

Town of Topsfield Board of Health  
Meeting of Thursday, March 26, 2015  
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 26, 2015 at 7:30 pm in the Conference Room of Topsfield Town Hall.

Board of Health Members present: Sheryl Knutsen RN – Acting Chair; Vincent Guerra MD; Gerald Topping PE. Others present: John Coulon RS, Health Agent; Susan Winslow, Minutes Secretary; Richard Gandt, Selectman; Ronald Beauregard, MA Tobacco Control Project; Raymond Cozzi, Petroleum Ventures; Art McLeod, Northeast Behavioral Health.

**ABBREVIATIONS:**

BOH: Board of Health	MAVEN: Massachusetts Virtual Epidemiology Network
CDC: Center for Disease Control	MDPH: Massachusetts Dept. of Public Health
CEU: Continuing Education Unit	MRC: Medical Reserve Corps
DEP: Department of Environmental Protection	NEMMC: Northeast Massachusetts Mosquito Control
DPH: Department of Public Health	PE: Professional Engineer
EDS: Emergency Dispensing Site	
EMS: Emergency Medical Services	PHEP: Public Health Emergency Preparedness
EP: Emergency Preparedness	RN: Registered Nurse
HHS: Health and Human Services	TBOH: Topsfield Board of Health
HMCC: Health and Medical Coordinating Coalition	
EOC: Emergency Operations Center	TRMRC: Topsfield Regional Medical Reserve Corps
LSAC: Local State Advisory Committee	
LPHI: Local Public Health Institute	USFDA: United States Food and Drug Administration
MDPH: Massachusetts Dept. of Public Health	

Public Information  
Agenda

Acting Chair Knutsen called the meeting to order at 7:36 PM.

**APPOINTMENTS:**

Gas N Go: Infraction of R: 1-6 Restriction of Youth Access to Tobacco

Mr. Ray Cozzi of Gas N Go, 368 Boston Street, appeared before the Board. Upon receipt of notice of the fine of \$100 for a second infraction, he paid the fine promptly. He apologized for the infraction and explained that it occurred on a day before one of the season's large snowstorms when the station was doing 3 times its normal business. There were 12 – 14 cars in the lot and the attendant was under great pressure. Mr. Cozzi explained that he spoke to the employee and instituted a policy at Gas N Go wherein all patrons purchasing cigarettes will be carded. The Board instructed him to place a sign at the checkout area reflecting this policy. Mr. Topping will visit Gas N Go during the weekend of March 28-29 to ensure that the sign is in place. The Board reminded Mr. Cozzi that any future infractions of this regulation will result in a fine of \$200 and the possible suspension or loss of his license to sell tobacco products. The Board thanked Mr. Cozzi for his appearance.

#### Northeast Behavioral Services: Pump and Alarm Failure at Nike Village

Mr. Art McLeod, Vice President of Finance at Northeast Behavioral Health Services appeared before the Board regarding a recent failure of the pump and alarm at Nike Village. Mr. Coulon gave the Board a synopsis of the situation. During a routine inspection of the system at 8 am on Tuesday, March 24, Mr. Coulon observed untreated human waste flowing from the tank onto the slope leading toward the Beverly/Salem water supply. He noted that the alarm was not sounding, nor was the alarm light functioning. Mr. Coulon alerted employees from Masterson Construction who are working on the DEP repair project for the system. He and Scott Nelson, the Site supervisor for Northeast Behavioral Health discovered that someone had entered the box and turned the switches for the pump and alarm to the 'Off' position. The Site Supervisor called an electrician and reported to Mr. Coulon later that they discovered that a 'grommet' had malfunctioned, causing the pump to fail. Mr. Nelson reports to Reid Kimball at Northeast Behavioral Services. Mr. Coulon contacted DEP, who asserted jurisdiction over this project five years ago. Mr. Coulon reported that the Board has some jurisdiction over this as well under the Massachusetts State Housing Code and Nuisance Code.

Mr. Coulon reported that a second malfunction occurred at 1:13 AM on March 26, 2015. The Alarm sounded, alerting Mr. Nelson, who responded. A blockage in one of the pipes had caused a backup. This was remediated.

Mr. McLeod explained that Northeast Behavioral Services, an affiliate of Lahey, has responsibility for the oversight and maintenance of the property, but neither they nor Lahey house their own programs there. Elliot and Victory are the current tenants at Nike Village but they have no responsibility for the upkeep and maintenance of the property.

Mr. Coulon expressed concern that the DEP Consent Order is 5 years old, and the recent failure is the third in the past five years. He expressed concern that when the pump fails, not only does untreated human waste flow toward the Beverly Salem watershed, that waste includes potentially hazardous pharmaceuticals. Mr. McLeod admitted that the pipes should have been in place in December per the DEP order, but bad weather and delays have caused the project to run long. Mr. Coulon expressed concern that when the current mandated work is complete, the pipes from the structures to the pump station will be repaired, but there could still be issues with the pump station and connection lines to the Danvers Wastewater Treatment Plant.

Mr. Coulon suggested the following action plan:

- Mr. Kimball will present the Topsfield Board of Health with a Construction Schedule per DEP timeline
- Mr. Kimball will present the Topsfield Board of Health with an Operational Plan
- A reset code for lock security on the pumping station will be implemented
- An educational plan will be put in place to ensure that employees and tenants of Elliot and Victory will understand the importance of notifying Northeast Behavioral Services in the event of an audible or visual alarm. Instructions will be given that no-one is to turn off an alarm.

Mr. Coulon will continue to monitor the situation at Nike Village.

**MINUTES:**  
**February 26, 2015**

The Board reviewed the February 26, 2015 Minutes.

*VOTE: Mr. Topping made a motion to accept the minutes with one edit on page 3. Dr. Guerra seconded and the motion carried in a unanimous vote.*

**HEALTH AGENT REPORT:**

**Current State of Title V Inspections and Septic Installations**

Mr. Coulon reported that Title V Inspections have been ongoing throughout the winter using cameras that can view the system from the inside, but the exceptional snowfall has made exterior visual inspections a challenge.

He explained that septic system installations have been on hold due to excessive snow and extreme soil saturation. He said that deep holes needed for tank installation are more prone to collapse when soil is 'soupy' so until conditions improve, installations are on hold.

Dr. Guerra left the meeting at 8:57 pm.

**Emergency Preparedness**

Mr. Coulon informed the Board that Ms. Knutsen, Ms. Winslow and Mr. Art Howe III participated in an Emergency Preparedness Drill during the week of March 16.

Mr. Coulon informed the Board that on April 30, 2015, he, Ms. Knutsen, Middleton Health Agent Derek Fullerton and Boxford Health Agent Kendall Quarles will be meeting with officials of Masconomet Regional High School to discuss the possibility of developing a plan for a Regional Tri-Town EDS Center that would be based at the school. Ms. Knutsen informed the Board that Regional HMCCs are being phased in. The town will maintain its local plan as well as developing a regional plan. Full Scale exercises are being planned for Region 3 in two years. Topsfield/Boxford/Middleton is currently the only sentinel site within Massachusetts that is deemed a 'region'.

Dr. Guerra returned to the meeting at 9:01 pm.

**TRMRC**

Mr. Coulon presented the Board with a printed list of recent TRMRC Activities. He noted that there are 45 MRCs in Massachusetts and 38 are involved with MA Responds, including Topsfield. Mr. Coulon, Mr. Howe and Ms. Winslow are trained as MA Responds Administrators. Open Gym Nights at Masconomet Regional High School continue to be staffed by TRMRC Volunteers.

**MHOA**

Mr. Coulon told the Board that he attended the MHOA Spring Seminar in Peabody on March 26, 2015. He informed the Board that these Educational Seminars offer up-to-date information on Health Department issues such as changes in regulations pertaining to asbestos, potable water wells, air quality, mass contingency plans and information on 'clean' fill.

### Flu Vaccine

Mr. Coulon presented the Board with information received from the VNA regarding the state's decision to cease funding for flu vaccines for all populations except for children under 19 years of age and uninsured adults at public provider sites. The Board was presented with information from the MDPH Massachusetts Immunization Program regarding flu vaccine availabilities and prices. The Board was also presented with figures regarding 2014 Flu Vaccinations administered, the average number of Flu Vaccines administered annually based on an average from the past six years, and the cost to purchase 250 vaccines.

The state's position became public this week, and the Board of Health does not have a revolving fund, nor does it have existing funds available or a line item in the 2015 budget for the purchase of Flu Vaccine. The Board entertained comment from Selectman Richard Gandt regarding the process to request town funds for the purchase of Vaccine in order for the Board to fulfill its role to offer no-cost vaccines to residents as a public health initiative. Costs for Vaccines administered are recouped through the town's contract with Commonwealth Medicine, an affiliate of Massachusetts Medical School via the Vaccine Reimbursement Program involving Private Carriers and Medicare. Mr. Coulon was instructed to move forward with efforts to request town funds to purchase 100 doses of vaccine for the 2015 Flu Vaccine clinics to be administered by the VNA. He was instructed to inform Ms. Kellie Hebert, Town Administrator, about the need to request town funds for this purchase.

### Fluoride

Dr. Guerra asked if there was an update on the issue of Fluoride. Mr. Coulon informed him that to date, there has been no information forthcoming but the Fluoride Committee has been meeting in preparation for Town Meeting in May.

### **COMMUNICATIONS:**

Mr. Coulon informed the Board that the Board received an invitation to a luncheon at the Boston Newton Marriot on Thursday, April 19 hosted by Mutual of America. The VNA has been designated a Merit Finalist for their Elder Healthcare Clinics by Mutual of America and will be among the honorees at the luncheon.

Mr. Topping left the meeting at 10:00 pm

Mr. Topping returned to the meeting at 10:02 pm

Dr. Guerra said he will RSVP to the invitation and attend the luncheon.

### **EXECUTIVE SESSION:**

Mr. Coulon requested Executive Session with regard to personnel issues.

*VOTE: Ms. Knutsen took a roll call vote to convene Executive session, and adjourn the meeting at the end of the Executive Session. Voting in the affirmative: Mr. Topping, Dr. Guerra, Ms. Knutsen.*

Respectfully submitted, Susan Winslow, Minutes Secretary