

**Harvard Board of Health Meeting Minutes**  
**Zoom Meeting**  
**February 1, 2023**  
**Approved: February 13, 2023**

*Board of Health Members present:* Libby Levison; Sharon McCarthy; Chris Mitchell, Chair.

*Others Attending, including but not limited to:* Alison Flynn, Board of Health Clerk; Jim Garreffi, Health Agent, Nashoba Associated Boards of Health; Pat Natoli, CERT Director; Rick Sicard, Fire Chief; Tony Shaw, property owner, 30 Cruft Lane.

**CALL MEETING TO ORDER**

*Mr. Mitchell called the meeting to order at 4:00 p.m. Ms. Flynn provided remote meeting instructions.*

**PUBLIC COMMENT**

None.

**NEW BUSINESS**

**30 Cruft Lane: Consider request for extension of septic permit**

Mr. Garreffi stated that the Board approved a restrictive covenant for the prior owners which waived the requirement for a Title 5 Inspection Report and the required water quality testing in consideration of the owners' intent to upgrade the failed septic and non-compliant water supply within a specified period of time. Mr. Garreffi indicated that the septic permit, issued in January of 2020, was good for three years. The Board Members considered the request of the new property owner, Mr. Shaw, for an extension on the septic permit which was issued in January of 2020. Mr. Garreffi advised that Title 5 allows the BOH to approve a septic permit extension of up to one year if the property owner can explain why there was a delay in installation. Mr. Garreffi confirmed that there have been no changes to Title 5 since the permit was approved that would cause the BOH to reconsider its issuance. Mr. Shaw indicated that he purchased the property in December and would like to investigate whether the septic and water supply need to be replaced; he intends to use the house without expansion at this time. Ms. Flynn indicated that she has a failed Title 5 Inspection Report, dated 2021, for the property that she will e-mail Mr. Shaw. Mr. Garreffi indicated that he does not have any concerns with extension of the septic permit but does not think the existing spring can be used unless it meets EPA requirements.

Ms. Levison made a motion to extend approval of the septic design plan permitted in 2020 for one year; Ms. McCarthy seconded. All were in favor by roll call vote.

Mr. Mitchell indicated that the BOH would be open to consider the use of the spring after water quality testing if it also meets the EPA standards. Mr. Garreffi stated he would send the EPA private water drinking water manual to Mr. Shaw. Ms. Levison noted that the risk of giardia is higher because of the beaver presence on Cruft Lane.

**Consider request for attendance of BOH representative at the 2/9 HCIC Meeting**

Ms. McCarthy indicated that the Harvard Climate Initiative Committee would be looking for

commitment and a timeline for implementation of the Climate Action Plan's goals. The Members discussed availability for attendance. Ms. McCarthy indicated she will attend; Ms. Levison and Mr. Mitchell agreed to join her after their attendance at the Devens RAB Meeting. Ms. McCarthy will send Ms. Levison and Mr. Mitchell portions of the Climate Action Plan for their review prior to the meeting.

#### **Report from attendance at RCAP Webinar: Water Reuse for Small Communities (1/23/23)**

Ms. McCarthy reported that the subject matter of the webinar was not hugely relevant as it related to small municipal systems v. private wells.

#### **Plan for maintenance of the EDS Trailer and consider access at current location**

Ms. Levison noted that moving the trailer in snow depths will require a coordinated effort with the Fire Department and Department of Public Works. Ms. Natoli advised that only municipally owned vehicles are authorized to move the trailer.

The Members also discussed the need for Spring and Fall clean-outs of the trailer this year to incorporate new inventory and address pest infestation. Chief Sicard advised that he pulls the trailer into the bay for cleanouts. Ms. Natoli reported that her CERT team was scheduled to clean-out the trailer in August but had to reschedule due to a heat wave. Chief Sicard also indicated that he recently purchased cargo netting to secure the equipment on the trailer shelves. Ms. Flynn will add a discussion to the agenda for the 1<sup>st</sup> meeting in April to discuss scheduling a spring cleanout. Ms. Natoli reported monthly changing of dryer sheets has worked as a mouse deterrent in Littleton.

#### **Consider attendance at Special Town Meeting and rescheduling the Feb. 13<sup>th</sup> BOH Meeting**

The Members agreed to move the BOH Meeting to 12:30- 2:30pm on February 13<sup>th</sup> so that the BOH Members can attend Special Town Meeting.

#### **Approach to abandoned houses**

Mr. Garreffi indicated that there are three abandoned houses in Harvard that have been brought to his attention. He stated that if the houses are secured and not creating a public health hazard or nuisance, his general approach is that the BOH does not need to act. Mr. Garreffi stated that he requested the Building House consider the property on Ayer Road and that Mr. Hayes reported back that he will be taking the lead on addressing its conditions. Mr. Garreffi stated that he drove by the house on Lovers Lane and would like to revisit it to ensure a basement door is not open; Ms. Flynn stated that Mr. Hayes reported he believed the house was secure. Ms. Levison indicated that she was told that the house on Pond Road is secure.

#### **NABH FY24 Assessment**

Mr. Garreffi reviewed the increase in assessment previously discussed at the last meeting. Ms. Flynn confirmed that she forwarded the assessment memo and revised budget to the Finance Director. She agreed to reach out to the Finance Director to confirm receipt.

#### **Update regarding status of draft non-criminal disposition bylaw and plan for revision of Board of Health regulations, if needed**

Ms. Flynn will reach out to Mr. Bragan to see if he has an update on the Select Board's intent.

## **Report from Land Use Boards (LUB) Meeting of 1/17/23**

Mr. Garreffi reported that Craftsman Village has been issued Certificates of Compliance from the BOH for all units. He stated that he will be writing the water system operator to remind them that the BOH will be expecting results from the testing of the irrigation well in mid-June or July. Mr. Garreffi stated that he has performed final inspections but does not have everything he needs yet for issuance of Certificates of Compliance for Sunrise or Tuck's Way at Pine Hill Village. He reported that there was some discussion of a new development planned for the corner of Ayer Road and Mill Road, and that he just learned from Tim Bragan this week of 40B approval for a development on Old Mill Road. Mr. Garreffi stated that he also learned at the LUB meeting that Scott Patterson is considering putting batting cages at the bowling alley. He reported that there was discussion that 203 Ayer Road would like to be permitted for all three buildings, but Mr. Garreffi has not yet seen septic designs for two of the proposed buildings.

## **COVID-19: Including but not limited to current status and distribution of test kits**

Ms. Levison stated that case numbers are decreasing throughout the state and that the test kit distribution sites in Harvard are almost out of kits. Ms. Levison noted that President Biden will be lifting the COVID emergency on May 11<sup>th</sup>. The group discussed that this likely means the BOH would not be receiving further free test kits and vaccinations will be processed through insurance.

## **Update from DPH Interagency Local Boards of Health Webinar (1/10/23)**

Ms. McCarthy reported that Dr. Brown presentation indicated XBB 1.5 is the dominant variant, that monoclonal antibody treatments are not that effected with it and that there is no indication that it is more severe, and that there is no change in guidance. Ms. McCarthy also reported the webinar included an update that a national electronic case reporting system for all infectious diseases is in the process of development. Ms. McCarthy noted that the Academic Public Health Corps. will be running seminars regarding the new housing regulations. Mr. Garreffi indicated that half, if not more, of his staff will attend training regarding these changes.

## **Clerk and Health Agent Update**

- Ms. Flynn asked the Members if they have any comments on Sue Robbins' proof of the stable permit press add. The Members agreed it should say that the ad is a reminder from the Board of Health.
- Ms. Flynn asked the Members if they have any comments on the Public Health Corps flyer regarding test kit expirations. Ms. Levison will suggest they include the Department of Public Health logo.
- Ms. Flynn reminded the Members to let Ms. Kelly know if they will attend the March 14<sup>th</sup> Ethics Training, and advised that Mr. Bragan is encouraging all staff and volunteers to go.
- Ms. Flynn reminded the Members that Ms. Levison forwarded an e-mail regarding Jamie Eldridge's Green Advisory Council meeting. The Members discussed the scope of the Council and agreed that this is the purview of the HCIC v. BOH.
- Ms. Flynn asked the BOH whether they would like her have an initial meeting with PHEP Planner, Sara Darlagiannis, to discuss her revisions to the EDS Plan template. The BOH Members authorized her to go ahead.
- Ms. Flynn advised the Members that she received a quote from Amiscience for calibration of the fluorometer which would cost \$220 + \$25 shipping, as budgeted. The BOH Members agreed to the cost.

## **OLD BUSINESS**

### **Consider application for membership to MHOA and MEHA**

The Members agreed that Ms. McCarthy will join MEHA and Ms. Levison will join MHOA. Mr. Mitchell made a motion to reimburse Ms. McCarthy and Ms. Levison for their membership; Ms. McCarthy seconded. All were in favor.

### **Consider revisions to Article I: Sanitation, including previously drafted tight tank regulation**

The Members reviewed and revised the draft regulation. Ms. Flynn will accept track changes and make additional formatting revisions in preparation for the next meeting.

### **Status of satellite phone base station installation at the Bromfield School and Public Safety Building**

Ms. Levison indicated that she did not have an update on base station installation.

### **Continued discussion regarding placement of additional textile recycling bins on municipal property**

Ms. Levison indicated that she did not have an update on the textile recycling bins.

### **Drought: Continued discussion regarding next public outreach steps**

Ms. McCarthy reported that she spoke to Mr. Osborne about the BOH's ideas for outreach articles and he was very interested. She stated that they agreed that the first piece will be a "Consider This" which can include side-bars and graphics. Ms. McCarthy indicated that she believes the first article will answer "what is groundwater" and "what is drought and how is it determined", and the second article will address water conservation.

### **PFAS update, including but not limited to efforts to organize a showing/discussion of "Dark Waters", and update from review of the PFAS Interagency Task Force report**

This item was not discussed.

### **Recycle Your Reusables: Continued discussion regarding financial support**

This item was not discussed.

### **Status of application for stroke awareness outreach grant in conjunction with Harvard Ambulance Service and the Council-on-Aging**

Mr. Mitchell indicated that the application was submitted with a request for just over \$8,000 to pay for two mailings, literature, a seminar, books for the library, and for funds to subsidize extra staff hours needed.

### **Action Items**

Action Items were not reviewed.

## **PERMITS**

### **Septic**

- Septic permits issued by the Health Agent were not reviewed.
- 23 Whitney Road: Septic upgrade including request for Local Upgrade Approval- The BOH Members considered the local upgrade request for this septic permit application. Mr. Garreffi indicated that he does not have any issue with the request. Ms. Levison made the motion to approve the local upgrade approval request for Plan L-41267; Ms. McCarthy seconded. All were in favor by roll call vote.

### **Waste Hauler**

- Review 2023 application packages of:

Republic Services Inc.- Ms. Flynn advised that Republic Services appears to be in compliance with the regulation with the exception that one of their commercial generators is not receiving recycling services. Ms. Flynn indicated that Republic Services tried contacting the customer to request a Commercial Generator Exemption Form but did not receive the required. Ms. Flynn recommended that the BOH approve the permit and she will reach out to the commercial generator to encourage compliance. Ms. McCarthy made a motion to approve the permit of Republic Services, Inc.; Ms. Levison seconded. All were in favor by roll call vote.

McHugh Junk Removal- Ms. Flynn indicated that McHugh Junk Removal is a first year application and advised that the package is in full compliance. Ms. Levison noted that the truck does not appear to have separate compartments for trash and recycling. Ms. Flynn noted that the application lists a location for solid waste which is different than the recycling processing facility listed. Ms. McCarthy made a motion to approve a permit for McHugh Junk Removal; Ms. Levison seconded. All were in favor by roll call vote.

GW Shaw & Son, Inc.- Ms. Flynn advised that the application package is in full compliance. Ms. Levison made a motion to approve a permit for GW Shaw & Son to haul solid waste and recyclables in Harvard; Ms. McCarthy seconded. All were in favor by roll call vote.

EL Harvey & Sons, LLC, Inc.- Ms. Flynn advised that the application package is in full compliance except for the fact that several commercial generators are not separating trash from recycling. She indicated that EL Harvey has explained that the solid waste of these commercial generators is sorted at the EL Harvey facility. Ms. Flynn indicated that EL Harvey has given the BOH this explanation in the past and has been accepted as valid in the past. Ms. McCarthy made a motion to approve the permit for EL Harvey; Ms. Levison seconded. All were in favor by roll call vote.

Waste Management of MA, Inc.- Ms. Flynn advised that the application is in full compliance with the exception that two of their commercial generators are not recycling. Ms. Flynn recommended the BOH approve the permit and ask her to reach out to the generators. Ms. Levison made a motion to approve the permit for Waste Management of MA, Inc.; Ms. McCarthy seconded. All were in favor by roll call vote.

D&D Waste Removal, Inc. (revised application package)- Ms. Flynn advised that D&D Waste Removal submitted a revised slip notifying its customers of the MA Waste Bans, and noted that it still does not mention textiles, as previously requested. The BOH Members agreed that the affixed sticker meets the majority of the Waste Ban notification requirements. They decided to

accept the notification for 2023, but ask that D&D include textiles the next time that the sticker is printed. Ms. Levison made a motion to approve D&D's roll-off dumpster permit and ask that they include some of the more recent waste ban items the next time the sticker is printed; Ms. McCarthy seconded. All were in favor by roll call vote.

- Consider notice to 2022 haulers who have not yet applied for 2023 permits

Mr. Mitchell suggested writing these haulers to inform them that their permit has expired and they should cease all work in the Town of Harvard until they have applied for a permit. Ms. Flynn asked that the BOH modify this instruction to say until the BOH has issued a permit; the Members agreed.

- Consider response of Superior Waste to BOH's request for an application

Ms. Flynn advised that Superior Waste indicated they has not yet collected Hazardous Chemical Waste at Coil Brothers, and Mr. Brace of Coil Brothers indicated that this is consistent with their practice which generates very little waste. The Members indicated that no additional follow-up is needed at this time.

### **Stable**

- 161 Bolton Road- Ms. McCarthy expressed concern that the manure management plan does not describe the process for composting manure and that the manure does not appear to be contained in any structure as required of prior applicants. Ms. McCarthy agreed to work with Ms. Flynn to prepare a response to the applicant.

### **MINUTES**

The Members reviewed and revised the draft Minutes of 1/9/23. Ms. McCarthy made a motion to approve the Minutes of 1/9/23 as amended; Ms. Levison seconded. All were in favor by roll call vote.

### **DISCUSS ITEMS FOR NEXT AGENDA**

Mr. Mitchell asked the Members to e-mail any agenda items to Ms. Flynn.

### **ADJOURNMENT**

The Meeting was adjourned at approximately 6:02 p.m.

***Respectfully submitted,***

***Alison Flynn, Clerk***

### **Documents Referenced:**

- Agenda
- Draft Minutes of 1/9/23
- 30 Cruft Lane: Septic permit of Jan. 2020

- NABH Assessment Memo.
- 23 Whitney Lane: Local Upgrade Approval request letter, Conditions Form, and proposed plan
- Waste Hauler application packages of Republic Services, Waste Management of MA, GW Shaw, McHugh Junk Removal, EL Harvey & Sons
- Revised submission of D&D Waste
- E-mailed responses of Superior Waste & Coil Bros.
- Special Town Meeting warrant
- Draft revisions to the Sanitation regulation
- 161 Bolton Road: 2023 and 2021 Stable Permit Applications