

**Harvard Board of Health Meeting Minutes**  
**Zoom Meeting**  
**January 8, 2024**  
**Approved: January 22, 2024**

*Board of Health Members present:* Libby Levison; Sharon McCarthy; Christopher Mitchell.

*Others Attending:* Alison Flynn, Board of Health Clerk; Jim Garreffi, Health Agent, Nashoba Associated Boards of Health; Dan Justice, Friot's Water Treatment.

**CALL MEETING TO ORDER**

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

**PUBLIC COMMENT**

None.

**NEW BUSINESS**

**Consider extension of “approved sampler” status for Friot’s Water Treatment**

The Members considered the request of Friot’s Water Treatment (herein “Friot’s”) to extend its status as an “approved sampler” for purposes of sampling drinking water pursuant to the Board of Health’s Private Wells regulation. Mr. Justice indicated that Friot’s has received a lot of calls from homeowners in anticipation of sale over the past 2-3 years and has standardized its process for sampling, using the same 1-2 samplers so they are familiar with the process and can ensure they are getting accurate results. He expressed that homeowners are often surprised by how long it takes to get results. Mr. Justice stated that they have a good working relationship with Mr. Garreffi and does not find submitting copies of the reports to the BOH to be a hardship. Mr. Justice noted that Nashoba Analytical’s turnaround time has been slightly longer since their acquisition, but that Friot’s has still been very happy with them and believes they are moving in the right direction by investing in lab upgrades.

Ms. Levison made a motion to extend Friot’s Water Treatment’s status as an approved sampler for two years; Mr. Mitchell seconded. All were in favor by roll call vote.

Mr. Justice thanked the Board and encouraged the Members to call Friot’s if they ever have any questions.

**Consider reflective vest give away**

Ms. Levison indicated that she has had experiences where she was barely able to see people walking their dogs at 7pm and suggested a safety/high-visibility vest giveaway, in conjunction with an invitation to visit the BOH in its new office space, would be a good idea. Mr. Mitchell and Ms. McCarthy were supportive. Mr. Mitchell noted it would be important to confirm that the vests are of the appropriate Safety Class. Mr. Mitchell volunteered to have a colleague review the Safety

Class of the vests Ms. Levison purchases.

### **Update re DEP's status of review of questionable Public Water Supplies**

Mr. Garreffi indicated he will review the list of questionable Public Water Supplies once Ms. Flynn has the opportunity to update it. He indicated that Mr. O'Keefe of DEP provided him with a form to complete if we would like DEP to review any of the sites.

### **Consider advocacy in favor of PFAS testing by all PWS**

The group discussed the current requirements for testing of PFAS by PWS and whether it would be appropriate to advocate for PFAS testing by PWS's serving transient populations. Mr. Garreffi indicated that it is his understanding after speaking with Paula Carron, of DEP, that some transient, non-community PWS may be required to test for PFAS depending on their prior results and the population that they are serving. Mr. Garreffi indicated that DEP has a nuanced protocol for determining which transient, non-community systems are required to test for PFAS.

### **Consider advertisement re move to Hildreth House**

Ms. McCarthy suggested the BOH consider placing an ad in the Harvard Press inviting the public to visit the new Board of Health office, and possibly pick up a reflective vest, if that distribution is approved. Mr. Mitchell suggested the advertisement should be placed in conjunction with the Land Use Boards ("LUB") and Building Department, who also moved to the Hildreth House, if they are interested. Ms. Flynn suggested the ad could be discussed at the upcoming LUB meeting. Ms. Levison asked Ms. Flynn to see whether Ms. Konstantinidis might be willing to distribute the vests outside of BOH hours; Ms. Flynn agreed to ask Mr. O'Connor whether that would be a possibility.

### **Update regarding PWS at Foxglove Apartments**

Mr. Garreffi indicated that he spoke to Ms. Carron, at DEP, regarding the PWS at Foxglove Apartments. He reported that Ms. Carron has been in touch with the water operator regarding the maintenance and retesting that needs to be performed and reported to her. Mr. Garreffi confirmed that there was an exceedance in the treated water. Ms. Levison expressed concern that the notice prepared by the water operator and distributed by Foxglove to residents did not communicate that bottled water was available on site, and that the residents' inability to carry water to their apartments was not immediately considered. Ms. Levison noted that the new manager at Foxglove stepped up and eventually delivered water to residents, but she wished information about this option was included on the notice. Mr. Garreffi indicated that the notice prepared by the water operator was very close to the language in DEP's template for Tier 2 exceedances. He indicated that an exceedance for Tier 1 would have clear "don't drink" language, but a Tier 2 exceedance, such as arsenic, indicates that there can be health concerns if consumed over time. Mr. Garreffi advised that SK Management is the responsible entity; he agreed to send them a letter suggesting that if water is provided in the future, they notify residents of its availability. Ms. Levison asked that the letter also suggest that residents can contact the building manager for water delivery assistance if needed. Ms. McCarthy suggested a low-key letter asking SK Management to make communication clearer in the future would be appropriate. Mr. Garreffi indicated that it appeared they were following the prescribed process throughout the incident.

### **Consider contribution to Land Use lending library**

Ms. Flynn reported that Conservation Agent, Liz Allard, approached her with the idea of including

a “lending library” downstairs at Hildreth House and was wondering if the BOH would be interested in collaborating. The BOH discussed possible ideas for contributions to the “library”. Ms. Levison offered to purchase public health related texts at the annual library book sale. The Members agreed that they would be happy to contribute and would be interested in hearing what the Conservation Commission intends to include.

### **Report from recent DPH LBOH webinar of 12/12/23**

Ms. McCarthy stated the recent webinar was lackluster; Ms. Levison noted that the advertised discussion regarding mosquitos was vacuous. Ms. McCarthy stated she found it interesting that that they are finding routine and prolonged exposure to disinfectants can trigger asthma, as seen in maintenance workers. Ms. McCarthy indicated that TURI has identified alternative products which do not cause asthma.

### **Report from attendance at New England Public Health Training Center/BU School of Public Health PFAS webinar of 12/12/23**

Ms. Levison indicated that much of the webinar was information the BOH already knows, but that Dr. Heiger-Bernays noted that the EPA is expected to release new PFAS limits in December and that when considering synthetic turf you must remember that 1) PFAS are used in the manufacturing process; 2) synthetic turf is not recyclable, partly because it contains PFAS; 3) the PFAS will leach. She indicated that if the PFAS leaches to groundwater then cleanup will be the responsibility of the property owner. Ms. Levison indicated that the webinar was recorded and that there will be other webinars in the series. Mr. Mitchell indicated that he has not seen new PFAS limits from the EPA to date.

### **Report from attendance at the DEP webinar regarding RDP points (December 2023)**

Ms. Levison reported on her attendance at the webinar. She advised that Harvard earns \$350 per each Recycling Dividends Program (RDP) point earned, and that RDP funds can be carried year to year. Ms. Levison stated that the charter of the new Transfer Committee includes determining which Department/Board earned each point and distributing those funds to the earning party. Ms. Levison indicated that Harvard earns 4 RDP points because it adopted and enforces the model DEP waste hauler regulations; she learned that will be decreased to 3 points in 2024 as eligibility requirements change. Ms. Levison stated that of the 75 towns in Central MA, Harvard receives the most RDP points (20 in 2023) because of the waste hauler regulation and SMART program at the Transfer Station. Ms. Levison advised that as the eligibility requirements and categories evolve, Harvard should try to plan ahead to consider activities that will continue to earn points. Mr. Mitchell indicated that the Transfer Station Committee plans to make recommendations on this to the Select Board. Ms. Levison noted that one of the categories for RDP points that Harvard does not receive is for having a composting program.

### **Discuss e-mail from Black Earth Compost regarding their waste diversion program**

Ms. Levison noted that Black Earth also contacted the Select Board Chair about a program. Mr. Mitchell indicated that the Transfer Station Committee will be contacting Black Earth to investigate options and costs for starting a composting program in Harvard. Ms. McCarthy will share this with the Climate Initiative Committee.

### **Update from the Transfer Station Committee**

Ms. Levison indicated that there is some confusion regarding the current number of households

using the Transfer Station, and asked whether she could use the information reported by trash haulers to share with the Transfer Station. The group agreed that this is public information. Ms. Levison asked if she could also contact the residents listed on the hauler lists to solicit information regarding their use of waste haulers. Mr. Garreffo stated that he does not see an issue with this because the information is publicly accessible and would be used to help steer policy, but might question the use if the contact was to steer residents away from private haulers and onto the Transfer Station.

### **Update from the Nashoba Boards of Health Executive Committee & Quarterly Meeting**

Mr. Garreffo reported that the meeting included an update to the Board on administrative matters, including that the NABH opted in to the MA Paid Family Leave Act, that they are looking to update its Bylaws, Memorandums of Understandings, and Service Agreements with the towns they serve, a status update on the use of the Public Health Excellence grant funds, and the status of the pension issue. Mr. Garreffo indicated that the meeting also covered the FY25 budget. He advised that in order for the budget to be balanced, NABH would need a 30.8% increase. Mr. Garreffo explained that NABH is funded by town assessments, which make up approximately 40% of the agency budget, and fees for service. He indicated that expenses and services are not decreasing, but the total revenue is decreasing. He stated that public health nursing, in particular, does not have fees that match the service costs and that the dissolution of Nashoba Nursing has added expenses that were previously shared, such as IT, human resources, and payroll. Mr. Garreffo reported that the Board voted to approve a 10% increase in assessments for FY25, and would like to try to close the budget gap within three years. Mr. Garreffo indicated that the Board would also like him to consider increasing fees in the Spring to assist in closing the gap. He explained that NABH previously would increase fees by 10% every three years to account for 2-3% inflation. Mr. Garreffo stated that he believes that NABH increased fees last year. Mr. Garreffo indicated that NABH is in the lower 5<sup>th</sup> of entities that show up on the Public Health Excellence Grant website of per capita spending on public health. Mr. Garreffo indicated that Ms. Montgomery will continue to look for grants to support services and is currently focused on identifying grants to support NABH's work, including keeping the bereavement support group going. Mr. Garreffo indicated that Littleton will be a NABH community until at least June of 2025. He believes they intended to fund their Health Department by adopting a pretty aggressive fee schedule. Mr. Garreffo advised that in the budgets he's seen for other Towns, the NABH assessment is carried as line items in the BOH budget.

Mr. Garreffo indicated that he will prepare an assessment letter for Harvard this week. Ms. Levison stated she will draft a cover email to FinCom and will circulate a revised budget request for the group's review. Mr. Garreffo suggested that NABH will try to shift the budget meeting to the 1<sup>st</sup> of December to accommodate the budget schedules of the Towns.

### **Clerk & Health Agent Update, including but not limited to:**

- Ms. Flynn asked the members to consider approval of an invoice of WB Mason, dated November 30, 2023. Mr. Mitchell made a motion to approve the WB Mason invoice in the amount of \$23.03 for purchase of storage boxes; Ms. Levison seconded. All were in favor by roll call vote.
- Mr. Mitchell made a motion to approve payment to AlphaGraphics in the amount of \$1,213.68 for a December mailer; Ms. Levison seconded. All were in favor by roll call vote.

### **PERMITS**

#### **Review of septic permits recently issued by the Health Agent**

Mr. Garreffi reported that the only septic permit issued since the last meeting was the permit for 89 Old Shirley Road which was an upgrade of a failed system which did not need any variances or approvals as the proposed plan was in full compliance with Title 5.

### **Review of completed waste hauler permit application packages**

Ms. Flynn asked the BOH to consider the hauler application packages of each of the following:

- a. WIN Waste Innovations of Northern New England, Inc.
- b. McHugh Junk Removal
- c. GW Shaw & Son, Inc.

She indicated that she e-mailed GW Shaw to confirm specifics of the intent to apply for a limited permit, but has not heard back yet.

Ms. Flynn confirmed that the example of educational materials distributed which she received from McHugh Junk Removal is the Waste Ban notice which addresses mattresses and textiles.

Ms. Levison noted that the customer list for WIN Waste specifies two dumpsters for some customers and only one dumpster for others. She questioned whether we can be sure that all customers are recycling. Ms. Flynn advised that she wrote to WIN Waste about Ms. Levison's concerns that 257 Ayer Road only has one dumpster, but has not received an answer from the hauler yet on whether that customer is recycling.

Ms. Levison made a motion to issue a limited permit for GW Shaw & Son; Mr. Mitchell seconded. All were in favor by roll call vote. Ms. Levison made a motion to approve a permit for McHugh Junk Removal; Mr. Mitchell seconded. All were in favor by roll call vote.

The Members agreed to hold off on issuance of WIN Waste's permit until Ms. Flynn has the opportunity to ask the hauler why some of the customers on their commercial generators only lists one receptacle. Ms. Levison stated that she expects that the requirements to earn RDP points for enforcement of the hauler regulation will be increasing and this contact will be a good example to show DEP and the haulers that the BOH is paying attention.

Ms. Flynn noted that there are three haulers who have not applied for a 2024 permit and one hauler who has submitted an incomplete package. She will reach out to those four with a reminder that their permits expired on December 31<sup>st</sup>.

### **OLD BUSINESS**

#### **Approve Annual Town Report contribution**

Mr. Mitchell thanked Ms. Levison for all her hard work on the ATR. Mr. Garreffi indicated that he will be submitting the NABH contribution to the ATR shortly. He and Ms. Flynn stated they approved of their signatures being included on the BOH contribution. Mr. Garreffi said Ms. Levison was welcome to combine the BOH report with the NABH report.

The Members reviewed and revised the draft contribution. Ms. Levison will finalize it in advance of its due date.

#### **Consider amendments to the Board of Health Fees regulation, including but not limited to**

### **consideration of implementing stable permit fees**

Ms. McCarthy suggested this discussion be tabled until the next meeting when it can be discussed for 30 minutes after Public Comment and any discussions requested by non-Member attendees. Ms. Levison noted that she reviewed the Groton regulation and agreed that it is much cleaner than Harvard's.

*(Mr. Garreffi exited the meeting at approximately 5:43 pm.)*

### **Further discussion re scheduling EDS Trailer clean-out**

The Members agreed to consider dates in the Spring. Mr. Mitchell indicated that Thursdays and Fridays are better for him. Ms. Flynn will ask the Fire Department if they are available on April 18<sup>th</sup>, 19<sup>th</sup>, 25<sup>th</sup>, or 26<sup>th</sup>.

### **PFAS Update**

Mr. Mitchell indicated that he will have an update from the RAB working meeting at the next Board of Health Meeting.

### **Continued annual review Bare Hill Pond Algal Bloom Protocol, including advisory templates**

Ms. Levison indicated that she has not had an opportunity to work on the advisory templates.

### **Update re installing dial/algae signs on Pond Road**

Mr. Mitchell stated he will pursue the signs further in the Spring. Ms. Levison noted that she has the dial sign at her house as water quality is not currently being monitored. Ms. Flynn will include this discussion next on the Agenda for the 2<sup>nd</sup> meeting in March.

### **Update re installation of satellite phone bases at EDS and Public Safety Buildings**

Ms. Levison indicated that she has not had an opportunity to follow-up on the base station installation.

### **Review Action Items**

Action items were not discussed.

## **MINUTES**

The Members considered Ms. Levison's comments on the draft Minutes of December 11, 2023. Mr. Mitchell made a motion to accept the Minutes as amended; Ms. Levison seconded. All were in favor by roll call vote.

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

Items for the next agenda were discussed. Ms. Flynn will request fee schedules from Littleton and Stow.

## **ADJOURNMENT**

Mr. Mitchell made a motion to adjourn at 5:50 pm; Ms. Levison seconded. All were in favor by roll call vote.

***Respectfully submitted,***

***Alison Flynn, Clerk***

**Documents Referenced:**

- Posted Agenda
- Email from Friot's Water Treatment requesting an extension of their Approved Sampler status
- Email from Ms. Levison re reflective vest give away
- Ms. McCarthy's notes from the DPH LBOH webinar of 12/12/23
- Ms. Levison's notes from PFAS webinar
- Ms. Levison's notes from DEP RDP webinar
- Email to Ms. McCarthy from Black Earth Compost
- WB Mason Invoice dated 11/30/23
- Alpha Graphics Invoice dated 12/19/23
- Waste hauler permit application packages of: WIN Waste, McHugh, and GW Shaw
- Fees: Updated draft amendments to the HBOH Fees regulation, Groton Fees regulation
- Ms. Flynn's e-mail regarding Action items from 12/11/23
- Draft Minutes of 12/11/23