

Harvard Board of Health Meeting Minutes
Zoom Meeting
Tuesday, April 7, 2020
Approved: April 14, 2020

Board of Health Members present: Sharon McCarthy; Tom Philippou, Chair; Libby Levison.

Attending: Alison Flynn, Board of Health (“BOH”) Clerk; Ira Grossman, Health Agent, Nashoba Associated Boards of Health (“NABH”); Joan Eliyesil, The Harvard Press; Nick Deane, Owner, 325 Ayer Road (exited before 7:28 p.m.); Jennifer Finch, resident.

Mr. Philippou called the meeting to order at 7:08 p.m.

Ms. Flynn read aloud the BOH Remote Meeting Preamble, including Confirmation of Member Access, the Introduction to Remote Meeting, and Meeting Business Ground Rules.

PUBLIC COMMENT- Ms. Eliyesil was able to hear and see the meeting, but the meeting attendees could not hear her. She typed in the “chat” bar that her questions were for Mr. Grossman. She indicated that she would call Mr. Grossman at his office the following day to ask her questions; Mr. Grossman agreed.

NEW BUSINESS

a. 325 Ayer Road: Review draft letter regarding SnoWerks’ occupancy- A draft letter to SnoWerks regarding proposed tenancy at 325 Ayer Road was reviewed and revised by the members. Ms. Levison made a motion to send letter as amended; Ms. McCarthy seconded. All were in favor by roll-call vote.

b. 162 East Bare Hill Road: Timeframe with Title 5 compliance for failed system- Mr. Grossman indicated this failed system was brought to his attention by the Conservation Commission Agent following the site inspection for wetland delineation. The septic system failed its Title 5 Inspection performed in December and the property was subsequently transferred in March. Mr. Grossman stated that water quality testing, which was not submitted to the Board of Health prior to sale, found coliform. Mr. Grossman explained that the property is an older home with a cesspool in the high ground water table and a shallow well, approximately 100 feet away. He indicated the former homeowners applied for an upgrade 7-8 years prior, but never followed through. Mr. Grossman asked the Board to confirm that this system should be upgraded in an expedited manner; he indicated that the homeowners expressed intent to upgrade the system within two years to coincide with their intended construction of an addition on the home. Mr. Grossman indicated he would like to see soil testing done fairly soon and the system installed within the year. Mr. Grossman stated he believes the homeowners are already living in the home, but will confirm. The members discussed the homeowners’ desire for the

work to be completed at the same time as the addition. Mr. Grossman advised that the homeowners cannot fully consider an addition without first performing the soil testing to identify the location and capacity of the proposed SDS. Mr. Grossman suggested requiring the homeowners to perform soil testing by May, submit a septic design plan 30 days thereafter, obtain a permit by July, and for the BOH to identify a timeframe for the install to be thereafter. The BOH members were in agreement with that schedule and asked Mr. Grossman to draft a letter to that effect. Ms. Levison asked Mr. Grossman to add language regarding pending contingencies to acknowledge the current public health emergency. Mr. Grossman advised that he does not expect the public health emergency to affect the timeline for soil testing, design, and permitting, as GPR, Inc., has already applied for soil testing. The BOH members confirmed Mr. Grossman is authorized to prepare and send out the letter without BOH member review.

c. Requirements for restrooms and sanitary hand-washing stations at construction sites- Ms. McCarthy indicated that she was asked to discuss with the BOH what the protocol will be for the workers beginning the sidewalk project in front of the General Store, including regarding maintaining social distancing while not impacting patrons of the General Store, and also what sanitary facilities will be provided. Mr. Grossman advised that guidelines for construction are covered by the Governor's recent revisions to the "Essential Services" order. Mr. Grossman reported that he brought these questions to Tim Kilhart, who is overseeing the sidewalk project, and Mr. Kilhart confirmed that he will ensure the project is handled in accordance with the Governor's guidance. Mr. Grossman advised that the guidance requires every construction site have a COVID Officer overseeing the project, as well, to make sure they maintain six feet social distancing, and where they cannot, maintain six feet between employees, and require that employees wear gloves and masks. Mr. Kilhart will also ensure the workers are not blocking the access way for patrons going in to the General Store.

Mr. Grossman continued that these guidelines will also apply to other construction sites in Town. He indicated that the sites will need to have handwashing stations as well as a COVID Officer in place to oversee social distancing. Mr. Grossman stated he does not think Harvard needs to implement additional requirements on a local level. He indicated he has been adding compliance with these requirements to ViewPoint as building permit applications come in. He also stated the guidelines will apply to the school construction project. Mr. Philippou questioned whether it was necessary to send the guidelines to the current construction projects in Harvard; Mr. Grossman indicated he does not think so, and suggested that if compliance becomes an issue, the BOH can reach out with a warning, followed by a fine, before issuing a cease-and-desist order. Mr. Grossman stated that the Town construction projects have already been addressed, and compliance by Pine Hill Village or Craftsman Village will be addressed through the building permitting process.

Ms. McCarthy noted the Governor's Office has advised that construction projects should be "critical and strategic". Mr. Grossman stated that it also says it encourages all projects, especially those which encourage bringing housing to Harvard. Mr. Grossman stated he believes enforcement on a local level will be arbitrary and based on the decisions of individual building commissioners. He also added that the sidewalk project can be considered municipal infrastructure which is covered by the "Essential Services" order.

d. Discuss guidelines for outdoor contractors- The members agreed that they are okay with lawncare maintenance workers operating in Harvard at this time. Mr. Grossman confirmed that landscaping services is now included in the “Essential Services” order, and advised that while it was initially said these workers could not arrive to a jobsite with multiply employees in one vehicle, that restriction was removed.

e. Clerk & Health Agent Guideline-

- Ms. Flynn provided an update as to the ongoing discussions regarding her increase in hours at this time. She estimated for Ms. Sobalvarro that her hours may be increased as much as 6 hours per pay period, but has been working within budget as she has taken unpaid time off during the year. Mr. Philippou requested Ms. Flynn follow-up with Chris Ryan to see if he would like to attend the next BOH meeting if he still has questions regarding Ms. Flynn’s hours and the BOH budget.
- Ms. Flynn advised that her current workload has increased due to responding to COVID-19 concerns and that stable permits, in particular, are on the backburner. The BOH members agreed that the stable permits can wait, and Ms. Levison offered her assistance with small projects if needed.
- Ms. Flynn reported increase in calls and e-mails re COVID-19, including calls from the Property Manager at Bowers Brook & Foxglove apartments.
- Mr. Grossman reported an increase of calls regarding COVID-19, as well, and asked the BOH members to consider the e-mail from a resident requesting support in advocating against brush burning at this time. Mr. Grossman explained the resident’s request is due to his concerns that burning can cause respiratory issues and a false sense that symptoms are COVID-19, and puts emergency responders at an increased risk. Mr. Grossman indicated he is not supportive of these concerns. Ms. Levison stated that she spoke to the Fire Chief about the e-mail, and the Chief does not believe an active burning season increases the risk for the fire fighters at this time. The BOH members requested that Mr. Grossman respond to the resident that his concerns were discussed, but the BOH does not believe BOH intervention is needed at this time.

OLD BUSINESS

a. Continued discussion regarding COVID-19 response, preparedness, messaging, and enforcement of the Governor’s Order of 3/23/20, including review of draft letter to Chief Denmark, preparation of revisions to the BOH FAQ, and consideration of request to share information with the public and Town officials/emergency managers. The BOH members reviewed and revised Ms. McCarthy’s draft notice regarding the CDC’s recommendation to wear cloth masks. Ms. Flynn will post the notice to the BOH website and request Ms. Doucet do the same for the homepage.

Ms. McCarthy requested the BOH members consider adding the DPH Check Your Symptoms link to the BOH website & homepage. The BOH members agreed.

The BOH members discussed the best way to post wrap-around resources to the COVID-19 page. Mr. Philippou agreed to prepare a first draft of a Community Resources document to be

circulated by Ms. Flynn for comment. The members also agreed to post the DPH Wellness Resource document to the BOH homepage and Town webpage.

Ms. Levison suggested Ms. Flynn send the COVID-19 FAQ to the members for their suggested revisions before Monday at 8 a.m.

Ms. Levison stated that she has received a few e-mails from Select Board (SB) members requesting the BOH's reconsideration of the decision to not publish the number of confirmed Harvard COVID-19 cases. She stated that there was consensus among the Emergency Management Team to not release the number. Mr. Philippou stated that the Fire Chief's Blackboard Connect telephone call confirmed the presence of two cases in Harvard, and with that information already publicly known, it does not make a difference if the current number is reported. Mr. Philippou noted that while he doesn't believe the release of the current number of cases will make a difference, residents have expressed an interest in knowing the number. Ms. Levison stated she is against the release of the number of cases for several reasons, including that it is very difficult to protect patient confidentiality in a Town of Harvard's size and that it gives people a false sense of security. She also explained that the confirmed cases are an underestimate of the disease because for a very long time there was virtually no testing, and currently only the cases confirmed by an approved lab and entered into the Department of Public Health database are reported, missing anyone diagnosed symptomatically whose date is not entered into the database. Ms. Levison asserted that whatever number is reported does not reflect the number of cases in Harvard. Ms. McCarthy stated that, additionally, it has been reported that asymptomatic people are believed to be fueling the spread of the virus more than previously appreciated. Mr. Philippou indicated that while he sees validity in all of the reasons stated by Ms. McCarthy and Ms. Levison, the number of increases or decreases provides a barometer of whether the risk is increasing or decreasing. Ms. McCarthy stated this can also be provided by using the Worcester County numbers. Ms. McCarthy added that residents do not stay in Harvard and leave Town for pharmacies and groceries, and questioned what difference in behavior would be achieved by knowing the number. Ms. McCarthy continued that it is every resident's responsibility to socially distance, wash hands, and wear masks regardless of the number of confirmed cases in Harvard. Mr. Philippou stated that he is not in disagreement, but that some reasonable residents would like to know the number, other towns are releasing their numbers, and he does not feel there is anything wrong with doing so.

Mr. Philippou indicated that an equally important message is that people feeling ill need to be very aware of their breathing & oxygenation, and if they are feeling anything other than being adequately perfused, reach out for emergency services. Ms. Levison indicated that she agrees with this message.

Mr. Philippou indicated that the BOH needs the assurance that if the numbers are released to other officials in Town, the number will be protected. Ms. Levison stated that the ten members of the Emergency Response Team agreed that the number should not be released. Mr. Grossman stated that the weekly update of number of confirmed cases for Harvard will be provided by NABH to the BOH Chair, and it is up to the BOH Chair whether this number is

released to others. Mr. Philippou stated the previous vote still stands and a new vote is not needed. He further indicated that while he does not agree with the others, he will support them as they feel strongly about the decision. All members agreed that the BOH does need to inform any Town officials or groups of the number of confirmed cases in Town.

Ms. Levison reported on her attendance at the Emergency Management Team meetings including that she learned that teachers will be going into the school this week to obtain materials, that the ConCom and Conservation Trust trails are open, that the sidewalk construction will start mid-month, and that barriers have been placed at Prospect Hill to deter congregation. She advised that new COVID-19 testing facilities are open in Foxboro, for first responders only, and Lowell, and that the Shrewsbury CVS testing location has closed. Ms. Levison also noted that Minute Man's meal delivery service this week included frozen meals to be kept by residents on reserve in the event that there is a time Minute Man is unable to deliver.

Ms. Flynn reported that Paul Willard requested a copy of any DPH guidance for farm stands. Ms. McCarthy stated that DPH indicated guidance would be forthcoming. The members agreed that Ms. Flynn should send Mr. Willard the DPH guidance for greenhouses, nurseries, etc., and suggest he post a sign reminding customers to maintain social distances.

b. Continued discussion regarding the status of the track, beach, and playing fields during the State of Emergency- Ms. Levison noted Dr. Dwight has expressed she does not see any reason for the playing fields to be open, and that the beach is currently open for launch of canoes and kayaks. Ms. McCarthy stated that the consideration of whether the public spaces can be open should be fluid based on whether residents can maintain social distances. The members agreed. Mr. Philippou's draft letter to the SB was reviewed and revised. Ms. Flynn will finalize the letter and deliver it to the SB. The BOH members also considered Mr. Philippou's draft letter to Chief Denmark regarding enforcement of the Governor's Order and determined it to now be moot.

c. Action items- Action items from the last two meetings were reviewed.

PERMITS- Permit applications were not reviewed. Mr. Grossman indicated that permit review, unfortunately, is a lesser priority at this time. He also advised that he has given Mr. O'Hagan, of Craftsman Village, the framework of what is needed and Mr. O'Hagan indicated he will be passing this on to his engineers.

MINUTES- The minutes from the meeting of March 10th at 7 pm, March 24, and March 31 were reviewed and revised. Ms. Levison made the motion to accept the minutes of March 10th as amended; Ms. McCarthy seconded. The motion was approved by a roll-call vote. Ms. McCarthy made the motion to approve the minutes of March 24th, as amended; Ms. Levison seconded. The motion was approved by a roll-call vote. Ms. Levison made the motion to accept the minutes of March 31st as amended once Ms. Flynn includes all Referenced Documents; Mr. Philippou seconded. All were in favor by roll-call vote.

ITEMS FOR NEXT AGENDA- Items for the next agenda were discussed. The members agreed to table discussions of guest speakers, preparation of a well-owner tip sheet, and PFAS until the BOH can meet again in person unless there is an urgent need to address PFAS. The members also agreed to review the COVID-19 page at the 4/21/20 meeting. It was also discussed whether an agenda item would be needed to prepare messaging advising residents to see urgent medical attention if they are experiencing breathing difficulties; they instead agreed to approve posting of existing DPH or CDC messaging via e-mail if identified by Mr. Grossman.

ADJOURNMENT- Ms. Levison made the motion to adjourn at 9:04 p.m.; Ms. McCarthy seconded. All were in favor by roll-call vote.

Respectfully submitted,

Alison Flynn, Clerk

Documents Referenced:

- Agenda
- Draft minutes of 3/10/20 at 7 pm, 3/24/20, and 3/31/20
- Draft letter to SnoWerks
- Draft letter to the Select Board regarding the track
- Draft letter to Chief Denmark regarding enforcement
- E-mailed correspondence of 4/3/20 with the homeowner of 162 E. Bare Hill Rd., and the Title 5 Inspection report of 12/2020
- E-mailed correspondence of 4/6/20 from R. Schmidt to Mr. Grossman
- Correspondence, with enclosures, from the Governor's Office of 3/25/20 regarding construction projects
- Draft mask guidance