



TOWN OF TOPSFIELD
Topsfield Board of Health
Meeting of Thursday December 18, 2008
Town Hall Conference Room

The meeting was called to order at 7:38 p.m. with a quorum present: William Hunt, Chair; Vincent Guerra; Wade Goldman; Sheryl Knutsen (8:01pm)

Not Present: Deborah Colbert

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

Abbreviations used:

TBOH- Topsfield Board of Health

APPOINTMENTS

VOTE: 112 Main St. – Marilyn Manter – Inspection Extension

A discussion between Ms. Manter and the BOH took place regarding the circumstances regarding granting the one year extension as requested in her letter to the BOH dated 11/10/08.

The installation was two years ago.

Mr. Goldman made a motion to grant a one year extension, to expire December 8, 2009 for Title V inspection for Marilyn Manter at 112 Main Street, Topsfield. The motion was seconded and carried unanimously.

VOTE: Stephanie Leary –Perspective Tenant; Jewelry Shop at TVSC

Mr. Coulon identified that Ms. Leary is interested in leasing space at the shopping center as soon as possible. He proceeded to give a progress report regarding the installation of the septic system at the Topsfield Shopping Center including the timeline

Mr. Coulon explained to the Board that Ms. Leary has written a letter requesting to lease the space to make jewelry and to teach jewelry and metalsmithing classes. In her letter she has identified that there will be six students in each of two classes for 2.5 hours a week.

Mr. Coulon reviewed concerns with the septic system until the new system is completed spring of 2009.

The BOH questioned the safety of metal in the water; Mr. Coulon responded that he has had discussion with her regarding this concern and although there is no metal waste associated with this type of metal manufacturing, metal waste will be disposed of properly and will not be disposed of through the system.

Ms. Leary was not present. NO action was taken at this time.

The Board continued with the agenda.

HEALTH AGENT'S REPORT

Emergency Preparedness/Medical Reserve Corp. – update

Mr. Coulon reviewed that the Corps was put on stand-by during the recent ice storm but did not have to be activated. Mr. Coulon reviewed that with an actual incident, real information was obtained.

The Board talked about the classes available on line at Mass.gov /MEMA Emergency ICS (Incident Command System) to be compliant.

NEW BUSINESS

The TBOH reviewed the proposed meeting dates for January-June, 2009 Board Meetings and it was the consensus of those present that the meetings be posted for the next six months as follows:

1/29/09; 2/26/09; 3/26/09; 4/16/09; 5/28/09; 6/25/09

EXECUTIVE SESSION

8:36 PM Ms. Knutsen made a motion ES purpose of discussing ongoing litigation and that the TBOH return to open session. The motion was seconded and approved unanimously by roll call vote.

9:01 PM. - 8:52 pm - On a motion by Dr Guerra, seconded by Ms. Knutsen, with four members present and all members voting in the affirmative and none in the negative, on roll call vote it was voted unanimously to return to open session.

Attorney Grenier informed the TBOH that the Martino's will be re-fling and place the matter back to the Board.

He noted that there is a minimal amount of space for a septic system.

He went on to review that this is an upgrade to the system and information to support this will be included in the application.

A discussion of understanding followed.

As a part of this discussion, Mr. Coulon addressed that he was told a few weeks ago that there is now a Spa being offered at the Commons. He stated that specifications and servicing was requested from the Martinos noting it is not mentioned in the application, or As Built Plans.

Mr. Coulon went on to observe the increase of the water flow and puts it dangerously in non compliances. This is a special pool type spa that generates waste water to the septic tank, increases volume and introduces different chemicals.

Mr. Coulon explained that this type of septic system mandates a maintenance schedule for the life of the system. He said he was contacted as required by Title V to notify him that they would not be performing the first quarter inspection because there was no maintenance contract at that time. Mr. Coulon informed the TBOH that a contract has since been received.

Lastly Mr. Coulon reviewed the proper process for construction. Saying that once it is complete a Certificate of Compliance is issued; this has not been done to date.

The Martinos responded mostly that they were unaware of the regulations. Mr. Ottenheimer also responded that he had forgotten that a spa was spoken of and recanted his statement that he did not know anything about it.

It was clarified that the "spa" is a toilet, sink and tub with hot and cold faucets and jets.

Mr. Coulon reminded the Martinos to consult with their Engineer, Attorney and Health Agent regarding this property.

He also noted that the Zoning Board has limited the number of people can be in the building, the hours and days that it can be used.

Mr. Coulon informed the Board that the BOH must submit two budgets; a level funded budget and a 10% reduced budget.

Communicable disease tally was reviewed.

10:36 PM – Dr. Guerra motion to adjourn and it was unanimous to do so.