

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

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| Date: | Wednesday, September 21, 2022 |
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ATTENDANCE:

| BOARD MEMBERS | |
|-------------------------|-----|
| Sheryl Knutsen RN Chair | Yes |
| Mark Rizza | Yes |
| William Hunt Esq. | No |
| Ellen Eaton RN | Yes |
| Amy Lischko MSPH, DSc | No |

| STAFF MEMBERS | PRESENT |
|----------------------------------|----------------|
| Health Director Wendy Hansbury | Yes |
| Susan Winslow, Minutes Secretary | Yes |
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| VISITORS PRESENT: Boxford/Topsfield Cable Television, Greg Bernard RS, Tom Wilke, William Mitchell, Daniel McLaughlin, Topsfield Cable Television |
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OPENING

The meeting of the Topsfield Board of Health was called to order at 6:33 pm on September 21, 2022 by Chair Sheryl Knutsen.

ANNOUNCEMENTS

Chair Sheryl 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 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.

- The Recording Secretary is taking Meeting Minutes and this meeting is being recorded via ZOOM and Topsfield Cable Television.

MOMENT OF SILENCE

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

APPOINTMENTS

15 Rowley Bridge Road: Request to Reclassify Bedroom Count

Greg Bernard RS, representing Tom Wilke of 15 Rowley Bridge Road addressed the Board with a request to reclassify the bedroom count at that address from three to four bedrooms. Mr. Bernard presented the following information:

- A passing Title 5 Inspection Report performed April 28, 2022.
- In 1973, a Certificate of Compliance was issued for a 3 Bedroom system at 450 gallons per day with an 800 square foot leach field.
- There were no variances requested for the original system.
- In 2014, the Topsfield Board of Health adopted the state requirement of 110 gallons per day per bedroom. A four bedroom home would require 440 gallons per bedroom per day with a 595 square foot leach field.
- The current system fulfils the requirement under the current requirements per bedroom per day and not only meets but exceeds the required square footage for a 4 bedroom leach field.
- Mr. Bernard presented his letter indicating that the request meets the criteria and added a recommendation that the existing garbage grinder should be removed, as indicated in the Title 5 Inspection Report.

Chair Knutsen thanked Mr. Bernard for the presentation and asked if there were further questions from the Board or the public. Determining that there were none, the Chair called for a motion.

VOTE: Mr. Rizza made a motion that the Board grant a reclassification of the bedroom count at 15 Rowley Bridge Road from three bedrooms to four bedrooms, and that the garbage grinder at that address should be removed. Seconded by Ms. Eaton.

Chair Knutsen called for a roll call vote:

Knutsen – yes

Rizza – yes

Eaton – yes

The motion passed in a vote of 3-0.

68 River Road Amended Correction Order

Health Director Hansbury informed the Board that on September 14, 2022 she issued an Amended Correction Order for 68 River Road to Daniel McLaughlin and project manager William Mitchell. Ms. Hansbury reported that Mr. Mitchell has worked well with the Town to address the numerous issues at the location including asbestos abatement, removal of water in the basement contaminated by heating oil, buildings in various states of disrepair and collapse. Ms. Hansbury pointed out that the issues noted in the Amended Correction Order must be addressed and the property must be secured.

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The Board welcomed input from Mr. Mitchell who informed them that he has worked well with Ms. Hansbury to keep her informed about progress with weekly calls. Mr. Mitchell expressed concern that the scope of the work required to secure the property will exceed the thirty-day requirement in the Amended Correction Order and noted that there are labor and supply shortages.

Ms. Hansbury informed the Board that the Condemnation Order will stand until the issues are resolved. Mr. McLaughlin addressed the Board to inform them that he will continue to address the issues at 68 River Road, but that the 30 day timelines in the Amended Correction Order are not feasible. Ms. Hansbury informed the Board that Chapter 2 of the Minimum Standards of the Massachusetts State Housing Code does not allow for orders to be written with a time line exceeding 30 days, but the Board has the ability to extend deadlines or issue fines for non-compliance. Mr. Rizza suggested that the Board wants to work with Mr. McLaughlin and Mr. Mitchell toward compliance and he appreciates the fact that they are making progress. To that end, Mr. Rizza suggested that instead of renewing thirty-day deadlines or issuing fines for non-compliance at this time, Mr. McLaughlin and Mr. Mitchell should submit a written timeline at the October 19, 2022 Board of Health Meeting to address each item in the Amended Correction Order. Ms. Eaton expressed concern that children might find access to the property and asked if a fence around the property might be feasible. Mr. Mitchell replied that kids can find a way through, over or under a fence, and that the goal is to make all the buildings secure and water tight, and those outbuildings that are deemed beyond repair shall be demolished. Mr. Mitchell informed the Board that the property is more valuable with the mansion than without it, so there is no plan to demolish the mansion. Chair Knutsen thanked Mr. Mitchell and Mr. McLaughlin for attending the meeting.


VOTE: Mr. Rizza made a motion to accept the Amended Correction Order dated September 14, 2022 and to require that the owner of 68 River Road and Project Manager submit a plan with target dates to address issues outlined in the Amended Correction Order at the October 19, 2022 Board of Health meeting. Seconded by Ms. Eaton. After determining that there were no further questions or comments from the Board or the Public, Chair Knutsen called for a roll-call vote:

Knutsen – yes


Rizza – yes

Eaton – yes

The motion passed in a vote of 3-0.



TOWN OF TOPSFIELD
Board of Health
8 West Common Street, Topsfield, Massachusetts 01983
(978) 887-1520/Fax (978) 887-1521
health@topsfeld-ma.gov; www.topsfield-ma.gov



AMENDED CORRECTION ORDER

Issued under the provisions of
The State Sanitary Code, Chapter II, Minimum Standards of Fitness for Human Habitation
105 CMR 410.000

Date: September 14, 2022

To: Daniel and Rachel McLaughlin **Property Location: 68 River Road, Topsfield**
204 Garrison Lane
Osterville, MA 02655

VIA RETURN RECEIPT REQUESTED: 7022 0410 0002 2702 3664

An authorized re-inspection was made on September 13, 2022 of your property at the above address following the May 27, 2022, Correction Order and Condemnation.
This inspection revealed violations of the State Sanitary code, Chapter II, as listed below:

| Regulation # | Description | ✓ if conditions may endanger or impair health, safety or well-being | Time limit for compliance |
|--|--|---|---------------------------|
| 105 CMR 410.500, 410.501, 410.480 | Main Building has multiple locations that are not weathertight, not in good repair, and not secured, including windows, broken windows, roofs, heavy vegetation growth on roof, stairs, and entryways. | | 30 Days |
| 410.500, 410.501, 410.480 | Servants' building has multiple locations that are not weathertight, not in good repair, and not secured, including windows, roof, opening in roof, and entryways. | | 30 Days |
| 410.500, 410.501, 410.480 | Cottage building has multiple locations that are not weathertight, not in good repair, and not secured, including windows, roof, collapsed portion of roof, collapsed walls, stairs and entryways. | | 30 Days |
| 410.500, 410.452, | Garage has multiple locations that are not weathertight, not in good repair, and not | | 30 Days |

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| 410.480 | secured, including windows, roof, stairs and entryways. | | |
| 410.500, 410.452 | Kennel has collapsed roof and floor, is not weathertight, not in good repair, and not secured. | | 30 Days |
| 410.500, 410.452 | Pool house has collapsed roof, walls, and floor, is not weathertight, not in good repair, and not secured. Drain pool and keep dry. | | 30 Days |
| 410.602 | Broken glass, building materials, and debris in and around the Main building, Servants' building, kennel, garage, pool house, cottage house, and the property | | 30 Days |
| 410.500, 410.353 | Hazardous materials, lead paint and asbestos, may be present. | | Prior to Occupancy Allowed |
| 410.482 | No smoke alarms or CO detectors | | Prior to Occupancy Allowed |
| 410.500, 410.501 | Rotted wood, deteriorated brick, stone, mortar, and foundations around all buildings | | Prior to Occupancy Allowed |
| 410.100, 410.180, 410.190, 410.350, 410.351 | Kitchen does not function, no stove or fixtures, no potable water | | Prior to Occupancy Allowed |
| 410.150, 410.180, 410.190, 410.350 410.351 | No water, potable water or hot water available, bathrooms do not function no intact fixtures. No plumbing connections. | | Prior to Occupancy Allowed |
| 410.300 310 CMR 15.00 | No sewerage disposal; failed Title 5 on record in 2000 | | Prior to Occupancy Allowed |
| 410.250, 410.251, 410.252, 410.253 | Electrical, light fixtures, outlets are non-functional. | | Prior to Occupancy Allowed |

You are hereby **ORDERED** to correct these violations within the noted time limit. Failure to comply within the allotted time period, or subsequent violations, may result in a criminal complaint against you.

Compliance means meeting all the requirements of 105 CMR 410.000. It shall also mean correcting any violations of 105 CMR 410.000 in a work-personlike fashion and restoring all parts of the dwelling, or unit thereof, to the condition they were in before occurrence of any such violations. Compliance shall also mean in those cases where licenses or permits are required to perform work necessary to correct the violations, such as, but not limited to building, plumbing and wiring that the appropriate official certifies that the work has been completed in accordance with applicable laws and regulations.

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You have a right to request a hearing before the Board of Health. This request must be made by you, in writing, and filed within seven days after the day this order was served. The petitioner has the right to be represented at the hearing.


Wendy Hansbury, REHS/RS
Health Director
Topsfield Board of Health

Cc: Fire Department
Building Inspector
Town Counsel

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MEETING MINUTES

August 17, 2022

Chair Knutsen asked the Board Members if there were any corrections/comments/questions regarding the Meeting Minutes of August 17, 2022. There were none.

VOTE: Mr. Rizza made a motion to accept the Meeting Minutes of August 17, 2022 as written. Seconded by Ms. Eaton. After determining that there was no further discussion, Chair Knutsen called for a roll-call vote.

Knutsen – yes

Rizza – yes

Eaton – yes

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

OLD BUSINESS

COVID-19 UPDATE

Health Director Hansbury reported the following:

- Tri-Town Public Health Nurse Julia Lobel RN had to fill in last-minute at the COVID Vaccine Clinic in Hamilton, so she could not attend this meeting.
- The Medical Reserve Corps volunteers have been a great help at the vaccine clinics.
- Thank you to Board of Health Members Mark Rizza, Ellen Eaton RN and Chair Sheryl Knutsen RN for their active involvement in vaccine clinics.
- The Topsfield COVID Vaccine Clinic on September 15, 2022 vaccinated over 80 people.
- The COVID Vaccine Clinic at Masconomet Regional High School vaccinated 67 people.
- The next Topsfield COVID Vaccine Clinic will be held in the Public Hall at Town Hall on October 20, 2022.
- There have been 9 PCR positives received in the last 14 days but this does not take into account home testing, so the number of people who are COVID positive is probably higher.
- CDC guidance continues to stress isolation for five days after a positive test and wearing a mask after symptoms abate.
- Free COVID test kits are available in the Board of Health Office.

ARPA Grants and PHE Grants

Director Hansbury reported the following:

- Ms. Hansbury is moving forward with research on the implementation of UVC disinfectant lighting for the school nurse offices, library and town hall. Currently, the school nurse offices are using air filters. Funding for the UVC lights would come from the ARPA grant.
- \$58,000 in ARPA funds has been earmarked for a new well and pump at the Pye Brook Landfill in order to comply with the DEP requirement to maintain the grass cover above the landfill. The sprinkler system will be tested in the spring once the well is installed to determine the condition of the sprinkler heads and plumbing. Because the sprinkler system was not shut down correctly years ago, there may be additional repairs needed to the system.
- By switching to North Coastal Environmental, the Town is saving \$15,000 a year in landfill monitoring.

- It is hoped that either Boxford or Middleton will hire Mark Carleo as the Tri-Town Public Health Inspector as an employee, as was done with Julia Lobel RN in Topsfield. This would be covered by the PHE Grant. Mr. Carleo is currently a contractor. He will be the lead inspector at the Topsfield Fair and will continue to conduct food inspections in the Tri-Town.

NEW BUSINESS

Financial Update

- Board Members reviewed Revenue since the August 17, 2022 meeting in the amount of \$1,295.00
- Board Members review Bills Paid since the August 17, 2022 Meeting.

Trash Information

- The semi-annual White Goods and Metals collection will take place September 21, 22, 23, 2022.
- The Household Hazardous Waste Collection Event will be held on October 22, 2022 at Masconomet Regional High School. This is sponsored by the Masconomet Music Parents.
- Ms. Winslow continues to update the Town website with information regarding trash and recycling, also utilizing posters, Topsfield Cable Television, press releases to the local newspaper, announcements on the Town sign board, LED board and at Select Board Meetings. The White Goods/Metals collection was also announced in a phone call to residents from Town Administrator Kevin Harutunian.
- The online Compost ticket program has been successful.
- There will be a meeting regarding the JRM contract on September 28, 2022. Ms. Winslow and Health Director Hansbury have been invited to the meeting. Ms. Hansbury requested that if there is an upcoming meeting that conflicts with her schedule, she would like to ask the Board if one of the members would attend. Board members agreed.
- The Board determined to make 'Trash' a standing Agenda item.

HEALTH AGENT REPORT

- NEMMC conducted barrier spraying at the playing fields and Topsfield Fairgrounds.
- The Public Safety Team continues to meet, with preparations for the Topsfield Fair underway. The Fair will run from September 30 – October 10 this year. Ms. Hansbury is working to streamline the permitting process.
- Meetings with Department Heads, Public Safety Committee, 3A Coalition, GCACC.
- The FY22 Annual Report is underway.
- Building permit reviews, Title 5 Inspection Report reviews, soil testing, system installations and repairs continue.
- The Administrative Assistant for Inspectional Services has given her notice, but is working remotely until the position is filled. Ms. Hansbury expressed concern that the Administrative Assistant to Conservation and the Board of Health has now been forced to assume her duties in the office for no compensation, taking time away from duties in Board of Health and Conservation, including handling Inspectional Services complaints, paperwork, requests at the window, scanning materials to the Inspections Administrative Assistant's home, assisting the Building Inspector with clerical tasks and relaying messages to them. The Board agreed that this is not a fair situation and the Health Director will work to reduce the Inspectional Services demands placed on Ms. Winslow.

CORRESPONDENCE

- Letter from Town Administrator Kevin Harutunian regarding trash program dated September 6, 2022.

ADJOURN

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VOTE: Ms. Eaton made a motion to adjourn at 8:21 pm. Seconded by Mr. Rizza. Chair Knutsen called for a roll-call vote:

Knutsen – yes

Eaton -yes

Rizza – yes

The motion was approved in a vote of 3-0 and the meeting adjourned.

Minutes respectfully submitted by Susan Winslow.

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

- September 21, 2022 Agenda
- August 17, 2022 Meeting Minutes
- 15 Rowley Bridge Road: Documents for Request to Reclassify Bedroom Count
- 68 River Road: Amended Correction Order dated September 14, 2022
- Letter from Town Administrator Kevin Harutunian dated September 6, 2022
- Bill Lists
- Revenue Sheet

These Meeting Minutes were approved at the October 19, 2022 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.