

**Harvard Board of Health Meeting Minutes**  
**Zoom Meeting**  
**Tuesday, May 26, 2020**  
**Approved: June 2, 2020**

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

*Attending (including but not limited to):* Ira Grossman, Health Agent, Nashoba Associated Boards of Health (“NABH”); Alison Flynn, Board of Health (“BOH”) Clerk; Joan Eliyesil and Lily Robinson, The Harvard Press; Holly Hatton, Director, Pam Erdos, Bare Hill Rowing Association (“BHRA”); Bill Barton, Town Moderator.

Mr. Philippou called the meeting to order at 7:00 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 asked to reserve questions regarding COVID-19 until later in the meeting; Mr. Philippou agreed. Ms. Eliyesil also asked whether Westward Orchard’s move toward a Public Water Supply was mandated by the BOH. Mr. Philippou answered that it was not ordered by the BOH but discussed at several meetings with the Westward Orchards principals who recognized that it was in their best interest. Ms. McCarthy added that she believed it was in part to Westward Orchards’ interest in expanding services offered. The BOH members confirmed for Ms. Eliyesil that the Department of Public Health (DPH) has not offered guidance regarding Annual Town Meetings (ATMs) but that the Massachusetts Associated Boards of Health (MAHB) has provided a “semi-final” guidance. Ms. Flynn will provide Ms. Eliyesil with a copy of the MAHB guidance pursuant to her request. Ms. Eliyesil indicated that Mr. Bragan specified that Fruitlands was no longer being considered as a possible ATM location due to the concerns of the BOH, and asked the BOH what these reasons were. The BOH members listed a lack of rest rooms, uneven terrain, exposure to ticks and mosquitoes, and possible poison ivy, as some of the BOH’s safety and accommodation concerns with the site.

**NEW BUSINESS**

a. Bare Hill Rowing Association: Consideration of proposed opening protocols- Ms. Hatton, Program Director for Bare Hill Rowing Association (BHRA), indicated that feedback was requested from the BOH regarding the Overview of Summer Program 2020 and Details of Protocols for Summer Programming 2020 e-mailed to the members prior to the meeting. Ms. Hatton explained that the BHRA followed the guidance of the US Rowing Association in developing the documents for a program to allow individual rowers in single boats. Mr. Philippou noted that he appreciated the proposal’s thoroughness, and asked that the Cleaning Stations section specify the use of CDC approved cleaning and sanitizing agents. Ms. Hatton agreed and asked for assistance in locating the link to the approved agents; the BOH members advised where this could be found on the BOH website. Mr. Philippou also added that soiled items should be cleaned prior to disinfecting. Mr. Grossman suggested that the program, as

written, might need to be licensed as a camp. He stated he would follow-up with Ms. Hatton on this point via e-mail after he is able to confirm his thoughts with Mr. Garreffi. Mr. Philippou asked that the BHRA consider a process to ensure that participants are not congregating on the beach prior to launch; Ms. Hatton agreed. Ms. Hatton indicated that the target start date for the program is currently June 22th, as usual. Ms. Levison suggested that the program begin pre-registration but have a back-up plan ready if the Phases extend longer than 3 weeks. Ms. McCarthy suggested that guidance might be issued from DPH shortly, and offered to send BHRA any applicable guidance once received. Ms. Hatton asked about the approval process going forward. Mr. Philippou advised that Town Administration would provide approval, and the BOH would likely only step in if there is a deficiency in the ability to operate safely. Mr. Philippou concluded that he does not foresee issues, as the proposed plan looks good. Mr. Grossman agreed, and reiterated that he would be in touch to follow-up on whether the program qualifies as a camp.

b. Harvard Town Beach: Consideration of beach permit issuance- Mr. Grossman stated that his colleague, Kalene Gendron, has been reviewing the beach permit application for the Town Beach and has had discussions with Park & Recreation, himself, and Mr. Bragan about the options for operating this summer. Mr. Grossman indicated that after many discussions on different options on how to run the Beach this summer, Parks & Recreation decided on what they labeled Scenario 2 – which allows swimming at the beach but does not include lifeguards (described in a spreadsheet provided to the BOH members prior to the meeting). Beach stickers are required and will be checked. Mr. Grossman stated that the consensus was that it would not be practical to operate with lifeguards with the current guidelines due to the need for increased staffing to provide enforcement. Mr. Grossman explained that the hope is that the beach can expand services to include lifeguards later in the season if guidelines ease up. Ms. Levison reported that she received an e-mail from a resident who expressed disappointment that the beach was not open for Memorial Day Weekend. Ms. Levison indicated that she confirmed with Harbor Master Bob O'Shea that the beach regularly does not open until the second week of June because the beach is staffed by high school students and the Director is a school teacher. Mr. Grossman confirmed that gridding the beach was considered, but decided against in part because it would be too hard for the younger staff to enforce social distancing. Mr. Philippou questioned why 12 ft. of social distance is required outside when it is acceptable to social distance inside, where there is less air circulation, at 6 ft. Ms. Levison explained that the 12 ft. is to allow an individual to maintain 6 ft. of social distance while walking through two parties. Mr. Grossman asked if the BOH would be willing to issue a beach permit should the time arise when the beach is ready to include lifeguards. Ms. Levison stated she believes she would be inclined to approve if the data is supportive in a month; Ms. McCarthy agreed. Ms. McCarthy asked whether state funding might be available to cover the need for additional enforcement staffing at the beach; Mr. Philippou suggested she ask this of the Select Board (SB). Mr. Philippou concluded that the BOH would be willing to issue a beach permit when the time comes with possible restraints or considerations.

c. Update from the Emergency Management Team- Ms. Levison reported that the Emergency Management Team (EMT) last met on Thursday. Mr. Grossman stated that Town Hall re-opened and described the safety measures in place; Ms. Flynn added additional examples. Ms.

Levison stated that there has been continued discussion regarding the Annual Town Meeting (ATM), including that alternative sites are being considered, and how finances would be handled should a budget not be approved by June 30<sup>th</sup>. Ms. Levison also stated that the track was due to re-open, the Prospect Hill Overlook barricades were to be pushed back, and the playground was to be taped off with swings removed, effective today.

d. Clerk and Health Agent Update-

- Ms. Flynn asked Mr. Philippou whether he would like to consider a request for approval of an arsenic deed notice for 29 Simon Atherton received from the property owner's attorney late in the day; he agreed. Mr. Grossman stated that he reviewed the water quality report and was okay with the deed notice as presented. Ms. Levison made the motion to approve the deed notice; Ms. McCarthy seconded. All were in favor by roll call vote.
- Ms. Flynn advised that she has been working with Ms. Sobalvarro to establish a mostly remote work schedule and asked for the BOH's input on "in-office hours". Mr. Philippou stated that it would be ideal for Mr. Grossman and Ms. Flynn to stagger hours slightly to reduce exposure. Ms. Flynn advised that she believes her working remotely up to this point has not affected her responsiveness to residents except in that the process for exchanging permit fees for the original permits requires a bit more coordination. Mr. Philippou noted that residents may become more desirous to meet in person now that Town Hall is re-opened to the public. The BOH members offered their support of Ms. Flynn's need for flexibility due to lack of childcare during this time.

## **OLD BUSINESS**

a. 3 Blanchard Road: Continued discussion regarding water quality notice prior to sale- Ms. Flynn read the e-mail of counsel for the homeowner aloud which stated that methods by which the buyers had been and would be notified of the potential for PFAS in the private well. Mr. Philippou stated as PFAS testing has been optional up to this point, he does not feel the BOH members can require testing for this property at the time of sale. The BOH members agreed that they appreciate that the buyers will be notified and stand by the deed notice previously approved for the property. Ms. Flynn will follow-up to ensure a recorded copy of the deed notice is received.

b. Continued discussion regarding COVID-19 response, preparedness, messaging, and enforcement of the Governor's COVID-19 Orders- Ms. Levison reported on the latest DPH call for local boards of health including that restaurant reopening guidance would be issued soon, that yard sales are allowed if they use curbside pickup, that those traveling to other states over the summer are urged to quarantine, and that more information will be forthcoming regarding whether outdoor fitness classes of less than 9 people are allowed.

Ms. McCarthy stated she would forward two e-mails she received from an individual at DPH introducing herself as Harvard's liaison to the Office of Local and Regional Health. Mr. Philippou suggested Ms. Flynn respond on behalf of the BOH.

c. Continued discussion regarding recommendations for Annual Town Meeting- Ms. Levison stated that she has learned through the EMT meetings that Town Administration has done quite a bit of planning for ATM, but that the BOH has concerns about the ATM being held indoors with the possibility of a super spreader present. Ms. Levison stated that she learned Needham will be holding its ATM outside in a parking lot during the 1<sup>st</sup> weekend in June with two rain dates, and that Boxboro is holding their town meeting at the Boxboro Regency (indoors, 13,000 sq ft space). Ms. Levison noted that the MAHB guidance states that the Town Administrator (TA), SB, and Town Moderator should request input from BOH and the BOH should provide input during the planning process. Ms. Levison noted that the Harvard is restricted by Open Town Meeting in that it cannot be held via Zoom, but legislation does allow for the ATM to be held at a location outside of Town. Ms. Levison stated that as more information is being published about the risks associated with prolonged exposure in interior spaces, the BOH is considering the alternatives.

Ms. McCarthy explained that risk is a function of the toxicity of the agent and the dose, and when you have a large number of people in an indoor environment where the air is recirculated, you are increasing that dose. Ms. McCarthy continued that there is more evidence that the virus can exist in submicron size particles, traveling within ventilation system without impacting on walls or falling out. She stated that in ATM people are present for a longer period of time which increases the dose and studies of super-spreader events have documented that people who are exposed over a long period of time get much sicker with COVID-19 than those who pick it up in their travels. Ms. McCarthy noted that many of people who come to ATM are at higher risk because of their age. She suggested that holding the ATM outside would get rid of the super spreader conditions.

Town Moderator Bill Barton stated that he read the BOH's letter to the SB and prefers to have a discussion that includes the Administration and SB.

Mr. Philippou added that the BOH is concerned certain higher risk populations will not participate and will therefore not be represented. He indicated that a poll would be helpful to identify whether a quorum can be expected and whether those who intend to participate are representative of the population as a whole. Mr. Barton questioned how the impact of each subgroup would be weighted. Mr. Philippou suggested that would have to be decided by the SB, but indicated that his biggest concern would be that the elderly would be underrepresented because of their high-risk, and suggested that other predisposing conditions are more likely to be more evenly distributed. Mr. Barton recognized that older residents have a higher incidence of fatality while younger residents have a higher incidence of contagion and that bringing these too together could lead to increased spread.

Ms. Levison advised that municipal legislative bodies are exempt from the group limitation of 10 individuals, and this is why ATM could be held indoors. It also allows ATM to be held under a tent, providing shade/shelter.

Mr. Barton noted that he and a group of other MA moderators share information back & forth.

Ms. Levison stated that she requested a meeting with the SB and Mr. Barton at a EMT meeting and was told that could happen during the June 2<sup>nd</sup> SB meeting. Ms. Flynn confirmed she sent Mr. Philippou's letter to the SB requesting such a meeting, and copied Mr. Barton and the EMT. Mr. Barton stated he would follow-up with Ms. Doucet or Mr. Bragan the following day. The BOH members agreed to move the BOH meeting, also scheduled for June 2<sup>nd</sup> at 7 pm, as needed to accommodate the discussion, once the meeting with the SB is confirmed.

Mr. Barton stated that the discussion tonight was consistent with what he's discussed with Town Administration, but had not heard that a tent was a possibility. He indicated that he was concerned about heat with an outdoor event. Ms. Levison stated that the BOH had concerns with Fruitlands' uneven terrain. The members suggested the location where graduation is held or the track as alternative outdoor sites. Mr. Philippou added that the ambulance service would need to have a cooling station available, residents would need to be advised to bring umbrellas, and arrangements would be needed for porta potties and their sanitization. Ms. Levison encouraged Mr. Barton to reach out to the BOH if he needs additional information.

d. Review Action Items- Action items were reviewed.

**PERMITS**- Permit applications were not reviewed.

**MINUTES**- The BOH members reviewed and revised the draft minutes of 5/19/20. Ms. McCarthy made the motion to approve the 5/19/20 minutes as amended; Ms. Levison seconded. All were in favor by roll call vote.

**ITEMS FOR NEXT AGENDA**- Items for the next agenda were discussed. The members agreed to move the 6/2/20 meeting to begin at 6:30 p.m. if necessary to allow for participation in the Select Board Meeting. Ms. Flynn will discuss the process of suspension of the meeting with Ms. Kenney.

**ADJOURNMENT**- Ms. McCarthy made the motion to adjourn at 8:23 p.m.; Ms. Levison seconded. All members were in favor by roll call vote.

*Respectfully submitted,*

*Alison Flynn, Clerk*

**Documents Referenced:**

- Agenda
- Draft minutes of 5/19/20
- BHRA: Details of Protocols for Summer Programing 2020 and Overview of Summer Program 2020
- Harvard Town Beach spreadsheet of Scenario 2 and 3