

**Harvard Board of Health Meeting Minutes**  
**Zoom Meeting**  
**Tuesday, June 16, 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.

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-** None.

**NEW BUSINESS**

a. Update from the Emergency Management Team- Ms. Levison reported that the EMT learned about a sanitizing and disinfecting product, Permasafe, that is being considered for purchase by the Town. She explained that the product is applied with a fine mist fogger and is a two-step process in which the product cleans in 5 minutes after application, and then disinfects, including for coronavirus, in 3-5 additional minutes after application. Mr. Grossman confirmed the product can disinfect fabrics and hard surfaces. Ms. Levison added that fine mist foggers would also need to be purchased as the foggers recently purchased by DPW cannot be used with this product. Mr. Philippou suggested that the Town requests a free sample to audition prior to purchase; Mr. Grossman agreed to pass on this suggestion to the Chiefs.

Mr. Grossman reported that the playgrounds are still closed, and the playing fields are still closed to use for contact sports and groups.

Ms. Levison provided an update on the layout plan for Town Meeting, and advised that Town Hall would be providing disinfecting wipes for the microphones.

Ms. Levison reported that financial requests were submitted by Mr. Bragan for FEMA funding for initial COVID-19 related expenses incurred by the Town through June 30<sup>th</sup>.

b. Report from DPH EEE call of 6/10/20- The BOH members indicated all were present on this DPH call. Ms. Levison expressed her concern that Dr.. Brown pointed to a gap in mosquito control program coverage which included Harvard and the Oxbow National Wildlife Refuge, and suggested that the BOH may need to point out that this is a refuge. Ms. McCarthy and Mr. Philippou indicated that they believed Dr.. Brown was stating that there needed to be more sampling in this area because it was not part of a mosquito control program and prime habitat for mosquitoes. Ms. Levison reported that she contacted TURI to see whether the purchase of mosquito magnets would qualify for a grant; they would not because they add too much carbon

dioxide to the atmosphere. Mr. Philippou shared that, in his experience in owning two mosquito magnets, they reduce the number of mosquitoes substantially. Mr. Philippou stated that he believes DPH is going to be more willing this year to notify and obtain feedback from the towns before aerial spraying. Ms. McCarthy noted that DPH stated aerial spraying has 30% effectiveness in our area and 80% effectiveness in more densely populated areas. The BOH members requested Ms. Flynn obtain the 2020 MA Arbovirus Surveillance and Response Plan from the DPH website. Ms. Levison noted she requested Ms. Flynn order the updated mosquito and tick brochures from the MA Clearinghouse website. Ms. McCarthy volunteered to be the second contact to receive text alerts from HHAN; Ms. Flynn will update the same.

c. Report from 6/10/20 meeting with ConCom re Craftsman Village Harvard's soils report of 4/30/20, and review of draft joint response- Mr. Grossman reminded the BOH that the soil reports for Craftsman Village Harvard shows the presence of lead, arsenic and dieldrin, and that the mitigation plan included relocating soil such that part of the suggested fill area is in the wetland buffer zone and in the area of the Public Water Supply. He indicated that the draft memo for the BOH's review came out of the joint meeting between himself, Ms. McCarthy, Ms. Allard, and representative ConCom board members, that the memo addresses concern about relocating contaminated soil into the wetland buffer, asks for more details and details additional protective requirements. Mr. Grossman stated that he feels the proposed depth of removal of soil is appropriate based on the data from the test holes; Ms. McCarthy agreed. Mr. Grossman stated the soil testing did not find a hotspot (which would indicate the contaminants were a result of a dump spot and need to be handled as a hazardous waste site). Mr. Grossman stated that there is no need for a barrier below the contaminants because they do not leach. The BOH members reviewed and revised the draft memo and agreed that they would like another opportunity to review the memo if ConCom makes subsequent revisions. Ms. McCarthy made the motion to accept the memo with the minor modifications; Ms. Levison seconded. All were in favor by roll call vote.

d. Consideration of proposed outdoor seating for The General Store and Carlson's Orchard- Mr. Grossman stated that the proposed plan of the Harvard General Store is within the DPH guidelines and within the Food Code, and does not see a need for the BOH to be involved in approval. Mr. Philippou inquired about the food pick-up process, and shared an experience he had with non-compliant curbside service at another venue. Ms. McCarthy and Ms. Levison indicated they believe the Harvard General Store has compliant procedures in place for order pick-up.

Mr. Grossman advised that the e-mail he received from DEP on June 15<sup>th</sup> indicates there is concern about how Carlson's plans to operate without final approval as a Public Water Supply (PWS), specifically with self-monitoring of the number of people served, whether required equipment is in place, and if an operator is sampling and monitoring the PWS. Ms. Levison reviewed the BOH meeting minutes of 9/10/19 and confirmed that the members approved Carlson's to operate as a private well for one calendar year from 9/10/19 while PWS approval is pending. Mr. Philippou stated that he believes Carlson's has demonstrated that they are forthcoming and have the integrity to self-monitor the number of people served and days they are operating at this time. Ms. McCarthy suggested an initial step would be to ask Carlson's whether they have an operator and whether the required equipment is in place; the members agreed. Ms. Levison and Mr. Grossman stated that they expect Carlson's plans to have more than 25 people at some of their events. Ms. Levison noted she saw 11 picnic tables setup on

the property. Mr. Philippou asked the members whether they are willing to allow Carlson's to operate in excess of 25 people if they have an operator and equipment for the PWS in place; all agreed that they would. Mr. Grossman reminded the members that Carlson's is also limited in number by their Food Service application and approval of number of seats. The members agreed that Mr. Grossman will e-mail Carlson's to request additional information regarding the status of an operator and equipment, and will then draft a letter with Ms. Flynn for the Board's review at the next meeting describing the limitations to be imposed through September 10<sup>th</sup> while awaiting final PWS approval. The members stated they have no other objections to Carlson's e-mail to Mr. Bragan of June 10<sup>th</sup> outlining their plan for outdoor seating and tastings.

e. Clerk and Health Agent Update

- Ms. Flynn asked the members to consider the FY21 1<sup>st</sup> Quarter Invoice of NABH. Ms. Levison made the motion to approve the invoice; Ms. McCarthy seconded. All were in favor by roll call vote.
- Ms. Flynn advised that that she received confirmation from John Osborn that the BOH's letter regarding PFAS litigation would run in this week's Harvard Press issue.
- Mr. Grossman advised that there is no update regarding obtaining additional funding for NABH.
- Mr. Grossman asked the BOH to consider plans submitted for building permitting by 48 Tahanto Trail. The members were in agreement that the proposed plans appear to show what would be considered a new bedroom. Mr. Grossman will respond with comments in ViewPoint that the homeowners can request a BOH meeting discussion if they disagree about the bedroom count.
- Mr. Grossman advised that the engineer for 40 Woodside Road has submitted revised plans that include a retaining wall. He stated he felt it was a significant enough departure from the approved plan that the BOH members should consider the change. The members requested the item be placed on the next agenda and drawings be available for review at that time.

## **NEW BUSINESS**

a. Continued discussion regarding COVID-19 response, preparedness, messaging, and enforcement of the Governor's COVID-19 Orders- Ms. McCarthy noted that Michael Flanagan of the Department of Labor Services indicated during the day's DPH call that any Town Hall employee who can work from home should. Ms. Flynn suggested the BOH consider for how long they will be comfortable having a Clerk who is working mostly from home, and expressed concern that limited childcare options could extend into the school year. The BOH members indicated they support Ms. Flynn to work mostly from home as long as necessary. Ms. Levison suggested the BOH consider requesting access to the mezzanine to pull files for the public when Ms. Flynn is not able to do so; Mr. Grossman stated that he does not believe this is necessary as he or Ms Flynn can do any requested research when they are in Town Hall, or by NABH on other occasions. Ms. Flynn also reminded the BOH members that while she is home, she has been unable to support Ms. Allard up to four hours per week as described in the Memo of Understanding established prior to her hire. Mr. Philippou asked Ms. Flynn to invite Ms. Allard to attend a meeting in the next 3-4 weeks to discuss ways the BOH can support Ms. Allard this time.

Ms. McCarthy reported that she forwarded to the Harvard Press the DPH announcement regarding pop-up testing for those who attended large gatherings.

b. Continued discussion regarding recommendations for Annual Town Meeting

Ms. Levison stated that the Lions Club will be providing the Town with masks to hand-out in the event that an attendee does not have one. Ms. McCarthy stated she expects that there will not be many residents in attendance; Mr. Philippou agreed.

c. Review action items- Ms. Flynn reported that she was not able to find DPH guidance on yard sales to post to the webpage, as requested by the members at the last meeting. Ms. Levison stated that for this reason, she did not send a letter to the Harvard Press regarding the same. The members agreed that preparing their own guidance was not necessary.

### **PERMITS**

The following septic permits were reviewed and approved:

- 111 Depot Road, a transfer permit to new owners.
- 37 Prospect Hill, Local upgrade approval. Mr. Grossman noted that this approval is for the installation of a GeoMat innovative and alternative system, a first in Harvard. He stated the system allows for a lower profile and expects that Harvard will see a lot more applications for these systems in the future. Ms. McCarthy made the motion to accept the variances requested in the June 15, 2020, letter from David E. Ross Associates; Ms. Levison seconded. All were in favor by roll call vote.
- Lot 2 Prospect Hill, New system. Mr. Grossman noted that the application is for a new, large mounded, fully compliant system. Ms. Levison made the motion to approve the permit for installation in accordance with the proposed Plan L-13234; Ms. McCarthy seconded. All in were in favor by roll call.

### **MINUTES**

Ms. McCarthy made the motion to accept the minutes of 6/9/20 as amended; Ms. Levison seconded. All were in favor by roll call.

### **ITEMS FOR NEXT AGENDA**

The members agreed to meet again on 6/23/20 if Carlson's has responded to Mr. Grossman's inquiry. Ms. Levison noted she may be unable to attend the meeting.

**ADJOURNMENT**- Ms. Levison made the motion to adjourn at 8:46 p.m.; Ms. McCarthy seconded. All members were in favor by roll call vote.

*Respectfully submitted,*

*Alison Flynn, Clerk*

**Documents Referenced:**

- Agenda
- Draft minutes of 6/9/20
- 48 Woodside Road: Existing and proposed whole-house layout plans
- Joint draft memo of the BOH and ConCom to HCV
- BOH Minutes of 9/9/19
- NABH Invoice for FY21 1<sup>st</sup> Quarter
- 111 Depot Road: SDS transfer permit
- 37 Prospect Hill: SDS permit, variance request letter of 6/15/20, and proposed plan
- Lot 2 Prospect Hill: SDS permit and proposed plan