one in four girls and one in 13 boys are being affected by child sexual abuse before they turn 18. A lot of the work that we do on a societal level is often responding to child sexual abuse. We know that the vast majority will never be reported during a child's childhood and very few cases will ever get reported to the police. When we think about the issue of child sexual abuse a lot of times, it's framed as a crime, but when we think about its impact on children, it is very much a public health issue. It affects the mental wellness of children, their ability to learn, to thrive, to understand healthy / safe relationships. It also affects them biologically. It can affect their digestive system, they're more likely to have autoimmune disorders, irritable bowel syndrome, migraines, etc. There was a recent study showing that there are a number of children that are being diagnosed as having ADHD, but it's actually PTSD. In over 93 percent of cases, the perpetrator is someone known and trusted by the child. In the course of our organization, we have built up a very extensive library of educational resources and we work on a national level through a number of other non-profits and other government organizations that have invested the funds to do community outreach. Last year, we finished a research project (wanting to understand how we could better support parents) and found that the top three resources that parents felt the materials should shared / distributed to schools, police and public service departments, and pediatricians / family practitioners. We've put together pediatric kits that we've begun donating this year as a pilot project to help engage pediatricians in sharing this prevention education.

Dr. Weiner asked what would you like us to do. Ms. Simeone replied that one thing we could certainly do is reach out to pediatricians and reach out to the school system to encourage them to engage these types of materials and disperse them to families.

Ms. Mamedzade stated that I'm the parent content and prevention specialist at the Children's Trust. The Children's Trust is a quasi-non-profit state agency based out of Boston. We're co-chairs with the Massachusetts legislative task force on the prevention of child sexual abuse. This task force consists of 28 different offices, agencies, and child and youth serving organizations across Massachusetts. We work closely with them because the mission of the Children's Trust is to prevent child abuse. The task force released a 100-page report on the best practices to prevent child sexual abuse in any youth serving organization. However, we understand that not everyone is going to take the time to read that 100-page report, and so we wanted to make sure it's accessible to everyone in the Commonwealth. We took the eight elements of prevention that the report talks about and put it on a website (SafeKidsThrive.org) so that it's accessible to anyone. The Children's Trust also provides free trainings on child sexual abuse prevention.



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Ms. Welch asked if you have already established local youth programs for schools where the adult is sharing preventive tactics with children. Ms. Simeone replied that the training that Ms. Mamedzade was referring to is for adults and not really for adults to teach children. I don't think any school system here in Burlington is providing safety education for students.

Ms. Lumenello stated that I met with them before this meeting, and we talked about possible ideas about getting the word out and getting the necessary resources to different organizations.

General Bylaw Review Committee, Remote Meetings

Scott Martin and Dave Miller (attending remotely) of the General Bylaw Review Committee appeared before the Board.

Mr. Martin stated that for the January Town Meeting we had included in the warrant five different articles to allow town meetings (including regular Board of Health meetings) to have remote access in our bylaws. We modeled our bylaws that we were proposing after Brookline. The legislature has to approve the request. We withdrew our articles for the January warrant primarily because we didn't have all of the backup information that we thought we would need to get the support. We're hoping to have this back on the September Town Meeting warrant, and so we've chosen various boards and committees to ask for comments, concerns, suggestions, etc.

Dr. Weiner stated that my one concern is that we require proponents (i.e., biotech) to have their key individual present at a meeting so we can deliberate on certain policies. We have had situations where the technology has not kept up with our ability to understand what people are saying as well as our ability to ask specific questions face to face.

Ms. Welch stated that I would like to revisit the entire policy that was in place due to the new findings.

Mr. McSweeney and Dr. Weiner asked if this is passed, would we still be able to set our own policies. Mr. Martin replied, as it's currently written, yes.

Ms. Lumenello asked if this goes through after 2025, have you consulted an attorney about whether this would conflict with the open meeting law. Mr. Martin replied that the Town Counsel is aware of what we are trying to do and she's waiting for the final product.

VI. Permits:

9 Crawford Road, Keeping of Animals Permit

Kayla Chiodi of 9 Crawford Road appeared before the Board.

Ms. Lumenello stated that Ms. Chiodi's mother provided permission to keep chickens on the property in writing. She currently has a coop that is sized appropriately for 3 chickens with an attached run. A site visit was conducted by Ms. Hardy on 3/8/2023 and all setbacks were met. Ms. Hardy's recommendation to the Board was to vote to grant the permit for the keeping of 3 chickens.



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MOTION: Ms. Welch made a motion to grant the permit for 9 Crawford Road, for the keeping of 3 chickens. The motion was seconded by Ms. Sheehan and voted 5-0-0.

VII. Applications:

Application for Approval of a Special Permit, 15 Blue Sky Drive, Nth Cycle

Kristine Hung of Riemer & Braunstein, Christopher Thoren, and Victoria Vaccarezza appeared before the Board.

Ms. Mathis stated that Nth Cycle is currently operating at a small-scale location in Beverly, and they're looking to move their operations to Burlington. The company will occupy approximately 50,000 square feet of laboratory and office space in the existing building. Nth Cycle is a metals recycling company that uses electro-extraction technology to reclaim metal hydroxides, pure metals, or metal oxides. The target reclaimed materials are transition, rare earth and precious metals such as titanium, nickel, cobalt, gold, and palladium. Currently, Nth Cycle produces mixed hydroxide precipitate (MHP) of nickel and cobalt (NiCo). The technology is a substitute for current market technologies such as pyro where they smelt down the material to recover certain metals or acid bath extraction which is not environmentally friendly.

Mr. Thoren stated that we're trying to solve the supply chain problem that exists today with these metals, one that's going to be exasperated when the IRA headwinds come into play where we're having to consolidate in the domestic and we can only source from certain countries (i.e., Canada and Australia). We're starting with recycling because there's a hundred thousand tons of nickel that goes unused in this country today. This is an R&D facility, and we intend to expand from 30 people to roughly 80 this year. Our mission is to get as much metal into the supply chain and keep it in circulation forever, so that our partners can continue to manufacture the end cathodes, magnets, and other products needed for the clean energy transition, and do it compliantly.

Ms. Sheehan asked if there are potential risks to the people that are in the office working next to the lab or people on the other floors. Ms. Mathis replied that they don't really have any emissions issues. Mr. Thoren replied that the lab is separated from the office space and there's a new HVAC system being installed on the roof to allow for more air changeovers in that lab space.

Dr. Weiner asked how does the raw material get shipped in. Mr. Thoren replied that it comes in bucket containers. Ms. Vaccarezza stated that we have chemical spill kits. The raw material isn't considered toxic. Waste products are contained in IBC containers and taken off the site by a waste contractor.

Dr. Weiner added Condition No. 6: "The Board of Health will be notified in addition to other regulatory agencies in cases of emergency situations."

Ms. Lumenello asked if they have a health & safety plan. Ms. Vaccarezza replied yes.



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Dr. Weiner inquired about security. Mr. Thoren replied that the laboratory is key card access only.

MOTION: Mr. McSweeney made a motion to approve the application for a special permit for Nth Cycle at 15 Blue Sky Drive with six (6) conditions. The motion was seconded by Welch and voted 5-0-0.

VIII. Discussion:

Board of Health Public Participation Policy

Dr. Weiner stated that since the last Board of Health meeting I've had two meetings and I have received other new information pertaining to public participation and that will allow us to have citizens' time as long as we put policies in place (i.e., time limits).

Ms. Welch asked why do we have to have a policy. Dr. Weiner replied that according to everybody I've talked to you need to have a five-minute policy in case somebody goes off on crazy tangents.

Ms. Sheehan and Ms. Damore volunteered to partake in a subcommittee concerning the Board of Health's public participation policy. They agreed to provide an update at a future regular Board of Health meeting.

Re-organization of the Board of Health

MOTION: Mr. McSweeney made a motion to nominate Dr. Weiner for Chairman. The motion was seconded by Ms. Damore and voted 5-0-0.

MOTION: Ms. Sheehan made a motion to nominate Mr. McSweeney for Vice Chairman. The motion was seconded by Ms. Welch and voted 5-0-0.

IX. Staff Reports:

Environmental Engineer

Ms. Mathis presented her report.

- Household Hazardous Waste Day is June 3, 2023 at the Fox Hill Elementary School

Mr. McSweeney commented to anyone watching that we do have policies and regulations around discharge of sump pumps into the streets, into catch basins, or down your driveway. If there are any questions, please contact the Board of Health office.



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MOTION: Ms. Welch made a motion to approve the Environmental Engineer's report. The motion was seconded by Ms. Sheehan and voted 5-0-0.

Associate Director of Public Health

Mr. Greene presented his report.

- Completed Matter of Balance training

MOTION: Ms. Sheehan made a motion to approve the Associate Director of Public Health's report. The motion was seconded by Mr. McSweeney and voted 5-0-0.

Director of Public Health

Ms. Lumenello presented her report.

- Conducted interviews with Lexington and Wilmington
 - Hired four people: epidemiologist, community health worker, nurse, and health inspector
- Upcoming meeting with DPH (along with Lexington and Wilmington) on the capacity assessment survey

Ms. Welch asked Ms. Lumenello if we could schedule a subcommittee for the nursing position because we don't currently have any candidates. At that meeting, we could review and maybe discuss the current job description and requirements. Ms. Lumenello agreed.

MOTION: Mr. McSweeney made a motion to approve the Director of Public Health's report (along with the Health Agent's report and Health Inspector's report). The motion was seconded by Ms. Welch and voted 5-0-0.

X. Adjourn:

MOTION: Ms. Damore made a motion to adjourn the Board of Health meeting at 9:26 PM. The motion was seconded by Ms. Sheehan and voted 5-0-0.

*Respectfully Submitted by Eric Bergeron,
Recording Clerk*