

Harvard Board of Health Meeting Minutes
Zoom Meeting
October 24, 2023
Approved: November 14, 2023

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

Others Attending: Alison Flynn, Board of Health Clerk; Jim Garreffo, Health Agent, Nashoba Associated Boards of Health; Evan Carloni, Innovative Septic Design; Dan Wolfe, PE, David E. Ross Associates; Constance Larrabee, 15 Under Pin Hill Road.

CALL MEETING TO ORDER

Ms. McCarthy called the meeting to order at approximately 4:03 p.m. Ms. Flynn provided remote meeting instructions.

PUBLIC COMMENT

None.

NEW BUSINESS

67 Still River Road: Consider local upgrade approval and variances from the Harvard Board of Health's Sanitation regulation

Mr. Garreffo indicated that he recently witnessed testing at the site for replacement of the existing failed system. Mr. Carloni indicated that the proposed system is generally located in the same area of the existing system but is slightly larger. He explained that the ground was too wet at the time of testing, so sieve analysis was performed, and a local upgrade approval is requested in lieu of a perc test. Mr. Carloni indicated that a local upgrade approval and local regulation variance is requested for a reduction in the 100 ft. offset to the well, down to 81 feet, due to the size of the leach field required because of the soil quality and an easement to a drain. Mr. Carloni stated that the last request is for the use of trenches because the perc rate is greater than 30 minutes per inch. Mr. Carloni stated that the proposed design keeps the system out of the neighbor's well arc, away from the easement and avoids the bedrock at the east of the property.

Mr. Mitchell made a motion to accept the Title 5 local upgrade approval requests and local variance requests as outlined in the application for 67 Still River Road; Ms. Levison seconded. All were in favor by roll call vote.

15 Under Pin Hill Road: Consider local upgrade approval and variances from the Harvard Board of Health's Sanitation regulation

Ms. Levison stated that the applicant is a good friend of hers, but feels she can impartially weigh the requests before her as she would with any other applicant. Mr. Wolfe explained that the application is for the replacement of a failed septic system. He indicated that his office designed the system a number of years ago and was permitted by the Board of Health with very similar, if not the same, variances granted at that time but the system was never installed. Mr. Wolfe explained that the applicant is looking to renew the expired permit at this time. He described the limitations for designing a septic system on the property, including that the parcel is 0.75 acres,

the existing well is located at the center of the property, and that there are wetlands present. Mr. Garreffi agreed that there are not many options with the site and stated that as the current system is in the water table, this will be an improvement. Mr. Garreffi indicated that he does not see any issues with the requests and noted that they will have to ensure that the installation is performed in a manner so that the Presby can be driven over. Mr. Wolfe confirmed that an Order of Conditions has already been issued by the Conservation Commission.

Mr. Mitchell made a motion to approve the local upgrade and relief from Title 5 requirements listed in the application dated October 10th by Mr. Wolfe; Ms. Levison seconded. All were in favor by roll call vote.

Highlights of recent decisions

Ms. Flynn advised that the recently amended Private Wells regulation was effective as of October 23, 2023. She confirmed that she sent the regulation to known local brokers, as well as any other brokers currently listing in Harvard, and the approved samplers. Ms. Flynn indicated that she does not have a list of rental properties or their landlords.

Mr. Mitchell indicated that he provided testimony at the State House in support of statewide regulations for water quality testing.

Consider revisions to the FY25 budget submission

Mr. Mitchell screen shared his proposed revisions to the FY25 budget submission. Ms. Levison stated that the Finance Department did not provide instruction on whether merit increases have to be absorbed. She also stated that it does not seem right that the BOH would have to absorb the Finance Department's error in not applying the final assessment for NABH. Mr. Mitchell indicated that he'd like to emphasize that the BOH's operating budget is a very small percentage of the overall budget, and to absorb the increases, the BOH will have to cut its operating budget by 45%. Ms. McCarthy noted that the BOH has repeatedly asked for more administrative hours; Mr. Mitchell stated these will be included in the level service budget request. Ms. Levison agreed and noted that continuing with a level funded budget for 1.5 years would leave the BOH without an operating budget for outreach programs. Mr. Mitchell's stated his suggested cuts are in reducing the townwide mailings to one and eliminating the styrofoam takeback event. Ms. McCarthy suggested the submission include pie charts demonstrating the small portion of the budget that the BOH has control over. Ms. Levison suggested the BOH should be speaking individually to FinCom and Select Board Members, and watching the FinCom Agendas for budget review so the BOH can attend. Mr. Mitchell suggested the narrative include the statement that the BOH is submitting the level-funded budget under protest. Mr. Mitchell agreed to revise the spreadsheets; Ms. Levison agreed to revise the narrative accordingly.

Consider preparation of memo reminding Town Departments of Pond Road Field's location within the Zone I Wellhead Protection Area

Ms. Levison asked whether the BOH should send a memo to the group considering town field improvements reminding them that the Pond Road Field is in the Zone I of the Harvard Water Department's Public Water Supply as noted on the recently submitted Sanitary Survey. Ms. Flynn noted that she provided a copy of the BOH's 2020 Memorandum to Parks & Recreation and the Department of Public Works which reminded them of this fact. The group agreed that it is not necessary for the BOH to send an additional memorandum regarding protection of the wellheads at this point in time.

Consider change in BOH meeting schedule for the winter months

The BOH Members agreed to change the meeting schedule to the 2nd and 4th Mon. of the month from 4pm-6pm beginning in December. Mr. Mitchell suggested the group will be able to switch back to Tuesdays at the end of March or early April depending on snowfall. The group also agreed to hold the 2nd meeting in November on Wednesday, November 29th.

Review draft flow chart regarding water quality requirements

Ms. Levison indicated she would continue to work on the draft flow chart for review by the group at an upcoming meeting.

Consider purchase of banner/table runner for outreach events

The BOH considered quotes from AlphaGraphics for a banner or table runner for outreach events and agreed on purchase of a 48x24 inch banner. Ms. Levison will draft text with or without the Town seal for review by the Board. Ms. Flynn will include the budget spreadsheet in preparation for the next discussion so the Members can consider where the cost will fall.

Report from participation in COA's Senior Center Open House (10/4/23)

Mr. Mitchell indicated that he attended alongside Jenna Montgomery of the NABH. He reported that they shared a table with Harvard Ambulance and Fire Department. Mr. Mitchell stated that he handed out stroke awareness magnets and the one-page "About the Board of Health" flier, and estimated that there were approximately 150 attendees.

Report from attendance at Fall Town Meeting (10/21/23)

Ms. Levison reported on her attendance and distribution of the handout regarding the Devens cleanup and the BOH's involvement with the same. Ms. McCarthy reported that the Personnel bylaw failed as it was in conflict with the Charter. Ms. Levison indicated that the Open Space bylaw passed.

Report from webinar regarding improving recycling websites (10/24/23)

Ms. Flynn reported that her audio was not working at the time of the webinar. She stated she will obtain the recording and report back at a later meeting.

Report from Land Use Boards (LUB) Meeting (10/10/23)

Mr. Garreffo provided an update from his attendance at the LUB Meeting, including status updates regarding the proposed Robin Lane development, and Pine Hill Village and Trail Ridge condominiums, the trial run of shuttling to the Littleton MBTA station, experiences with the Specialized Stretch Code, Chestnut Tree's ongoing permitting and Conservation issues, and the MBTA Communities bylaw.

Report from attendance at NABH Quarterly Executive Committee meeting (9/28/23)

Ms. Levison indicated that she was unable to attend the meeting in person but joined remotely. Mr. Garreffo reported that a portion of the meeting was spent explaining the financial ramifications associated with the closing of the nursing program. He indicated that they also reported on the workplan for use of this year's Public Health Excellence Grant funds which increased from last

year's grant amount by approximately \$180,000. Mr. Garreffo indicated that there was also discussion of the increased interest in green burials. He indicated that both Shirley and Boxborough considered the approval process recently. Ms. Flynn agreed to recirculate the response the BOH sent to the Cemetery Commission regarding their recent inquiry on green burials. Ms. Levison reported there was also discussion at the meeting regarding whether the dental program will be resurrected, of the scheduled flu clinics, and of Ms. Montgomery's search for available grants. Ms. Levison asked that Ms. Montgomery pass on any applicable grant opportunities for LBOH.

Report from recent DPH LBOH webinars (9/26/23 & 10/10/23)

Ms. Levison indicated that she forwarded her notes from attendance at the 9/6/23 webinar. Mr. Garreffo attended the webinar of 10/10/23 on Performance Standards; he agreed to pass on anything of pertinence to the BOH.

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

- Ms. Flynn asked the Members to approve an invoice from The Harvard Press for publication of the "Who You Gonna Call?" ad and the summary of the Private Wells regulation amendments. Ms. Levison made a motion to pay the invoice; Mr. Mitchell seconded. All were in favor by roll call vote.
- Ms. Flynn reminded the BOH that Region 2, Public Health Emergency Preparedness, would like a response regarding interest in drill participation by October 31st. Ms. McCarthy agreed to work with Ms. Flynn on completing the survey.
- Mr. Garreffo provided an update from the DPH webinar regarding new Performance Standards for Local Public Health. He explained that the webinar discussed the 93 performance standards which were developed from MA General Laws and legislation which designate BOH responsibilities, and the survey results received from the health districts with shared services agreements which self-reported their ability to meet the standards currently. Mr. Garreffo stated that the website allows the public to review the standards and the survey responses, and for the associated health districts to review any deficiencies to incorporate into their workplans. Mr. Garreffo indicated that he'll be sitting down with the NABH health agents on November 3rd to see where each of the Towns are in terms of meeting the Performance Standards in a step to plot the next steps in addressing any deficiencies. Mr. Garreffo indicated that as part of the process, 9 MGLs were identified which outdated and no longer applicable. Mr. Garreffo explained that the BOH is required to meet the Performance Standards, but NABH is the staff that has been hired with the authority to help accomplish the tasks.

PERMITS

Review of septic permits recently issued by the Health Agent

Mr. Garreffo reported on the following septic permits issued since the last meeting:

- 99 Ann Lees Road: Transfer permit for new construction originally issued on 12/14/21.
- 25 Park Lane: Local upgrade requests and variances approved by the BOH on 10/3/23.
- 28 Scott Road: Distribution box replacement.
- 337 Littleton Road: Replacement of a septic tank. Mr. Garreffo indicated that he needs to meet with the contractor to confirm that the new location of the tank will work with the other requirements.

Mr. Garreffo left the meeting at approximately 5:37pm.

OLD BUSINESS

Revise stable permit insert for the January tax bill

Ms. Levison reported that it was Ms. McBee's idea to advertise the septic tax rebate on the reverse side of the stable permit insert after attending a tax seminar. The BOH Members agreed to only use the first side of the stable permit insert. Ms. Flynn indicated that Mr. Bragan provided text for the septic tax rebate portion of the insert.

Further discussion re scheduling EDS Trailer clean-out

Mr. Mitchell agreed to discuss scheduling at a joint EMS/Fire Department Meeting.

Review draft response to B. Leicher letter to Select Board regarding synthetic turf

Ms. Levison indicated that she has not yet had the opportunity to work on this response.

Review draft townwide mailing in support of mandatory recycling

The Board Members provided feedback on Ms. Levison's draft townwide mailing which includes advertising for the FY24 styrofoam take-back event. Ms. Levison indicated that the BOH may be able to fund \$350 of the costs for the event in the future with RDP points and suggested the BOH also ask for monetary contributions from other groups in Town. Mr. Mitchell noted that the BOH had to cut this event from the level-funded FY25 budget submission.

PFAS: Update

Mr. Mitchell stated that the next Devens Restoration Advisory Board (RAB) meeting is 11/9/23, and that the recent working group meeting included an update that the consultants are hoping to be in the field in November to perform remote sensing to identify the depth to groundwater and bedrock, along Mill Road. Mr. Mitchell explained that geophysics will help determine the optimal locations to place monitoring wells.

Mr. Mitchell reported that his attendance at the Statehouse hearing of the Joint Committee on Environment and Natural Resources went very well. He stated that their panel was very well prepared and presentations were well received.

Ms. Levison noted that the topic of the annual Leaders Conference for the MA League of Women Voters held in Harvard this year was PFAS.

Mr. Mitchell and Ms. Levison reported that they shared at the stakeholder interview in August that the RAB needs to do a better job reaching out to Harvard residents with updates.

Update re installing the dial/algae sign on Pond Road

Mr. Mitchell indicated that he hopes to advance on installation before the ground freezes. He will reach out to Mr. O'Shea with Ms. McWatters in copy. Ms. Flynn noted that Mr. Mullane recently sent an e-mail reminding the BOH that the remaining warrant funds expire in 2024 and suggested that if the BOH would like to pursue a smaller duplicate dial sign for the existing kiosk, it's possible these may be used. Mr. Mitchell will measure the existing kiosk to obtain a quote from AlphaGraphics.

Update regarding placement of additional textile recycling bins on municipal property

Ms. Levison expressed frustration that she no longer has the support of Mr. Kilhart and Ms. Sobalvarro for placement of these bins at the Hildreth House parking lot or another municipal property. Ms. McCarthy and Mr. Mitchell agreed that she should not pursue the issue further.

Arbovirus: Update from Weekly Reports

Ms. Flynn indicated the meeting packet includes the final arbovirus monitoring report of the season.

Action Items

Ms. Flynn agreed to recirculate any outstanding action items.

MINUTES

The Members considered Ms. Levison's comments on the draft Minutes of 9/26/23. Mr. Mitchell made a motion to accept the draft Minutes of 9/26/23 as amended; Ms. Levison seconded. All were in favor by roll call vote.

The Members considered Ms. Levison's comments on the draft Minutes of 10/3/23. Ms. Levison made a motion to accept the draft Minutes of 10/3/23 as amended; Mr. Mitchell 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 at 5:58 pm; Mr. Mitchell seconded. All were in favor by roll call vote.

Respectfully submitted,

Alison Flynn, Clerk

Documents Referenced:

- Agenda
- Draft Minutes of 9/26/23 & 10/3/23
- 67 Still River R.: Request letter, Local Upgrade Conditions form, and proposed plan
- 15 Under Pin Hill Rd.: Request letter, Local Upgrade Conditions form, and proposed plan
- T Bragan's e-mail regarding the decision of the Select Board regarding the BOH stable permit tax bill insert
- M. Mitchell's proposed revisions to the submitted FY25 budget spreadsheet
- Invoice No. 9732 from The Harvard Press
- Draft stable permit tax bill insert

- L. Levison's notes from the 10/10/23 LBOH webinar
- J. Mullane's e-mail re the BOH budget submission, the FY25 budget memo from FinCom, J. Mullane's budget e-mail of July 2023, and the BOH's submitted FY25 spreadsheet & narrative
- Harvard Water Dept. 2023 Sanitary Survey
- B. Leicher's letter to the SB re artificial turf
- BOH 2020 Memo re field management of Pond Road playing fields
- Arbovirus surveillance report of 10/16/23