

**Harvard Board of Health Meeting Minutes**  
**Zoom Meeting**  
**September 14, 2021**  
**Approved: September 28, 2021**

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

*Attending (Including but not limited to):* Alison Flynn, Clerk, Harvard Board of Health (“BOH”); Ira Grossman, Health Agent, Nashoba Associated Boards of Health (“NABH”); Dan Wolfe, David E. Ross Associates; Chris & Audrey Tracey, 204 Bolton Road; Wendy Cote-Magan, Architect.

Ms. Levison called the meeting to order at 7:00 p.m.

Ms. Flynn read aloud the remote meeting preamble.

**PUBLIC COMMENT-** Mr. Tracey voiced his support of the LUB Reorganization Chart.

**NEW BUSINESS**

a. 204 Bolton Road: Room count discussion and consideration of existing bedroom deed restriction- Mr. Wolfe advised that Mr. and Dr. Tracey are interested in improving their existing barn and “connector” from the house to the barn which will effectively create two new rooms by Title 5 definition. He indicated that the property is an existing 10-room home, 5 bedrooms by definition, with a recorded 4-bedroom deed restriction. The BOH members reviewed the plans and agreed that the existing 4-bedroom deed restriction is still appropriate. The BOH members further agreed to endorse the plan for the ZBA application.

*Ms. McCarthy made a motion to pass over Agenda Item B until Director of Community and Economic Development, Chris Ryan, could join the meeting; Ms. Levison seconded. All were in favor. They returned to the item later in the meeting.*

b. Consideration of the draft Land Use Boards (LUB) Reorganizational Chart- Ms. Levison stated that in order for Harvard to continue to rely on volunteer government Town Hall must employ enough staff with adequate hours to support the volunteers; Mr. Ryan agreed. Ms. Levison suggested revisions to the draft reorganization summary, including acknowledgement of Ms. Flynn’s support of the Permanent Building Committee (PBC). Ms. Flynn advised that her assignments for the PBC is inconsistent depending on active projects in Town, but is currently averaging 1.5 hours/week. The BOH members agreed that determining who staffs the PBC should not be the decision of the BOH. Mr. Ryan stated that in order for the reorganization plan to be successful before the Select Board, Finance Committee, and Personnel Board, the key LUB need to be supportive. He advised that once all key LUB boards are satisfied with the plan, he will start assigning a value and looking at cost/benefit analysis, before approaching the Town Administrator and Select Board. Ms. Levison suggested it is important to look closely at the pay rate of the BOH Administrative Assistant as an influx of Public Health funding is currently offering positions at an hourly rate much higher than Ms. Flynn’s current compensation. Mr. Ryan indicated that while he sees the BOH’s need for immediate additional Administrative Assistant hours and it is within the BOH’s obligation to move forward independently, he also believes a well-thought-out comprehensive plan is often better regarded

by policy makers. Ms. McCarthy stated she does not have great reservations about the reorganization plan, but is wondering how to best gain support. Mr. Ryan stated he will speak with Ms. Sobalvarro, who initially encouraged Mr. Ryan and Ms. Allard to develop the plan, about its evolution and will advise the BOH about the next steps. Ms. Levison asked that Mr. Ryan work closely with the BOH on the plan's development moving forward. Ms. McCarthy volunteered to act as liaison on this project.

c. Discuss need for additional Administrative Assistant hours in FY22- Ms. Levison stated that it is clear that the BOH does not have enough administrative assistance currently and going forward. She indicated that since she joined the BOH there have been increased responsibilities associated with the emerging topics of PFAS, climate change, algal blooms, drought, pandemic, vector disease, and activities like outreach, grant research, and everyday assignments such as upkeep of the files is not being done. Ms. Levison suggested that the BOH request an increase of 3 hours per year until the hours adequately meet the workload; Ms. McCarthy suggested the BOH request 25-26 hours immediately. Ms. Flynn agreed to provide the members with an updated list of tasks not currently completed in a timely manner; to that list, Ms. Levison will add a wish list of tasks the BOH hopes to assign with additional hours. Ms. McCarthy volunteered to reach out to Victor Norman of the Personnel Board regarding the process to request additional hours for FY22. Ms. Flynn confirmed her hours provided in support of the PBC does not come out of the BOH budget. Ms. McCarthy noted that she does not want Ms. Flynn's ability to respond appropriately and in a timely to the public to get lost to her heavy workload. Mr. Grossman advised that all the NABH Towns handle staffing of the BOH Administrative Assistant differently. He confirmed that the BOH is currently working reactively instead of proactively, and advised that additional hours could be spent on necessary items such as follow-up of I/A inspections, compliance with the well regulations and Title 5 at the time of sale, and a long-desired reorganization of the paper records. Mr. Grossman estimated that a 25 hour/week position would allow for the critical tasks to be addressed in a timely manner. Ms. Levison noted that the BOH is fortunate to rely on Mr. Grossman's institutional knowledge for many questions, but that more file review may be needed in the future. Mr. Grossman noted that in his experience working with many BOH Administrative Assistants over the years, it is clear to him that the individual employed in this position needs qualifications similar to Ms. Flynn's. Ms. Levison agreed to prepare a summary for the All Boards Meeting.

d. Preparation for the All Boards Meeting (9/21/21)- The BOH Members reviewed the Town Administrator's All Boards Meeting memo and the BOH's submitted goals. Ms. Levison confirmed that while the BOH goals were supposed to align with the SB's, the SB did not include Public Health in their goals. Ms. Levison stated that Mr. Mitchell will attend the meeting with her. Ms. Flynn will confirm that a separate BOH agenda does not need to be posted.

e. Response from the Water & Sewer Commission to request water access at the boat ramp- Mr. Grossman confirmed that the Water & Sewer Commissioners voted to turn the water back on at the boat ramp. Ms. Levison suggested the algae protocol be revised to include notification to the Water & Sewer Commissioners so they are aware of future need for Town water at the Beach; she will also add Julie Doucet as a contact for the Select Board.

f. Discuss current COVID-19 status, including but not limited to mask advisory and advice on Town events- Ms. Levison noted that the COVID-19 cases are increasing. The BOH considered their draft mask recommendation, and considered sample mandates from MAHB and the recommendation from Littleton. Mr. Grossman advised that a policy would not be appropriate for Harvard because the increase in cases is limited to a particular source and the number of establishments in Harvard is pretty inconsequential; Ms. Levison agreed. Ms. Flynn

will revise the recommendation using context provided in the MAHB sample, and adding a recommendation for vaccination; Ms. McCarthy will work with her and approve the final version before posting.

Ms. McCarthy reported that the League of Women Voter's Flea Market plans to have masks available, post signage requesting masks at entry and at the end of each aisle, and is considering the use of bracelets instead of hand stamps to allow for distancing. Ms. McCarthy volunteered to contact Dr. Dwight regarding her thoughts on a safe Halloween. The BOH members agreed to send Saint Benedict Center the mask recommendation in anticipation of their flea market.

g. Update from recent DPH COVID-19 Conference Calls- Ms. McCarthy reported that DPH will not restrict activities for agricultural fairs this fall. She stated that the Academic Public Health Corps. has developed helpful communications to address vaccine hesitancy, and noted that a survey from last winter ranked the government #5 and the DPH #8 on a list of sources relied on by those who are vaccine hesitant.

h. Report from Land Use Boards (LUB) Meeting (9/14/21)- Mr. Grossman reported that the LUB Meeting was cancelled due to scheduling conflicts.

i. Clerk and Health Agent Update

- Ms. Flynn requested approval of the 2<sup>nd</sup> Quarter Invoice, dated of 9/1/21, from the Nashoba Associated Boards of Health. Ms. McCarthy made the motion to approve the invoice in the amount \$7068.52; Ms. Levison seconded. All were in favor by roll call vote.
- Ms. Flynn requested approval of Aquatic Analysts invoices for cell count analysis of samples from Bare Hill Pond. Ms. McCarthy made the motion to approve Invoices 4067 & 4068; Ms. Levison seconded. All were in favor by roll call vote.
- Ms. Flynn requested approval of submittal for her reimbursement for USPS charges in the amount of \$46.15 each for shipping of Bare Hill Pond samples on 9/7/21 & 9/14/21 to Aquatic Analysts., and for a USPS charge in the amount of \$28.35 for shipment of a second 9/14/21 sample to the RI lab for toxin analysis. Ms. McCarthy made the motion to approve; Ms. Levison seconded. All were in favor by roll call vote.
- Mr. Grossman advised that he received for comment an Entertainment License application for Carlson Orchards from the Select Board. He indicated that the application reflects a change or increase in use of the approved 66 seats for the tap room and food service, and asks for use of amplified music inside and outside the tap room. Mr. Grossman noted that as the events will not be ticketed, he has concerns that it will be difficult to keep the capacity is limited to 66. The BOH Members asked that Mr. Grossman be clear in his comments that the 66-seat capacity is for the tap room/food service based on the septic system installed and linked to the PWS approval, and that Carlson will need to ensure they are limiting capacity to 66 by ticketing, or upgrade their septic system to allow for a greater capacity.
- Mr. Grossman reported Bare Hill Pond water temperature was 69.3 degrees, green in color, and with 33 inches of visibility by secchi disc reading at the Town Beach that morning.
- Ms. Flynn advised that a representative for PHEP Region 2 dropped off additional EDS supplies, including 12 sandwich boards, that afternoon. She indicated she will need to reorganize the trailer or find an alternate location for the sandwich boards.

## **OLD BUSINESS**

- a. Update re status of lobbying NABH for a sustainability expert shared among towns- Ms. McCarthy made a motion to pass over this item; Ms. Levison seconded. All were in favor by roll call vote.
- b. Arbovirus risk status update and further discussion regarding denial of Application for Municipality Opt-Out of SRMCB Spraying- Ms. Levison reported she heard the State epidemiologist state on WBUR that if we have not seen EEE by 1<sup>st</sup> week of September, it is highly unlikely we'll see it. Ms. Levison also noted that the epidemiologist said that WNV risk generally increases in September. Ms. McCarthy confirmed that the risk of WNV is still low for Harvard. Ms. Flynn reminded the BOH members that comments, encouraged by MA Audubon Society, are due to Mosquito Control Task Force by Friday; Ms. McCarthy volunteered to submit comments on behalf of the BOH.
- c. Report from UMASS Extension "Tick Topics" webinar- This discussion was tabled for a future meeting.
- d. Algal bloom update: Status, and further discussion regarding sampling procedures, draft protocol, and purchasing of risk status signage- Ms. Levison stated that cyanobacteria cell counts in the samples dropped from 340,000 to 317,000. She also reported that AlphaGraphics recommend the dial sign be made on metal sheet similar to a street sign. The Members reviewed the quote and agreed upon the 3x3 sign with the larger arrow. Ms. McCarthy made a motion to proceed with AlphaGraphics as discussed; Ms. Levison seconded. All were in favor by roll call vote. Ms. McCarthy reported that she received an e-mail from an abutter of Thurston's Cove expressing concerns, including with the signage. The BOH Members agreed to consider the complaint at the next meeting. The Members further agreed that lab analysis for cyanobacteria cell counts is complete for the season. Mr. Grossman will continue with secchi disc monitoring, and Ms. Levison will follow-up with DPH to request toxin analysis. Mr. Grossman will present his fluorometer data at the next meeting.
- e. Continued discussion regarding preparation of best practices for water quality samplers of private wells & planning for revisions to the Private Wells regulation- The Members agreed to table this discussion for a future meeting. Ms. Levison stated the BOH will consider revisions to the Private Wells regulation at the 9/28 meeting, finalize draft revisions at the 10/12 meeting, and hold a hearing for approval on 10/26/21.
- f. PFAS update, including but not limited to continued discussion re MassDEP Private Well PFAS testing program- Mr. Grossman confirmed that Mr. Mitchell e-mailed DEP in follow-up to the BOH's questions, but has not received an answer. Ms. Flynn reported that the BOH received the results of an additional property enrolled in the Private Well testing program.
- g. Review Action Items- Action items were not reviewed. Ms. Flynn agreed to send Action Items by e-mail.

## **PERMITS**

- Old Littleton Road, Lot 3: Mr. Grossman explained the application is for transfer of ownership with movement of the house & septic tank location. Ms. McCarthy made a

motion to approve the permit; Ms. Levison seconded. Mr. Grossman confirmed he has no concerns with the application. All were in favor by roll call vote.

- 45 Park Lane: Local Upgrade Approval. Mr. Grossman stated he has no objections to the requests. Ms. McCarthy made the motion to approve; Ms. Levison seconded. All were in favor by roll call vote.
- 30 Mettacomet Path: Mr. Grossman explained that the application was for installation of a new septic tank to accommodate an in-law apartment already discussed by the BOH. Ms. Levison made the motion to approve the permit; Ms. McCarthy seconded. All were in favor by roll call vote.
- 285 Still River Road: Mr. Grossman explained the application was for a building sewer line connection to a bathroom in a detached garage. Ms. McCarthy made the motion to approve; Ms. Levison seconded. All were in favor by roll call vote.
- Lot 1, Under Pin Hill Road: Mr. Grossman stated that the application was for transfer of ownership with a slight change in locations of the house and septic tank. He noted that the required PFAS and VOC analysis did not exceed allowances, but that a carbon filter would still be required because of the well location. Ms. McCarthy made a motion to approve the permit; Ms. Levison seconded. All were in favor by roll call vote.

**MINUTES-** None.

**ITEMS FOR NEXT AGENDA-** Ms. Flynn advised that a tobacco product sales permit application will be before the BOH at the next meeting. Ms. Levison requested Mr. Grossman follow-up with the Fire Chief regarding an emergency planning meeting.

**ADJOURNMENT-** Ms. McCarthy made the motion to adjourn the meeting at 9:21 p.m.; Ms. Levison seconded. All were in favor by roll call vote.

***Respectfully submitted,***

***Alison Flynn, Clerk***

**Documents Referenced:**

- Agenda
- 204 Bolton Road: E-mail from D. Wolfe (9/10/21), proposed renovation plan, and recorded bedroom deed restriction
- Draft LUB Reorganizational Chart & narrative summary
- Invoice from NABH & Aquatic Analysts
- Receipts from USPS
- Carlsons Orchard Entertainment License
- Draft mask recommendation & sample mask mandates from MAHB
- Mask recommendation from Littleton
- All Boards Memorandum from Town Administrator & responsive BOH Memo to the Select Board
- Quote from AlphaGraphics for dial sign and arrow

- Old Littleton Road, Lot 3: Unsigned permit, application, and proposed SDS plan;
- 45 Park Lane: Unsigned permit, LU Conditions Form, Variance Request letter, and proposed SDS plan
- 30 Mettacomet Path: Unsigned permit and application
- 285 Still River Road: Unsigned permit and application
- Lot 1, Under Pin Hill Road: Unsigned permit and application