

Town of Topsfield Board of Health
Meeting of Thursday, March 27, 2014
Town Hall, 8 West Common Street, Topsfield, MA 01983

Meeting Minutes

Pursuant to the Open Meeting Law, M.G.L. Chapter 30A, §§ 18-25, written notice posted by the Town Clerk and delivered to all Board members, a meeting of the Topsfield Board of Health, Thursday, March 27, 2014 at 7:30 pm in the Conference Room of Topsfield Town Hall.

With a quorum present, Chair William Hunt ESQ called the meeting to order at 7:40 pm.

Board of Health Members present: Chairman William Hunt ESQ, Clerk Sheryl Knutsen RN, Vincent Guerra MD, Gerald Topping PE, John Coulon RS, Health Agent; Susan Winslow, Minutes Secretary. Also in attendance: Randy Sabino, Resident; Kathryn Larson, Resident; Nicholas Larson, Resident; Philip Knowles, Chairman Topsfield Board of Water Commissioners; Mark Gallagher, Topsfield Board of Water Commissioners; Greg Krom, Superintendent Topsfield Water Department; Valerie Nelson, RS, Harvard University; Richard Gandt, Selectman.

ABBREVIATIONS:

DEP: Department of Environmental Protection

DPH: Department of Public Health

EDS: Emergency Dispensing Site

EP: Emergency Preparedness

ESQ: Esquire

IQ: Intelligence quotient

PE: Professional Engineer

mg: milligram

MRC: Medical Reserve Corps

NEMMC: North East Massachusetts Mosquito Control

RN: Registered Nurse

RS: Registered Sanitarian

TAR: Technical Assistance Review

TBOH: Topsfield Board of Health

TRMRC: Topsfield Regional Medical Reserve Corps

TBOH: Topsfield Board of Health

Public Information

Agenda

MEETING MINUTES:

VOTE: Ms. Knutsen made a motion to accept the February 27, 2014 Minutes as written. Dr. Guerra seconded and the motion carried in a vote of 3 in the affirmative with Mr. Hunt abstaining.

HEALTH AGENT REPORT:

Nike Village Septage Overflow The Board opted to begin with the Health Agent Report. Mr. Coulon presented an update on the recent septage overflow event at Nike Village in Topsfield. He submitted a chronology of the septic system pump chamber malfunction and wastewater discharge into the Beverly/Salem water resource watershed. Mr. Coulon reminded the Board that four years ago, a similar situation occurred, in which septage overflowed from the treatment area and flowed toward the Beverly/Salem watershed. Mr. Coulon reported that Topsfield Fire Department Captain Charles Denault noticed the overflow while on other business on Sunday, March 9, 2014. Mr. Coulon was called and responded to the site. He returned to the site on Monday, March 10 and spoke with the Director of Serenity

Program at that address. Mr. Coulon apprised Town Administrator Kellie Hebert and Selectman Richard Gandt about the situation on Tuesday, March 11 and coordinated with representatives from DEP who took over management of the situation. Mr. Coulon continued to visit the site to stay abreast of the repair of the wastewater treatment system and he will conduct weekly visits to the site to monitor the situation.

Housing Complaint: 106 High Street Mr. Coulon presented a housing complaint from a tenant at 106 High Street. He informed the Board that she has left multiple messages on the Board of Health answering machine. Each call has been returned, but Mr. Coulon has not spoken directly to her. Mr. Coulon informed the Board that on Tuesday, March 25, an envelope containing a key to 106 High Street and a small drawing was left in the Board of Health Mailbox with a note that said, 'You will need a flashlight.' Mr. Coulon informed the Board that he drove by the residence and noted a large truck in the driveway. He also spoke with the Topsfield Police Department, who informed him that they are familiar with the adversarial situation between the tenant and the landlord at that address but no conditions were observed that would warrant writing a report or a referral. Mr. Coulon will return the key to the owner.

APPOINTMENTS:

38 Summer Street

This was Mr. Sabino's second appearance in front of the Topsfield Board of Health with a request to re-designate the septic system at this address as compliant for a 4 bedroom home. This issue had been continued from the February 27, 2014 Meeting.

Randy Sabino (homeowner) appeared before the Board to request that the septic system at this address be changed in the Topsfield Board of Health records from a 3 bedroom to a 4 bedroom system. Mr. Coulon asked the Board to reference Page 4 of the accepted February 27, 2014 TBOH Meeting Minutes for a review of the discussion at last month's meeting. He reminded the Board that the system was repaired in 2005, at which time a prior Health Agent accepted the As Built Plan. A Certificate of Compliance was issued for a 3 bedroom home under the Topsfield 200 gallons per bedroom per day requirement in existence at that time. Mr. Coulon explained that because the Topsfield Regulations were changed in 2013 to the Massachusetts Title V 110 gallons per bedroom per day, the septic system designed for 38 Summer Street would now be considered as qualifying as a 5-bedroom system. Mr. Sabino is looking for-the TBOH file to reflect compliance for a 4 bedroom house.

The Board discussed the situation, with Mr. Hunt expressing concern that there must be "legal underpinning" for the proposed change in classification, explaining that when the system was repaired in 2005, it was designed for 3 bedrooms. Mr. Topping explained that this request is not about increasing the capacity of the system in any way, but a confirmation of the system that exists in the ground is compliant with current Topsfield regulations. He noted that the Applicant complied with the Board's direction at the 2-27-2014 Meeting to have a voluntary Title V Inspection done to ensure the system is in good working order, and present an updated As Built Plan including language reflecting the proposed request. Mr. Coulon suggested that the Board consider continuing this issue to respond to Mr. Hunt's concern for "legal underpinning". Mr. Hunt instructed Mr. Coulon to inquire with DPH General Counsel and MAHB General Counsel and report back to the Board with information on the way other towns have handled this issue at the April 24, 2014 TBOH meeting.

This item was continued until the April 24, 2014 Meeting.

Greg Krom, Topsfield Water Department

Mr. Krom, Topsfield Water Superintendent, appeared before the Board to request the Board's support for an article on the Town Meeting Warrant to fund the construction of a green sand Manganese removal plant in Topsfield. He distributed a print copy of the Topsfield Water Department PowerPoint presentation outlining the Proposed Treatment of Topsfield's Water Supply. Mr. Krom informed the Board that Manganese has been sporadically appearing in Topsfield water above the DEP limit of .3 milligrams (mg) per litre for approximately ten years, often for months at a time. Mr. Philip Knowles, Chairman of the Topsfield Water Board also addressed the Board to inform them that DEP can force the town to build this infrastructure, and will do so if the town does not voluntarily address this public health

issue on its own. He added that DEP has the authority to impose a fine of up to \$25,000 per day for every day that the town is not in compliance with DEP guidelines in regard to acceptable Manganese levels in the water.

Dr. Guerra asked Mr. Krom about the toxic effects of Manganese above the DEP limit of .3 mg per litre. Mr. Krom explained that studies have shown that Manganese in levels above .3 mg per litre can have a negative effect on children and infants, including low IQ and behavioral issues. Mr. Krom explained that the town has two wells, and both are affected. He said that Manganese levels can rise significantly when the well heads are cleaned, with levels as high as .5 mg per litre recorded. Ms. Knutsen added that she has firsthand knowledge of the brown water that appears in homes when the level of Manganese increases. Mr. Krom told the Board that a proposed resolution put forth by resident and Conservation Commissioner Holger Luther to bear the cost of installing and maintaining water filters in every home using town water is economically and physically unfeasible. Mr. Knowles pointed out that the cost of the proposed plant, between \$7,000,000 and \$8,000,000, will be covered by a bond issue with the cost being borne by residents using town water in the average amount of approximately \$400 per year, with larger users bearing a greater portion of the cost. He said that the town has approached Beverly and Danvers about purchasing water from them, as they have a water filtration plant, but they will not sell water. The Board discussed the influx of beavers within the past ten years and their contribution to increased levels of Manganese in Topsfield water. The Board instructed Mr. Coulon to draft a letter to support this initiative and deliver it to Greg Krom on their behalf.

VOTE: Mr. Hunt proposed a resolution to support the Topsfield Water Board's Town Meeting Warrant Article to build a water treatment plant. Ms. Knutsen seconded and the motion carried in a unanimous vote.

Mr. Topping left the meeting at 8:50 PM

NEW BUSINESS:

Valerie Nelson RS

Mr. Coulon introduced Valerie Nelson to the Board and explained that she is the Environmental Public Health Manager at Harvard University and a former Topsfield resident. Mr. Coulon is requesting that the Board recommend to the Selectmen that they appoint Ms. Nelson as an Alternate Health Agent. Ms. Nelson will assist Mr. Coulon in preparations for food vendor inspections at the 2014 Topsfield Fair and as often as she is available. Ms. Nelson offers to provide these services free of charge in exchange for access to training courses available only to government workers. Mr. Gandt expressed concern about the barter situation and directed Mr. Coulon to follow up with the Town Administrator.

VOTE: Ms. Knutsen made a motion that the Board make a recommendation to the Selectmen that they appointment Valerie Nelson as Alternate Health Agent. Dr. Guerra seconded and the motion carried in a unanimous vote.

TBOH Use Of Social Media And Expansion of TBOH Section of Town Website

Mr. Coulon asked the Board to consider the implementation of a Facebook page and use of Social Media to promote Public Health in Topsfield. Lexie Winslow, Social Media Marketing Consultant, addressed the Board on the benefits of Facebook and Social Media. The Board discussed the pros and cons of implementing a Facebook page, the use of Twitter, and the benefit of adding an additional page to the Board of Health Website including Staff and Board Member biographies, certifications, courses taken and distinctions. The Board reached a general consensus that the use of Social Media would be beneficial and determined that they will make a periodic review of its use. The Board issued a general approval of the implementation of an additional page on the Topsfield Board of Health Website to include Staff and Board Member biographies, certifications, courses taken and distinctions.

Introduction of Kathryn and Nicholas Larsen, 480 Boston Street

Mr. Coulon introduced Kathryn and Nicholas Larson. He informed the Board that Ms. Larson is a candidate for a Masters Degree in Public Health at Regis College, and she is currently taking a course on Local Public Health Policy. Ms. Larson addressed the Board to say that she is interested in observing the way the Topsfield Board of Health operates. Mr. Coulon invited Ms. Larson to visit the Topsfield Board of Health, and the couple was invited to join the Topsfield Regional Medical Reserve Corps.

Mosquito Control

Mr. Coulon addressed the Board to explain that Massachusetts General Law allows the owner of a parcel of land to request exclusion from Mosquito Spraying, except in time of Declared Public Health Emergency. The Topsfield Conservation Commission has sent a letter to the Town Clerk requesting exclusion from Mosquito Spray for all lands under Topsfield Conservation Commission oversight. Mr. Coulon informed the Board that upon review with the Assessor's Office, the Topsfield Conservation Commission does not own the properties named in the request, thus has no legal standing regarding requisite ownership. He informed the Board that he has followed up with NEMMC, DPH and DAR and is awaiting a response from these agencies in regard to this issue. The cut-off date for requests to NEMMC for 2014 mosquito spray exclusion was March 1, 2014. The requests collected before March 1, 2014 have not yet been sent to NEMMC pending the resolution of this issue.

Emergency Preparedness

Mr. Coulon presented a letter from Mary Clark at DPH praising Mr. Coulon for preparing the Topsfield EDS Plan. Mr. Coulon noted that Topsfield Board Member Ms. Knutsen also worked very hard on the plan and Technical Assistance Review and is most responsible for any praise afforded Topsfield.

VOTE: Mr. Hunt made a motion to recognize Board Member Sheryl Knutsen for the fine job she did on the Topsfield EDS Plan and TAR. Dr. Guerra seconded and the vote carried with two members in the affirmative and Ms. Knutsen abstaining.

Dead Animal Burial

Mr. Coulon presented the Board with photos of the completed animal burial pit covers constructed by the Parks and Cemetery Department. The expense for the materials used to construct the covers was approved by the Board at the February 27, 2014 meeting.

NEXT MEETING: Mr. Coulon reminded the Board that the next meeting is scheduled for April 24, 2014.

***VOTE:** Dr. Guerra made a motion to adjourn at 10:20 pm. Ms. Knutsen seconded and the motion carried in a unanimous vote.*

Respectfully submitted,

Susan Winslow
Minutes Secretary