

Harvard Board of Health Meeting Minutes
Zoom Meeting
December 13, 2021
Approved: January 24, 2022

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

Others Attending: Alison Flynn, Board of Health (BOH) Administrative Assistant; Ira Grossman, Health Agent, and Jenna Montgomery, Public Health Educator/Communication Specialist, Nashoba Associated Boards of Health (NABH); Garrett Moynihan & Scott Graham, Howell Custom Building Group; Bethany Dearden, 7 Armstrong; David Freihoffer, 41 Shaker Lane.

Ms. Levison called the meeting to order at 12:01 pm. Ms. Flynn read aloud the remote meeting preamble.

PUBLIC COMMENT- None.

NEW BUSINESS

a. Meet and Greet with Jenna Montgomery, LCSW, Public Health Educator/Communications Specialist for NABH- New NABH hire, Jenna Montgomery, introduced herself, explained her role at NABH, and reminded the BOH Members to provide feedback on NABH's communication via the survey sent out last month. Ms. Montgomery reported that she has been working with Ms. Levison on the COVID press ads and townwide mailings, as well as assisting NABH in their research of text message software to support contact tracing, and revising the NABH website. Ms. Levison suggested that NABH consider how the website and text messages can be formatted to reach disabled communities.

b. Request of Skillings & Sons' for consideration as an Approved Sampler- The BOH considered Skillings & Sons' (herein "Skillings") request for an extension of time as an Approved Sampler of private wells. Ms. Flynn reported that the submission of sampling reports to the BOH has been inconsistent and often delayed; Mr. Grossman stated that well completion reports are also not submitted to NABH in a timely basis. Mr. Mitchell made the motion that the consideration be extended for an additional 3 month trial period conditioned on Skillings meeting timely submittal requirements or the approval will not be further extended; Ms. McCarthy seconded and recommended Skillings be required to submit within 1 week. Mr. Grossman suggested the requirement be consistent with the Best Practices requirement for submittal within 2 weeks; the Members agreed to that amendment. All were in favor by roll call vote. Mr. Mitchell asked Ms. Flynn to advise Skillings that well completion details should also be submitted on a timely basis. Ms. McCarthy stated failure to comply in the three month period should require Skillings to reapply for consideration with defense of their actions. All Members were in favor of the amended motion by roll call vote.

c. 7 Armstrong Lane: Room count discussion in connection with building permit application- Mr. Grossman advised that the discussion stems from a building application for renovation of the basement. He advised that there is already a five bedroom deed restriction in place and that with the proposed plan the room count could be considered up to 14 rooms. Mr. Moynihan explained the proposed layout plan. The BOH Members stated they feel comfortable with the existing five bedroom deed restriction. Ms. Dearden confirmed it is clear to her that they will not be able to

market the property as more than five bedrooms. Mr. Grossman will endorse the building permit on behalf of the BOH.

d. 41 Shaker Road: Application for additional CSMP Betterment- Mr. Grossman explained that upon installation unexpected high groundwater required additional fill in the leaching area. Ms. Flynn confirmed that though the overage expenses were outside the original proposal, they were within the scope of the project. She further confirmed that there are sufficient funds within the CSMP account to grant a betterment for \$11,000, and with the Certificate of Compliance already issued, the BOH should be able to issue payment as soon as a second betterment notice is recorded. Ms. McCarthy made a motion to grant an additional CSMP betterment in the amount of \$11,000 to the Frieheffers; Ms. Levison seconded. All were in favor by roll call vote.

e. 37 Peninsula Road: Prepare comments to the ZBA- Mr. Grossman requested the Members' feedback on his draft comments to the ZBA regarding the application for year round use of this two bedroom cottage on a tight tank which is currently limited to seasonal use. The BOH Members approved the comments as revised.

f. Discuss current COVID-19 status- Ms. Levison stated that the NABH weekly report shows the cases are going up in Harvard.

g. Update from COVID-19 vaccination clinic for the Harvard Public Schools- Mr. Mitchell reported that of the 160 individuals signed up, 5-6 did not show at the clinic. Ms. Levison stated a nice "thank you" was posted to NextDoor, and expressed her own thanks to the EMTs for their participation.

h. Discuss plans for mobile vaccination clinic for Foxglove and/or Bowers Brook Apartments; possible NABH booster vaccination clinics- Ms. Levison reported that Ms. Thompson learned that the majority of Bowers Brook residents have received their boosters, and that the mobile clinic plans to boost approximate 30 individuals who either live at Foxglove or are seniors who requested additional assistance finding a booster dose. Mr. Grossman advised that NABH might hold a regional clinic if the supply chain opens up.

i. Update from recent DPH COVID-19 Conference Calls- Ms. McCarthy reported that contact tracing will be scaled back with priority assistance provided to congregate housing. She also advised that current hospitalizations are due to Delta, and not yet Omicron. Mr. Mitchell noted COVID testing at Logan Airport is costing more than \$200.

j. Clerk and Health Agent Update, including but not limited to

- Ms. Flynn requested the members consider payment of Nashoba Associated Boards of Health's Invoice #2022-309, dated December 1, 2021, in the amount of \$7,068.52. Mr. Mitchell made the motion to pay the invoice; Ms. Levison seconded. All were in favor by roll call vote.
- Ms. Flynn requested the members consider GT Smith, Jr., Inc.'s invoice dated November 11, 2021, in the amount of \$43,000 for septic work completed at 41 Shaker Road. Mr. Mitchell made the motion to approve payment in the amount of \$32,000; Ms. McCarthy seconded. All were in favor by roll call vote.
- Ms. Flynn reminded Ms. McCarthy that she wanted to ask the Members about submitting comments in support of the proposed legislation, An Act Providing for the Public Health by Establishing an Ecologically Based Mosquito Management Program. Ms. Levison suggested she submit comments from the draft letter to Representatives Sena and Eldridge.
- Ms. Flynn advised that the "Appleworks" building has sold and Mr. Deane asked whether

the new owners should submit water meter readings. The Members and Mr. Grossman agreed that they do not need water meter readings, but will be expected to adhere to the pre-approval of tenancy process. Ms. Flynn will advise the new property owners.

OLD BUSINESS

a. Continued discussion re planning for winter emergency preparedness- Mr. Grossman reported that he plans to meet Chief Sicard tomorrow. Ms. Levison asked that he suggest a plan also be put in place to keep people cool in the heat. She indicated that the BOH does not want to step on toes and that a meeting twice a year of interested parties would be helpful to delineate what actions should go through him as Emergency Manager.

b. Continued preparation of COVID-19 press ads and townwide mailings- The BOH Members and Ms. Montgomery reviewed and revised the draft townwide mailing regarding MassNotify. Ms. Levison advised that the last COVID-19 ad has been sent to The Press.

c. Continued preparation of a townwide mailing in support of the hauler regulation- This discussion was tabled.

d. Update regarding request for additional hours for BOH Administrative Assistant- Ms. Flynn referred the Members to her memo prepared at Mr. Ryan's suggestion regarding options for moving forward with workload issues and the potential use of a Land Use Boards Administrative Assistant. Ms. Levison suggested a LUB Assistant could potentially help prepare legal ads and assist with filing and possibly update spreadsheets. Ms. Flynn agreed to work with Mr. Ryan to identify tasks that could be reassigned, and asked that the BOH advise Mr. Ryan whether they are going to pursue additional hours for her position. Mr. Mitchell reported that Mr. Bragan stated Mass. General Law requires the Town to pay full benefits for any employee working 20-35 hours and the Town has determined this is not cost effective. Mr. Mitchell stated he needs additional information from Mr. Bragan before pursuing an answer from the Attorney General whether health insurance premiums can be prorated for part-time municipal employees. Mr. Mitchell will review Ms. Levison's meeting notes so she can finalize the summary to be sent to Mr. Bragan. Ms. McCarthy volunteered to inquire of the Schools how they handle benefits for part-time employees, though suggested they might be union.

e. Update re status of lobbying NABH for a sustainability expert shared among towns- Ms. McCarthy reported that Mr. Garreffi agreed to put a discussion on the Spring Quarterly NABH Board Agenda. Ms. McCarthy will put a proposal together in advance of the meeting which will provide a position description and the Climate Resiliency Plan. Ms. Levison suggested the BOH would review and offer comments ahead of the Quarterly Meeting. She also suggested that the proposal be sent to all the NABH Chairs so that they can offer support.

f. PFAS update, including but not limited to continued discussion re MassDEP Private Well PFAS testing program- Mr. Grossman reported that he forwarded the e-mailed response from Andrea Briggs which describes the process for homeowners outside the DEP program whose wells test above the PFAS MCL. He indicated that if the homeowner is found to not be the cause of the contamination they will be listed as a known finding but not responsible for getting an LSP and mitigating. Mr. Grossman agreed that this treatment is fair as defined for those within the DEP program. Ms. Levison stated that the Water & Sewer Commission is putting treatment equipment for the Town Well on Pond Road.

j. Review Action Items- Action items were reviewed. Ms. McCarthy will mention at a LUB meeting the desire to identify a composting location. Ms. Levison will continue to work on the

hauler mailing and algae protocol. Ms. Levison advised that the algae dial sign will not fit in the existing kiosk at the Town Beach. She and Mr. Mitchell will consider building a new kiosk for the dial sign in the Spring.

PERMITS

- Lot 99 Ann Lees- The BOH members considered the application for a new, 5-bedroom system that meets full compliance. Mr. Mitchell made the motion to approve the permit; Ms. Levison seconded. All were in favor by roll call vote.
- 212 Stow Road- The BOH members considered the application for replacement of a sewer line. Mr. Grossman advised that he did not apply the long sewer line regulation requirements because it is the replacement of existing conditions. The BOH members asked that the permit note the sewer line and leach field need to be free and clear of trees and shrubs. Mr. Mitchell made a motion to approve the permit as amended; Ms. McCarthy seconded. All were in favor by roll call vote.

MINUTES- None.

ITEMS FOR NEXT AGENDA- Items for the next agenda were discussed, including Ms. Levison's request that review of the outreach communication plan be included.

ADJOURNMENT- Mr. Mitchell made the motion to adjourn the meeting at 1:46 p.m.; Ms. McCarthy seconded. All were in favor by roll call vote.

Respectfully submitted,

Alison Flynn, Clerk

Documents Referenced:

- Agenda
- Proposed townwide mailing regarding MassNotify
- Proposed building plans for 7 Armstrong Road
- Draft comments regarding 37 Peninsula Road
- Nashoba Associated Boards of Health's Invoice #2022-309
- GT Smith, Jr., Inc.'s Invoice dated November 11, 2021
- Lot 99 Ann Lees: Septic permit application, proposed plan, and unsigned permit
- 212 Stow Road: Septic permit application and unsigned permit