

TOPSFIELD BOARD OF HEALTH  
Meeting of Thursday, April 22, 2010  
Topsfield Town Hall

With a quorum present, Mr. Hunt called the meeting to order at 7: 43 PM.

Board of Health members present: William Hunt, Chair; Dr. Vincent Guerra; Wade Goldman; Gerry Topping; Sheryl Knutsen (9:27 pm)

Also Present: John Coulon, Health Agent; Catherine Tinsley, Minutes Secretary  
Selectmen Martha Morrison, BOH Liaison and Dick Gandt

Abbreviations used:  
BOH Board of Health

Public information:  
Agenda

Present: Kindral Clineff, 95 River Road was present to talk to the BOH regarding recent flooding of her property.

Mr. Coulon explained to the Board that the Conservation Commission, Planning Board, Department of Public Works, and Board of Selectmen along with the Board of Health are currently moving forward with the possibility of taking action.

Ms. Clineff explained the property at 85 River Road has cleared vegetation for paddocks, French drains, and a second drive and as a result the historic homes abutting the property are flooding. Ms. Clineff referenced chronological photographs to illustrate the clearing of the property. She also informed the Board they have installed professional (fire department) pumps to deal with the increased water. The owners of 93 and 95 River Road have spoken with the owners of 85 River Road to resolve the flooding and continue to be in contact regarding a solution.

Robert Wilkerson, 85 River Road has indicated he would have more work done on the paddock and drain system to have the water flow down the slope to the town drain at the corner of River Road and Prospect Street. This drains into the wetlands. A manure pile was observed on site.

The Board of Health regulations were referenced; specifically Section R-1-3.7 of the Commonwealth of Massachusetts of Topsfield Board of Health Rules & Regulations.

Ms. Clineff informed the BOH she will submit a letter for the BOH to formalize the process of her complaint.

**Vote:** 61 Washington Street, Oak Engineering; Reduction to design flow to Title V standard from Topsfield re 200 gallons per bedroom to the State 110 gallons per bedrooms in accordance to letter dated April 21, 2010.

Present: Stephen Sawyer, Senior Project Manager

The Board acknowledged and discussed that there are no site restrictions to support the variance. This is a repair to an existing property of a failed system. The home is not occupied at this time. The variance will reduce the cost of the repair for the homeowner.

Mr. Topping made a motion to accept the variance as outlined in the letter dated April 21, 2010 from Oak Engineers, LLC regarding the repair of 61 Washington Street to reduce the BOH regulations of 200 gallons per bedroom per day to Title V of 110 gallons. Dr Guerra seconded and the motion carried by majority vote with Mr. Goldman voting in the negative.

## **HEALTH AGENT REPORT**

### Emergency Preparedness

Mr. Coulon reported that two more communities, Georgetown and Newburyport joined the Emergency Preparedness/ Medical Reserve Corps making it an eleven community group.

Mr. Coulon informed the Board the Fire Department has committed to Tuesday nights for Reserve Corps training; First Aid training was done in April.

### Fair Grounds

Mr. Coulon reported that there are events scheduled at the Fair Grounds each weekend through the summer.

Mr. Goldman questioned the permitting process of the Audubon Society and Mr. Coulon explained they have a year round permit. Maple Sugaring and non processed honey is an exempt product from permitting health codes. Mr. Coulon updated the BOH on various town businesses within the BOH Jurisdiction

The Board talked about their concern that the vent pipes in the Topsfield Village Shopping Center are not protected; Mr. Coulon observed the islands in the original plan were eliminated and the vent pipes relocated in a better location. The Agent reported there is no Certificate of Compliance.

It was the consensus of the Board for the Agent to issue a Zero tolerant letter to the managing trustee of TVSC property, Spiros Flomp. Permit holders will be sent a copy of this letter.

*The Board under its authority demands full compliance is achieved by (a certain a date) or all action afforded by Title V and TBOH regulations will be applied. Regarding the outstanding issue of the protection of the venting pipes of the septic system; A week will be given for the use of rocks to be installed for pipe protection, or ballads will be required or no further permits will be issued until a COC is issued.*

*Sheryl Knutsen arrived 9:27 PM*

## **NEW BUSINESS**

### VOTE: Minutes

The approval of the February and March meeting minutes were deferred to the next meeting.

Ms. Morison spoke regarding the Article on the warrant regarding the Storm Water Management Committee saying town meeting is being asked to approve a formal committee representative from each of the seven committees involved including BOH for the second phase II plan governing discharge.

Mr. Topping has offered to serve on this committee.

## **OLD BUSINESS**

### Non-criminal Disposition on Town Meeting Warrant: Discussion

May 3 @ 8:00 The BOH has posted a special meeting to allow public comment and adopt the state food code as a town regulation to be compliant with the Town Warrant Article 27.

Board Members will speak in favor of articles related to their Board / Commission.

BOH Web Page – Web Site Committee

Dr. Guerra asked that the Administrative Assistant Sue Winslow's name is added to the BOH web site, identifying her in this position.

The Board was recognized for keeping the site up to date.

New Open Meeting Laws – Effective July 2010.

The Board was updated on the open meeting law and talked about the requirements for the Agenda and how it must be posted.

Mutual Aid

This was discussed during the Health Agent report

30 Wildes Road (New Meadows)

Mr. Coulon updated the Board saying the owner will be closing the well and tying into town water due to boiled water orders

12 Boston Street (English Commons) update

The Board will have a tour of the system when it is being installed. This is a Biofilter system.

4 North Commons Street – update

Executive Session

10:00 PM ***Dr. Guerra made a motion, to enter into Executive Session to discuss 4 North Commons Street, Pursuant to MGL Chapter 39, section 23A and 23B (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. The motion was seconded and all members voting in the affirmative and non in the negative on roll call vote it was VOTED: to enter into ES.***

Respectfully submitted by

Catherine Tinsley