

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

Date:	Wednesday, January 25, 2023
--------------	-----------------------------

ATTENDANCE:

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

STAFF MEMBERS	PRESENT
Susan Winslow, Minutes Secretary	Yes

VISITORS PRESENT: Julia Lobel RN, Topsfield Cable Television, Thomas Wilson

OPENING

The meeting of the Topsfield Board of Health was called to order at 6:01 pm on January 25, 2023 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 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. Topsfield Cable Television recorded the meeting.

MOMENT OF SILENCE

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

NEW BUSINESS

Vote to Approve Resumption of Human Habitation at 13 Ross Road

Chair Knutsen informed Board Members that this meeting was to determine if the homeowner had met the threshold to allow the Board to vote to resume human habitation at 13 Ross Road.

Chair Knutsen asked Tri-Town Public Health Nurse Julia Lobel RN to give the Board an update.

Ms. Lobel reported the following:

- On October 24, 2022, the Topsfield Board of Health issued a Condemnation Order and Order to Vacate for 13 Ross Road due to issues in the home that made it dangerous for human habitation.
- Mr. and Mrs. Wilson both required hospitalization and/or rehabilitation and respite care.
- After being released from the hospital and rehabilitation, Mr. Wilson has been working with his brother and nephew to address the issues.
- Mrs. Wilson is still in respite care, but Mr. Wilson wants to bring her home as soon as possible.
- Ms. Lobel visited the home on Saturday, January 21, 2023 to review the progress prior to a scheduled housing inspection by Tri-Town Public Health Inspector Mark Carleo REHS on Monday, January 23, 2023. Ms. Lobel found that the issues had been addressed to her satisfaction.
- Mark Carleo REHS conducted an inspection on Monday, January 23, 2023 and concluded that the home was now fit for human habitation.

Chair Knutsen directed the Board to the following email confirmation and re-inspection document:

Minutes January 25, 2023

13 Ross Road Email Approval from Mark Carleo REHS.pdf - Adobe Acrobat Pro 2020

File Edit View Window Help

Home Tools 13 Ross Road Email...

Sent: Monday, January 23, 2023 11:09 AM
To: Sue Winslow
Cc: Sheryl Knutsen; Public Health
Subject: Re: 13 Ross Road

Sue,

I went by the house this morning and met Tom. The house has been cleaned out and should be safe to inhabit again.

Tom will wait to hear on whether the condemnation will be lifted.

Mark

On Jan 20, 2023 11:47 AM, Sue Winslow <swinslow@topsfield-ma.gov> wrote:
[CAUTION:] This message was sent from outside of the Town of Middleton. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Good Morning Mark,

Thank you for your willingness to conduct the post-condemnation order inspection at 13 Ross Road. I have attached the pertinent documents. We have other emails in the file if you would like to stop by and read through them. Julia confirms that the plumber and the propane company have resolved their issues at the residence.

Julia Lobel RN is going to stop by Mr. Wilson's house over the weekend to confirm that the rugs were cleaned. I will reach out to you Monday morning after I speak with Julia to confirm that the house is ready for your inspection. Thank you. Have a nice weekend.

Search tools

- Create PDF
- Combine Files
- Edit PDF
- Export PDF
- Organize Pages
- Send for Comments
- Comment
- Fill & Sign
- Scan & OCR
- Protect
- More Tools

Store and share files in the Document Cloud
Learn More

13 Ross Road Reinspection 01-23-23.doc [Compatibility Mode] - Word

File Home Insert Design Layout References Mailings Review View Help Acrobat Design Layout Tell me what you want to do

Read Mode Print Web Draft Learning Tools Vertical Side to Side One Page Multiple Pages Zoom 100% New Window Arrange All Split View Side by Side Synchronous Scrolling Reset Window Position Window Switch Windows Macros Properties

Inspection Form
TOPSFIELD BOARD OF HEALTH
SSC 105 CMR 410.000: Chapter 8, Minimum Standards of Fitness for Human Habitation

Date: 1/23/23 Time: 10am # Occupants: # Children < 6 Years Old: 0
Address: 13 Ross Road Unit #: City/Town: Topsfield Phone #: 978-884-9422
Owner Name: Same Phone#: City/Town: Zip Code: 01908
Dwelling/Rooming Units in Dwelling: 1 # Stories: 1 Floor Level of Unit: 1
Sleeping Rooms: 3 # Habitable Rooms (AJO):
Inspector: Mark Carleo, REHS Title: Inspector

If violations are observed and checked, describe them fully on Page 3.

Area or Element	Type of Violation Use blank boxes for ones not listed	Possible Code Section(s)	✓ If Violation Observed	Responsible Party Owner Occupant
Exterior, Yard & Porch	Locks Posting, ID, Exit signs/emergency lights Handrails, steps, doors/windows, roof Rubbish—storage and collection Maintenance of Area	480 402, 403, 404 500, 501, 503 500, 503 500		
Common Areas & Entry	Light, windows Egress Handrails	253, 254, 501 400, 451, 452 500		
Interior Halls & Stairs	Floors, walls, ceilings Hallways, stairs, stairs Light, windows	500 500 253, 254, 501		
Bedroom 1	Location (circle): Front Rear Middle Left Middle Right Ventilation Ceiling height Windows, screen	380 402, 403 501, 503		
Bedroom 2	Location (circle): Front Rear Middle Left Middle Right Ventilation Ceiling height Windows, screen	380 402, 403 501, 503		
Bathroom	Toilet, sink, shower, tub, door Smooth, impervious surfaces Light, outlets, ventilation Floors/walls	150 150 253, 254 500		
Kitchen	Sink, stove, oven, good repair, impervious and smooth, same as above Light, outlets, ventilation, windows, screens	150 253, 254, 501, 503		

Rev. 5-6-10 Page 1 of ____

Area or Element	Type of Violation Use blank boxes for ones not listed	Possible Code Section(s)	✓ If Violation Observed	Responsible Party Owner Occupant
Kitchen, cont.	Ceiling height Floor	402, 403 200		
Living room and Dining room	Light, outlets, ventilation Ceiling height Windows/screens	253, 254 402, 403 201, 503		
Basement	Maintenance Water/light Lighting	500 500 253		
Water	Source (circle): Public Private Must be potable Quantity, pressure Responsible for paying MGL ch. 18B s 22, metering	150 150 253		
Hot Water	Fuel Type (circle): Natural gas Oil Electric Other Quantity, pressure, 120 F min, 130 max Venting	150 200		
Heating	Type (circle): Forced hot water Forced hot Air Steam Electric Has portable units "Habitable room and every room with toilet, shower, tub" • 68 F 7 am to 11 pm, 64 F 11:01 pm to 6:59 am, except 6:15-6:15 • 78 F max in heating season/measure 5 feet wall, 5 feet floor Venting, metering	150 253 253 253, 254, 503		
Electrical	Type (circle): 110 220 Amps Amperage, temporary wiring, metering	250, 255, 256, 354		
Drainage, Plumbing	Type (circle): Public Private Sanitary drainage required and maintained	500, 503		
Smoke & CO Detectors	Required & operational	460		
Pests	Free of pests (rodents, skunks, codfishes, insects) Structural maintenance and elimination of harborage	500 500		
Asbestos or Lead Paint		503, 502		
Curtain		400		
Access		500		
Other				

Rev. 5-6-10 Page 2 of ____

Referrals: ☐ Electric ☐ Fire ☐ Plumbing ☐ Building ☐ Other
This inspection report is signed and certified under the pains and penalties of perjury.
Inspector Signature: [Signature]
Occupant or Occupant's Representative Signature: _____
Reinspection Date: _____ Time: _____

Written description of any violation(s) checked above
Include Area or Element, code citation and a description of the condition(s) that constitute the violation. You may include remedies that would be an acceptable means of achieving compliance with 105 CMR 410.000.
NOTE: *Indicates that this housing inspection has revealed conditions which may endanger or materially impair the health, safety, and well-being of any person(s) occupying the premises

Area/Element, Code Citation and Description of Violation	Acceptable Remedies
Reinspection based on a condemnation order dated 10/24/22. Met owner Tom Wilson of 13 Ross Road on site. He granted access. Dwelling has been cleared of all garbage and rubbish. Kitchen in sanitary condition. Fit for use intended. Bedrooms cleared of clutter, garbage and rubbish. Bathroom cleaned and available for regular use. Heating system is on and working. No temp taken but house was warm. Slight odor remains, but does not seem to be noxious.	

Rev. 5-6-10 Page 3 of ____

Page 1 of 4 653 words

Chair Knutsen asked if there were any further questions or comments from the Board. There were none.

Minutes January 25, 2023

VOTE: Mr. Rizza made a motion to approve the resumption of human habitation at 13 Ross Road. Seconded by Ms. Eaton. Chair Knutsen then called for a roll call vote:

Eaton – yes

Rizza – yes

Lischko – yes

Knutsen – yes

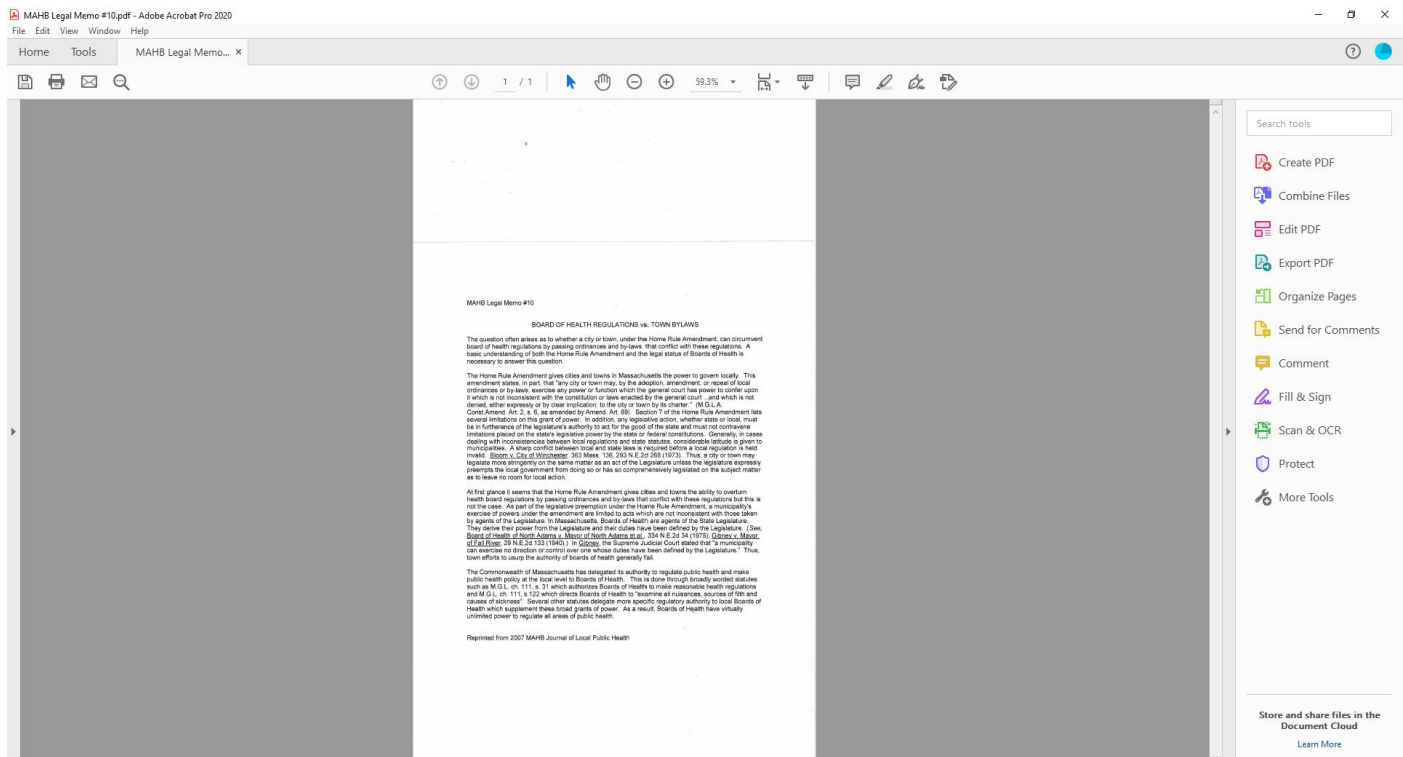
The motion was accepted in a vote of 4-0.

Mr. Wilson then addressed the Board by telephone to say thank you.

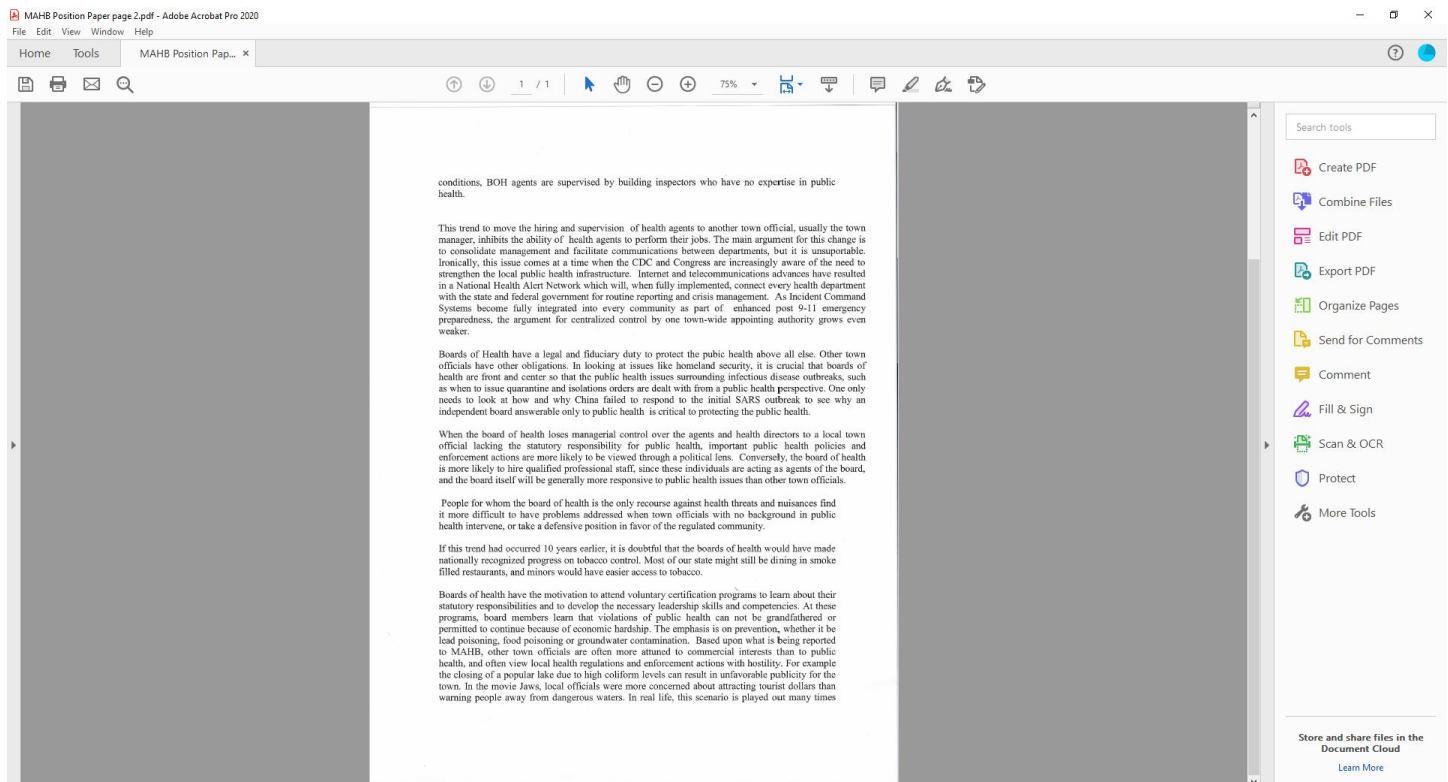
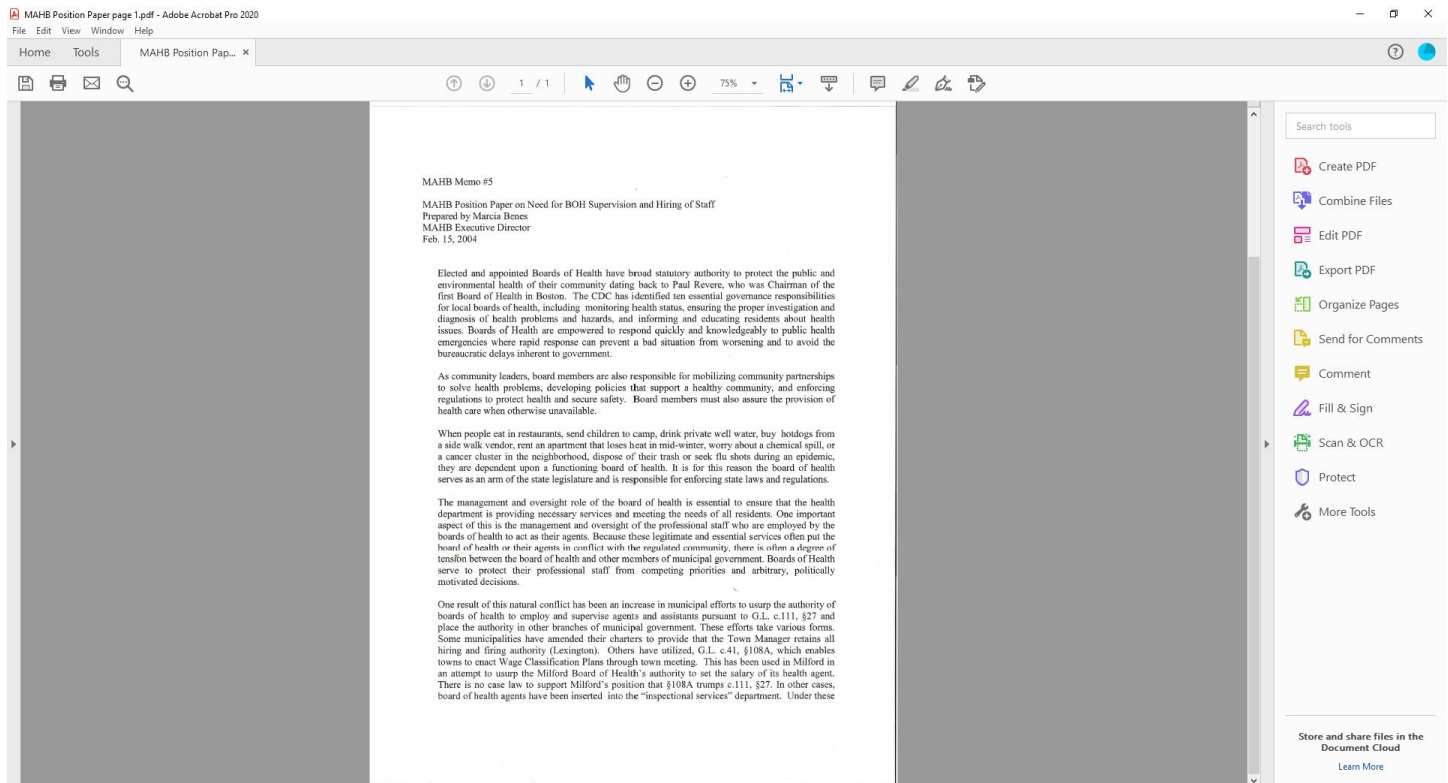
Health Director Position

Chair Knutsen informed the Board that there is now one candidate for the job that was posted as Health Director on the Town Website. Ms. Knutsen expressed concern that the Town Administrator was considering changing the title to Health Agent despite the fact that the job was posted as Health Director and the candidate for the position has had three interviews. Ms. Knutsen informed the Board that she wrote the job description but the Town Administrator added the title 'Health Director' to the document. Ms. Lischko expressed concern that changing the job title at this point could result in further delay re-advertising and re-interviewing for the position which has been vacant since late October.

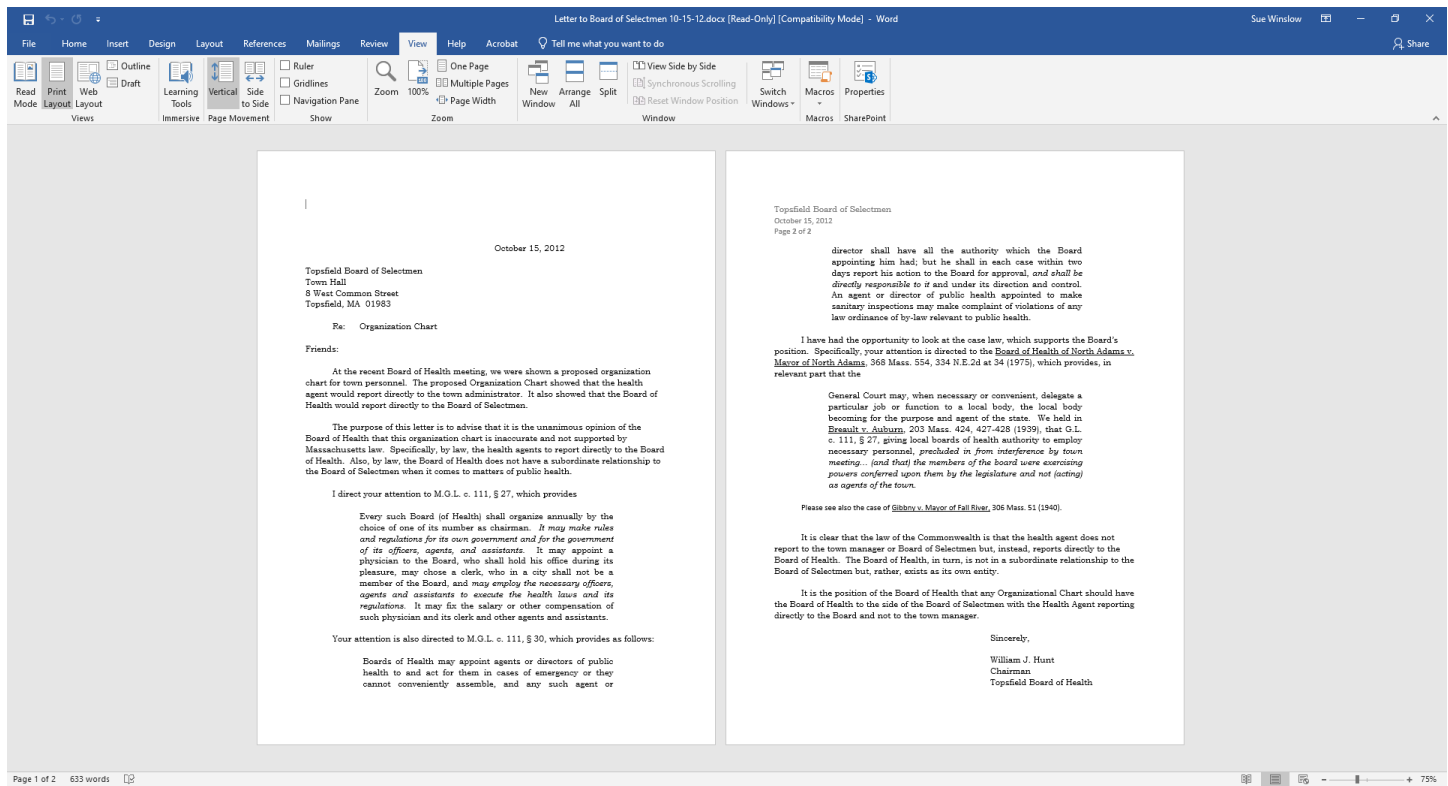
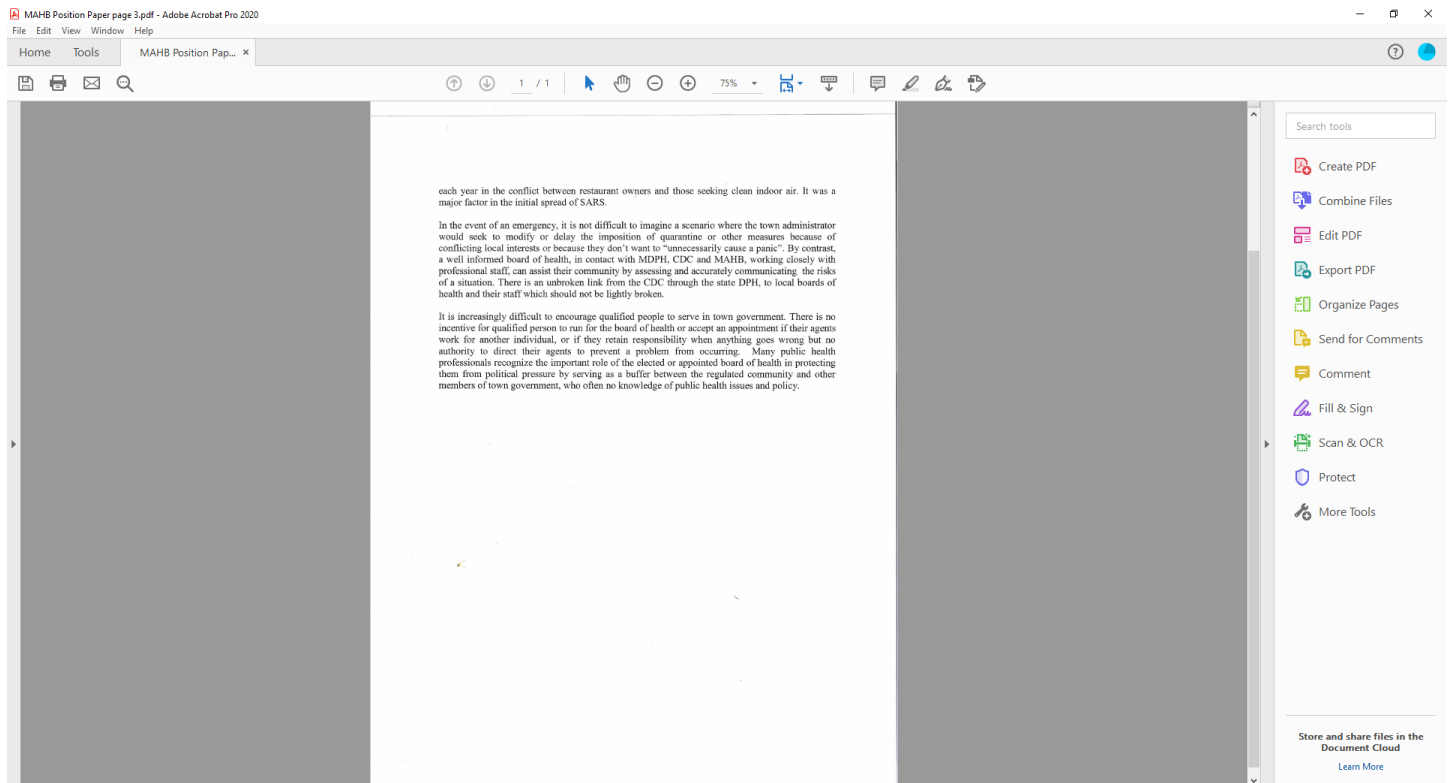
Chair Knutsen informed the Board that she recently met with the Town Administrator at which time she presented him with the following documents confirming that Boards of Health derive their powers directly from the State Legislature, including allowing Boards of Health to conduct their own hiring process:



Minutes January 25, 2023



Minutes January 25, 2023



Chair Knutsen sent electronic copies of these documents to the Town Administrator. Ms. Knutsen also referred the Town Administrator to the Legal Handbook for Massachusetts Boards of Health 3rd Edition 2022 Massachusetts Association of Health Boards to educate him on legal precedence and power of local Boards of Health to hire their Agents and Directors.

Board Members discussed the situation and determined that, if necessary, they will seek guidance from Attorney Cheryl Sbarra, Executive Director of the Massachusetts Association of Health Boards (MAHB).

ADJOURN

Chair Knutsen asked if there was any further business. Determining that there was none, Ms. Knutsen called for a motion to adjourn.

VOTE: Mr. Rizza made a motion to adjourn. Seconded by Ms. Lischko. After determining that there was no further discussion, Chair Knutsen called for a roll-call vote:

Eaton – yes

Rizza - yes

Lischko – yes

Knutsen – yes

The motion was accepted in a vote of 4 - 0 and the meeting adjourned at 7:00 PM.

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:

- January 25, 2023 Agenda
- 1/23/23 Email from Mark Carleo
- 1/23/2023 Reinspection Report: 13 Ross Road
- MAHB Documents
- October 15, 2012 Letter from William Hunt ESQ

These Meeting Minutes were approved at the February 22, 2023 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.