



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

June 17, 2020

6:30 PM

Board Members present in addition to Chairperson Sheryl Knutsen RN were Vice-Chair Gerry Topping and Board Members Larry Fixler RPh and Mark Rizza. Board Member Anthony Alley was not in attendance. Health Agent Wendy Hansbury and Recording Secretary Susan Winslow were in attendance. Also in attendance was resident and prospective Board of Health Member William Hunt, Esq.

**COMMONLY USED ABBREVIATIONS:**

ADA: Americans with Disabilities Act

BOH: Board of Health

BOS: Board of Selectmen

MAVEN: Massachusetts Virtual Epidemiology Network

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: Community Outreach Information Network

DPH: Department of Public Health

NEMMC: Northeast Massachusetts Mosquito Control

EEE: Eastern Equine Encephalitis

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

WNV: West Nile Virus

**CALL TO ORDER**

Chairperson Sheryl Knutsen called the meeting to order at 6:31 pm.

**ANNOUNCEMENTS**

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Topsfield Board of Health will be conducted via remote participation to the greatest extent possible. 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/>. For this meeting, members of the public who wish to listen to the meeting, may do so in the following manner: join the ZOOM audio-video conference call (see information below). No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Topsfield Board of Health website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

You may join the 6:30 PM Board of Health Zoom Meeting on Wednesday, June 17, 2020:

<https://us02web.zoom.us/j/86585114964?pwd=aU1XNUNiQWxlL3dJS0FlbnQyYnBIUT09>

Meeting ID: 865 8511 4964

Password: 985736

Dial by your location

+1 929 205 6099 US (New York)

## MEETING MINUTES

May 20, 2020

***VOTE:*** Mr. Topping made a motion to approve the May 20, 2020 Meeting Minutes as written. Seconded by Mr. Fixler. Chairperson Knutsen called for a roll-call vote:

*Knutsen – yes*

*Topping – yes*

*Rizza – yes*

*Fixler – yes*

*The motion passed in a vote of 4-0.*

## OLD BUSINESS

### COVID-19

Chairperson Sheryl Knutsen gave the Board an update on the ten COVID Command Center Conference Calls she has participated in since the May 20, 2020 Board of Health Meeting. Chair Knutsen read the following information into the record:

**5/22** New guidance went out about school graduation ceremonies. The definition of 'unconfined outdoor space' was clarified. Students and teachers are returning to schools to retrieve belongings that were left when schools abruptly closed. Colleges received guidance to consider when making reopening plans. Businesses that reopen for curbside pickup need to self-certify; LBOHs need **not** inspect these in advance, but upon receiving a complaint they can ask to see the self-certification document. All residents are now required to wear face coverings when in public. A workgroup is forming to address clusters in a workplace. Phase 2 will allow day camps to open with restrictions. New guidance for beaches was issued. There is still no date for Phase 2 Reopening; it will depend on the data. There were questions about houses of worship, gyms, outdoor classes, antibody testing vs PCR or molecular testing, and wearing masks when voting. Health agents urged the state to issue new guidance in advance of when the public receives it.

**5/26** Law enforcement reinforced their support for LBOH in the face of difficult encounters with the public. Errors involving contact tracing data that is entered into MAVEN are being worked on. FAQs include athletic facilities and activities such as track, tennis, swimming pools, golf, and Little League practice. Many questions involved bathrooms being ordered to remain closed and what to do if someone cannot wear a mask or refuses to wear a mask. More concern about outdoor town meetings and graduations. Many things are starting to re-open and people asked about yard sales, recycling redemption centers and farmers markets.

**5/26 1:00 PM** a special extra meeting was held because of Phase 2 part 1 imminently reopening and there were many questions about outdoor dining and tents for restaurants. Phase 2 could begin on June 8<sup>th</sup> or 15<sup>th</sup> but it depends on the data, not the dates. Following this call, the Governor held a major press conference at 2:00 PM.

**5/29** Kelly Driscoll announced that she would be stepping down from the COVID Command Center and Jana Ferguson would be taking over, and in fact would be filling a new position as Assistant Commissioner within MDPH as a result of lessons learned about the importance of coordination between DPH and Local Boards of Health. It was clarified that MAHB advice from Cheryl Sbarra is not legal advice. The Contact Tracing Collaborative will remain in the command center. The Chiefs of Police are ironing out some unauthorized memos that conflict with state guidance, and issues of enforcement of orders and guidance are increasing. Chief Farnsworth provided tips on the thinking behind using the escalation grid, and urged everyone to be tuned to situational nuance when enforcing things. FAQs included what to do about people not wearing face masks, recreational sports and fitness guidelines, professional services guidelines, restroom facilities, houses of worship and mandatory workplace occupancy numbers. LBOHs continued to request that we receive new information in advance of public announcements. Businesses are still struggling to get PPE. Communities want more help in setting up testing facilities.

**6/1** Today's call was abruptly postponed to 1:30 PM because of the killing of George Floyd on May 25<sup>th</sup> and the resulting protest marches. There is concern about transmission of COVID during the marches. The Chiefs of Police issued a statement about community policing and situational de-escalation, adding that requesting social distancing at any rally would be ill advised. Questions revolved around day camps, pools, beaches, and camp healthcare consultants.

**6/2** Questions have again arisen about disclosure of information to emergency responders or other Local officials. Kelly noted that dashboard metrics are trending downward. Questions continue about outdoor dining, tents and unconfined spaces. New questions involved the residency requirement for campers and counselors, transportation to camp and immunization requirements, and lifeguard certifications, drive in theater concerts,

**6/5** Representatives from the MA Executive Office of Elder Affairs clarified the difference between Councils on Aging (Municipal departments) and Senior Centers (buildings at which activities take place). Senior Centers are ramping up their activities according to their unique settings while adhering to social distancing guidelines. Representatives from the MA Executive Office of Energy and Environmental Affairs reviewed guidance on outdoor activities at beaches, pools, parks, and playgrounds and. Also reviewed were reopening standards for outdoor sports camps and leagues as well as summer camps and campgrounds. The Governor will announce tomorrow when Phase II will start. At that time, restaurants can provide outdoor dining with a roof or top and 2 sides, and 6 feet between tables with no more than 6 people at a table. Callers asked questions about Health Care Supervisors and group size at camps, and

transportation of children to and from camp. Other questions concerned charter boats and harbor cruises, bottle & can redemption machines. Some businesses are having difficulty obtaining contact information from patrons.

**6/9** On June 6<sup>th</sup>, Governor Baker Issued COVID-19 Order #37 which announced that, consistent with Public Health Data and Trends, **Phase II of Reopening Massachusetts would begin on June 8<sup>th</sup>**. The following businesses will be eligible to reopen in Step One of Phase II on June 8, with contingencies:

- Retail, with occupancy limits;
- Childcare facilities and day camps, with detailed guidance;
- Restaurants, outdoor table service only;
- Hotels and other lodgings, no events, functions or meetings;
- Warehouses and distribution centers;
- Personal services without close physical contact, such as home cleaning, photography, window washing, career coaching and education tutoring;
- Post-secondary, higher education, vocational-tech and occupation schools for the purpose of completing graduation requirements;
- Youth and adult amateur sports, with detailed guidance;
- Outdoor recreation facilities
- Professional sports practices, no games or public admissions;
- Non-athletic youth instructional classes in arts, education or life skills and in groups of less than 10;
- Driving and flight schools
- Outdoor historical spaces, no functions, gatherings or guided tours;
- Funeral homes, with occupancy limits

Municipal Boards of Health or their authorized agents, pursuant to G.L. c. 111, s.30 have concurrent authority with DLS and DPH to enforce the terms of the Governor's Orders.

Jana Ferguson clarified information about breweries and food trucks, and announced that temperature checks and residency requirements for campers and staff have been dropped from the guidance. Many questions were answered about outdoor dining and Town Meetings, outdoor graduations, outdoor entertainment at restaurants. Callers again asked for more advance notice of changes to the guidance and when new phases are opening.

**6/12** Cheryl Sbarra, Senior Staff Attorney at MAHB, reviewed yesterday's new guidance about how to hold Town Meetings and all other public meetings held in town. Police Chief Farnsworth assured the support of public safety despite their added work with protest demonstrations that are being held around the state. Ron O'Connor announced that DPH has received 80 questions from 50-60 local health departments. 24 of these questions were answered on the call by various state officials. Questions were about: breweries and food trucks; face shields; camp buses, permits, immunizations, procedure in case of a positive COVID diagnosis, nurses/health care supervisors; pools/swimming/swim teams, lifeguard training, splash pads, face masks at a pool; outdoor live entertainment at restaurants; weddings; meetings of groups such as AA; adult sports teams/games; dance classes; cleaning of playgrounds; if mask wearing changes the definition of 'close contact'; golf driving ranges; and serologic/antibody testing vs. molecular testing. Many comments were received about evolving guidance; changes are being made in response to the data; state and local health are in a process of working together.

**6/16** The State is offering several testing opportunities on June 17<sup>th</sup> & 18<sup>th</sup> for people who have been participating in large gatherings. Conference calls and focus groups are being held to talk about workflow in MAVEN. Civil rights protests are continuing statewide and the Chiefs of Police urge maintaining a dialogue between LBOHs and local police chiefs in order to resolve citizen conflicts before they escalate. Over 40 questions from LBOHs were answered on this call, including:

- how to determine 25% occupancy for municipal offices, and when can municipal offices fully open;
- housing inspections and J-1 Visa housing; outdoor dining issues including tents and use of parking lots for seating;

- *sports camps including health care supervisors exposed to a positive COVID case, an official list of PPE for camps, indoor exercise classes for seniors, masks at golf driving ranges, equestrian shows, sailing competitions, rules for boating and rowing, and worksite clusters.*
  - *The process for levying fines was reviewed.*
  - *Questions about senior centers, COAs and cooling centers will be answered on the next call.*
- One health agent expressed frustration that his selectmen are planning a 4<sup>th</sup> of July gathering on the town common in defiance of COVID rules and guidelines prohibiting festivals that attract gatherings of more than 10 people.*

Health Agent Wendy Hansbury addressed the Board to give thanks to the following individuals who have put in a monumental effort on behalf of the Town during the COVID-10 pandemic:

Sheryl Knutsen RN, Chairman, Board of Health

Chief Jenifer Collins-Brown, Topsfield Fire Department

Chief Neal Hovey, Topsfield Police Department

Town Administrator Kevin Harutunian

Ms. Hansbury reported that the Executive branch of Town Government has worked exceptionally well throughout the ordeal, and all Departments are pulling together for the good of the Town.

Ms. Hansbury thanked Susan Winslow and the other volunteers (Karen Woods, Trish Smith and library volunteers) who donated supplies and made cloth face coverings to distribute to local residents. The Board of Health has distributed over 300, free-of-charge, to local families. The Topsfield Fire Department was thanked for their efforts to deliver the face coverings to residents. Ms. Hansbury also ensured that cloth face coverings were made available at the Black Lives Matter rally held on the Town Common on Friday evening, June 12, 2020.

Ms. Hansbury informed the Board that local parks and playgrounds are now open, and the State is moving toward the second portion of Phase II openings. Face coverings are still required in closed buildings and in locations where social distancing is not possible.

Ms. Hansbury has delivered signage to local food establishments and will be conducting restaurant, pool and beach inspections in the coming weeks.

Updates are continually made on the Town Website and COVID-19 numbers are trending downward in Massachusetts with a 70 – 90% reduction in cases. Joan Fitzgerald RN from VNA Care has reported that there are currently no active cases of COVID-19 in Topsfield as of June 17, 2020. Contact tracing continues.

Member Larry Fixler asked about the number of deaths to date at Masconomet Healthcare Center due to COVID-19. Ms. Hansbury reported that there were 28 deaths from COVID-19 at the facility.

Ms. Hansbury informed the Board that the Town has received \$584,000 in CARES Act funds in addition to \$10,000 in MAPC Funds. Funds from the MAPC Grant went to: signage, protective partitions, extra time required by VNA Care, Personal Protective Equipment for the Topsfield Fire Department.

Resident Tim Collins donated masks and gloves for use at the upcoming Town Meeting.

## **NEW BUSINESS**

Resignation of Vice-Chair Gerald Topping PE

Chairman Sheryl Knutsen informed the Board that Vice-Chair Gerry Topping has submitted his resignation effective July 15, 2020 because he and his family are moving to Maine. Ms. Knutsen thanked Mr. Topping for his eleven (11) years of service to the Town on the Board of Health and praised his work on updating the Board of Health Regulations, his knowledge of Title 5 and septic regulations and his tireless work on the Board. Health Agent Wendy Hansbury agreed and also thanked Mr. Topping for his leadership during the EEE situation in the late summer/early fall of 2019 and his assistance at the Flu Vaccine Clinics and Selectboard meetings. Board of Health Members echoed these sentiments and thanked Mr. Topping for his service. Mr. Topping responded that he appreciated the kind words and he found his years on the Board of Health to be rewarding.

#### Introduction of William Hunt, Esq., former Board of Health Member and Chair

Chairperson Sheryl Knutsen introduced William Hunt, Esq., and informed Board Members that Mr. Hunt served for many years on the Board of Health as both Member and Chair. Mr. Hunt is interested in applying for the open seat on the Board of Health left by the resignation of Mr. Topping. Board Members thanked Mr. Hunt for his interest. Under the protocol established by Interim Town Administrator Robin Crosbie, the open seat on the Board must be advertised. The notice will be sent to the Selectboard for announcement at their next meeting and it will be posted on the Town Website.

Mr. Fixler asked Mr. Hunt if he would share information on his background. Mr. Hunt informed the Board that he is a Trial Attorney and partner at Hunt, Ahern and Embry, and he also teaches courses in law around the world. Mr. Hunt explained that he served on the Topsfield Board of Health for many years as a Board Member and Chairman, and he wishes to return to the Board of Health to serve the Town once again.

Mr. Topping left the meeting at 7:23 pm.

#### Mosquito Season

Health Agent Hansbury reported the following:

- Mosquito season will be in full swing August through late September.
- NEMMC has started work on ditches and larviciding.
- NEMMC has a new tool on its website.
- It has been predicted that this will be a high EEE year, in the middle of a 3-5 year EEE cycle.
- At the State level, there is legislation pending for emergency measures.
- Topsfield is working with Boxford and Middleton for a coordinated response to preventative measures.
- Barrier spraying will occur on school and sports fields before the opening of school.
- Currently, many sports have been cancelled due to COVID -19 including:

Youth Soccer

Adult Women's Softball

Youth Lacrosse

Men's Softball (Tories)

No decision yet regarding the Fall Football season

#### Town Meeting

Health Agent Hansbury informed the Board that Town Meeting is scheduled to be outside on the football field at Masconomet Regional High School on Saturday, June 20, 2020 due to COVID-19 and the importance of social

distancing. The Board of Health has sponsored Article 25<sup>th</sup>, requesting the implementation of Non-Criminal Disposition. Ms. Hansbury explained that this will give the Health Agent and Board the option of imposing fines as a means to gain compliance after a warning letter, but before the expense of courtroom litigation. Ms. Hansbury encouraged Board Members to attend Town Meeting to support Article 25<sup>th</sup>.

#### FY21 Meeting Dates

The Board Reviewed the list of proposed Meeting Dates for FY21.

VOTE: Mr. Fixler made a motion to approve the *VOTE: Mr. Fixler made a motion to approve the following Board of Health meeting dates for Fiscal Year 2021:*

*July 15, 2020*

*August 19, 2020*

*September 16, 2020*

*October 21, 2020*

*November 18, 2020*

*December 16, 2020*

*January 20, 2021*

*February 17, 2021*

*March 17, 2021*

*April 21, 2021*

*May 19, 2021*

*June 16, 2021*

*Seconded by Mr. Rizza. Chair Knutsen called for a roll-call vote:*

*Knutsen – yes*

*Fixler – yes*

*Rizza – yes*

*The motion carried in a vote of 3-0*

#### **HEALTH AGENT REPORT**

Health Agent Hansbury reported that Town Hall Offices remain closed to the Public due to the Governor's COVID-19 Emergency Order. Business has continued as usual in the office, however, with staff alternating in-office hours with working remotely. Summer Town Hall Hours in effect: Monday 8 am – 7 pm, Tuesday through Thursday 8 am – 4:30 pm, closed Friday from Memorial Day through Labor Day.

Business remains brisk with the following activities:

COVID-19 Conference Calls

Public Safety Conference Calls

Plan Reviews

Title 5 Inspection Report Reviews

Percolation and Deep Hole Testing

Inspection of Pools at Great Hill and English Commons

Working with Topsfield Beach Association for Beach Opening

Working with local camps to help them with COVID-19 questions

Answering resident and vendor questions

Preparing for Lantern Festival at Fairgrounds August 8, 2020 and associated food truck permitting/inspections

Planning for Topsfield Fair in Fall 2020 and plans to host Drive-In movies in Summer, 2020

## **ADJOURN**

***VOTE:*** Mr. Rizza made a motion to adjourn at 7:56 PM. Seconded by Mr. Fixler. Chair Knutsen called for a roll-call vote:

*Knutsen – yes*

*Fixler – yes*

*Rizza - yes*

*The motion carried in a vote of 3-0.*

Respectfully Submitted,

Susan Winslow

Recording Secretary

Items distributed:

1. Agenda
2. Board of Health Meeting Minutes May 20, 2020
3. Synopsis of LPH COVID Command Center Conference Calls
4. Letter of resignation from Gerald Topping PE
5. Topsfield Board of Health Advertisement seeking new Board Member
6. FY21 Board of Health Meeting Date

*These Meeting Minutes were APPROVED at the July 29, 2020 Board of Health Meeting.*