

**Harvard Board of Health Meeting Minutes**  
**Town Hall, Upstairs Meeting Room**  
**Tuesday, March 12, 2019**  
**Approved: March 26, 2019**

*Board of Health Members present:* Libby Levison, Chair; Sharon McCarthy; Tom Philippou.

*Attending:* Ira Grossman, Health Agent, Nashoba Associated Boards of Health (“NABH”); Alison Flynn, Board of Health (“BOH”) Clerk; Regina Todd, Harvard EMT Service; Joan Eliyesil, Harvard Press.

Ms. Levison called meeting to order at 2:06 p.m.

**PUBLIC COMMENT-** None.

**NEW BUSINESS**

a. 47 Myrick Road: Discussion regarding building application and bedroom deed restriction- Ms. Flynn advised that the contractor informed her that a discussion was no longer needed.

b. Craftsman Village Harvard: Consideration of 40B waivers to ZBA (4/3/19)- The BOH members discussed the request for a “waiver” from the number of test holes required, and agreed to withhold any comments until a Septic Design Plan is submitted. The members also discussed that the Public Water Supply for Craftsman Village Harvard will be required to do PFAS testing, and would like to suggest to the ZBA that this is a condition of approval. Mr. Philippou moved to include this in the comments; Ms. Levison seconded. No further discussion was needed. All were in favor. Ms. Flynn and Mr. Grossman will prepare a memo to the ZBA with these comments, and also restating the prior requirement for additional soils testing.

c. Consideration of attendance at ARCHE Coalition Hazard Vulnerability Assessment 4/9/19 (Registration by 3/23/19)- The BOH members discussed whether Ms. McCarthy should attend this meeting in Worcester. Mr. Grossman advised that the Coalition is expected to address clinical vulnerability v. municipal vulnerability. The BOH members were in agreement that there was no need for Ms. McCarthy to attend.

d. Clerk and Health Agent Update-

- Ms. Flynn requested approval for payment of the 4<sup>th</sup> Quarter Invoice from NABH. Ms. Levison made the motion to approve payment; Mr. Philippou seconded. All were in favor. The invoice was signed.
- Mr. Grossman advised that he has had a few telephone calls requesting clarification of the requirements for private well quality testing prior to closing. He suggested a clarifying statement be issued to direct residents to Section A. Ms. Flynn and Mr. Grossman will work on this statement for BOH member approval.
- Mr. Grossman advised that he was contacted regarding water quality sampling performed by a home inspector at 27 Ann Lees, and asked whether the BOH would approve the use of this sample which was collected by a home inspector, not by Mr. Grossman or someone from a water quality testing lab. The BOH agreed to consider approving sampling by licensed home inspectors on a case by case basis. The Board would require the home inspector to sign a statement indicating he/she is aware of

accepted sampling procedures, and has no conflict of interest. The members also agreed that this approval should be given prior to the sampling, and can be issued by Mr. Grossman. Ms. Flynn and Mr. Grossman will prepare a statement form. Ms. McCarthy made the motion to make a one-time retroactive approval for the home inspector who sampled 27 Ann Lees, once the statement is signed. All were in favor.

- Mr. Grossman advised that he was contacted by the attorney for the homeowner of 73 Oak Hill who has submitted a passing water quality test, and who is looking to resolve the issue of the Title 5 Inspection Report in preparation for closing. Mr. Grossman recommended that the Title 5 Inspection is now considered "Passing". Ms. McCarthy made the motion to accept the Title 5 Inspection Report as "Passing", as amended and supplemented; Mr. Philippou seconded. All in favor. Ms. Flynn and Mr. Grossman will draft a letter confirming the same for the homeowner's attorney. The BOH members also asked that Jeff Curtis, the Title 5 Inspector at this property, of CSI, be invited to the first meeting in April; Ms. Flynn and Mr. Grossman will do the same.
- Ms. Flynn advised that PHEP Region 2 would like a letter confirming representatives with voting authority for an April concurrent vote. Ms. Flynn will prepare a letter confirming Mr. Grossman and Ms. Gendron have continued authority to represent the Harvard BOH in all Region 2 matters, including those which require a vote.

## **OLD BUSINESS**

a. 28 Deerfoot Trail: Update re Contempt Hearing of 3/5/19- Mr. Grossman reported on the contempt hearing, indicating that deliberations resulted in a stipulation between parties to allow additional time for compliance. Monetary penalties and costs were not included in the stipulation. They will next be due to report to Court on May 28<sup>th</sup>.

b. Report from Deer Management Committee (ConCom discussion of 3/7/19)- Ms. Levison gave a brief summary of the topics discussed at the Conservation Committee meeting where the Deer Management Committee reported.

c. Report from LUB Meeting (3/12/19)- Mr. Grossman provided a summary of the topics discussed at the Land Use Boards meeting on 3/12/19 which included the Deer Management Committee report, developments with Pine Hill Village, and the status of the Planning Board's erosion control bylaw.

d. Update from the Transfer Station Committee (3/12/19)- Mr. Philippou and Ms. Levison provided an update from the Transfer Station Committee, including that the recommendation for a senior discount has been revised, that an information session has been scheduled for March 28<sup>th</sup>, and that program roll-out is expected on July 1<sup>st</sup>.

e. Report from Opioid Talk (3/5/19)- The members discussed their disappointment in the attendance at the Opioid Talk, and agreed that a smaller space should be considered for the next event where a large crowd cannot be anticipated.

f. Continued planning of Tick Talk (4/4/19)- The members discussed the status of publicity for the Tick Talk and considered moving the date further out. Ms. Levison will explore whether Dr. Rich and the Upstairs Meeting Room are available later in the month.

g. Continued discussion regarding sharps pick-up program for homebound residents- Regina Todd attended on behalf of the Harvard EMT Service. Mr. Philippou indicated that he discussed with EMT Director, Jason Cotting, the possibility of having a sharps pick-up program where homebound residents could sign up for a twice-per-year pickup of sharps by the EMT Service. Regina was supportive of the idea, but was concerned with the logistics of ensuring that the sharps were empty and that expired Epipens would not be included. Mr. Philippou agreed to reach out to Jim Gareffi at Nashoba Associated Boards of Health to discuss the proposed program in more detail. Ms. Flynn advised that Pat Natoli informed her this afternoon of her recent contact with [safeneedledisposal.org](http://safeneedledisposal.org), and shared brochures with the BOH. Ms. Flynn will follow-up with Ms. Natoli for additional information regarding where the sharps will be disposed.

h. Continued review of draft marijuana sales regulation- Ms. Flynn provided the BOH with the comments received from the Planning Board. Mr. Philippou agreed to contact Cheryl Sbarra at the MA Association of Health Boards for her input.

i. Continued review of draft tobacco use regulation- the draft tobacco use regulation was reviewed and revised. Ms. Flynn advised that she heard back from Joan Hamlett, who offered to send the BOH a sample regulation. The BOH members requested Ms. Flynn e-mail Ms. Hamlett the draft regulation and request her comment on the same prior to the next BOH meeting.

j. 5G Wireless Network Concerns- Ms. Flynn advised that Chris Ryan will be having a discussion with the Town Planner for Burlington, MA about their 5G efforts, but that Burlington is not addressing health concerns at this time. Ms. Levison and Ms. McCarthy indicated that they had not yet reviewed the links to 5G information sent by Mr. Philippou today. The BOH members agreed to research health concerns with 5G more thoroughly, and have another discussion at a future meeting. .

k. Continued discussion re PFAS at Devens- Ms. Levison reported on her telephone conversation with Mary Jude Pigsley, DEP Worcester Regional Director, and her preparation of the BOH response to the Boston Globe article regarding PFAS in Ayer. The BOH members reviewed the response and agreed to revisions. Ms. Levison advised that the Department of Public Works will be voluntarily testing the Town Wells for PFAS on Wednesday, and that she asked Ms. Pigsley to look in to whether Village Nursery School and Harvard Plaza were considered for the Army study. Ms. Levison stated that Ms. Pigsley indicated a DEP representative would be willing to come to Harvard to speak to the Select Board or stakeholders regarding PFAS. The BOH members discussed this and agreed that if a lot more questions were received, a public outreach meeting might be an option, but is not needed at this time. Ms. Levison will reach out again to Ms. Pigsley to request contact information for an individual to direct residents with specific PFAS questions.

l. Discussion regarding preparing the 2019 Emergency Dispensing Site (EDS) Plan- This discussion was tabled for a future meeting.

m. Review Action Items- The action items from the last meeting were reviewed.

## **PERMITS**

- 111 Depot Road- The BOH members reviewed the septic permit application package, including letter of February 25, 2019, requesting Local Upgrade Approval, and

associated plan. Ms. McCarthy made the motion to approve the requests, as listed in the letter of February 25, 2019; Ms. Levison seconded. All were in favor.

#### **APPROVAL OF MINUTES-**

Mr. Philippou made the motion to approve the draft minutes of February 26, 2019, as amended; Ms. Levison seconded. The vote was unanimous.

**ITEMS FOR THE NEXT AGENDA-** Items for the next agenda were discussed.

**ADJOURNMENT-** Ms. Levison moved to adjourn the meeting at 4:25 p.m.; Ms. McCarthy seconded. The vote was unanimous.

***Respectfully submitted,***

***Alison Flynn, Clerk***

#### ***Documents Referenced:***

- Agenda
- Draft minutes of 2/26/19
- Septic permit application package for 111 Depot Road
- Brochures from safeneedledisposal.org
- Planning Board comments on draft marijuana regulation
- Draft tobacco use regulation
- Revised BOH response to the Boston Globe article on PFAS in Ayer
- 4<sup>th</sup> Quarter FY2019 invoice from NABH