

**Harvard Board of Health Meeting Minutes**  
**Zoom Meeting**  
**January 9, 2023**  
**Approved: February 1, 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; D . Skauen; Dave Marteney, 52 Tahanto Trail; Elijah Wood, Friot's Water Treatment.

**CALL MEETING TO ORDER**

*Mr. Mitchell called the meeting to order at 7:00 p.m. Ms. Flynn provided remote meeting instructions.*

**PUBLIC COMMENT**

None.

**NEW BUSINESS**

**Consider request of Friot's Water Treatment for extension on "approved sampler" status**

The Board Members considered Friot's request for an extension of its status as an "approved sampler" of private wells in connection with water quality analysis. With no noted concerns with Friot's performance over the past year, the Members agreed that they were comfortable extending the approval for an additional year. The Members also considered what a process might look like to evaluate approval for greater than a year. The Members agreed to discuss this process more in depth at a future meeting.

Ms. Levison made a motion to extend Friot's stance as an approved sampler for one year; Ms. McCarthy seconded. All were in favor by roll call vote.

**Review draft stable permit application reminders**

The Members agreed to place an ad in The Harvard Press consistent with the text and image from last year's Harvard Cable slide. Ms. Levison will add this year's due date and make a recommendation as to the size of the ad. Ms. Flynn confirmed that there are funds available in the budget for placement of the ad.

**Request of WBUR for PFAS interview**

Mr. Mitchell indicated that he would be willing to talk with the reporter who requested an interview regarding the Board of Health's PFAS sampling policy and noted that Mr. Bragan does not have a problem with him doing so. The BOH Members reviewed the history of development of the policy and the BOH's working relationship with the Army Corps and DEP to test Private Wells in Harvard.

### **Discuss stroke awareness outreach in conjunction with Harvard Ambulance Service and the Council-on-Aging**

Mr. Mitchell requested the BOH's support of the Harvard Ambulance Service's application for the Stroke Public Awareness Collaboration Project grant application due at the end of the month. He indicated that Mr. Cotting would be looking for the BOH's assistance in public outreach on stroke awareness should the grant, of \$5,000-\$10,000, be awarded. The Members agreed that the BOH would be willing to assist the Ambulance Service by developing a townwide mailing and other communication to the community. Ms. Levison suggested the Library might be willing to set up a bookcase display with stroke resources. Mr. Garreffi indicated that Ms. Montgomery and Ms. Bedard of the NABH could also assist with outreach. Mr. Mitchell volunteered to work with Mr. Cotting on the grant application; Ms. McCarthy offered to proof-read if necessary.

### **Prepare answers to FinCom questions re FY24 budget submission (due 1/18/23)**

The Members reviewed and revised the draft answers to the Finance Committee.

### **Consider purchase of tick removers and discuss efforts to support subsidized tick testing**

Ms. Levison indicated that as TickedOff can no longer offer their tick removers at an affordable price, she requested and received samples from another tick remover company. She reported that she was not happy with the quality of the sample remover of similar design to that of TickedOff. Ms. Levison indicated that Paul Killinger, of Tick Report, recommended purchase of a particular metal tweezer-style remover that cost approximately \$3/per unit; Ms. Levison suggested the BOH consider purchase in the Spring of a small amount of these tweezers to be used as a "door prize" at a Tick Talk or public outreach event, if the BOH budget allows.

### **Report from attendance at MHOA webinar: Guide to Local Public Health in MA (12/20/22) and consider application for membership**

Ms. Flynn indicated that she included Ms. Levison's notes from attendance in the meeting preparation packet. Ms. Levison indicated that she found the webinar interesting and relevant, especially regarding the overview of the MHOA Orientation & Resource Guide for Local Public Health. Ms. Flynn agreed to send the Guide to the Members via PDF. Ms. Levison noted that none of the Harvard BOH Members are Members of the Mass. Health Officers Association (MHOA) or the Mass. Environmental Health Association (MEHA). She asked the group to consider one BOH Member applying for membership to each of the organizations. Mr. Mitchell agreed that this makes sense, and suggested a vote be added to a future agenda.

### **Report from Land Use Boards (LUB) Meeting (12/13/22)**

Mr. Garreffi reported on his attendance at the LUB Meeting including regarding discussions of the 203 Ayer Road badminton facility project and a developer who has expressed interest in a new condominium development.

### **Report from attendance at NABH quarterly meeting (1/23/23)**

Mr. Garreffi reported that the NABH Board approved a 7.5% increase in Town FY24 assessments. He explained that the environmental division is funded by the assessments and fees, but because the public health nurses are primarily funded by the assessments, there is often a shortfall which cannot be addressed by increasing fees for individual services. He stated that the 7.5% increase will not close the shortfall, but will assist in balancing the budget. Mr. Garreffi indicated that he will

provide the BOH with a memorandum for submittal to the Finance Committee shortly. Mr. Garreffi also noted that NABH's fees for septic services, paid directly by the property owner applicant, will be raised 10% effective July 1<sup>st</sup>. He explained that fee increases are generally considered by the NABH every 3 years.

Mr. Garreffi also provided an overview of the *Alternative Housing* section included in the changes to the Housing Code effective in April. Mr. Garreffi stated he will be looking for the State's direction on how Local Boards of Health (LBOH) should be applying this section and hopes to see parameters and guidelines for LBOH in upcoming trainings offered by the State.

### **Report on meeting with Town Administrator regarding upcoming DEP solid waste initiative**

Mr. Mitchell stated that he communicated the message from Ms. Pigsley relayed by Ms. Levison that DEP would be moving forward with review of monitoring of closed landfills to the Town Administrator. Mr. Mitchell indicated that he advised Mr. Bragan that the BOH has developed a good working relationship with DEP and expects that if DEP is indicating they will be moving forward, Harvard should be ready to do so. Mr. Mitchell stated that Mr. Bragan has engaged outside support and brought the issue to the Select Board's attention.

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

Ms. Levison indicated that she distributed nine boxes of test kits to sites for further distribution and would be receiving the ten remaining boxes for distribution the following day. Ms. McCarthy agreed to distribute three boxes to the churches. Ms. Levison stated she would then save a few boxes before giving the rest to the Schools. Ms. Levison noted that test kits are currently available for pick-up in the foyers of Town Hall and the Public Safety Building, and at the Library, Council-on-Aging, and Board of Health Office.

Ms. Levison also reported that the percent positivity is rising in Harvard and across MA.

The BOH considered the poster drafted by the Public Health Corps. notifying the public how they can check for test kit expiration dates. Ms. Levison will provide comments from the BOH after Ms. McCarthy reviews the same.

### **Update from DPH Interagency Local Boards of Health Webinar(s)**

Ms. McCarthy agreed to attend the webinar scheduled for the following day.

### **Clerk and Health Agent Update**

- Ms. Flynn did not have any updates.
- Mr. Garreffi asked the Board for their preference on approach to bedroom deed restrictions in consideration of building permit approval. The Board Members advised that they typically like to review building plans to decide whether a bedroom deed restriction is allowed. Ms. Flynn indicated that she invites applicants to attend the meetings and the applicants typically opt to join.

### **OLD BUSINESS**

### **Further discussion regarding preparation of EAT request to PHEP Region 2**

Ms. Levison indicated that the PHEP Region 2 Coordinator responded to her e-mailed list of needs advising which supplies are available in the Worcester cache, which supplies can be applied for through an EAT request, and which are not available by either means. Mr. Mitchell volunteered to go to the Worcester office to pick up supplies available in the cache. Ms. Flynn and Ms. Levison will prepare a draft EAT request due on 1/27/23.

#### **Review draft Annual Town Report (due Mon.,1/23/23)**

Mr. Mitchell will provide Ms. Levison with his contribution on drought and PFAS before Wednesday. Ms. Levison will compile all comments from the group for additional review and comment at the next meeting.

#### **Consider revisions to Article I: Sanitation, including previously drafted tight tank regulation and sample long sewer line deed notification**

Mr. Garreffi indicated that he spoke with Mr. Grossman about the sections addressing large systems and private waste water systems and learned that while both sections were in existence prior to Mr. Grossman's beginning in Harvard, Mr. Grossman thought that they still have value. Mr. Garreffi indicated that he'd like to have a follow-up discussion with Mr. Grossman.

The Members also reviewed, revised, and approved the sample long sewer line deed notification. Ms. Flynn indicated she will forward the form to Mr. Wolfe for his tailoring for 52 Tahanto Trail and will post the new form to the Board of Health website.

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

Ms. Levison reported that she met Mr. Woodsum at the school to identify the location for the base. She indicated that they now need identify the appropriate box for wall mounting. Ms. Levison will reach out to members of the Ambulance Service or the PHEP Region 2 Coordinator for advice on this subject.

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

Ms. Levison reported that Mr. Kilhart has no objection to using the middle parking lot at the Hildreth House for a textile recycling bin. She indicated that she has not heard back from Ms. Thompson regarding use of the parking lot at the new COA building.

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

Ms. Levison indicated that the date previously identified for the discussion, February 23<sup>rd</sup>, is during February vacation and suggested the Board consider rescheduling for February 15<sup>th</sup> or 16<sup>th</sup>. Ms. McCarthy noted she will be unavailable on the 16<sup>th</sup>. Ms. Levison will reach out to check speaker availability on the 15<sup>th</sup> and 16<sup>th</sup>.

Mr. Mitchell volunteered to review the PFAS Interagency Task Force Report, issued in 2021, and report on its contents.

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

Ms. Levison agreed to draft a request.

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

Ms. McCarthy indicated that she is in the process of reviewing the links of State resources provided to her and then will flush out the outline for the Harvard Press articles.

### **Action Items**

Action Items were reviewed. Mr. Mitchell indicated that Mr. Bragan will provide an update regarding status of the non-criminal disposition bylaw. Mr. Mitchell also indicated that Mr. Cotting asked about the size of the storage locker needed for EDS supplies; Ms. Levison stated it would need to be large enough for at least the first aid kits, but she would need to review the inventory of supplies again.

### **PERMITS**

#### **a. Septic:**

- **Review of septic permits issued by the Health Agent from 12/12/22- present**

Ms. Flynn reported that Mr. Garreffi issued a septic permit for 9 Simon Atherton Row since the last meeting. Mr. Garreffi indicated that there was no concerns with this application.

- **236 Still River Road: Consider application for installation of tight tank**

Mr. Garreffi advised that St. Benedict Abbey purchased this property which is a little less than a half an acre of land. He indicated that soil testing performed by Mr. Grossman in July estimated the water table at 2 feet below grade and both perc tests were greater than 60 minutes per inch. Additionally, there are two wells that limit the ability to design outside a 100 foot radius. Mr. Garreffi indicated that the Abbey did consider running a sewer line from one of the Abbey's nearby systems but it would require an easement from the direct abutter, and the Abbey decided to instead pursue a tight tank. Mr. Garreffi confirmed that a tight tank is the best option for the conditions present on this property. He indicated that the existing system is a cesspool located in the water table; Ms. Flynn confirmed that compliant water quality results were submitted to the BOH at the time of sale of the property. Mr. Garreffi confirmed that tight tank pumping records are submitted by the septic company to NABH, and a condition of the permit will be that the property owner has a contract with a valid septic hauler. Ms. Levison asked that the BOH consider the draft tight tank regulation as soon as possible.

Ms. McCarthy made a motion to approve the tight tank for 236 Still River Road; Ms. Levison seconded. All were in favor by roll call vote.

- **52 Tahanto Trail: Consider application for upgrade including long sewer line**

This item was taken out of order under New Business out of consideration for Mr. Marteney's attendance. Mr. Garreffi indicated that the application is for a fully compliant upgrade which requires a long sewer line. Ms. Levison explained the purpose for the long sewer line notification; Mr. Marteney indicated he understood.

Ms. Levison made a motion to approve the permit for the septic system for 52 Tahanto Trail, Plan L-19624; Ms. McCarthy seconded. All were in favor by roll call vote.

## **b. Waste Hauler:**

- **Review of 2023 application package of D&D Waste Removal LLP**

Ms. Flynn asked the BOH Members to consider the application of D&D Waste Removal LLP (D&D) for limited hauling privileges of temporary, roll-off dumpsters. The Members indicated that D&D's "drop-off form" does not sufficiently notify customers of the MA Waste Bans and asked that D&D resubmit a revised form which includes textiles before the BOH will consider issuance.

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

The Members asked Ms. Flynn to advise haulers who have not yet applied for a permit in 2023 of the following:

- Their permits expired on 12/31/22;
- As such, they are currently operating without a permit for the Town of Harvard;
- Any haulers who are operating in the Town of Harvard after 2/1/23 without a permit will be subject to fines to the full extent allowed by Board of Health regulations;
- The next and last opportunity for the BOH to vote on issuance before 2/1/23 is at the Meeting on 1/23/23.

- **Consider recent complaints regarding Waste Management**

The Members considered the residents' complaints and Waste Management's responses regarding delayed pick-up in September and January. Ms. Flynn will advise Waste Management that the BOH would like a practice put in place to advise customers of delayed and rescheduled pick-up so that bins are not at curbside for multiple days.

Ms. Levison also suggested the BOH ask the Select Board to consider offering prorated Transfer Station stickers while the haulers are reporting labor shortages; Mr. Mitchell agreed to reach out to the Select Board with this suggestion. Ms. Levison will draft the same for his finalization.

## **MINUTES**

The Members reviewed and revised the draft Minutes of 12/12/22. Ms. Levison made a motion to approve the Minutes as amended; Ms. McCarthy seconded. All were in favor by roll call vote.

## **DISCUSS ITEMS FOR NEXT AGENDA**

Items for the next agenda were discussed.

## **ADJOURNMENT**

Ms. Levison made a motion to adjourn the meeting at 9:15 pm; Ms. McCarthy seconded. All were in favor by roll call vote.

***Respectfully submitted,***

**Documents Referenced:**

- Agenda
- Draft Minutes of 12/12/22;
- Hauler permit application package for D&D Waste Removal
- Posted agenda;
- E-mail from Friot's requesting an extension as an "approved sampler";
- Draft Answers to FY23 Budget Questions from FinCom;
- LL's MHOA webinar notes;
- Draft revisions to the sample long sewer line notice;
- Draft stable permit letter to the Press and cable slide;
- Resident complaint and response from Waste Management (Jan. 2022)
- Resident complaint and response from Waste Management (Sept. 2022)
- Email from Irene Congdon (DEP) re waste hauler complaints;
- A. Flynn notes re status of 2023 hauler permitting;
- Email from B. Moran, WBUR
- 236 Still River Road: Application, proposed plan, unsigned permit, and draft tight tank approval letter;
- 52 Tahanto Trail: Application and signed permit.