TOPSFIELD BOARD OF HEALTH
Meeting of Thursday, April 26, 2012 ~ 7:30 pm
Town Hall, 8 West Common

With a quorum present, in the absence of the Chair, Ms. Knutsen called the meeting to order at 7:40 pm
Board of Health Members present: William Hunt, Chair (7:43 pm); Wade Goldman, Dr. Vincent Guerra, Sheryl Knutsen, Gerry Topping
Also present: John Coulon, Health Agent; Selectmen Dick Gandt; Catherine Tinsley, Minutes Secretary

Abbreviations used
BOH Board of Health
GPD Gallons Per Day

Public Information
Agenda

APPOINTMENTS
18 Park Street - Form 9A Local Upgrade Approval; reduction in separation between SAS and High Groundwater (5 ft to 4 ft), reduction of design flow
Present: Skip Jones, (potential) homeowner; Jim Scanlon, Scanlon Engineering
Mr. Scanlon referenced a septic plan for 18 Park Street dated March 22, 2012.
This is a repair to an existing three-bedroom home.
The system is designed in the front of the house due to lack of access to the back yard. Mr. Jones said there is a double gate to the back yard that is only accessible through the abutting property of Saint Rose of Lima, 12 Park Street.
Mr. Scanlon will talk with the property owner and Mr. Jones about designing a system for the back yard but requested the BOH vote on the variance as presented.
VOTE: Mr. Topping moved the BOH reject the variance request for 18 Park Street as submitted on the plan dated March 22, 2012. Mr. Hunt seconded. Discussion followed.

> The Board was concerned with the perc rate, and cited the possibility to put the system in another location on the property, denied the plan.
> Mr. Topping observed the potential for a smaller system to be designed for another area on the property, therefore reducing the cost.
> The BOH agreed the validity of the data could be transferred from the front yard to the back yard via "Bottom of bed inspection".

The motion carried by majority vote with Mr. Goldman and Dr. Guerra voting in the negative.

64 Central Street - Form 9A Local Upgrade Approval: use of sieve analysis in place of perc test; reduction in design flow; reduce setback from water line
Present Randy Burley, Engineer, Mill River
This is a replacement of a septic system.
Mr. Burley referenced a septic plan showing wetlands and a perennial stream across the back of the property.
Due to the high water table, no perc test was done. The request is to allow "sieve analysis" data in place of a soil test.
The tests show class 3 soil (silt loam).
A large leaching area with a "Water-loo Bio Filter System" with drip irrigation is proposed; this system evenly distributes liquid.
The use of this system does not need variance.
VOTE: Mr. Topping moved to approve the septic plan for 64 Central Street, subject to the Engineer submitting a plan with a sleeve water line, and maintains maximum water line,achievable offset to the foundation. Ms. Knutsen seconded and the motion carried unanimously.

Tight Tank at Fairgrounds
Present: Tom Mannetta, Engineer, Thomas Mannetta Inc.

This is for the installation of a gray water holding system at the Topsfield Fair Grounds to be used only during the Fair, specifically for vendors that are unable to maneuver easily to empty their gray water.
The tight tanks will be located in three locations: in front of Coolidge Hall, the red barn area, and the club house/arena. There is a pumper available on the grounds during the Fair to drain the tanks when needed.
He described each tank as a lowboy ledge tank with a manifold system and having the capacity of 2,500 gallons. The tanks have both visual and audio alarms that are set to activate when the tank reaches 1,500 gallons full.
Mr. Coulon explained that Title V requires that the use of tight tanks be first brought to the local BOH for approval and then to the DEP. Title V does not address gray watertight tanks.
VOTE: Mr. Topping moved to approve three gray watertight tanks at the Fair Grounds, as shown on the plan dated April 23, 2012. Ms. Knutsen seconded and the motion carried unanimously.

9 Howlett Street - Reduction of design flow; reduction of setback from property line
Present: Kenwood and Susan Turner, homeowners; Chuck Johnson, C.G. Johnson Engineering, Inc.
Mr. Johnson reviewed that the BOH approved a Waterloo Bio Filter Plan in 2009 and granted an extension.
This is for an existing three-bedroom home.
The Turners are requesting a bottomless sand filter system, instead of a drip system. This reduces the size of the mound in their yard.
Mr. Johnson provided the BOH with a 10-scale plan for reference.
He stated the Town of Topsfield is an abutter and he has met with Dave Bond, representing the Town of Topsfield. Access will be granted through a stone wall that can easily be dismantled for the purpose of accessing the Turner's yard and replaced. Before and after photos will be taken for the record.
Mr. Johnson informed the Board that he hand dug a 3 ft deep hole and confirmed previous soil testing; all information is the same as original
VOTE: Mr. Topping moved to approve two variances as outline in the letter from C. G. Johnson, dated April 26, 2012 subject to a successful technical review of the plan. Ms. Knutsen seconded and the motion carried unanimously.

Question of updating local tobacco regulations
Present: Ron Beauregard, Tobacco Control Program
Mr. Beauregard explained there is a collaborative across the State to disseminate changes in tobacco sales. He identified that other towns in the area (Haverhill Tewksbury, Methuen) now have roll your own cigarette machines. The main concern is the correlation between the low cost of tobacco products and increased smoking amongst youth.
He described the rolling machines as about the size of a refrigerator (5' x 3' x 4') that roll a carton of cigarettes in about 10 minutes, for about $30.00. The machines are usually self-service, which make sanitary issues a concern. In addition, the machine generates single cigarettes and the tubes used are not fire safe as required by the regulated cigarette companies.
He asked that the BOH consider banning the use of the roll your own machines in Topsfield, adding that once a retailer has one, it can be difficult get rid of it. He stated these machines cost about $30,000 and are seen as an investment by storeowners.
Mr. Coulon reported Gil's, Cumberland Farms, Gas & Go, and Topsfield Shell sell cigarettes in Topsfield.
Mr. Topping read the Topsfield Board of Health Rules and Regulations prohibiting tobacco vending machines and questioned if this machine falls under this regulations.
The Board agreed to add language as provided to these regulations to include "roll your own" machines.

Ms. Knutsen moved to adopt regulations to amend local board of Health Regulations in order to ban roll your own machines and add to the Topsfield Health Rules and Regulations. Dr Guerra seconded. Discussion followed.
Mr. Hunt disagreed with the language as provided and offered an amendment that just the definitions (no. 2 & 3) be added and the suggested language to the main sections.
Added to definitions section:
2. (R: 1-6.3) Commercial RYO machine: A mechanical device by whatever manufacturer made and by whatever name known that is designed to roll and wrap tobacco into products. Home-use RYO machines are not commercial RYO machine.
3. This language would be added to the main section: Section R: 1-6.4/c/7/l commercial RYO machines
all commercial RYO machines are prohibited.
Mr. Topping seconded the amendment and the motion carried unanimously.

Ms. Knutsen, as the motioner accepted the amendment.
VOTE: the motion carried unanimously.

School Brook Coliform Testing
Present: Holger Luther from Topsfield Conservation Commission
Mr. Coulon reviewed that the Order of Conditions for the library required that School Brook be tested monthly; coliform tests showed inconsistent spiked levels of contamination. Screen testing the headwaters of School Brook was done by two members of the Conservation Commission, Jim MacDougal and Holger Luther.
Mr. Luther reviewed the testing results.
He reported that testing started in 2010, with samples taken long the length of School Brook including Emerson Field, Howlett Street, Deer Run, and at the Library.
He also reported the DEP acceptable level of coliform is 100 colonies per milliliter for potable water; the highest levels recorded in School Brook were between 1200 and 1500 per milliliter.
Depending on the time of year there is a mixture of contributions; this was important to determine the cause. He noted that it is possible that motion from ground water can carry pathogens from a septic system to the stream
Mr. Luther's recommendation is to have observation wells in strategic places for testing of ground water.
There is concern that when the level peak, they are very high at 1200 -1500 per milliliter in School Brook.
The library is released from testing with the levels testing high originating upstream.

The BOH was asked to consider funding further testing.

HEALTH AGENT'S REPORT
Mr. Coulon reported that showing the movie *Contagion* as a Tri Town effort with Middleton / Boxford /Topsfield continues to be discussed.

Mr. Coulon reported on the FEMA Environmental Health Training for Emergency response, saying it was a four-day Federal Training seminar in Massachusetts. Mr. Coulon said it was beneficial to attend the training. He was one of 30 Health Agents to receive an invitation.

Emergency Preparedness/ Medical Reserve Corp – Update
Mr. Coulon reported he is finishing this year's grant and looking ahead at deliverables for next year.

Mr. Coulon provided the Board with a letter dated March 31, 2012, as an example of what the BOH Office receives. This complaint was that of a decaying home, and rodents.
The HA went to the home and walked the property and reported that he did not observe or learn anything to keep this as an active case.

Updating Fee Schedule
The BOH asked to compare the recommended changes of the fee schedule with the previous schedule.
Mr. Topping moved to table the fee schedule to the next meeting. Mr. Goldman seconded and the motion carried unanimously.

NEW BUSINESS
Minutes
February 14, 2012 & March 22,2012
Vote: Mr. Topping moved to approve the February and March BOH meeting minutes as written. Ms. Knutsen seconded and the motion carried unanimously.

U Health Solutions: Two contracts regarding possible flu vaccine reimbursement
The BOH was asked that these contracts be in line with the town's fiscal year calendar July 1st through June 30th.

Old Business
Discussion Review of existing Topsfield Septic Regulations
The Board held this agenda item for the next meeting.

FINANCIALS

Review and sign Bill Warrant – The Board signed the warrants.

Ms. Knutsen opposed a bill from U Health Solutions, Inc for $8.16 saying it incorrectly states this is for supplies and should be for services provided by the company to recover reimbursement money for the town. This bill was held for further consideration.

COMMUNICATIONS

The Board reviewed the following letters:

Letter from Dept Health and Human Services regarding National Health and Nutrition Examination Survey taking place in Peabody. The BOS reviewed a list of measurements taken depending on age; this is for data gathering.

Letter from the Department of Public Health regarding planning for 2012 / 2013 Influenza Season

The BOH will hold the same clinics as last year.

Executive Session (ES)

Dr Guerra moved to enter into ES at 10:56 pm ES according to MGL Chapter 39, section 23A and 23B (1) To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual and to adjourn directly from Executive Session. Ms. Knutsen seconded and the motion carried unanimously by roll call vote.

Respectfully submitted by

Catherine Tinsley
5.8.12