

TOPSFIELD BOARD OF HEALTH

Meeting of Thursday, December 17, 2009 ~ 7:30 pm
Town Hall, Conference Room

With a quorum present, Ms. Knutsen called the meeting to order at 7:44pm.

Board of Health members present: Sheryl Knutsen, Acting Chair; Vincent Guerra; Gerry Topping; Wade Goldman; Health Agent John Coulon; Catherine Tinsley, Minutes Secretary

Not Present: William Hunt

Public information:

Agenda

Abbreviations used:

TBOH – Topsfield Board of Health

Non Criminal Disposition on Town Meeting Warrant

Present: Selectman Martha Morrison

Ms. Morrison reminded the Board there is a deadline for submitting articles for the Annual Town Meeting Warrant. There was a brief discussion regarding procedural issues.

Ms. Morrison left the meeting.

A lengthy discussion of understanding followed.

7:58 pm – Findings of Fact; Re June Decision re 4 North Common Street

Present: Attorney Alan Grenier representing Frank and Kristi Martino, 4 North Commons Street

The Agent recommended the BOH discuss the Letter and make a final decision and close the case.

In the absence of Mr. Hunt, the Board talked about the benefit of waiting until all members are present to take action.

Mr. Topping made a motion to table the topic until the January meeting. Dr. Guerra seconded. The motion carried by majority vote with Ms. Knutsen abstaining.

Attorney Grenier was informed of the proposed meeting dates for 2010; if the BOH approves the schedule the next meeting date is January 28, 2010.

APPOINTMENTS

VOTE: Mary Bandereck, The Whoo (pie) Wagon; Demirjian Commercial Bakers

Present: Mary Bandereck, applicant; Chris Bandereck; John Morin, The Neve-Morin Group

The proposed use is for the production of cake and cookies and non hazardous foods and occasionally for classes.

Mr. Coulon informed the Board that Ms. Bandereck has a residential kitchen permit from the Town of Topsfield. Ms. Bandereck is proposing to move her operation to a commercial space at 44 Main Street in Topsfield; formerly a custom furniture shop. The building has one toilet and sink with a 1000 gallon leaching pit. A new sink with a grease trap will be installed; the current system is in operating condition.

A voluntary title v inspection was done. The system is in compliance of how it was originally designed and its current set up and most recent use as a furniture shop.

Mr. Morin reported on the design capacity and his historical findings of the property use and identified he

used the water meter flow from a similar business. Water meter flow of one business was a concern of the Board.

Mr. Morin noted that they are required to file for a permit with the DEP.

The BOH identified deficiencies in the report presented with the application and requested additional information regarding holding classes" is provided before rendering a decision to calculate the true capacity with gravel set back figures, perk testing results from closer location, and to include the list of other facilities contacted for water usage figures.

Ms. Bandereck talked about withdrawing her consideration to hold classes at this location.

Mr. Goldman made a motion that the BOH accept the report from Neve Morin dated December 17, 2009 on behalf of his client Mary Bandereck for 44 Main Street and the use of existing soil absorption system (SAS) the BOH recognizes that the applicant must per title v apply to DEP to establish the design flow.

The BOH also conveys to the applicant if the Department of Environmental Protection determination and the reported capacity of the existing SAS are in compliance with state and local regulations the BOH will support the application for proposed use of catering and retail as submitted to the Zoning Board of Appeals. Dr. Guerra seconded. Discussion followed. The motion carried by unanimous vote.

VOTE: 21 Forrest Road, Gerry McDonald – Local Upgrade Approval

There was no representation.

HEALTH AGENT'S REPORT

TBOH Secretary Position

Mr. Coulon informed the Board that the Secretary, Trish Smith gave her two week notice; her last day was December 17, 2009. Mr. Coulon said he has interviewed two applicants and hopes to fill the position by January 4, 2010.

Emergency Preparedness/ Medical Reserve Corp

Mr. Coulon reported no changes since the last meeting.

Topsfield Village Shopping Center – Update

Mr. Coulon reported that the paving was done but without curbing, and covers are recessed. A punch list was created and copies forwarded to other town boards and committees.

The septic system is functioning and protected but the project cannot be signed off until the corrections are done.

English Commons

English Commons is moving forward and looking to break ground in the spring of 2010.

Flu; Seasonal & H1N1

Mr. Coulon reported that 2500 vaccinations in the tri town have been issued.

Tri Town H1N1 committee is meeting and will schedule a January clinic at the Fair Grounds.

Mr. Coulon proposed using one of the Fair Ground buildings for clinics, using FER money to support this effort. This would be a multi town clinic.

Fair – View of preparations

Public safety Committee addressed Fair issues at their meeting monthly.

NEW BUSINESSS

VOTE: Meeting Minutes Approval August, September, October, and November 2009

Mr. Goldberg made a motion to accept August 27, 2009 as written. Dr Guerra seconded. The motion carried by majority vote with Mr. Topping abstaining.

Mr. Goldman made a motion to accept the minutes of September 24, 2009 with edit as indicated. Mr. Topping seconded and the motion carried by unanimous vote.

Mr. Goldman made a motion to accept the minutes of October 22, 2009 with edit as indicated. Mr. Topping seconded and the motion carried by unanimous vote.

Mr. Topping made a motion to accept the minutes of ES October 22, 2009 with edit as indicated. Dr. Guerra seconded and the motion carried by unanimous vote.

Mr. Goldman made a motion to accept the minutes of ES November 19, 2009 with grammatical edit as indicated. Mr. Topping seconded and the motion carried by unanimous vote.

Mr. Goldman made a motion to accept the minutes of November 19, 2009 with grammatical edits as indicated. Mr. Topping seconded and the motion carried by unanimous vote.

Mr. Topping requested the Board review the BOH regulations.

10:37pm – Mr. Topping left the meeting.

OLD BUSINESS

School Brook report from NEMC

The Board talked about the report from North East Mosquito Control Dated: October 29, 2009 regarding conditions of school brook as it abuts the Town Rail Trail and the Topsfield Fair Grounds and any implications regarding beaver control, mosquito control, and storm water management.

Mr. Goldman made motion to accept report with gratitude and appreciation from NEMC and Wetland Management District dated, October 29, 2009. Dr. Guerra seconded. The motion carried by unanimous vote.

The Agent was directed to write a letter to Emily Sullivan wetlands project coordinator recognizing her outstanding report.

BOH Webpage – Web Site Committee

Trish Smith was credited for updating and maintaining the BOH website.

Mutual Aid

No Update

FINANCIALS

The Board reviewed and signed the Bill Warrant

COMMUNICATIONS

The January meeting date was approved. The Board will approve the meeting schedule for 2010 at the January 28, 2010 meeting.

11:15 pm – Mr. Goldman made a motion to adjourn and it was unanimous to do so.

Respectfully submitted by

Catherine Tinsley