

Harvard Board of Health Meeting Minutes
Town Hall, Volunteer Meeting Room
Tuesday, April 23, 2019
Approved: May 14, 2019

Board of Health Members present: Libby Levison; Tom Philippou.

Attending: Ira Grossman, Health Agent, Nashoba Associated Boards of Health (“NABH”); Alison Flynn, Board of Health (“BOH”) Clerk; Joan Eliyesil, Harvard Press; Jeff Curtis, Christine Curtis, Justin Calderwood, Kayla Curtis, CSI-Culley’s; Robert Hirsch, RDJ Realty.

Ms. Levison called the meeting to order at 7:04 p.m.

PUBLIC COMMENT- None.

NEW BUSINESS

a. Jeff Curtis: Consideration for sanctions- Mr. Grossman explained that Mr. Curtis was invited to the meeting to discuss inconsistencies noted in his Title 5 Inspection Reports, and reviewed those submitted for 51 Candelberry Lane, 73 Oak Hill Road, 236 Ayer Road, 74 Bolton Road, and 7 Old Littleton Road. Mr. Curtis and his staff members explained that many of the inconsistencies noted were clerical errors, and some were due to records not being available at the BOH or NABH. Mr. Curtis and his staff agreed that they will double check inspection reports prior to submittal. Mr. Grossman reiterated that he would still appreciate a revised report for 73 Oak Hill Road. Ms. Curtis agreed to revise and resubmit reports for all of the inspection reports discussed at the meeting.

b. Discussion regarding Harvard Plaza Public Water Supply (7:25 p.m.)- Robert Hirsch, of RDJ Realty, Owner of Harvard Plaza, was present at the BOH’s request to discuss the arsenic and magnesium levels in the Public Water Supply (“PWS”). He brought with him receipts from bottled water delivery to his tenants, as requested, and indicated that he will follow up with Dave Papale, his Operator, for the most recent Consumer Confidence Report. He indicated that water is delivered to all units in the Plaza, including the Bank. Mr. Hirsch stated that he has posted his Water Quality reports in the past, and plans to post laminated reports in the future. Mr. Hirsch indicated that he is aware that the arsenic levels in the PWS have been high, and he relies on Mr. Papale to advise him about how to handle the situation. Mr. Papale has advised him that at some point, the State will likely mandate Mr. Hirsch remediate. Mr. Hirsch explained to the BOH that after meeting with Mr. Grossman on Thursday, he visited Sorrento’s and was surprised to see a small arsenic filter had been installed without his knowledge. Mr. Hirsch and Mr. Papale will be testing the treated water and will let the BOH know when those results come in. Mr. Grossman advised that the BOH jurisdiction covers the water used for food preparation in the restaurant, and the rest is up to the State. Mr. Hirsch also advised that Sorrento’s has been making calls to have the filter serviced, but unable to reach the contractor. Mr. Hirsch also reported that he has instructed Mr. Papale to take over the management of the filter. Mr. Papale and Mr. Hirsch are currently waiting for a quote for arsenic remediation, and Mr. Hirsch would like to explore whether the whole system will have to be treated or whether individual units can be targeted. Mr. Grossman reminded Mr. Hirsch that any modifications to the PWS are Mr. Papale’s responsibility as a licensed operator, and that any modifications need to be approved by DEP. Mr. Hirsch indicated that he’d like the situation to be addressed as quickly as possible, while making informed decisions. Mr. Hirsch indicated he expects water quality results

next week and will advise the BOH at that time. The BOH members also asked that he advise the BOH when the DEP approves a remediation plan.

c. Discuss letters from DEP to two PWSs on Ayer Road (7:40 p.m.)- The members discussed correspondence sent by DEP to the PWS at Ayer Road Properties and Appleworks regarding PFAS results. Ms. Levison reported that a DEP representative informed her that they met with the owner of Ayer Road Properties, and hoped to meet with the owner of Appleworks. Ms. Levison also advised that Mr. Deane e-mailed the BOH a sample letter to be sent to his tenants re PFAS, and that Ms. Flynn and Mr Grossman encouraged Mr. Deane to discuss any proposed revisions to DEP.

d. Summary of Ms. Levison's conversations with MassDEP re PFAS- Ms. Levison reported that she spoke at length separately with Andrea Briggs and Mary Jude Pigsley, both at MassDEP, regarding efforts to address PFAS. She discussed with both the possibility of having a community outreach meeting led by MassDEP once the MCL is lowered. Ms. Pigsley suggested that a representative from Mass DPH also be present to discuss private wells. Ms. Levison also reported that she discussed the same with Lucy Wallace, who was supportive of holding such a meeting after Town Meeting. Ms. Levison also shared that she learned of two PFAS meetings to be held in Ayer and a RAB meeting later in the week.

e. Update on Emergency BoH meeting on 4/18/19 on PFAS- Ms. Levison provided an update as to the emergency BOH meeting held on 4/18/19. She explained that the meeting was called when she was advised by a member of the Harvard Press that water was being distributed on Devens by DEP, and needed to confer with another BOH member as to whether action needed to be taken in Harvard. Ms. Levison later learned that it was Mass Development who was voluntarily distributing water, and not MassDEP, as she was initially informed.

f. 44 Littleton County Road: Prepare comments to ZBA re apartment & septic upgrade (5/8)- Mr. Grossman advised that the BOH received a request for input on the application to the ZBA. Mr. Grossman indicated that the application indicates they are modifying the existing house to decrease the number of bedrooms, but the BOH needs a whole house plan to assess. Mr. Philippou made the motion for comments reflecting a request for a whole house plan for assessment of room count; Ms. Levison seconded. All were in favor.

g. Resident concerns regarding private mosquito spraying- The BOH members discussed the e-mails received from two residents expressing their concerns regarding mosquito spraying. Ms. Levison asked Mr. Grossman whether there was anything he believed the BOH could do; Mr. Grossman did not think there was.

h. Discussion re handouts for Town Meeting- Handouts for Town Meeting were discussed and decided upon. Information regarding ticks, water quality testing requirements, and PFAS will be made available.

i. Discussion re attendance at LUB Meeting (5/14)- This discussion as tabled for a future meeting.

j. Discussion re participating in Garden Club Plant Sale- Ms. Levison offered to attend if she is not traveling for business.

k. Clerk and Health Agent Update-

- Mr. Grossman advised that 160 Prospect Hill Road received a passing water quality report. Mr. Philippou made the motion to accept the Title 5 Inspection Report, previously identified as “Needs Further Evaluation” as “Passing”; Ms. Levison seconded. All were in favor.
- Ms. Flynn advised that Mr. Philippou cannot attend the 2 p.m. meeting on May 14th. It was agreed that the May 14th meeting will be held at 7 p.m.
- Ms. Flynn advised that the MVP Sub-Committee sent a survey to be completed by the BOH. Ms. Levison and Mr. Philippou requested she ask Ms. McCarthy if she would be willing to complete the survey.

OLD BUSINESS

- a. Update regarding PHEP EAT Request application package(s) (due to Regional Coordinator 4/26)- Ms. Flynn advised that after Ms. Levison’s additional review of the quotes, it was decided that the Lenovo model was too costly and unnecessary. Ms. Flynn will submit for the HP model in lieu of the Lenovo.
- b. Review of 2020 budget feedback- The 2020 budget feedback was reviewed and discussed.
- c. Follow-up from Tick Talk- Ms. Levison reported that Erin Sintros has requested 475 Tick Identification Cards, so she can send one home with each student. Ms. Levison will follow-up with Ms. Sintros to see which color cards she would like, and Ms. Flynn will pursue the same on her behalf.
- d. Discussion regarding preparing the 2019 Emergency Dispensing Site (EDS) Plan- This discussion was tabled for a future meeting.
- e. Update from the Transfer Station Committee- This discussion was tabled for a future meeting.
- f. Update from the MVP Committee- Ms. Flynn advised that Ms. McCarthy reported the attendance at the latest outreach meeting was disappointingly low.
- g. Continued review of draft marijuana sales regulation- This discussion was tabled for a future meeting.
- h. Continued review of draft tobacco and marijuana use regulation- This discussion was tabled for a future meeting.
- i. Review Action Items- Action items from the last meeting were reviewed.

PERMITS

- No permits were issued.

APPROVAL OF MINUTES-

Approval of the minutes of April 9th was tabled for a future meeting.

Mr. Philippou made the motion to approve the draft minutes of April 18th, as amended; Ms. Levison seconded. The vote was unanimous.

ITEMS FOR THE NEXT AGENDA- Items for the next agenda were discussed.

ADJOURNMENT- Ms. Levison moved to adjourn the meeting at 8:50 p.m.; Mr. Philippou seconded. The vote was unanimous.

Respectfully submitted,

Alison Flynn, Clerk

Documents Referenced:

- Agenda
- Draft minutes of 4/9/19 and 4/18/19
- Jeff Curtis Inspector's License File
- 44 Littleton County Road: ZBA Application
- E-mails of 3/22/19 regarding mosquito spraying concerns
- Harvard Plaza PWS File