

Topsfield Board of Health
Meeting of Thursday, July 26, 2007 ~ 7:30 pm
Topsfield Public Library

Present: William Hunt, Chair (7:47pm); Michael Waltermire, Deborah Colbert; Vincent Guerra;

Sheryl Knutsen

Also Present John Coulon, Health Agent; Catherine Tinsley, Secretary;

Abbreviations:

BOH- Board of Health

EEE – Eastern Equine Encephalitis

BOS – Board of Selectmen

In the absence of the Chair being present at 7:30 pm Ms Knutsen called the meeting to order.

APPOINTMENTS

125 Main Street – Ann Tortorella: Recognize septic system as a 3 bedroom septic system

Mr. Coulon acknowledged a letter from the Neve-Morin Group stating the current septic system at 125 Main Street supports the 3 bedroom home.

It was noted that the Town assess this home as a 3 bedroom but the BOH file consistently refers to the home as having 2 bedrooms, including both the Title V inspections done 2004 and 2007.

The Board reviewed the file information on the lot prior to the bylaws of 1985.

The Neve-Morin Group letter was recognized and reviewed by the Board.

The homeowner was present and stated that they are not adding or changing the foot print of the house.

Wetlands and boundaries were questioned and none were identified in the area of the septic, which is in the front yard.

It was the Health Agent's recommendation to grant the petitioners request.

The BOH declares that the septic system at 125 Main Street supports a three bedroom home based on being designed and permitted prior to January 6, 1986, the promulgation of the current town septic regulations. Ms. Knutsen seconded.

Voting in favor: William Hunt; Michael Waltermire, Deborah Colbert; Vincent Guerra; Sheryl Knutsen

Opposed: None

MOTION CARRIED

103 Salem Road - Peter and Suzanne Mooney: Petition to perform the last test hole

Mr. Coulon stated that he was on site performing soil testing with Neve-Morin on the last day of testing. Two deep holes were found that indicate a passing system but they did not have the time that day to find the third perc hole as required for new construction.

The Health Agent stated the site will most likely perc; the two holes had good perk flows.

The Board noted that the perc season is March and April but because of the wet season in the spring of 2007, it was extended.

The Mooney's were present and engaged in a discussion with the Board regarding their request to have the last test hole done; they identified that they are seeking to divide their property and build a small home for themselves and have their daughter move into the existing home.

Ms. Colbert made a motion to not to grant the request of Dr. Peter Mooney for an out of season perc test. Seconded by Ms Knutsen

Voting in Favor: William Hunt; Deborah Colbert; Vincent Guerra; Sheryl Knutsen

Opposed: Mike Waltermire

MOTION CARRIED by majority vote.

After the Mooneys left the meeting, the Agent approached the Board suggesting that they consider interpreting the regulations differently. He went on to identify that Massachusetts State Law sections 15, 16, 17 address perc testing; Section 14 specifically addresses soil testing, water levels and deep hole observation and states that these tests must be done in March and April.

He went on to say that no where in the sections addressing perc testing does it limit the time of year for testing, adding that the Town's bylaw does not specify seasons, therefore this defaults back to the Mass State law standards which allow perc testing any time of year.

A lengthy discussion followed regarding this consideration.

Mr. Hunt made a motion to vacate the previous ruling to 103 Salem Road.

Mr. Waltermire seconded.

Voting in favor; William Hunt; Michael Waltermire; Deborah Colbert; Vincent Guerra; Sheryl Knutsen

Opposed: None

MOTION CARRIED

It was the consensus of the Board to interpret the Topsfield regulations is that no variance is required to perform perc testing.

Mr. Hunt stated that thanks to the efforts of the Health Agent, the language of sections 14; 15; 16; & 17 of the Board of Health regulation, section 14 deep observation is time limited and section 14 deals only with deep hole observation.

Perc testing and only with perc tests no where in sections 15; 16; or 17 is there a time limit and due to that clarification the Board realizes they are bound by the black letter of the regulations and the regulations written does not limit perc tests to a season but does limit deep observation test therefore

The Board of Health will follow the law as laid out in the regulations.

HEALTH AGENT REPORT

Communicable Disease Tallies

Information in the packet for review

Shopping Center – no update.

Mosquito Control Projects

Notice to Assessors of Estimated Charges

Arbovirus Surveillance Questionnaire

Arbovirus Surveillance Report
Arbovirus Management Plan

Mr. Coulon reported that the neighboring Town of Hamilton is spraying in certain areas due to the increase in the EEE carrying species, Melanura. The Town of Topsfield is Preemptive on specific area and continues collecting samples to determine if spraying is necessary.

NORTH EAST MASS MOSQUITO CONTROL AND WETLANDS MANAGEMENT DISTRICT - Director's (Walter Montgomery) report dated July 25, 2007.

Mr. Coulon explained the process of handling dead birds and the testing for the West Nile virus and requested the Board give the Health Agent direction to handle the Town's dead birds.

It was agreed that the Health agent does not need to collect the dead birds in Town because it is already identified that the West Nile mosquito is present.

The Board discussed releasing educational information to the residents to prevent disease. Mr. Montgomery will be consulted to send brochures suitable for mailing, the intern will be asked to follow through with distribution.

The local news papers and cable channel will also be sent the information.

It was noted that the intern is reviewing the Town's Emergency Response Plan and is identifying out of date information.

The Management plan (as discussed in the May meeting with new information) is tabled for the board to sign until the next meeting to allow them to review the information.

It was noted that the Management Plan is a living document and will be assessed with each new piece of information and can be changed by the BOH.

The BOH directed the Agent to contact Walter Montgomery to initiate educational material and a flyer for distribution.

A lengthy discussion ensued regarding the Management Plan; the Board identified that this document omits an education plan.

Mr. Coulon responded that the Management District will distribute information upon request, i.e. health officials.

The BOH observed that they did not approve the responsibility of the distribution of funds to implement the Management Plan.

The agent noted that there is a specific budget for the management plan and that at the direction of the BOH the money can be distributed differently than outlined in the plan.

It was the consensus of the Board and the Health Agent was instructed to have Walter Montgomery add an addendum that States the Board has the right to change the plan and that 5% of the money would be directed toward education.

CORRESPONDENCE

Public Records Presentation Training Announcement

Financials

VNA Care Network Contract – Board sign off

Public sector Partners Inc Contract – The paper work for reimbursement for the cost of having the VNA to give flue shots was not done and the Board agreed that a bill review agency be hired for this purpose at a cost of 10% of the reimbursement fee.

Signatures on Warrant
Revenue Sheet

Ms. Colbert made a motion to enter into executive session for the purpose of discussing ongoing litigation and return to open session for the purpose of adjournment.

11:33pm – Ms. Knutsen made a motion to return to open session. Seconded by Mr. Guerra.
Voting in favor: William Hunt; Michael Waltermire, Deborah Colbert; Vincent Guerra; Sheryl Knutsen

Opposed: None

MOTION CARRIED

11: 33 pm - Ms. Knutsen made a motion to adjourn and it was unanimous to do so.

Approved as written at the January 24, 2008 Board of Health Meeting.