TOPSFIELD BOARD OF HEALTH
Meeting of Thursday, January 27, 2011 ~ 7:30 pm
Topsfield Town Hall, 8 West Common Street

With a quorum present, Acting Chair Ms. Knutsen called the meeting to order at 7:30 pm
Board Members Present: Wade Goldman; Dr. Vincent Guerra; Gerry Topping, William Hunt (7:49 pm)
Also present: John Coulon, Health Agent; Susan Winslow, Minutes Secretary
Selectman Dick Gandt
Norm Isler, Topsfield Historical Society, Ron Beauregard, Tobacco Collaborative

Abbreviations
BOH Board of Health
BOS Board of Selectmen

Public information
Agenda

APPOINTMENTS
VOTE: 1 Howlett Street
Present: Norm Isler representing the Topsfield Historical Society applicant
Dr. Vince Guerra and Mr. Hunt recused themselves from this appointment.

The Health Agent presented the facts surrounding the situation at 1 Howlett Street: The Historical Society wishes to add a small caretaker apartment to the facility which is served by a waste system installed in 1996, but to sign off on the building permit, the Health Agent reviewed the file and discovered that there was no As Built or Certificate of Compliance in the file for 1 Howlett Street. The Health Agent and Mr. Isler have both corresponded since them with Peter Giabbai, the designer of the system and Dick Thompson, the installer. Mr. Giabbai sent a copy of an As Built for the property at 1 Howlett Street, which the Health Agent introduced to the Board. Gerry Topping asked if the As Built was from 1996, and the Health Agent said it was not, but produced Design plans from the file dated 1996 which were compared favorably with the As Built. It was noted that the system has a design flow of 1150 gallons per day which is sufficient for the intended use. The Health Agent noted that Mr. Giabbai sent a letter to the Board that will act as a signature on a COC, and Dick Thompson has indicated that he will do likewise.

Mr. Hunt Arrived at 7:49 pm. Mr. Topping summarized the situation for him. Ms. Knutsen acceded the Chair of the Meeting to Mr. Hunt.

Mr. Topping made a motion that the BOH grant a Certificate of Compliance to the Topsfield Historical Society for 1 Howlett Street provided the Board of Health receives a letter from Dick Thompson, installer of the system. Mr. Goldman seconded the motion. The motion carried by unanimous vote. Mr. Isler left the meeting.

Tobacco Collaborative
The Health Agent recommended that the Board make an exception to the order of the Agenda to accommodate Mr. Ron Beauregard of the Tobacco Collaborative. Mr. Coulon reminded the Board that there are four establishments in town that sell Tobacco products. Mr. Beauregard was at the meeting to promote the benefits of

the Tobacco Collaborative and answer questions before the Board took a vote on whether or not to rejoin the Collaborative.
Mr. Beauregard gave a short history of his background and involvement in the Tobacco Collaborative. He stressed that the Tobacco Collaborative emphasizes education, first and enforcement, second. He explained that there are twelve member towns in the Collaborative. He informed the Board that the efforts of the Collaborative have helped to reduce the incidence of sales of tobacco products to minors during compliance checks from 20% in 2001 to 5 % today. Mr. Beauregard explained that the Collaborative employs teenagers in compliance checks, with instructions that they must state that they have no identification indicating age when asked to produce id by store proprietors. He educated the Board on newer types of Tobacco products that are available including Blunt Wraps, fruit flavored wrapping papers that are used frequently for marijuana and Snus, a new type of chewing tobacco in a pouch that allows the user to swallow the tobacco juice.
Discussion ensued regarding the Board's opinions on rejoining the Collaborative. Mr. Hunt expressed opposition to the compliance checks.
The Health Agent informed the Board that they could make a vote to give him the authority to sign the letter rejoining the Tobacco Collaborative.
Mr. Topping called for a vote. Mr. Guerra seconded the motion. The Board voted 4- 1 in favor of rejoining the Tobacco Collaborative and allowing the Health Agent to sign the letter. Mr. Hunt voted no. Mr. Beauregard left the meeting.

Emergency Preparedness/Medical Reserve Corp - update
The Health Agent reported that Sheryl Knutsen has been hired as the 3A Coalition Emergency Preparedness Coordinator
The Health Agent gave an update on Flu Season. At 9:00 am on Friday, January 28, he is planning to be involved in a statewide conference call on flu vaccine distribution. He also reported that a recent Flu Clinic at the North Shore Mall resulted in 127 vaccinations. Discussion ensued regarding Flu Vaccines and Mr. Topping reported that his wife had been instructed to return home from the recent Flu Vaccine Clinic at the Emerson Center to obtain a permission note from her doctor because she is pregnant. Ms. Knutsen reported that this information is outdated, and the Board instructed the Health Agent to remind the VNA of this.

The Health Agent informed the Board about pending Legislation that will protect Public Health volunteers from liability. He informed the Board that the MRCs and other public health volunteer organizations are looking for support with letters to the Legislature. Mr. Hunt asked if the Board wanted to do a letter.
Ms. Knutsen made a motion to allow the Health Agent to draft a letter of support for Legislation to protect all Public Health volunteers from liability when providing service at public health functions. Dr. Guerra seconded the motion but Mr. Topping asked for time for the Board to read the email outlining the proposed Legislation. The Board read the email and a short discussion ensued.

Mr. Hunt called for a vote and the Board voted unanimously in favor of the Health Agent drafting and sending a letter supporting this Legislation.

NEW BUSINESS

Minutes
Sheryl Knutsen noted that her name was spelled wrong in the December 15, 2010 Minutes.
Gerald Topping made a motion to accept the minutes. Vince Guerra seconded The Board voted unanimously to accept the Minutes as amended.

English Commons
The Health Agent informed the Board that Phase One is completed at English Commons and Weston and Sampson has completed their review of the project thus far. He explained the waste system to the Board, noting that he is requiring individual Certificates of Compliance for each building, with separate copies for each address rather than issuing a single COC for the project at this time.

The Health Agent asked the Board if they wish to require additional peer review of the project by Weston and Sampson, or if the Board would like the Health Agent to take over the inspections from here on. He explained that this would entail an addendum to the existing contract and the receipt of additional funds from CP Berry. *Mr. Topping made a motion that CP Berry continue to fund the Review by Weston and Sampson to continue throughout the completion of the project. Mr. Goldman seconded the motion, and the motion carried by unanimous vote.*

Annual Report
The Board reviewed the annual report of the Health Agent. Changes/corrections suggested include changing date from 2009 to 2010, add number of flu shots given out, delete "increased from 3" in second paragraph, replace the phrase 'on site' with 'temporary' in description housing at the Topsfield Fair, replace word 'they' with 'it in paragraph relating to the Mosquito Control Board.
Gerald Topping mode a motion to accept the Annual Report with changes as noted. Sheryl Knutsen seconded the motion which carried unanimously

64 Wenham Road
The Health Agent informed the Board that 64 Wenham Road has been foreclosed on and the Bank needs a Certificate of Compliance (COC) to sell the property. The property does not have a COC because the installer, John Whyman, and the Engineer at that time, Greg Saab from ESS Engineering, have not provided the Board of Health an acceptable As Built Plan. The Board agreed with the Health Agent that he insist on an acceptable As Built before a COC can be issued.
The Board voted unanimously to refuse to issue a COC for 64 Wenham Road or accept the (DATE) Title V Inspection Report until an acceptable As Built is received at the Board of Health office.

OLD BUSINESS
Mutual Aid Agreement
Wade Goldman presented information on the Mutual Aid Agreement packet he has put together to present to the Board of Selectmen. The Board discussed the information. Mr. Goldman recommended that the final draft be placed on Board of Health letterhead. Selectman Dick Gandt asked if the questions noted in the report were included in the report and Mr. Goldman said he would produce an additional Appendix D with the questions included in the packet. The Board decided that when the packet is in a final form, it will be delivered to the Selectmen for their review with a request that Board of Health Members be given the opportunity to review and answer questions the BoS may have on the Mutual Aid Agreement before the Board of Selectmen vote on it. This item will remain on the Agenda.

Storm Water Management Committee

The Health Agent presented the request from the Selectman's Office that the BoH designate a member to represent the BoH on the Storm Water Management Committee. Gerald Topping indicated that he would like more information about the schedule, of meetings. Wade Goldman said that he would consider the position.

FINANCIALS
The Board reviewed and signed the Bill Warrant.

COMMUNICATIONS
Retirement Letter
The Health Agent presented a letter to the Board regarding the retirement of Walter Montgomery as the Director of the Northeast Massachusetts Mosquito Control and Wetlands Reclamation District.

MAVEN
The Health Agent presented communication regarding the January 24, 2011 Department of Public Health proposal to the Legislature to make MAVEN mandatory in all Massachusetts towns. MAVEN is the Massachusetts Virtual Epidemiologic Network, a secure, web based electronic surveillance tool that will instantaneous exchange disease reports, laboratory results and supplementary disease investigation. A discussion on the merits of MAVEN ensued.

EXECUTIVE SESSON – Current Litigation

Mr. Topping made a motion at 10:20 pm to enter into ES for the purpose of discussing litigation (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 not to return to open session but adjourn directly from ES. Dr. Guerra seconded and the motion carried unanimously by roll call vote.

Respectfully submitted by

Susan Winslow