

**Harvard Board of Health Meeting Minutes**  
**Town Hall, Volunteer Meeting Room**  
**Tuesday, February 11, 2020**  
**Approved: February 25, 2020**

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

*Attending:* Alison Flynn, Board of Health (“BOH”) Clerk; Willie Wickman, Fivesparks; Joan Elyesil, The Harvard Press; Dan Gaffney, SafeWell.

Mr. Philippou called the meeting to order at 2:01 p.m.

**PUBLIC COMMENT-** None.

**NEW BUSINESS**

a. Request of SafeWell for approval to sample any Harvard private well in anticipation of property sale- Dan Gaffney, President of SafeWell, was present to request a three-year waiver from the Private Well regulation to allow SafeWell staff to sample for water quality testing in anticipation of home sales. He explained that for SafeWell to comply with the existing preapproval procedure could cause a delay for his clients of up to two weeks, and such a timeline is not always possible during home sales. Ms. McCarthy expressed discomfort with Mr. Gaffney’s request, citing the reason the preapproval process was developed was to ensure the sampler is a disinterested party. Mr. Philippou stated that he believes SafeWell is a disinterested party because they have no vested interest in the sale of the property.

Ms. Levison noted that in her review of SafeWell’s website, she saw PFAS results for Stow have been mapped; Mr. Gaffney indicated that results were shared with DEP and posted to the website with the express consent of the homeowners.

Ms. McCarthy and Ms. Levison stated they would not be comfortable with issuing a three-year waiver. Ms. McCarthy made the motion to approve a six-month waiver, and if a review thereafter proved satisfactory, another six-month waiver could be issued before reviewing and considering a waiver for a longer period of time. Ms. Levison asked that Mr. Gaffney agree to provide his clients with the BOH e-mail address and guidance on the requirements to submit test results in preparation for home sales, and not post the locations of PFAS results for Harvard clients to his website. Ms. McCarthy renewed her motion to include these two requirements; Ms. Levison seconded. All were in favor. Ms. Flynn will send out a letter confirming the waiver for six months beginning February 18<sup>th</sup>.

Ms. Flynn questioned whether SafeWell has sampled private wells in Harvard in preparation for property sale, noting that she does not believe any results received in the BOH since the adoption of the testing requirement have been sampled by SafeWell. Mr. Gaffney indicated he was unaware if any such sampling occurred. The BOH members asked that should his records state otherwise, he prompt those clients to submit the results to the BOH.

Mr. Gaffney requested the BOH confirm that the Private Well regulation requires testing of raw and treated samples in preparation for property sale; the BOH members did so, explaining the intent of the requirement is to confirm that the treatment in place is needed and effective.

Mr. Gaffney explained that SafeWell uses an autoconfiguration tool which takes the water quality results and provides the optimal configuration for a treatment system. He further stated that SafeWell is installing both granular activated carbon (“GAC”) and reverse osmosis systems for PFAS removal, though he favors reverse osmosis systems because of the difficulty in disposing of GAC cartridges.

b. Consider preparation of local well owner tip sheet- Mr. Philippou suggested PFAS information be included on a local well owner tip sheet. Ms. Flynn advised she was unable to locate such a document in the BOH files. Ms. Levison stated she recalled a prior local well owner tip sheet was prepared. Ms. McCarthy and Ms. Levison will search their home computers for this document.

c. Update from DPH conference call re Coronavirus/Coronavirus messaging (2/3/20)- Of note, Ms. Levison indicated, was that the risk in Massachusetts is very low. At the time of the call, there was only 1 case of coronavirus in MA and the patient was self-isolated. Ms. Levison indicated that the risk of flu in MA is high, and there is still time to get a flu shot. Ms. Levison stated that DPH indicated the situation is rapidly evolving, and DPH is working with the CDC and other states. Mr. Philippou added that DPH indicated that tracking the outbreak has been difficult because the Chinese government has not been forthcoming with information. He reported that it is believed that more people in Asia have the virus than currently known, and because of this the virus may not be as lethal as reported. The DPH provided the conference call participants with a number for MA residents to call, around the clock, if they think they might have been exposed. Ms. Flynn will add this number to the alert on the BOH home page. Mr. Philippou also reported DPH is advising normal best practices for avoiding respiratory illnesses including handwashing with soap and water, and covering one’s mouth when coughing with an elbow. He stated people should be aware if those around them have recently traveled to Asia. Lastly, he indicated that N95 respiratory masks are the only masks effective, and only if used properly.

d. Discuss guest speakers for 2020- The BOH members considered topics for 2020 guest speakers, and agreed that a speaker on holistic approaches to vector-borne diseases, with an emphasis on personal protection, would be of interest. Ms. McCarthy will reach out to Dr. Brown to see if she can recommend a speaker. Ms. Levison suggested she also contact Bruce Leicher to see if there have been chemicals identified that cannot be used close to the Pond.

e. Discussion re 2020 stable permit season & addressing non-compliance- Ms. Flynn reminded the BOH members that stable permits expire at the end of the month and asked whether the BOH members would like her to e-mail current permit holders; Ms. Levison suggested she e-mail the last two years of permit holders. The BOH members agreed. Ms. Flynn also asked the members how they would like to handle non-compliant residents. Ms. Levison suggested the BOH might consider fining residents who are non-compliant with the no-fee permit application. Mr. Philippou agreed and offered to draft a stable regulation. Ms. McCarthy suggested the BOH has more pressing public health concerns. Ms. Levison volunteered to reach out to the Agricultural Commission for advice on how to encourage compliance, and if not successful, Mr. Philippou will begin drafting stable regulations. Mr. Philippou suggested that Ms. McCarthy refrain from future discussion due to her conflict of interest as a stable owner.

f. Update from Open Space bylaw meeting with Randall Arndt (2/6/20)- Ms. McCarthy reported on her attendance at the Open Space bylaw meeting with Mr. Arndt, as well as a portion of the evening seminar which she found very interesting. She explained that she learned that the

existing bylaws have allowed for the development of large houses on large lots and 40Bs on small lots, and if the Town wants this to change, we have to give the developers the bylaws to support that and fundamentally change the permits. She indicated that they are running into difficulty with septic restrictions, and Ms. McCarthy agreed to work with Chris Ryan and DEP to see if they can find a solution.

g. Review of BOH response to Harvard Water Department boil water order- Mr. Philippou reported that he learned the primary cause that the water tank was not able to be shut off prior its draining was that the only set of tools owned by the Town was locked away by DPW, and the DPW personnel with access to the tools were 45 minutes away. The BOH members agreed that while the municipal water supply is not the jurisdiction of the BOH, they could recommend to the Water & Sewer Commission that a second set of tools be kept by the Fire Chief, as Emergency Manager, in case of a similar emergency. Ms. Flynn will send a letter to the Water & Sewer Commission to recommend the same. The BOH members also commented that the Harvard Water Department should have provided notices to businesses and churches regarding proper sanitizing during the boil water order.

h. Clerk Update-

- Ms. Flynn advised that Jamie Terry, Region 2 PHEP Coordinator, added her to the Quick Start List in preparation for the set-up drill in Shirley.
- Ms. Flynn asked whether any member was available to call in for the DEP Education & Enforcement Coordinator conference call on 2/12/20. Ms. Levison indicated she will try to arrange her schedule to do so. Ms. Flynn stated she could call in for the first 40 minutes if Ms. Levison is unable to do so.
- Ms. Flynn asked whether the BOH members considered the request of a social work intern at Littleton's Elder & Human Services Dept., to collaborate in developing programs around addiction & recovery. The BOH members asked Ms. Flynn to forward his e-mail to Tamara Bedard at NABH, and decline participation on behalf of the BOH members, who feel they do not have the bandwidth to take this on.
- Ms. Flynn provided an account of Mr. Grossman's report regarding the status of the Old Library's moisture damaged carpet. Ms. Flynn stated Mr. Grossman communicated with Mr. Bragan in follow-up to the BOH's memo. Mr. Grossman stated that Mr. Bragan advised there was no evidence of a sewage overflow, and that the tenants are the party responsible to make the interior repairs, such as removing the rug. Ms. Wickman stated that there was evidence as to the toilet overflow, as it happened while a function was going on. She further added that Fivesparks has been told that the Town is responsible for the building envelope, and the tenants are responsible for the contents within. She indicated that the toilet overflow occurred because electricians had been doing work and a breaker was pulled. The BOH members asked Ms. Flynn prepare a cover letter to the Select Board, enclosing the BOH's memo to Mr. Bragan, and advising that the issue has still not been resolved. Ms. Flynn will prepare the same for the BOH members' review.

## **OLD BUSINESS**

a. Consider revisions to draft letter to Governor Baker regarding concerns regarding ground mosquito spraying- The BOH members reviewed and revised the draft letter. Ms. McCarthy made the motion to accept the letter as amended; Ms. Levison seconded. All were in favor. The BOH members agreed Ms. Flynn will sign the letter if Mr. Philippou is unable to do so.

b. Consider revisions to Solid Waste & Recycling regulation to require lidded containers- Ms. McCarthy made the motion to accept the proposed change to the regulation as presented; Ms. Levison seconded. The BOH members agreed Ms. Flynn should write the haulers to advise them of the change to go into effect on June 1<sup>st</sup>. All were in favor.

c. Additional updates re PFAS testing in Harvard- Ms. McCarthy advised that Ms. Reddy, of the Army, indicated the Army would appreciate if the BOH wrote residents who have not yet accepted PFAS testing. The BOH reviewed and revised a draft letter. Ms. Flynn will send the revised draft to Ms. Reddy for her review.

d. Update regarding request for sharing of RDP points- This discussion was tabled.

e. 200 Ayer Road: Continued discussion re A Joyful Adult Healthcare Center, Food Service Application- This discussion was tabled.

f. Update from LUB Meeting (2/11/20)- Ms. McCarthy reported that the permitting guide is reaching its final draft, and awaits review by uninvolved residents.

g. Update from Deer Management Committee (2/6/20)- Mr. Phillipou reported that 6-7 illegal blinds were discovered and removed from Conservation Commission ("ConCom") land. Unclaimed belongings are being held for pickup at the Police Station. Ms. McCarthy will write Ms. Allard to suggest the ConCom website add a link to allow observers to report illegal activity on ConCom land.

h. Update from the Transfer Station Committee- Mr. Philippou reported that the Transfer Station Committee continues to address concerns regarding bag supply, including whether Bolton Orchard is vending bags. Ms. Levison stated that she is currently preparing contact information cards for residents with complaints. She asked that the BOH consider purchasing a ream of 24 lb. colored paper for this use. Ms. McCarthy made the motion to purchase a ream of heavy weight paper for making notices for the Transfer Station Committee; Ms. Levison seconded. All were in favor.

i. Review Action Items- There were no action items from the prior meeting.

## **PERMITS**

- 114 Ann Lees- A permit application package for a distribution box was reviewed, and a permit was issued.
- Trash haulers- Ms. Flynn advised that three applications are not fully compliant and GW Shaw & Son has yet to file an application package. The BOH members asked Ms. Flynn to advise each that if they are not in compliance by February 28<sup>th</sup>, they are to stop doing business in Town and the Police will be notified.

## **MINUTES**

The BOH members reviewed and amended the draft minutes of January 28, 2020. Ms. McCarthy made the motion to approve the minutes as amended; Ms. Levison seconded. All were in favor.

### **ITEMS FOR NEXT AGENDA-**

Items for the next agenda were discussed. Ms. McCarthy advised that she will be unable to attend or call in to the next meeting. Ms. Levison indicated that she might be able to call in to the meeting if it can be moved to begin at 6 p.m. She will advise the BOH members whether this might be possible tomorrow.

**ADJOURNMENT-** Ms. McCarthy made a motion to adjourn at 3:43 p.m.; Ms. Levison seconded. All were in favor.

Respectfully submitted,

Alison Flynn  
Clerk

### Referenced Documents:

- Agenda
- Draft minutes of 1/28/20
- Septic permit application for 114 Ann Lees Rd.
- Draft letter to residents nonresponsive to the Army's offer for PFAS testing
- Revised draft letter to Gov. Baker re roadside mosquito spraying
- Draft revisions to trash hauler regulation