

Town of Topsfield Board of Health  
Meeting of Thursday, December 15, 2016  
Town Hall, 8 West Common Street, Topsfield, MA 01983

Meeting Minutes – December 15, 2016

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, December 15, 2016, at 7:30 pm in the Conference Room of Topsfield Town Hall.

Board of Health Members in Attendance: Chair Sheryl Knutsen RN; Vice Chair Gerald Topping PE; Vince Guerra MD; Thomas Mannetta CE. Board Members Not in Attendance: Joseph Collins Esq.  
Others in Attendance: John Coulon RS, Health Agent; Sean Ward, Peirce Farm; James Scanlan PE re 43 Washington Street; Joseph Serwatka PE re 5 William Road; Judy Murray Magill; Andrea O'Reilly; Susan Winslow, Minutes Secretary.

COMMONLY USED ABBREVIATIONS:

BOH: Board of Health	MAVEN: Massachusetts Virtual Epidemiology Network
BOS: Board of Selectmen	MDEP: Massachusetts Department of Environmental Protection
CDC: Center for Disease Control	MEMA: Massachusetts Emergency Management Agency
CEU: Continuing Education Unit	MRC: Medical Reserve Corps
CEMP: Comprehensive Emergency Management Plan	
COIN: Commonwealth Information Network	NEMMC: Northeast Massachusetts Mosquito Control
DPH: Department of Public Health	PE: Professional Engineer
EDS: Emergency Dispensing Site	PHEP: Public Health Emergency Preparedness
ESHWT: Estimated Seasonal High Water Table	POD: Point Of Dispensing
EP: Emergency Preparedness	RN: Registered Nurse
FDA: Food & Drug Administration	RS: Registered Sanitarian
HHS: Health and Human Services	SAS: Soil Absorption System
HMCC: Health & Medical Coordinating Coalition	TBOH: Topsfield Board of Health
LSAC: Local State Advisory Committee	TRMRC: Topsfield Regional Medical Reserve Corps
MDPH Mass. Dept. of Public Health	VNA: Visiting Nurse Association

Board Chair Sheryl Knutsen called the meeting to order at 7:43 pm.

**APPOINTMENTS:**

**43 Washington Street Variance Request**

James Scanlan PE addressed the Board regarding a variance request as outlined on the Form 9A Application for Local Upgrade Approval.

Continuation of 43 Washington Street Appointment:

310CMR 15.211(1): 2 foot reduction between SAS and Cellar Wall from the required 20 feet to 18 feet.
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Mr. Scanlan provided a plan of the proposed septic system repair including a new septic tank and leach field. He outlined the limitations of the lot.

*VOTE: Mr. Topping made a motion to grant the Variance Request above as noted in the Form 9A Local Upgrade Approval request. Mr. Mannetta seconded and the motion carried in a unanimous vote.*

**116 Boston Street – Peirce Farm**

Owner Sean Ward appeared before the Board in response to a letter sent to Mr. Ward on November 10, 2016 by the Topsfield Health Agent at the direction of the Board of Health at the November 3, 2016 Meeting. The letter informed Mr. Ward that the Board was aware he had exceed permission to use the first of three permitted tanks in the approved septic design plan as a tight tank, in violation of Title V.

Mr. Ward had installed the first of three tanks required by the approved septic design plan and Septic Installation Permit Issued April 27, 2016 when he ran into financial difficulties. Mr. Ward had requested and been granted temporary permission to use the installed tank as a tight tank in the Spring of 2016 after informing Mr. Coulon that he needed the funds generated by events at Peirce Farm to finish the septic installation. However, work did not progress on the system installation and the Board informed Mr. Ward that he was in non-compliance. He was also informed that his 2017 Food Permit was in jeopardy of being withheld and the septic installation permit revoked as a result of this non-compliance.

Mr. Ward responded that he has run into financial difficulties as a result of unexpected expenses related to Fire Prevention and the installation of a sprinkler system in the Barn which is used as the function facility. The house on the property is served by its own septic system and is used as offices.

The Board impressed upon Mr. Ward the severity of the consequences if he does not reach compliance with the septic installation project. After hearing Mr. Ward's plea for more time to raise the funds necessary to complete the project, the Board approved the following conditions:

1. Mr. Ward must pay for his 2017 Food Service Permit at the annual cost of \$125.00. However, the permit will be issued with an expiration date of the following month's Board of Health Meeting and will be renewed at each month's Board of Health meeting if Mr. Ward follows complies with the requirements listed herein.
2. Mr. Ward will be required to send the Board of Health a letter by the third week of each month with an update on the effort to reach compliance with the septic system installation as well as pumping records for the tank. The first monthly letter must be received at the Topsfield Board of Health prior to the January 26, 2016 Board Meeting.
3. Mr. Ward will have a professionally installed alarm system placed in the tank currently being used as a tight tank before the next Topsfield Board of Health Meeting on January 26, 2017. This alarm will be subject to Mr. Ward obtaining the requisite Septic Permit as well as an Electrical Permit for the installation of the alarm. Mr. Coulon will visit the site to confirm the installation of the alarm.
4. Mr. Ward will use the services of a Septic Hauler licensed by the Town of Topsfield for the pumping of the tank.
5. If the septic system is not completed by December 17, 2017 with a Certificate of Compliance issued, all permits issued to Mr. Ward through the Topsfield Board of Health will be revoked.
6. If any of the conditions outlined above are not met, all Food and Septic Permits issued to Mr. Ward will be revoked.

Mr. Ward was also given a warning that the DEP could supercede these conditions at any time to revoke his permits due to his ongoing non-compliance with Massachusetts Title V Regulations. The Health Agent will write a letter to Mr. Ward outlining the above conditions and ramifications of non-compliance.

### **5 William Road Variance Request**

Joseph Serwatka PE addressed the Board with a Form 9A Application for Local Upgrade Approval for the following variance:

A one foot reduction in separation between the SAS and high groundwater.

Mr. Serwatka explained that this is a total replacement of a system with a conventional system including the use of infiltrators. This Form 9A request is related to budget, a desire to avoid a pump chamber and to minimize the size of the mound. Discussion ensued about the possibility of considering a Presby system for this property and the use of infiltrators.

Mr. Serwatka was informed that check #18906 made out to the Board of Health by Mr. Whyman was for the wrong amount. Mr. Coulon informed Mr. Serwatka that the correct fee is \$175.00. Ms. Murray Magill took check #18906 to return to Mr. Whyman and informed Mr. Coulon that she would bring in a check for the correct amount on December 16, 2016.

*VOTE: Mr. Topping made a motion to approve the variance request on the Form 9A Local Upgrade Approval. Mr. Mannelta seconded and the motion carried in a unanimous vote.*

### **HEALTH AGENT REPORT:**

- Mr. Coulon informed the Board that Administrative Assistant Susan Winslow has been offered a position as the Executive Assistant to the Town Administrator. He will post the position of Board of Health Administrative Assistant internally, then externally to fill the vacant position. Ms. Winslow continues to handle the duties of the Board of Health Administrative Assistant while also working in the Selectman's Office. The Board thanked Ms. Winslow for her service, and Ms. Winslow thanked Mr. Coulon and the Board for the opportunity to work for them for the past seven years.

- FY18 Budget: Mr. Coulon informed the Board that he submitted his draft Budget to the Town Accountant this past week. He informed the Board that there will be a 2% overall cap in expenses. He expects a savings of \$755.40 if Ms. Winslow is replaced by an Administrative Assistant at a lower step and pay grade.

*VOTE: Mr. Topping made a motion to submit the FY 18 Health Department proposed budget as presented by Mr. Coulon. Mr. Mannelta seconded and the motion carried in a unanimous vote.*

- Proposed HIPAA Form: Mr. Coulon informed the Board that Town Administrator Kellie Hebert sent him information on the town of Carlisle's use of a HIPAA information form. Ms. Hebert wanted to know if the Board of Health has a HIPAA Protocol form. Mr. Coulon reported that he was told 'concerned citizens' had questions related to billing practices for ambulance transfers related to the personal medical information. Ambulance service and billing is handled by the Topsfield Fire Department. The Board directed Mr. Coulon to bring more information on this topic to the January 26, 2017 Board of Health meeting.

- Mr. Coulon informed the Board that he and Ms. Knutsen continue to represent the interests of the town at local, regional and state wide meetings and educational opportunities. He reported that he and Ms. Knutsen continue their efforts to develop a plan for a Regional Emergency Dispensing Site at Masconomet Regional High School to serve 14 towns in our Region.

- Active Shooter Drill: Mr. recently participated as a volunteer casualty for the Active Shooter Drill at Addison Gilbert Hospital in Gloucester.
- Update on Julie Mai and proposed Nail Salon at Topsfield Village Shopping Center. Mr. Coulon spoke with Claire Golden at MDEP, and was told that Ms. Mai does not need a tight tank for her nail salon so she may proceed with her proposed business at that location.
- Holiday On The Green: Mr. Coulon informed the Board that this year's event on December 3 was very successful. He referred to the document from "Wicked Local" titled, "Thanks for wonderful Topsfield Holiday on the Green". The Topsfield Board of Health shared space with the Topsfield Village Garden Club at 17 Main Street and, working with VNA Care, 30 Flu Vaccines were administered. He informed the Board that all mobile food trucks were permitted and there were no issues. He also pointed out the Board of Health Santa that was placed in front of the Topsfield Library as part of the festivities.

#### **CORRESPONDENCE:**

Mr. Coulon informed the Board that the Topsfield Board of Health received a Certificate of Appreciation from the American Dental Association (ADA) and the Centers for Disease Control and Prevention (CDC) for their contributions on behalf of community water fluoridation in 2015.

Mr. Topping made a motion to adjourn at 10:28 pm. Dr. Guerra seconded and the motion carried in a unanimous vote.

Respectfully submitted,

Susan Winslow  
Minutes Secretary

Documents included in this meeting:

1. Commonwealth of Massachusetts Form 9A – Application for Local Upgrade Approval for 43 Washington Street
2. Commonwealth of Massachusetts Form 9A – Application for Local Upgrade Approval for 5 William Road
3. Letter from Board of Health Agent John Coulon to Mr. Sean Ward, owner of Peirce Farm dated November 10, 2016.
4. TBOH Meeting Minutes from 11/3/16
5. "Thanks for wonderful Topsfield Holiday On the Green" article from Wicked Local posted online December 9, 2013.
6. Copy of FY18 Proposed Topsfield Board of Health Budget
7. FAX dated 12/8/16 from Melissa West, Proctor School Nurse indicating 3<sup>rd</sup> case of head lice at Proctor School