

Topsfield Board of Health Meeting  
Thursday, September 13, 2012

Pursuant to MGL Chapter 30A, written notice posted by the Town Clerk and delivered to all Board members, a meeting of the Topsfield Board of Health Thursday, September 13 at 7:30 pm in Town Hall Conference Room.

With a quorum present, Board Chair William Hunt called the meeting to order at 7:35 pm.

Board of Health Members in Attendance: William Hunt Esq., Chair, Sheryl Knutsen R.N., Clerk, Vincent J. Guerra, M.D., Gerry Topping, P.E.

Not Present: Wade Goldman

Also present: John Coulon, R.S., Richard Gandt, Selectman, Susan Winslow, Acting Minutes Secretary.

Abbreviations:

SAS Soil Absorption System

GPD Gallons Per Day

VNA Visiting Nurse Association

EEE Eastern Equine Encephalitis

WNV West Nile Virus

NEMMC Northeast Massachusetts Mosquito Control

DPH Department of Public Health

MRC Medical Reserve Corps

TRMRC Topsfield Regional Medical Reserve Corps

DEP Department of Environmental Protection

Appointments:

**435 Boston Street:** John Judd from Gateway Consultants addressed the Board regarding a Form 9A variance request to reduce the distance between the SAS and a slab foundation from 10' to 5'. The second request was to ask the Board to allow for a Sieve Analysis as a substitute for a Percolation Test. Mr. Judd explained the topographic challenges on the property and reported that the soil is below the existing water table, necessitating a raised system. The Board discussed the issues surrounding properties with a high water table.

VOTE: Mr. Topping made a motion to grant the variances listed in the Form 9A submitted. Ms. Knutsen seconded, and the motion carried with 3 votes in the affirmative and 1 abstention (Ms. Knutsen).

**Hickory Beech Subdivision: Lots 4, 7, 9, 10, 11, 13, 14, 18, 20, 21, 22, 23** Lawrence Beals and Gregory St. Louis of Beals Associates addressed the Board regarding a request for extension of percolation test data validity for the aforementioned lots at the Hickory Beech Subdivision. Mr. Beals explained that Soil Testing was conducted on the

lots in 2005-2006, but due to the downturn in the economy, the lots were not sold as quickly as originally anticipated. He explained that while some of the lots in development have been developed, the lots in front of the Board at this meeting are owned by different people, but the approved septic design plans were done by Beals Associates. He further explained that there has been no disruption of the soil on any of these lots, thus his contention that the soil test data for the lots should be extended retroactively. John Coulon explained that, unless disturbed, soils remain the same for the time discussed, and that Beals Associates was in front of the Board representing their work product, not the individual lot owners. He recommended to the Board that they grant the request to extend the percolation test data validity on these lots.

*VOTE: Mr. Topping made a motion to extend the percolation test data validity for lots 4, 7, 9, 10, 11, 13, 14, 18, 20, 21, 22, 23 at Hickory Beech Subdivision for two years after the expiration date in two year increments past today's date.*

*After a brief discussion, Mr. Topping amended the motion to read: "To extend the percolation test data validity for Lots 4, 7, 9, 10, 11, 13, 14, 18, 20, 21, 22, 23 in the Hickory Beech subdivision to a date two years beyond this meeting date, to September 13, 2014. Ms. Knutsen seconded and the motion carried by a unanimous vote.*

**67 Washington Street** William Dufresne from Merrimack Engineering appeared in front of the Board to request an extension of percolation test data validity for 67 Washington Street. Mr. Topping asked Mr. Dufresne if anything at this address has been changed. Mr. Dufresne replied, "Nothing." Dr. Guerra requested that Mr. Dufresne indicate the location of the property, and Mr. Dufresne produced a map indicating the location of 67 Washington Street.

*VOTE: Mr. Topping made a motion to extend the percolation test data validity at 67 Washington Street to March 2, 2014. Dr. Guerra seconded and the motion carried in a unanimous vote.*

**15 Forrest Street** Greg Hochmuth of Hancock Associates addressed the Board with a form 9A Local Upgrade request for the following:

- a one foot reduction to groundwater
- a request to reduce the setback from the septic tank to the foundation from 10 feet to 8' 6"
- a request to reduce the setback of the water service to the pump chamber to 9' 2"

Mr. Hochmuth explained that the design plan indicates they will stay 10' from the property line, and an impervious barrier will be used between the tanks and the foundation. He pointed out to the Board that the property has an 18" water table, necessitating a raised system. Mr. Topping asked for the number of bedrooms and Mr. Hochmuth replied, 'Three.' Mr. Hochmuth further explained that the tanks will have 'rubber boots'

*VOTE: Mr. Topping made a motion to grant the Variance Request for 15 Forrest Road as listed on Form 9A.*

*John Coulon pointed out that the Design Plan has not yet been reviewed for approval by him.*

*Mr. Topping amended the motion to include, "Subject to the review and approval of the Design Plan for 15 Forrest Road by the Health Agent." This was seconded by Dr. Guerra.*

*The Board voted unanimously to approve the motion.*

## **HEALTH AGENT REPORT**

VNA and Commonwealth Medicine Contracts The Board reviewed the contracts for the Visiting Nurse Association (VNA). The Board signed the contracts.

EEE/WNV John Coulon gave the Board a synopsis of the recent events regarding the positive findings for EEE and WNV in mosquitoes trapped in Topsfield since August 7. Mr. Hunt and Mr. Gandt noted that Mr. Coulon and Board Secretary Susan Winslow have done an exemplary job keeping the Board informed quickly and efficiently and thanked them for working extra hours including weekends regarding this situation. Board members were in agreement that Mr. Coulon has done an excellent job dealing with Northeast Massachusetts Mosquito Control to stay abreast of the situation. Mr. Coulon explained that he has ridden with Jack Card of NEMMC to observe the spraying of local areas. He told the Board that NEMMC has conducted targeted and truck mounted spraying in Topsfield five times in response to findings of mosquitoes trapped in two quadrants of town that have tested positive for EEE or WNV. He informed the Board that pre-emptive spraying was done at both Proctor and Steward schools. He explained that the Massachusetts Department of Public Health has raised the threat level for Mosquito Borne disease in all Massachusetts towns to "Moderate". Ms. Knutsen pointed out that the horse that died in Georgetown from EEE in August had not been vaccinated for the disease.

Mr. Topping asked Mr. Coulon if he felt there was adequate response from the Board regarding the Friday MDPH and NEEMC release of weekly mosquito trap findings. Mr. Coulon replied in the affirmative. He told the Board that when given the approval of the Board to respond to the test findings each week, contact is made with Jack Card at NEEMC to arrange spraying if needed, and the public is informed through the TBOH Arbovirus Email List, Nixle Alerts through the Topsfield Police and Connect Ed through Tri-Union Superintendent Dr. Bernard Creeden.

Mr. Topping requested that Susan Winslow send an email to all Board Members to request an update of Emergency Contact information.

Mr. Coulon explained that NEMMC covers 32 communities, adding that there are nearby towns including Essex that are not tested and have no NEMMC plan because they chose not to join. He further explained that the communities that have positive hits

for EEE or WNV are given priority for spraying. Ms. Knutsen pointed out the importance for individuals to take responsibility for protecting themselves by using insect repellent according to manufacturer's recommendations. Mr. Coulon pointed out that weekly testing of mosquitoes will continue until the first hard frost (at or below 28°F for more than two hours).

EMERGENCY PREPAREDNESS - MEDICAL RESERVE CORPS Mr. Coulon reported that he and Board Member Sheryl Knutsen attended a recent Sheltering Workshop at the Howe Manning School. He and Ms. Knutsen shared the print-outs and packets they received at the workshop with Board Members.

TRMRC: Mr. Coulon reported that members of the TRMRC are invited once again to walk behind the TRMRC Banner in the Opening Day Parade for the Topsfield Fair. He also informed the Board that the TRMRC will once again host a display including information on EEE/WNV, Emergency Preparedness, Tick and Arbovirus posters and hand outs. Ms. Knutsen shared with the Board her experience volunteering at the table and stressed the importance of personal interaction with Fair goers to inform the public about TRMRC.

FAIR PREPARATION Mr. Coulon reported that Topsfield Fair Preparedness is a monthly agenda item for the town's Public Safety Committee. Mr. Coulon told the Board that he expects to be all set for Food Inspection coverage for the Fair, and that preparation and inspections start 4 days before the Fair actually opens. He told the Board that the relatively new permitting system mandates signatures from inspectors, as indicated, including health, electrical, gas, fire on the same permit. This has improved the process, and the departments work with good cooperation. He explained that delays at the Department of Environmental Protection (DEP) made it impossible for the Fairgrounds to install the three tight tanks planned to hold gray water in time for this year's fair. Mr. Coulon told the Board that he will be discussing pre-emptive spraying at the Fairgrounds with NEMMC Director Jack Card. The Board told Mr. Coulon that they are in favor of this.

MONTHLY CASE REVIEW Mr. Coulon said that the EEE/WNV would suffice.

## **OLD BUSINESS**

Mr. Hunt left the meeting at 10:05 PM

Mr. Hunt returned to the meeting at 10:10 PM

## JULY MINUTES

VOTE: Dr. Guerra made a motion to accept the July 2012 minutes. Mr. Topping seconded the motion and the Board voted unanimously to accept the July 2012 Minutes as written. Note: There was no Topsfield Board of Health Meeting in August.

MASSHEALTH VACCINE PROGRAM Ms. Knutsen outlined the Commonwealth - MassHealth and Medicare Advantage program for the Board. She explained that through UHealth Solutions, the town is reimbursed by Medicare for Flu Vaccines at a

cost of 10% of the funds reimbursed. She further explained that through the town's contract with Commonwealth Medicine, the town may be reimbursed for flu vaccines through private providers, with Commonwealth Medicine taking a 10% fee before the distribution of funds to the town.

She explained that MassHealth will reimburse the town for flu vaccines for people who are enrolled in MassHealth, but there is a fee of \$523 for the town to join this reimbursement program. The Board decided not to join this program this year. Mr. Coulon informed the Board that there will be two Flu Vaccine Clinics this year, the first at Emerson Hall on a date to be announced and the second during the Holiday Walk with a location to be determined.

BEAVER MITIGATION Mr. Coulon informed the Board that trapping was conducted in August on one Topsfield property by a Beaver Mitigator contacted by a private homeowner in response to beaver dam flooding. Mr. Coulon pointed out that this is a regional problem.

TOPSFIELD SEPTIC REGULATIONS Mr. Topping handed out to the Board printed regulations with proposed changes noted. The Board discussed proposed changes to the existing Topsfield regulations including the removal of the requirement for 2 compartment tanks and 2 tees because it is redundant with Title V Regulations. The Board also discussed changing the Topsfield Regulation Perc Rate of 20 incrementally until it agrees with the existing Massachusetts Title V rate of 60 minutes. The Board discussed the use of Perc Tests versus Sieve Analysis, the history of each type of soil testing in Massachusetts, and comparisons with other towns in the region. Mr. Topping and Mr. Coulon informed the Board that Sieve Analysis is considered more accurate as a scientific manner in which to assess soil, but that Perc testing has been the norm in Massachusetts for many years. Mr. Scott Cameron, an Engineer with McKenzie Engineering, addressed the Board to inform them that the perc test process is not considered an exact process, and described the correlation between perc rates and the size of the leach field required in a design plan. Mr. Gandt pointed out that change must come slowly, and warned against any switch from perc testing to sieve analysis, or any abrupt change in the existing Topsfield Regulations regarding perc rate. Mr. Topping told the Board that he recommends an incremental increase in the perc rates in the Topsfield Septic Regulations and while the Board agreed, the decision was made to table further discussion and a vote on changes to the existing Topsfield Regulations until there is a full complement of Board members at a meeting.

## **COMMUNICATIONS**

CDC FLUORIDATION AWARD 2011 Mr. Coulon showed the Board the Award Certificate the Board of Health received in conjunction with the Water Board regarding Fluoridization of water in Topsfield for the year 2011.

FEE SCHEDULE Mr. Topping handed out paperwork regarding the information he has collected on fee schedules from other towns in the area. The Board thanked Mr.

Topping for the amount of work he has done on this issue and the regulations and tabled this issue until the next meeting.

At 10:56 Mr. Gandt left the meeting.

## **EXECUTIVE SESSION**

*At 10:56 PM Dr. Guerra made a motion to move into Executive Session to discuss a personnel issue, and moved to adjourn the meeting at the conclusion of Executive Session. Ms. Knutsen seconded the motion and the Board unanimously approved the motion.*

The meeting concluded at 11:11 pm.