

TOPSFIELD BOARD OF HEALTH  
Meeting of September 23, 2010 ~ 7:30 pm  
Topsfield Town Hall, 8 West Common Street

With a quorum present, Mr. Hunt called the meeting to order at 8 pm.

Board of Health members present: William Hunt, Chair; Dr. Vincent Guerra; Gerry Topping; Sheryl Knutsen (9:45 pm)

Not Present: Wade Goldman

Also Present: John Coulon, Health Agent; Selectmen Martha Morrison, BOH liaison and Dick Gandt; Catherine Tinsley, Minutes Secretary

Abbreviations used  
BOH Board of Health  
BOS Board of Selectmen

Public Information  
Agenda

### APPOINTMENTS

**Vote:** 2 Woodbrier Road, Assessor Map 49, Lot 59

Request for set back reduction; reduction in separation between SAS and High Groundwater of 1ft from 4 to 3 feet; this is a repair to a three bedroom home.

Present: Shawn Hogan, homeowner; Bill Dufresne, Merrimack Engineering Services; Matt Skelly  
The Health Agent stated he is not opposed to this request.

A plan entitled "Upgrade Plan of Subsurface Sewage Disposal System", dated 7. 28. 2010 and stamped received by the BOH office on 9.15.2010.

The Board previously approved a variance for this property of reduction of flow from 200 to 110 gallons per day.

Mr. Topping made a motion to approve the three-bedroom design for 2 Woodbrier Road as submitted for the reduction from seasonal ground water high from 4 to 3 feet. Dr Guerra seconded and the motion carried by unanimous vote.

**Vote:** 60 Ipswich Road

Request for variance to local BOH Regulations R: 1-2.3 Section 8 (a) Volume of Sanitary Sewerage and from 200 gallons per day per bedroom to 110 gallons per day per bedroom (title V compliant)

Present: Gordon Rogerson, Hayes Engineering

This is a repair for a three-bedroom home; the system is over sized.

A plan dated September 2, 2010 entitled "Sanitary Disposal System Plan Upgrade" was referenced.

Mr. Topping made a motion to accept the plan as designed and grant the variance from 200 to 110 gallons per bedroom per day as requested for 60 Ipswich Road. Dr Guerra seconded and the motion carried by unanimous vote.

The BOH suggested applicants bring in photographs of their sites for reference.

### HEALTH AGENTS REPORT

Emergency Preparedness / Medical Reserve Corp (MRC)- update

Mr. Coulon reported on the Collaboration with North/Shore Cape Ann Medical Reserve Corp and other MRCs at various events including the a table at the Topsfield Fair, October 6th, 7th, and 8th, a partnership with New England Health Systems for medical screenings 2 hours a day at the Fair,

and the MA Partnership for Food Safety Education for a food safety table at the Fair October 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup>.

#### Fair – Review of Preparedness

Mr. Coulon reported his meeting with the Topsfield Fair and Fiesta Shows personnel this morning saying he expects to issue about 135 food permits during the Fair.

#### English Commons – Update

Mr. Coulon reported a couple of units have sold but further construction has halted until more units are purchased. The Agent continues to get reports from Weston and Sampson regarding the installation of septic system components.

#### Flu: Seasonal & H1N1 – Update

Mr. Coulon stated that a trivalent vaccine has been arriving earlier than usual, but in small quantities.

A vaccine clinic has been scheduled on Oct 28<sup>th</sup> at the Emerson Center. Pneumococcal vaccines are included; this is a once in a lifetime vaccine.

### **NEW BUSINESS**

Vote: Minutes of August 26, 2010

Action on the minutes was deferred to the next meeting.

#### Rail Trail

Mr. Coulon explained that at the request of the Board of Selectmen, a discussion regarding the Rail Trail has been added to the agenda.

Mr. Coulon reviewed the events, meetings, and conversations of the past few days regarding the use of rail bed soil in the base formation of a new athletic field at Pye Brook.

Selectman Dick Gandt, as liaison to the Rail Trail, was included in the discussion.

Mr. Coulon reported that the soil from the rail trail is being trucked to the field and stockpiled at this time. The pile is about 20 feet from the nearest playing field.

Mr. Coulon, as the Health Agent, has requested that a snow fence be installed between the soil and the field, and that the soil be tested.

The alleged 21E soil test done by Brian Woodland at the time of his construction was referenced but the Health Agent confirmed he has not seen the report to date, but has asked for a copy.

Mr. Gandt addressed the BOH explaining that this action by the town is in accordance with the Mass DEP document *Best Practices and Conditions of Soils* as released by the State. He stated that the degree of volatility of the soil is not a threat from the ties in the ground and stated that the Conservation Commission has no problem with the soils being used as fill for a kettle hole at Pye Brook. He also told the Board that the Town's 99-year lease with the MBT states that no soil testing on the trail can be done.

There was a detailed and lengthy discussion regarding the necessity to test the soil with the BOH recognizing that the soil is no longer on the rail trail but being used in a playing field where children will be active, thus changing the intended use as referenced in the Best Practices document as well as additional use other than that which was presented to the public.

The BOS will provide the BOH with documentation from the Conservation Commission in support of the soils not being contaminated.

9:46 pm Ms. Knutsen arrived.

#### Open Space Plan

Ms. Morrison requested that the BOH issue a letter in support of the Open Space Plan for DCR.

The Board commented on edits to the Open Space Plan document.

Board of Health Agent, John Coulon will write a letter subject to the approval of the Chair.

Mr. Topping made a motion to adopt the deletion of the sentence that Ms. Knutsen declared the intention of the BOH and placed in the draft document later. Dr. Guerra seconded and the motion carried by unanimous vote.

## **OLD BUSINESS**

**Vote:** Question requiring temporary housing permit for Fair per 105 CMR 410.

Mr. Coulon stated that such a vote is not needed; the most problematic housing will not be used this year. Group inspections will be conducted in the days prior to the Fair opening.

### Mutual Aid

Mr. Coulon reported that Wade Goldman is moving forward with a presentation of Mutual Aid to the BOS.

## **COMMUNICATIONS**

### **EXECUTIVE SESSION**

Mr. Topping made a motion at 10:15 pm to enter into ES, according to MGL Chapter 39: Section 23B (3) To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the governmental body, to conduct strategy sessions in preparation for negotiations with nonunion personnel, to conduct collective bargaining sessions or contract negotiations with nonunion personnel and that the BOH adjourn directly from ES and not return to open session.

Ms. Knutsen seconded and the motion carried unanimously by roll call vote.

Respectfully submitted by

Catherine Tinsley