

**Harvard Board of Health Meeting Minutes**  
**Tuesday, March 20, 2018**  
**Approved: April 24, 2018**

*BoH Members present:* Libby Levison; Sharon McCarthy, Chair; Tom Philippou.

*Attending:* Ira Grossman, Health Agent, Nashoba Associated Boards of Health (“NABH”); Alison Flynn, Board of Health (“BoH”) Clerk; David Stevens, GW Shaw & Son.

*Ms. McCarthy called meeting to order at 2:04 p.m.*

**PUBLIC COMMENT-** None.

**NEW BUSINESS-**

- a. Request from Pond Committee regarding synthetic turf- The members briefly discussed the consideration of use of synthetic turf on Pond Road Field as brought to their attention by the Chair of the Pond Committee and by Karen Strickland of the Athletic Advisory Committee. The BOH members discussed that there are many serious health and environmental concerns regarding the use of synthetic turf, and suggested that inviting representatives from the Pond Committee, School Committee, Harvard Athletic Association, Conservation Commission and Department of Public Works to the next BOH meeting for a discussion would be efficient. It was also suggested that the committee consider the proper preparation of the field, with drainage, using natural turf, and making a cost comparison between the two options. Ms. Flynn will send an e-mail to the parties, attaching the Fact Sheet from the UMASS Lowell Toxic Use Reduction Institute as a reference.
- b. Discussion re 2nd Annual Harvard Local Environmental Forum (May 2018)- The BOH members agreed that they would like to participate in the Forum and suggested recycling would be a great topic of discussion. Ms. Levison will reply to Mr. Broadbent’s inquiry.
- c. Discussion re website postings for National Public Health week (April 2-8)- The members choose five topics of interest to be posted to the BOH webpage during each day of National Public Health Week. Ms. Flynn will also request that a link be posted to the Town of Harvard home page.
- d. Report from ZBA meeting of 2/28/18- Ms. Levison provided a report of her attendance at the ZBA meeting and advised of the next hearing date and time. Ms. McCarthy indicated she will attend.

Ms. Levison also pointed out that The Harvard Press coverage of the meeting included some inaccuracies. It was decided that Mr. Grossman would prepare a draft correction for The Harvard Press.

Mr. Grossman's draft response to Mr. O'Hagan's response to the BOH's comments to the ZBA was also briefly discussed. Ms. McCarthy will continue to work on the draft.

e. Report from All Boards meeting of 3/6/18- Ms. Levison and Mr. Philippou reported regarding their attendance of this meeting. They indicated that the general consensus regarding this year's budget process was that the later schedule for Annual Town Meeting allowed for more concrete data to be included in each Board's budget.

f. Report from Land Use Boards meeting of 3/15/18- Mr. Grossman reported on his attendance at the LUB meeting where Peter Cricones, Pine Hill Village developer, was present to discuss his construction sequence. Mr. Cricones mentioned at the meeting revisions to the septic system plans. Mr. Grossman reminded him that he does not hold the permit for the previously submitted plans and Mr. Grossman does not have updated plans for which permits could be considered. Mr. Grossman advised Mr. Cricones to have his engineer contact him to discuss what is needed.

g. Update from the Transfer Station Committee- Mr. Philippou reported that two of the biggest issues the Committee has been addressing is where the bags will be initially vended and changes that will be needed to the Transfer Station flow design. Ms. Levison stated that adding a compactor and possible changing compactor location requires wiring, trenching, and paving, and that grant money will be available to help offset this in the next grant year. Ms. Levison agreed to look in to Ms. McCarthy's suggestion that a consultant, and grant funding for the same, might be available to help with flow design.

h. Discussion re adding food safety resources to the webpage- Ms. Levison suggested two FDA websites to be included on the BOH website. It was agreed that the link regarding food safety after power outages would be helpful to post.

i. Update from BoH Clerk

- Report regarding social media guidelines- Ms. Flynn reported that Mr. Philippou provided her with a PowerPoint presentation from a MA DPH seminar he attended which included a talk on social media guidelines. The BOH members confirmed that they do not wish Ms. Flynn to open a LinkedIn account/accept LinkedIn requests at this time.
- Ms. Flynn reported that Mr. Philippou provided her with links to purchase the docking station and antenna for the satellite phone to be installed at the Emergency Dispensary Site. Ms. Levison moved purchase the necessary items once it could be confirmed that there is at least \$3,800 in the emergency preparedness fund. Mr. Philippou seconded. A vote was taken; all were in favor.
- Raccoon on Jacobs Gate Road and how request was handled- Ms. Flynn will contact Devens Dispatch to confirm they are aware that the Harvard Animal Control Officer should be the first point of contact for any similar complaints in the future.

- Mr. Grossman updated the BOH members regarding the continued response of the NABH to conditions at a home without running water. Ms. Flynn will advise the Fire Chief that in future similar situations, the BOH Chair or Mr. Grossman can be contacted, and if not available, the BOH members or the NABH after-hours line can be called.
- Ms. Flynn advised that she received a memo from Mr. Garreffo of NABH confirming the FY2019 assessment was as anticipated and planned for in the BOH FY2019 budget
- Ms. Flynn advised that she was in receipt of the NABH 4<sup>th</sup> quarter invoice for FY2018. Ms. Levison moved to pay the invoice. Mr. Philippou seconded. A vote was taken; all were in favor.
- Ms. Flynn advised that she was in receipt of The Harvard Press's invoices for legal notices of 11/3/18 (hearing) and 12/8/18 (effective date) for the tobacco sales regulation. Mr. Philippou moved to pay the invoice. Ms. Levison seconded. A vote was taken; all were in favor.
- Ms. Flynn advised that her Notary Public commission expires on 4/13/18, and that the renewal fee is \$60, and stamps/seals are expected to cost \$54. Ms. Levison made the motion to approve payment of the renewal fee and purchase of the stamp and seal, as long as the accounts have sufficient funds. Mr. Philippou seconded. A vote was taken; all were in favor.
- Ms. Flynn asked if a member was available to attend the Montachusett Regional Planning Commission's meeting "Adult Use of Marijuana" on 3/28/18. No member was available.

#### **OLD BUSINESS-**

- a. Discussion regarding outreach for potential volunteers for Emergency Dispensary Site- this discussion was tabled until the next meeting.
- b. Ms Levison made a motion to reconvene in Executive Session, as authorized by Massachusetts General Laws Chapter 30A, Section 21(a) 3, to discuss strategy with respect to potential litigation concerning code violations at 28 Deerfoot Trail- Ms. McCarthy called the Executive Session to order at approximately 3:10 p.m., as authorized by Massachusetts General Laws Chapter 30A, Section 21(a) 3 to discuss strategy with respect to potential litigation concerning code violations at 28 Deerfoot Trail, and that the meeting would reconvene upon close of the Executive Session. A roll call vote was taken: McCarthy – aye; Levison – aye; and Philippou – aye. At approximately 3:17 pm, Mr. Philippou made a motion to adjourn the Executive Session. Ms. Levison seconded. A roll call vote was taken: McCarthy – aye; Levison – aye; and Philippou – aye.
- c. Review action points from last meeting- the action points from the prior meeting were reviewed and discussed.

#### **PERMITS-**

- Septic- The septic permit applications for the following properties were reviewed and issued:
  - 33 Simon Atherton (D-box)
  - Woodchuck Hill Road, Lot A (Transfer)
  - Sherry Road, Lot 1 (New)
- Stable- The stable permit applications for the following properties were reviewed and issued:

- 184 Old Littleton Road, Nancy Cole
- 261 Old Littleton Road, Barb Davis

Additionally, Ms. Flynn advised that she was contacted by Ms. Anderson of 277 Still River Road requesting a recommendation for an appropriate manure management plan for her property. Ms. Flynn will advise her that the BOH members think a manure dumpster would be the best option, and will let her know that GW Shaw and Mitrano both offer such services. She will also ask Ms. Anderson advise the BOH when she has chosen a hauler.

- Waste Hauler
  - GW Shaw- David Stevens was present to discuss the status of the hauler permit application. Ms. Flynn reminded the members what required documentation the GW Shaw application package was currently missing. Mr. Stevens provided the BOH with copies of their existing marketing materials, but indicated that most of their business is obtained through word of mouth and sponsorship. He also advised that they do not currently use a rejection notice to customers who set out Waste Ban Materials; their driver will note the address and the office will make a phone call to the customer. Mr. Stevens confirmed that GW Shaw has not received any letters citing Waste Ban violations relating to hauls from Harvard. He provided the BOH with a customer list at the meeting, and it was noted that the only customers not receiving recycling service were roll-offs which were sorted at AKS.

Ms. Levison made a motion to issue a permit; Mr. Philippou seconded. A vote was taken; all were in favor.

- Sons of Kristoff- Mr. Stevens noted Sons of Kristoff was on the agenda and advised the BOH that he believed the hauler was in the process of being purchased by EL Harvey. As EL Harvey is already permitted, the BOH members decided they would not continue to discuss the application of Sons of Kristoff.
- D&D Disposal- Ms. Flynn advised that she has received no additional information since her last contact with D&D Disposal (“D&D”) on February 22, 2018, and reviewed for the BOH members what is missing from D&D’s permit application package. She also reported that she and Mr. Grossman e-mailed D&D through their webpage on 3/1/18 to advise that should they decide to not pursue a hauler permit and only continue with roll-off service in Harvard, they will still need to apply for an exemption each and every time they have a job in Harvard. No response was received. The BOH members decided that given D&D’s incomplete application and non-response to requests for additional information and documentation, a permit would not be issued, that D&D should stop work in Harvard, and that the BOH members would discuss at the April 10<sup>th</sup> meeting whether a Cease & Desist order would be issued. Ms. Flynn will write D&D to advise of the same.

- Baker Commodities- Ms. Flynn reported regarding the status of the application package of Baker Commodities. The BOH members requested she ask for e-mailed confirmation that they are only hauling food waste, and if received, issue a permit.

**APPROVAL OF MINUTES-** February 27, 2018- Draft minutes were reviewed and revised. Mr. Philippou made the motion to accept the minutes as amended; Ms. Levison seconded. Sharon abstained. A vote was taken; all were in favor.

Ms. McCarthy also stated that she reviewed the minutes of 2/13/18 and 2/20/18, as amended on 2/27/18, and had no additional changes.

**ADJOURNMENT-** Mr. Philippou moved to adjourn the meeting at 4:26 p.m.; Ms. Levison seconded. A vote was taken; all were in favor.

***Respectfully submitted,  
Alison Flynn, Clerk***

*Documents Referenced:*

- Septic permit application for 33 Simon Atherton (D-box)
- Septic permit application for Woodchuck Hill Road, Lot A (Transfer)
- Septic permit application for Sherry Road, Lot 1 (New)
- Stable permit application for 184 Old Littleton Road, Nancy Cole
- Stable permit application for 261 Old Littleton Road, Barb Davis
- Waste hauler permit application package for GW Shaw
- Waste hauler permit application package for D&D Disposal
- Waste hauler permit application package for Baker Commodities
- Waste hauler permit application package for Sons of Kristoff
- FDA webpages regarding food recalls and food safety after power outages