

**BOARD OF HEALTH  
Topsfield Town Hall  
MINUTES  
8 West Common Street, Topsfield, MA 01983  
\*\*\*VIDEO/TELE CONFERENCE\*\*\***

<b>Date:</b>	Monday, September 20, 2021
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**ATTENDANCE:**

<b>BOARD MEMBERS</b>	
Sheryl Knutsen RN Chair	Yes
Mark Rizza	Yes
William Hunt Esq.	Yes
Ellen Eaton RN	Yes
Amy Lischko MSPH, DSc	Yes

<b>STAFF MEMBERS</b>	<b>PRESENT</b>
Health Director Wendy Hansbury	Yes
Susan Winslow, Minutes Secretary	Yes

**VISITORS PRESENT:** David Larson, Julia Lobel RN, 'RG's Phone', James O'Brien, Wendall Waters, Greg Carbo Esq., Greg Bernard RS, Meredith Sokolov, Police Chief Neal Hovey, Fire Chief Jenn Collins-Brown, Gary Bergmann

**OPENING**

The meeting of the Topsfield Board of Health was called to order at 6:34 pm on September 20, 2021 by Chair Sheryl Knutsen.

**ANNOUNCEMENTS**

Chair Knutsen made the following announcements:

*Pursuant to Chapter 20 of the Acts of 2021, this meeting/public hearing will be conducted via remote means. Members of the public who wish to access the meeting may do so in the following manner: Zoom Meeting – see connection information below to join the meeting by Zoom videoconference or calling in by phone. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Topsfield Town Website, at <https://www.topsfield-ma.gov/>. You may also reach out to the Topsfield Board of Health at [health@topsfield-ma.gov](mailto:health@topsfield-ma.gov) or 978-887-1520 for information/assistance. No in-person attendance of members of the public will be permitted, and public participation in any public hearing conducted during this meeting shall be by remote means only.*

*Chair Knutsen announced that Recording Secretary Susan Winslow was taking Meeting Minutes and the Meeting was recorded by ZOOM. Ms. Knutsen asked if anyone else wished to record the meeting. There was no-one else who wished to record the meeting.*

*Chair Knutsen led the Board and Guests in a moment of silence.*

## **APPOINTMENTS**

### 17 Kinsman Lane Variance Requests

Greg Bernard RS representing William Gehr gave the Board a description of the proposed Variance requests for 17 Kinsman Lane, noting that the property is very close to the wetland buffer zone and has a high water table. The septic tank was disconnected to the failed leach field and was sealed to be used as an emergency tight tank that has been pumped frequently while awaiting repair. Due to the nature of the wetland proximity and high water table, the proposed plan indicates the tank will remain in place in the back yard but the leach field will be moved to the front yard, away from the wetlands. Because of high groundwater, Mr. Bernard requested a sieve analysis in lieu of percolation testing. Due to the high water table, Mr. Bernard requested a 12 inch reduction in the separation from the soil absorption system to estimated seasonal high groundwater. The septic tank will have rubber boots.

Board Members discussed the request.

*VOTE: Mr. Rizza made a motion to grant the two variance requests on the septic design plan for 17 Kinsman Lane. Seconded by Ms. Eaton. Chair Knutsen asked if there was any further discussion. Health Director Hansbury informed the Board that the Local Upgrade Approval Requests were not noted on the septic design plan but were on the Form 9A Local Upgrade Approval Request, so the vote should be 'no' on this motion, with a corrected motion to follow. Chair Knutsen called for a roll-call vote:*

*Knutsen – no*

*Rizza – no*

*Hunt – no*

*Eaton – no*

*Lischko – no*

*The motion was denied in a vote of 5-0.*

*VOTE: Mr. Rizza made a motion to grant the 12 inch reduction between septic tank outlet pipes and estimated seasonal high groundwater and use of sieve analysis in lieu of percolation testing. Mr. Hunt expressed an opinion that this motion should be withdrawn, and this was done.*

*VOTE: Mr. Hunt made a motion to grant the Local Upgrade Approvals for 17 Kinsman Lane requested on the Form 9A application for a reduction in the distance from the outlet of septic tank to estimated seasonal high groundwater of 12 inches and allowing sieve analysis in lieu of percolation testing. Seconded by Ms. Eaton. Upon determining that there was no further discussion, Chair Knutsen called for a roll call vote:*

*Knutsen – yes*

*Rizza - yes*

*Hunt – yes*

*Eaton – yes*

*Lischko – yes*

*The motion was approved in a vote of 5-0.*

## MEETING MINUTES

### August 18, 2021

Chair Knutsen confirmed that members had reviewed the Meeting Minutes of August 18, 2021.

*VOTE: Mr. Rizza made a motion to approve the August 18, 2021 Meeting Minutes as written. Seconded by Ms. Eaton. Upon determining that there was no further discussion, Chair Knutsen called for a roll call vote:*

*Knutsen – yes*

*Rizza – yes*

*Hunt – abstain*

*Eaton – yes*

*Lischko – abstain*

*The motion was approved in a vote of 3-0-2.*

### August 26, 2021

Chair Knutsen confirmed that members had reviewed the Meeting Minutes of August 26, 2021.

*VOTE: Mr. Rizza made a motion to approve the August 26, 2021 Meeting Minutes as written. Seconded by Ms. Eaton. Upon determining that there was no further discussion, Chair Knutsen called for a roll call vote:*

*Knutsen – yes*

*Rizza – yes*

*Hunt – yes*

*Eaton – yes*

*Lischko – abstain*

*The motion was approved in a vote of 4-0-1.*

## COVID-19 UPDATE

Chair Knutsen read the following document into the record:

### ***Introduction to the COVID update; review timeline of key events.***

*As we all know, on March 10, 2020, because of rising case numbers of COVID-19, a contagious and sometimes fatal respiratory disease, Massachusetts Governor Baker declared a **state of emergency**, which expedited the use of Commonwealth resources and deployment of federal and interstate resources to protect people from the impacts of the spread of COVID-19. This led to the Governor issuing many restrictions and orders throughout the Commonwealth.*

### ***Vaccines:***

*On December 11 2020, the Pfizer **vaccine** received Emergency Use Authorization, followed a week later by the Moderna vaccine, and then on February 27<sup>th</sup> 2021, the Johnson & Johnson vaccine.*

On May 28, 2021, as Massachusetts passed the 3.5 million mark for fully vaccinated residents, the Governor lifted most COVID restrictions and orders, and issued a **modified declaration of a public health emergency**.

On June 14<sup>th</sup> 2021, the Governor re-issued certain public health orders, <https://www.mass.gov/doc/reissuance-of-certain-public-health-orders/download> including face coverings to be worn in certain settings, such as health care facilities, congregate care settings, shelters, prisons, and home health care workers, with exceptions for people for whom wearing a face covering creates a health risk or is not safe.

The CDC had previously issued, on January 29, 2021, a federal regulation for people to wear masks while on conveyances and at transportation hubs. [https://www.cdc.gov/quarantine/pdf/Mask-Order-CDC\\_GMTF\\_01-29-21-p.pdf](https://www.cdc.gov/quarantine/pdf/Mask-Order-CDC_GMTF_01-29-21-p.pdf)

By July 1 2021, 48% of the USA was fully vaccinated. And 62% of Massachusetts' population was fully vaccinated <https://usafacts.org/visualizations/covid-vaccine-tracker-states/state/massachusetts> .

**The Delta variant:** [Delta Variant: What We Know About the Science | CDC https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html](https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html)

On July 27, 2021, CDC released [updated guidance](#) on the need for urgently increasing COVID-19 vaccination coverage and a recommendation for everyone in areas of [substantial or high transmission](#) to **wear a mask in public indoor places**, even if they are fully vaccinated. CDC issued this new guidance due to several concerning developments and newly emerging data signals.

- First, a significant increase in new cases reversed what had been a steady decline since January 2021.
- Second, new data began to emerge that the Delta variant was more infectious and was leading to increased transmissibility when compared with other variants, even in some vaccinated individuals.

#### **Return of mask orders:**

So in response to rising case numbers, we have seen a gradual return of mask orders. Here are 8 key statements or events about mask orders:

1. Effective July 30: The **Massachusetts Department of Public Health** issued a new mask advisory in light of the Centers for Disease Control and Prevention's updated guidance. Fully vaccinated individuals are advised to wear a mask or face covering when indoors (and not in your own home) if you have a weakened immune system, or if you are at increased risk for severe disease because of your age or an underlying medical condition, or if someone in your household has a weakened immune system, is at increased risk for severe disease, or is an unvaccinated adult. Masks are still mandatory for all individuals on public and private transportation systems (including rideshares, livery, taxi, ferries, MBTA, Commuter Rail and transportation stations), in healthcare facilities and in other settings hosting vulnerable populations, such as congregate care settings. <https://www.mass.gov/info-details/covid-19-mask-requirements>
2. On August 25, 2021, the Massachusetts Department of Elementary and Secondary Education ("DESE") implemented a requirement that all public school students (age 5 and above), staff members and building visitors wear a mask indoors through at least October 1, 2021.
3. **Boston** Mayor Janey announced that effective August 27, face masks will be required in all indoor public settings in the City of Boston, as part of a Five-Point Plan for the Delta Variant. <https://www.boston.gov/news/mayor-janey-announces-indoor-mask-mandate-city-boston>
4. According to WBUR, **35 cities/towns** had issued mask mandates by August 30, 2021. <https://www.wbur.org/news/2021/08/30/mask-mandates-massachusetts>
5. As of September 1<sup>th</sup>, Face coverings are required when in the **Topsfield Town Hall** and other public municipal buildings, per order of the Town Administrator.

6. On September 1, The **Boxford** Board of Health issued an order to require face coverings in town, government and commercial businesses, citing the resurging of the pandemic and the need to limit the spread of the virus.
7. Effective September 7, 2021, The MA Department of Early Education and Care (**EEC**) requires that adults in all EEC licensed or approved programs wear face masks to be worn by at all times, unless outside, and “children age 2-4 who can safely and appropriately wear, remove, and handle face masks should be strongly encouraged, at family discretion, to wear face masks indoors and must be supervised at all times while wearing a face mask.”
8. The CDC currently recommends: “to maximize protection from the Delta variant and prevent possibly spreading it to others, wear a mask indoors in public if you are in an area of substantial or high transmission. “Everyone in Essex County, Massachusetts should wear a mask in public, indoor settings.” <https://covid.cdc.gov/covid-data-tracker/#county-view>

### **Legal Basis**

On August 31<sup>st</sup>, at the weekly inter-agency LBOH COVID 19 webinar Cheryl Sbarra Executive Director of the Massachusetts Association of Health Boards spoke about the legal authority of LBOHs to adopt reasonable health regulations. This authority is derived from MGL Chapter 111, Section 31 as well as from the Governor’s declaration dated May 28 2021, that COVID-19 still presents “an emergency... that is detrimental to the public health of the Commonwealth.” She said there are 2 types of orders: 1) mandate masks in public municipal buildings except for those with a medical condition or disability, and 2) mandate masks in all indoor spaces, including private businesses, houses of worship, fitness clubs, etc. She advised that there be signage either provided by the LBOH or required to be posted by businesses; the signage should indicate that there is an exemption for medical condition or disability.

LBOHs have always had the **authority** to adopt reasonable health regulations. And along with that authority comes the **responsibility** to keep communities healthy so that individuals have the greatest chance to be healthy. If we in public health are aware of a threat such as an infectious disease, we need to put policies in place that will help **prevent** the population of our jurisdiction (Topsfield) from catching that disease.

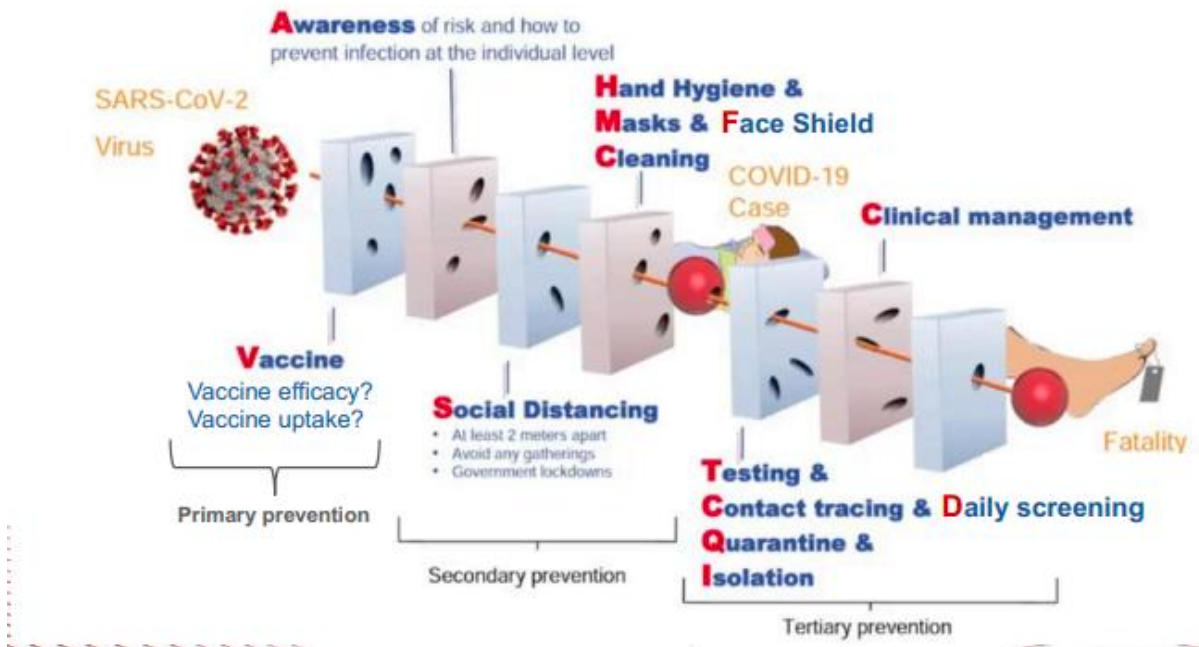
### **Swiss cheese**

Speaking of prevention, you may have heard of the “Swiss cheese model” of pandemic defense.

<https://www.nytimes.com/2020/12/05/health/coronavirus-swiss-cheese-infection-mackay.html>

The metaphor is easy enough to grasp: Multiple layers of protection, imagined as cheese slices, block the spread of the Covid-19 virus. **No one layer is perfect**; each has holes, and when the holes align, the risk of infection increases. But several layers combined — social distancing, plus masks, plus vaccination, plus hand-washing, plus testing and tracing, plus ventilation, plus government messaging — significantly reduce the overall risk. So each prevention strategy is like a piece of Swiss cheese: Each one has some holes — none of them are perfect.

## A Continuum of Prevention



From COVID Prevention: A Swiss Cheese Model

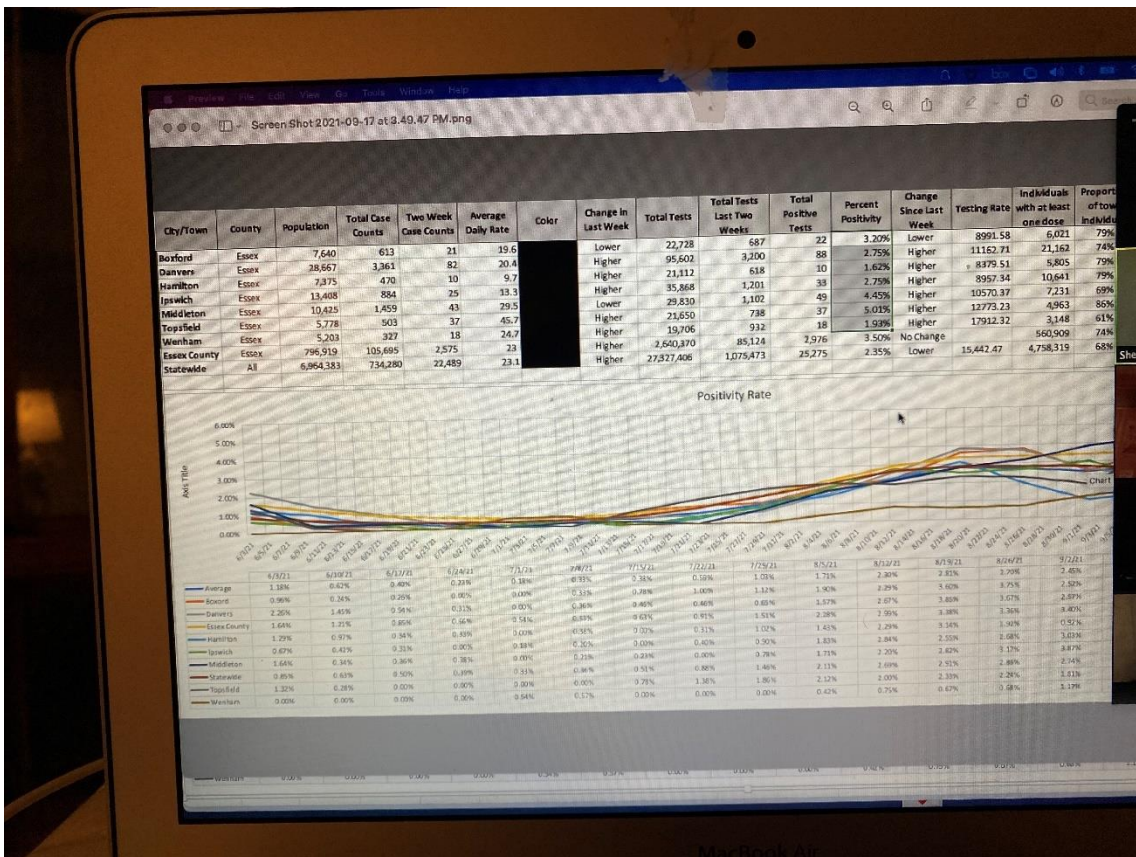
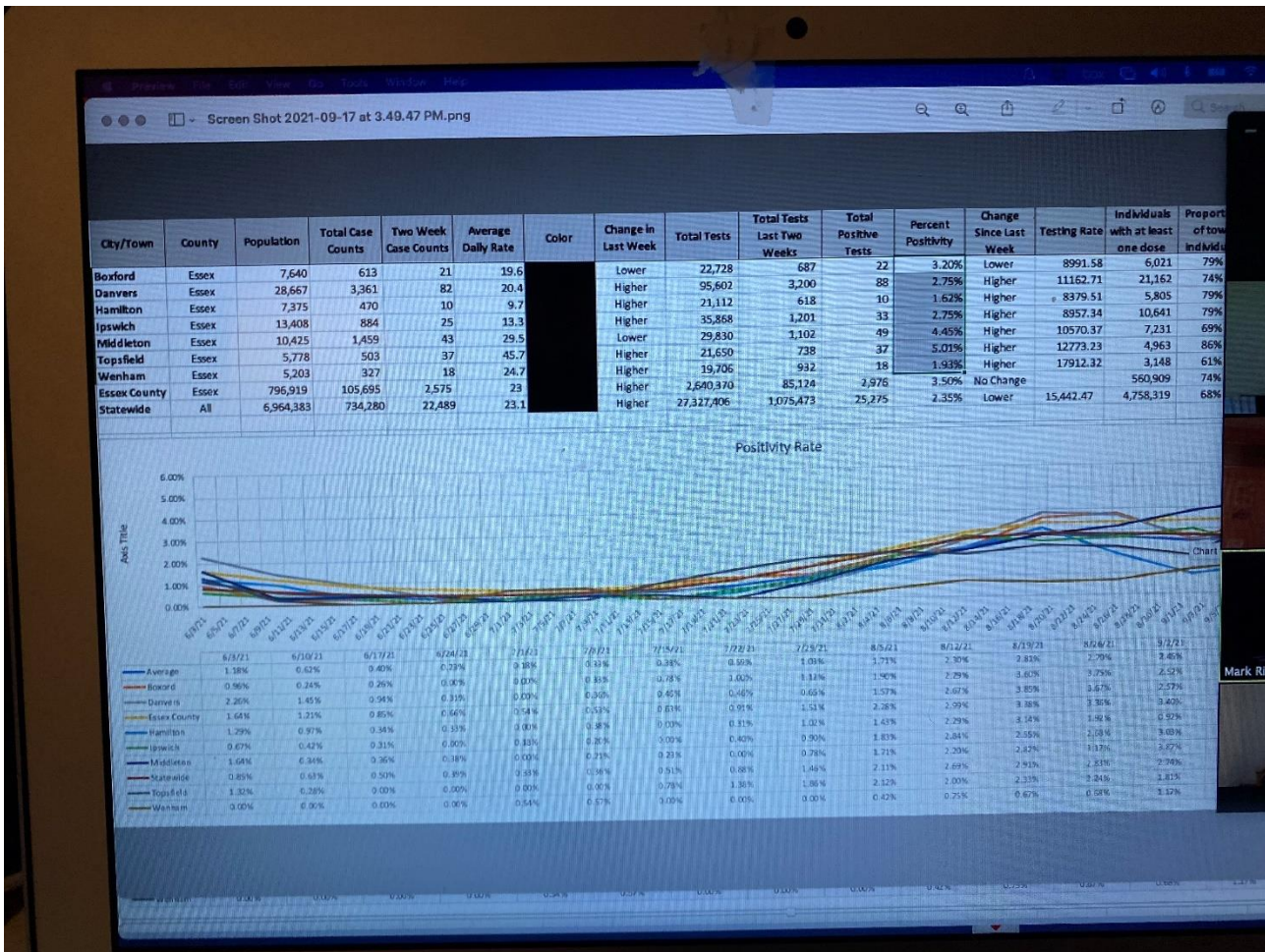
Jeff Goad, Pharm.D., MPH

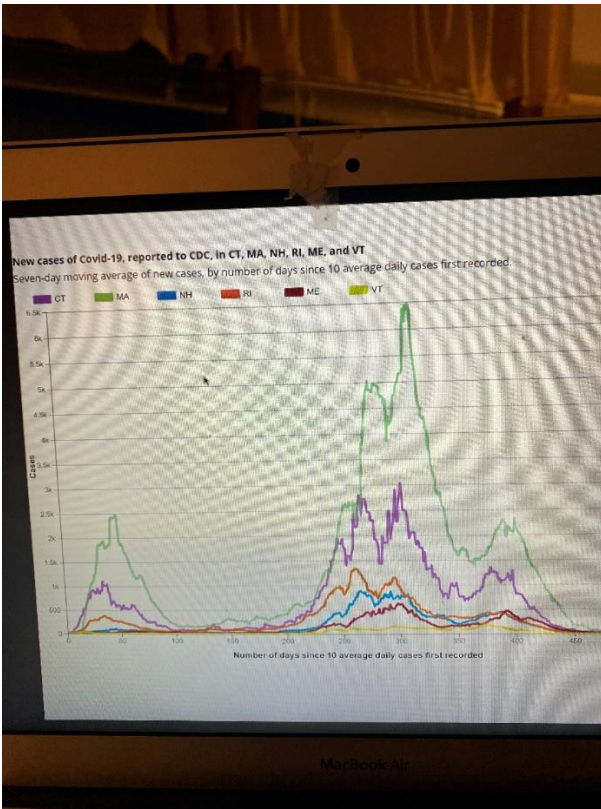
Professor and Chair, Department of Pharmacy Practice

Chapman University School of Pharmacy

Mr. Rizza gave the Board an update on COVID-19 statistics indicating that Topsfield COVID numbers are trending upward. Mr. Rizza presented the following documents to the Board:







Chair Knutsen read the following statement:

*Local boards of Health are certainly on the front lines when it comes to controlling the spread of COVID-19 and other infectious diseases. We recognize that the need to protect the public from the spread of illness must be balanced against other significant public interests. The imposition of mandatory safeguards will likely have significant consequences with respect to social, economic and personal liberty interests. Therefore, we are proceeding with caution by consulting current guidance from the Massachusetts Department of Public Health (DPH) and the Centers for Disease Control and Prevention (CDC), as well as with other local leaders and affected private parties, prior to issuing orders. [Jacobson v. Commonwealth of Massachusetts, 197 U.S. 11, 27-28 (1905).] To that end, On September 7th, the TBOH issued a press release announcing our intention to discuss the possible adoption of a mask order, along with some guidelines for collecting public input on the topic of masks in town. In this announcement, the Board welcomed submission, prior to the meeting, of signed written comments and questions, in order to help frame the Board's discussion, generally informing the Board of public sentiment. We furthermore announced that public input during the meeting will be limited to a period of 30 minutes, with each speaker being allotted up to three minutes to speak.*

Health Director Wendy Hansbury reported the following COVID-19 information:

- Pandemic Health Nurse Julia Lobell RN is doing an excellent job and continues to do contact tracing for the schools.
- There has not been excessive COVID-19 spread throughout the schools as of 9/20/2021 although the Howe/Manning School in Middleton has a number of unrelated cases.
- DESE restrictions on social distancing have been lifted.
- While the COVID-19 vaccine has been effective here, the Delta Variant has been sequenced and is circulating in this area.
- The mask mandate in local schools has been effective to reduce the spread of COVID-19, although with students indoors, case numbers may rise this Autumn.

Chair Sheryl Knutsen reminded Board Members that the following documents had been distributed prior to the meeting:



- Boston Health Commission August 20, 2021 Order Requiring Face Coverings in the City of Boston
- Boxford, MA Face Mask Order
- CDC Considerations for Wearing Masks
- DESE Face Mask Requirement
- EEC Face Covering Policy
- MAHB Local Face Mask Order
- CDC Requirement for Wearing Face Masks on Conveyances and Transportation
- 9/7/21 New York Times Article submitted by Board Member William Hunt Esq., "Good Morning. We explain the exaggerated fears about breakthrough infections," by David Leonhardt.
- Our Most Reliable Pandemic Number Is Losing Meaning" by David Zweig submitted by Board Member William Hunt Esq.

Chair Knutsen shared information regarding the following:

- DESE has recommended as of August 25, 2021 that all students, staff and visitors must wear masks until October 1, 2021.
- Boston Mayor Janey has instituted a school-wide face mask mandate.
- Radio Station WBUR has reported that 35 Towns have instituted face mask mandates.
- As of September 1, 2021, Municipal Buildings including Town Hall have face mask mandates.
- Boxford has instituted a face mask mandate for Municipal Buildings and local businesses.
- Care Early Education recommends that face masks should be required for 2-4 year olds in preschool settings.
- CDC currently recommends that individuals wear a mask in public indoor spaces in areas with high transmission.

Chair Knutsen read into the record an email from resident Gary Bergmann:

*Board of Health,*

*Thank you for soliciting public opinion around the possible adoption of a Mask Order or Policy. My comments are regarding the Fairgrounds, specifically the upcoming Topsfield Fair. In order of decreasing efficacy, my opinions are:*

- 1. At an absolute minimum, all **food merchants** should be masked. In past years, many of them have worn disposable gloves, but for an airborne virus of pandemic proportions, masks should be mandated. With a normal year's attendance approaching 500,000, I feel this simply is a smart move and should be a requirement. I certainly will not purchase anything from anyone not wearing a mask.*
- 2. #1 above PLUS **all Fairgrounds and Fiesta Show staff**, from ticket takers to custodial staff and everyone in between should wear masks. Again, their exposure to upwards of a half-million people shouldn't be taken lightly. It also is not simply rhetoric, and sends a powerful signal that the Fair has everyone's best interests in mind.*
- 3. All the above PLUS require **all attendees ages 3 and up** to wear a mask. Since proof of vaccination or a recent negative test is virtually unenforceable, everyone wearing a mask is a fast and easy way to enforce a policy, not to mention creating a huge, positive, PR boost for the Fair, again signaling that the Fair has everyone's best interests in mind. Currently the fair states "If you come to the fair, you are encouraged to wear a mask." Realistically, this is the least likely option UNLESS there is a substantive spike in positive cases following 9/12's Patriots game. With 65,878 in attendance sitting inches apart, and by most reports, virtually maskless, if there is no spike, Option #3 is less of an issue. If there is a spike, "No Shirt, No Shoes, No Mask...No Entry".*

*Again, thank you for soliciting opinions. I'll keep my fingers crossed...and my mask on...hoping for the best outcome for everyone, especially the Fair!*

Chair Knutsen also read the following emails received at the Board of Health into the record:

*Received 9/7/21:*

*Hello Topsfield officials,*

*I am not a resident, but choices that are made in Topsfield affect both residents and non-residents frequently in your community. I do fall into the second category, and feel strongly about the need for stricter mask mandates.*

*Given that towns and cities across the Commonwealth are currently implementing stricter masking mandates due to the uncontrolled spread of COVID-19 & the Delta variant, I strongly urge Topsfield to adopt a similar masking mandate. The safety of the town's population and workers is at risk. Even vaccinated individuals face the risk of contracting and spreading COVID-19. The numbers are up in the surrounding towns and with people traveling to this area for events like the Tomato Festival, Boxford's Apple Festival, and the Topsfield Fair, the risk increases even more for COVID-19 spread.*

*Massachusetts Independent Comic Expo (MICE) was held outdoors in Boston this year and an individual did test positive for COVID-19. This was a smaller event than usual, and the exposure was still real, and every attendee and displayer has been strongly encouraged to go get tested.*

*The Topsfield Fair draws a much larger crowd than MICE, and often the crowds are thick and difficult to walk through. That coupled with yelling and talking loudly in the crowd to be heard over music and noise at the Fair increases the risk of spreading COVID in an already high-risk area of the state.*

*With previous years' attendance of the Fair allegedly averaging approximately 450,000 (Salem News, 2018), the numbers don't quite align with the alleged numbers at the Sturgis Motorcycle Rally in Sturgis, SD in 2021, but the results of the Sturgis Rally show the dramatic increase in spread of COVID-19, as covered in the Forbes article, "Covid Surges Nearly 700% In South Dakota After Sturgis Motorcycle Rally—An Even Higher Rate Than Last Year" (<https://www.forbes.com/sites/jemimamcevoy/2021/09/02/covid-surges-nearly-700-in-south-dakota-after-sturgis-motorcycle-rally-an-even-higher-rate-than-last-year/?sh=51692bee74c6>). There were no mask mandates in relation to the Sturgis Rally.*

*Given the danger of COVID-19 spread, I strongly urge Topsfield's leaders to make the difficult, but responsible choice, of strengthening a mask mandate in Topsfield.*

*Received 9/1/2021*

*To Whom it May Concern,*

*We have great concerns with Masconomet's preparation for the opening of school this coming Wednesday. It was said by Jeff Sands during the School Committee this evening that in terms of lunch, it is pre-covid, meaning small and large cafeterias are being used with absolutely no spacing. When SC member Melissa Ogden asked if there was an outdoor option being provided for those who are uncomfortable Jeff Sands replied, "No." and there was no further discussion. How, during the one time of the day in which the children won't be masked, is it ok to not use any other mitigation strategies. According to CDC guidance regarding meal times in schools, they should, "Maximize physical distance as much as possible when moving through the food service line and while eating (especially indoors). Using additional spaces outside of the cafeteria for mealtime seating such as the gymnasium or outdoor seating can help facilitate distancing. Students should not be excluded from in-person learning to keep a minimum distance requirement, including during mealtimes." Guidance for COVID-19 Prevention in K-12 Schools | CDC.*

*My husband took care of the sickest of the sick COVID patients at Brigham and Women's Hospital, has seen the young and the elderly struggle to breath and pass away from this horrible illness while on maximum treatment, and now see many people in clinic who are suffering months after their illness from long COVID symptoms, he has a unique perspective on what this disease can do to our high schoolers and staff. He was hopeful, probably more than most, that this pandemic was coming to an end with the vaccine, but the truth*

is we are in our 4th COVID surge, this time with the most contagious COVID variant to date. The Delta variant is twice as transmissible as the original COVID virus, causes breakthrough infections in the vaccinated, causes more severe illness and is known to be transmissible from the vaccinated to the unvaccinated (<https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html>). We cannot predict who will be asymptomatic, who will have mild infection and who may have severe infection and die from this virus, so I implore you to continue to take this pandemic seriously; it is not over. According to the Journal of the American Medical Association, we would need greater than 85% herd immunity to consider this pandemic over (<https://jamanetwork.com/journals/jama/fullarticle/2783478>). Even though our state and community have a high vaccination rate, it is not yet even 70% and vaccination rates have stagnated. We will not reach 85% herd immunity anytime soon in the current anti vaccination climate, so we must supplement vaccinations with continued masking and social distancing. It is also important to note that high-risk people that have been vaccinated are at increased risk of reinfection and more severe illness with this variant. I have one of those immunocompromised people at high risk in my family. She lives in Boxford. I am sure there are similar members of your staff and student body that carry this same risk category.

We appreciate that people have different opinions on masking, distancing and even being vaccinated, but this is an infection that can cause lifelong morbidity and even death in anyone who gets it. The decision to mandate masks and socially distance needs to be made based on the recommendations of the most reliable scientists and physicians in the world and based on current data and conditions. That current recommendation has been made crystal clear by the CDC and American Academy of Pediatrics. During the 2020-2021 school year, families had the choice to stay home and learn remotely, but this is no longer a choice. Instead, we are told by the Massachusetts Department of Education, a group with no clinical or scientific background, that our kids have to return to school, that it is safe, but yet they refuse to mandate the tools that will actually keep our kids, our teachers, and ultimately the greater community, safe. Without these simple restrictions, which must also be enforced, Masconomet, our state, and our country not only needlessly put our children and communities at risk, but also promote the unimpeded viral spread fostering more mutations which will ultimately render our current vaccines ineffective, prolonging this pandemic. I do not want to spiral back into our situation in 2020.

When my husband was caring for the sickest COVID patients in the hospital from March 2020 to May 2021, he not only had to wear protective equipment at work, but he chose to wear a mask in our own home, distance from his own family, and sleep separately from them to keep them safe. It was very hard, but it was the right thing to do to keep the family safe. We had the power to make that difficult decision, but we now have no power to protect our children in school, where, in my husband's professional opinion, the appropriate safeguards are not in place. All we ask is that you do the right thing, make the difficult decision, and follow the recommendations of the best source of infectious disease science in the world from our very own Centers for Disease Control.

Thank you for your thoughtful consideration on this matter.

Received 8/30:

Topsfield Board of Health,

I understand from the Topsfield School Committee that you are discussing masking protocol for Steward Pre-K during the September 15th meeting, considering DESE's omission of the mask mandate for children under 5 years old. I am a resident of Topsfield with a 4 year old son returning to Pre-K at Steward on September 7th.

I am writing to request that you mandate masks for my son and his classroom.

*We all know that the self policing/honor system we have been using since the mask mandate was lifted statewide, is not working. We know this because of the increase in cases and the rapid spread of the Delta Variant.*

*It is unclear why DESE drew a line at 5 years old. Is there any evidence to support that 3-4 year olds are at any less risk to the highly contagious Delta variant than a 5 year old, in the same school who is mandated to wear a mask based on the risk level?*

*DESE's language like "strongly suggest" is simply not enough. We know those who are unvaccinated are not masking and my son does not have the opportunity to be vaccinated yet. While the studies do suggest that initial sickness severity is limited in children, none of us can pretend to know what the long term impacts of the virus are. Additionally, are we not educated on what the effects Delta may have on children that is different from other variants. MANY studies have found significant lung and heart damage months after recovering from infection.*

*Please protect my child and his classmates by confirming a mask mandate for the Steward Preschool, just as it has been done for all of the other classrooms in the same building.*

Chair Knutsen thanked all the residents who took the time to share their opinions with the Board of Health.

#### James O'Brien: Information on Public Health Preparedness at the 2021 Topsfield Fair

James O'Brien, General Manager of the Topsfield Fair, gave the Board a description of the measures that will be taken at the 2021 Fair to protect the public from the spread of COVID-19. Measures include:

- Areas will be disinfected and fogging will be used to further disinfect buildings where the public gather.
- Areas will be wiped down constantly.
- QR codes will be prominently placed so people may access information on proper hygiene and COVID-19 precautions.
- All Topsfield Fair staff and volunteers are encouraged to be vaccinated and testing will be available on site.
- Procedures are in place to address the issue of a sick employee – any sick employee will be made to return home immediately, quarantine and get tested for COVID-19.
- Mr. O'Brien is working with colleagues at the Big E in Springfield to share ideas on COVID precautions.
- The 11-day Topsfield Fair will have reduced hours on Monday, Tuesday and Wednesday.
- Activities in the Arena have been cut back to keep crowd numbers down.
- All buildings have large doors, some as large as 18 feet wide, that will remain open at all times.
- Tents will not use sides.
- Amusements on the midway will be sanitized between rides.

#### Topsfield Fire Chief and Police Chief Address the Board

Topsfield Fire Chief Jenn Collins-Brown and Topsfield Police Chief Neal Hovey addressed the Board with concerns about the possibility that their Departments will be tasked with added enforcement of a mask mandate at the Topsfield Fair, when their resources have a primary responsibility for public safety at the event. Chief Collins-Brown and Chief Hovey added that while they have concerns about adding mask enforcement to their role at the Fair, they will support the decision of the Board of Health.



The Board discussed the issue of mask mandates in consideration of a town-wide mask mandate, a mandate at the Steward School Pre-School and the Topsfield Fair. The Board did not pursue a town-wide mask mandate, preferring to allow local businesses to set their own policies regarding mask wearing.

#### Mask Mandate for Pre-School

The Board discussed the existing DESE K-12 mask mandate in place for school children related to Steward School where all Kindergarten through third grade children in that school are mandated to wear masks while the Pre-school within the Steward School building does not fall under the DESE mask mandate so children have been in the Pre-school without masks. The Board discussed the health risks of having unmasked children in Steward School during COVID-19 and the more contagious Delta Variant.

*VOTE: Mr. Rizza made a motion that all of the children who cannot get vaccinated at the Pre-school at the Steward School be handled the same way as DESE masking orders in a public building. Seconded by Mr. Hunt. Upon determining that there was no further discussion, Chair Knutsen called for a roll-call vote:*

*Knutsen – yes*

*Rizza – yes*

*Hunt – yes*

*Eaton – yes*

*Lischko – yes*

*The motion was approved In a vote of 5-0.*

#### Mask Mandate at the Topsfield Fair

The Board discussed the issue of instituting a mask mandate at the Topsfield Fair for indoor venues.

*VOTE: Mr. Hunt made a motion that masks should be mandated for visitors to the 2021 Topsfield Fair in indoors venues.*

Greg Carbo Esq. from KP Law informed the Board that indoor space is defined as a structure with a roof and 50% walls.

Mr. Hunt withdrew the motion.

*VOTE: Mr. Rizza made a motion that masks will be mandated for all persons on the premises of the Topsfield Fair Grounds during the annual Fair from October 1, 2021 through October 11, 2021 while in indoor spaces accessible by members of the public. Seconded by Ms. Lischko. Upon determining that there was no further discussion, Chair Knutsen called for a roll-call vote:*

*Knutsen – yes*

*Rizza – yes*

*Hunt – yes*

*Eaton – yes*

*Lischko – yes*

*The motion was approved in a vote of 5-0.*

The Board determined that the Financial Update and Health Agent Report should be postponed to the October meeting.

## ADJOURN

*VOTE: Mr. Rizza made a motion to adjourn at 9:05 pm. Seconded by Ms. Eaton.. Chair Knutsen called for a roll-call vote:*

*Knutsen – yes*

*Rizza – yes*

*Hunt - yes*

*Eaton – yes*

*Lischko - yes*

*The motion was approved in a vote of 5-0.*

Minutes submitted by: Susan Winslow.

Per the Open Meeting Law, the documents that were either distributed to the Board of Health before the meeting in a packet or introduced at the meeting were:

1. Agenda: September 20, 2021
2. Form 9A Application for Local Upgrade Approval for 17 Kinsman Lane
3. Application for Disposal System Construction Permit for 17 Kinsman Lane
4. Form 11 – Soil Suitability Assessment for On-Site Sewage Disposal for 17 Kinsman Lane
5. GeoTesting USDA Textural Classification 17 Kinsman Lane
6. Septic Design Plan for 17 Kinsman Lane
7. Draft Meeting Minutes: August 18, 2021
8. Draft Meeting Minutes: August 26, 2021
9. Revenue Received between August 18, 2021 and September 15, 2021
10. Schedule of Bills Payable 9/7/2021
11. Schedule of Bills Payable 9/8/2021
12. COVID-1 Vaccine Overview
13. CDC Order Under Section 361 of the Public Health Service Act (42 U.S.C. 264) and 42 Code of Federal Regulations 70.2, 71.3(b) . 71.32(b) Requirement for Persons To Wear Masks While on Conveyances and at Transportation Hubs
14. Commonwealth of Massachusetts Department of Early Education Policy Bulletin 2021-08 dated September 7, 2021
15. Implementation of DESE Mask Requirement August 25, 2021
16. Town of Boxford Board of Health Emergency Order of the Board of Health Requiring Face Coverings September 1, 2021
17. CDC Guidance for Wearing Masks April 19, 2021
18. New York Times article “Good Morning. We explain the exaggerated fears about breakthrough infections.” By David Leonhardt dated September 7, 2021 submitted by Board Member William Hunt Esq.
19. Atlantic Monthly article, “Our Most Reliable Pandemic Number Is Losing Meaning,” by David Zweig submitted by Board Member William Hunt Esq.
20. Emails received at Topsfield Board of Health related to Mask Wearing
21. Statement from resident Gary Bergmann
22. Board of Health Press Release re: September 15, 2021 Meeting
23. Screen Shot of Topsfield Website “News” item announcing September 15, 2021 Meeting and Mask Mandate issue/

*These Meeting Minutes were accepted at the October 20, 2021 Board of Health Meeting.*

*Pursuant to the 'Open Meeting Law,' G.L. 39, § 23B, the approval of these minutes by the Committee constitutes a certification of the date, time and place of the meeting, the members present and absent, and the actions taken at the meeting. Any other description of statements made by any person, or the summary of the discussion of any matter, is included for the purpose of context only, and no certification, express or implied, is made by the Committee as to the completeness or accuracy of such statements.*