

Harvard Board of Health Meeting Minutes
Zoom Meeting
Tuesday, June 23, 2020
Approved: July 14, 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; Liz Allard, Conservation Agent/Land Use Administrator.

Mr. Philippou called the meeting to order at 7:04 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- None.

NEW BUSINESS

a. Status of Memo of Understanding re support of Land Use Administrator/Conservation Agent by BOH Clerk- Ms. Allard was in attendance at the invitation of the BOH, and stated she understands that Ms. Flynn has not been able to give her the four hours of assistance described by the MOU during the COVID-19 outbreak. She indicated that she has been reluctant to give Ms. Flynn assignments during the short time she has in the office, but expects that she can give 2-3 hours of non-time sensitive assignments to be completed at home. Ms. Flynn indicated that she can find time for these assignments if her BOH assignments are reprioritized. Ms. McCarthy indicated that she doesn't believe the BOH will have many other time sensitive assignments over the summer aside from those which are COVID-19 related. Mr. Philippou indicated that the BOH will be moving back to its two meetings per month schedule now that the foundation for the BOH's COVID-19 responsibilities has been established. Ms. Flynn agreed that this will free up her time to be of more assistance to Ms. Allard. The BOH members thanked Ms. Allard for her flexibility and encouraged her to reach out if she gets frustrated with Ms. Flynn's unavailability; she agreed.

b. Update from the Emergency Management Team- Ms. Levison indicated that the EMT has reduced its meeting schedule to once per week, and that Dr. Dwight was not present at the most recent meeting to provide an update. Ms. Levison advised that the Trustees of Reservations/Fruitlands has posted that there is no parking at any time along Prospect Hill Road adjacent to the Fruitlands property. Mr. Philippou asked the members whether they had an opportunity to review the e-mail from Fruitlands requesting advice regarding the fall Craft Festival. Mr. Grossman confirmed that the decision of if and how the Craft Festival will proceed will be the decision of the BOH. Ms. McCarthy indicated that the Phased opening guidance states festivals cannot be held until Phase 4. Mr. Philippou will send an e-mail in response, copying the BOH members, which indicates that the festival cannot be held unless the Governor states we have entered the appropriate phase, that it is much too soon to predict what the state

will outline for guidelines for the event, and as the September date approaches, the BOH will discuss such guidelines with Fruitlands.

c. Clerk and Health Agent Update-

- Ms. Flynn advised that the BOH was in receipt of an e-mail from Ms. Doucet advising that Apple Guy Flowers LLC is to present its business plan to the Select Board ("SB") on June 30th. The BOH members asked Ms. Flynn to provide comments to the SB, advising that a marijuana establishment permit will need to be issued by the BOH if the applicant proceeds, and requesting the SB provide the applicant with a copy of the BOH's applicable regulation. The BOH members indicated they will not attend the SB meeting.

OLD BUSINESS

a. Continued discussion regarding COVID-19 response, preparedness, messaging, and enforcement of the Governor's COVID-19 Orders- Ms. McCarthy and Ms. Levison indicated they were both on the day's DPH call to Local Boards of Health (LBOH). Ms. Levison reported that the DPH will be sending an e-mail offering mental telehealth services in response to many LBOH community members who have expressed frustration and/or the desire to quit.

Ms. McCarthy also stated that Dr. Katie Brown reported that the popup testing that DPH offered to those attending large gatherings/protests tested >17,000 on Wednesday, and 15,000 tested on Thursday, and that the percent of positive results were consistent with previous testing.

Ms. Levison stated that the day's call confirmed that little league baseball teams can run drills, but cannot hold games until Phase 3. The members discussed a recent NextDoor Harvard posting, and agreed that a gentle reminder should be sent to the athletic groups in Harvard. Ms. McCarthy offered to identify these groups and draft an e-mail to be sent out by Ms. Flynn along with the sector specific DPH guidelines. Mr. Grossman stated that Dr. Dwight agreed to reach out to the cross country team regarding the same.

Ms. McCarthy reported that the call confirmed that water fountains should not be turned on at this time; she passed on this information to Pete Jackson.

Ms. McCarthy also reported that OSHA should be contacted for enforcement of postal workers who, with all federal employees, are exempt from the state regulations and Governor's order.

Ms. McCarthy reported that one of the Friday calls stated that the interaction of the Contact Tracing Collaborative with some of the LBOHs has been rocky, and that outreach meetings are taking place.

Ms. McCarthy also learned that restaurants can use plexiglass barriers to divide one long table, if necessary. Ms. Levison added that in order for breweries not serving its own food to be open, a food truck needs to be present for the entirety of open hours.

b. Continued discussion regarding recommendations for Annual Town Meeting- Mr. Philippou stated that he thought Annual Town Meeting went very well. Ms. Levison expressed frustration that so much time was spent negotiating a \$20,000 landscaping budget around the school's ramp when the BOH budget is \$3,000 and doesn't feel public health is appreciated at any level

in the US. The other members agreed. Ms. Levison asked Ms Flynn whether there has been any communication to her about budget cuts; Ms Flynn indicated that Mr. Bragan did send an e-mail to the employees the week prior, suggesting there may be cuts and possibly no pay increases, and would send the e-mail to the BOH members if not already received. Ms. Levison suggested a town-wide mailing about EEE should be included in the FY21 budget; Ms. McCarthy suggested a town-wide mailing regarding drought activities. The members requested Ms. Flynn look for information regarding drought activities and post to the BOH website. Ms. Levison advised that she heard a piece on the radio which indicated state-promised COVID-19 funding to the towns might not come in until September. Ms. McCarthy asked the members whether anyone had the opportunity to review the 2020 arbovirus mitigation plan; she volunteered to do so before the next meeting to assist in considering an EEE action plan.

Ms. Levison also suggested, in response to the Warrant Article regarding Parks & Recreation management of town-owned fields, that a letter be sent advising that the Pond Road playing fields are in a protected zone of the Town Well with restrictions on fertilizers. The BOH members agreed; Ms. Allard was also in accordance. Ms. Levison will work with Mr. Grossman to prepare a letter which will copy the Conservation Commission (ConCom), Planning Board, Water & Sewer Commission, Select Board, Playing Fields Sub-Committee, and Bare Hill Pond Watershed Committee.

c. 40 Woodside Road: Continued consideration of revised SDS design plan- Mr. Grossman advised that he reviewed the homeowner's revised plan which includes a boulder retaining wall with polyethylene barrier resulting from the goal to create a more level backyard by raising part of the leaching area. Mr. Grossman stated that he contacted Ms. Allard with concerns that the changes to the grading would affect the wetland buffer zone. Ms. Allard stated that she has no problem with the slope, but would consider allowing amendments to the plan beyond the limit of work if that's helpful to the BOH's concerns. Mr. Grossman stated that he does not think that would be helpful. Ms. Allard also noted that when she was last at the property, she observed boulders not reflected on the plan, and is not sure if ConCom will be okay with their placement. Mr. Grossman stated he will follow-up with the engineer on this issue, as well. Ms. McCarthy made the motion to accept the modification to the plan for 40 Woodside Road as presented; Ms. Levison seconded. All were in favor by roll call vote.

d. Carlson's Orchard Public Water Supply: Continued discussion regarding current approval for use- Mr. Grossman reported that he has continued e-mail dialog with Franklyn Carlson, as well as DEP, since the last meeting. He indicated that DEP is concerned that as Carlson's is currently open daily, he will very likely use up the 60 days/year very quickly. Mr. Grossman stated that Mr. Carlson indicated he has an operator who has been performing water quality testing, of which Mr. Grossman requested submission, and that the treatment equipment for contaminants is in place. Mr. Grossman suggested to Mr. Carlson that a new food service application be submitted with complete details about his plan and proposed number of seats.

e. Continued review of draft joint response of the BOH and ConCom to Craftsman Village Harvard's soils report of 4/30/20- Mr. Grossman and Ms. Flynn advised that ConCom did not

have any revisions to the draft joint response, and Ms. Flynn will send the applicant a final version shortly.

f. Review Action Items- Action items were reviewed.

PERMITS

The following septic permits were reviewed and approved:

- 20 White Lane- The BOH reviewed the proposed permit and SDS plan for an extension to the existing leaching area. Mr. Grossman confirmed that the expansion is considered new construction and is in full compliance. Ms. Levison made the motion to approve the expansion of septic for 20 White Lane; Ms. McCarthy seconded. All were in favor by roll call vote.

MINUTES

Ms. Levison made the motion to table review of the minutes until the next meeting; Ms. McCarthy seconded. All were in favor by roll call vote.

ITEMS FOR NEXT AGENDA

Ms. Levison asked the members to consider a town-wide mailing regarding EEE at the next meeting. Ms. McCarthy discussed the status of drought be included. Ms. Flynn advised that Dan Wolfe, PE, requested a room count discussion for 72 Mass. Ave. The BOH members agreed that the next meeting will be held on July 14th unless an emergency need for a meeting prior arises.

ADJOURNMENT- Ms. Levison made the motion to adjourn at 8:07 p.m.; Ms. McCarthy seconded. All members were in favor by roll call vote.

Respectfully submitted,

Alison Flynn, Clerk

Documents Referenced:

- Agenda
- 40 Woodside Road: Revised SDS plan
- 20 White Lane: Proposed SDS plan & permit
- Apple Guy Flowers Business Plan