

TOPSFIELD BOARD OF HEALTH  
Meeting of Thursday, March 24, 2011 ~ 7:30 pm  
Topsfield Town Hall, 8 West Common Street

With a quorum present, Mr. Hunt called the meeting to order at 7:38 pm  
Board Members Present: William Hunt, Chair; Wade Goldman; Dr. Vincent Guerra; Gerry Topping, Sheryl Knutsen  
Also present: John Coulon, Health Agent; Catherine Tinsley, Minutes Secretary

Abbreviations  
BOH Board of Health

Public information  
Agenda

The agenda was taken out of order to address New Business.

**VOTE: Fee Waiver for Topsfield Beach Association (TBA) at Waldo E. Smith Town Beach**

Present: Vicky Long, TBA

Mr. Coulon reviewed that the BOS waived the \$50 permit fee for the TBA in 2010. According to the minutes the waiver was to be considered each year and the Health Agent is authorized to waive the fee if the operation is in compliance. Mr. Coulon said as a courtesy, Ms. Long was notified this was on the agenda for consideration. The BOH was asked to discuss waiving the permit fee for 2011. Mr. Coulon confirmed that the application has been received but the Agent's review is not complete. He reminded the Board that this is a non-profit organization 501-C7. Mr. Topping made a motion to waive the permit fee of \$50 for the Topsfield Beach Association at Waldo E. Smith Town Beach provided it is in compliance. Dr. Guerra seconded and the motion carried by unanimous vote.

Ms. Long reported that the well cover is cracked and is currently is being replaced; she will contact the Health Agent regarding this issue tomorrow.

**APPOINTMENTS**

**VOTE: 30 Main Street, Topsfield Village Shopping Center (TVSC): Rescind BOH Mandated Septage Pumping**

Present: Bill Qirici, Day Break Café, TVSC

Mr. Qirici reported to the Board there is an Outside Grease Trap (OGT) for the Day Break Café. In 2003 the BOH required that, in the absence of a reserve area, the 1000 gallon OGT would be pumped quarterly due to multiple failures. He said there is now a new, improved system with a larger grease trap of 2500 gallons and requested that quarterly pumping is changed to pumping as needed.

The BOH discussed reducing the pumping frequency. It was noted that this is a Title V approved system in good working order and the appropriate size for the café. Pumping also allows for the inspection of the T's.

The Board proposed that annual pumping / inspection is sufficient to keep system in working order.

Mr. Hunt observed that the original documents were put into effect when the TVSC system failed and referenced the Order of Conditions dated July 2, 2000 / revised date of October 2, 2002. The Board reviewed the operation maintenance plan of TVSC; the system has been operating with no problems.

Mr. Topping made a motion the BOH reduce the frequency of pumping for the grease trap for the Daybreak Café from quarterly to annually. Dr. Guerra seconded and the motion carried by unanimous vote.

A letter will be issued from the Health Department to Daybreak Café, Raggs, TVSC that the BOH voted unanimously at this meeting to remove any all previously required quarterly pumping of OGT related to Daybreak Cafe to now require annual inspection and pumping.

**4 Heritage Lane** - Variance request for repair to a failed septic system of a four-bedroom home

Present: Charles Johnson, Engineer; John and Marie Ricci, homeowners

A design plan has not been submitted, therefore there is no Title V plan review from the Health Agent at this time.

Mr. Johnson reported that soil testing was done.

Design options were discussed. The new system will be a pump system/ pressure distribution and will need continued maintenance.

Mr. Johnson is expecting to submit a design for consideration at the BOH April meeting.

**COMPLAINT:** Concern about sump pump from neighbor's yard being discharged into his yard

Present: Charles Southard; 109 Main Street

Mr. Coulon reviewed that the neighbor was pumping excess water to the street causing a public safety hazard and was instructed to stop by DPW; water was then pumped onto Mr. Southard's property at the leach field.

Mr. Coulon stated this is potential property damage and thus a civil case. He stated that the BOH has no jurisdiction to intervene but the public has the right to address this board.

Mr. Southard reviewed he moved into this historical home in 1986 and confirmed water collects in the far corner but has not been a problem. He went on to inform the Board that a new septic system was installed 12 years ago and it is in this location that the neighbor is discharging water from a very elaborate system including two industrial sump pumps with 4 inch pipes at 120 gallons a minute.

**NEW BUSINESS**

**VOTE:** Minutes of February

The BOH tabled the minutes to the April meeting.

**VOTE:** Consider Joining Federal Standards Program for Food Protection Program

Mr. Coulon reviewed that the BOH talked about joining the Federal Standards Program for Food Protection Program many years ago, but was not recorded as having joined.

He stated that Topsfield is already compliant with the State code, which incorporates the Federal Code. The Health Agent requested authorization to go forward with the Federal Standards Program for Food Protection Program.

Mr. Topping made a motion that the BOH authorize BOH Agent John Coulon to sign Topsfield to the Federal Standards Program For Food Protection. Dr Guerra seconded and the motion carried by unanimous vote.

**OLD BUSINESS**

**Mutual Aid** - Presentation at Future Selectmen Meeting

Mr. Coulon reported the BOH are on the April 11, 2011 BOS meeting to request the BOS join the Mutual Aid Coalition 3A. Mr. Hunt will not be in attendance and was asked to submit a written statement of support.

Ms. Knutsen observed the Federal Government recommends towns adopt the Mutual Aid Agreement.

The Board decided to meet on April 11<sup>th</sup> prior to the BOS meeting to organize.

Mr. Coulon will provide the handouts. David Trout, Director of Coalition 3 will attend to answer questions.

Storm Water Management Committee (SWMC)- Board of Health Appointee to at Request of Selectmen

Mr. Hunt reported he attended the SWMC meeting as representative of the BOH. He summarized the meeting saying the EPA is mandating the mapping of all the streams and discharge points into the streams; the DPW is currently working on getting this finished. Mr. Hunt will attend the next meeting.

### **HEALTH AGENT'S REPORT**

362 Boston Street (island of Route 1/ Averill Street)

Mr. Coulon reported that Neve Morin was retained and directed to submit a plan to BOH regarding 362 Boston Street. Mr. Coulon denied the plan submitted, citing the location of the septic system on the parcel is determined by river front wetlands and other overlapping concerns.

The BOH was provided with a Press Release for USGS Arsenic and Uranium Report; residents with questions or concerns may contact the Health Agent. He stated Topsfield is determined to not be in any danger.

Mr. Coulon said the BOH receives pumping records from the haulers, not always on time but there has been no negative impact and enforcement is not necessary. Each pumping record is reviewed and filed. Mr. Coulon has observed that some pumping records show the pumping of 2000 gallons of a 1500 gallon tank. Each file is being reviewed for discrepancies between how many gallons are being pumped and the size of the tank. The Health Agent drafted a letter to be sent to homeowners confirming the record of pumping including the date of the pumping, the company, the gallons pumped, and maximum gallons of the tank. The BOH were provided with a draft copy of this letter. It was the consensus of the Board to support the letter.

Mr. Coulon reported that BOH office is getting a lot of queries during office hours regarding a home on Wenham Street, which is going to auction. The septic system is 4 years old. There is no as-built plan and therefore no Certificate of Compliance; a Title V inspection report was denied because the data came from an as-built plan that was denied.

10:50 pm Dr. Guerra made a motion to adjourn and it was unanimous to do so.

The BOH next regular meeting is Thursday, April 28, 2011 at 7:30 pm.

Respectfully submitted by

Catherine Tinsley