

Harvard Board of Health Meeting Minutes
Town Hall, Volunteer Meeting Room
Tuesday, January 28, 2020
Approved: February 11, 2020

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

Attending: Ira Grossman, Nashoba Associated Boards of Health; Lou Russo, LD Russo, Inc., 200 Ayer Road; Jane Thomsen, homeowner, 23 Lovers Lane.

Mr. Philippou called the meeting to order at 7:06 p.m.

PUBLIC COMMENT- None.

NEW BUSINESS

a. Consider revisions to well regulations to include PFAS- Ms. Levison asked whether well regulations have to be for the entire town or if it's possible to apply requirements to one area of town. Mr. Grossman indicated it is possible to have a policy with a regulation which applies to just one geographic area. Ms. McCarthy pointed out that without a current Maximum Contaminant Level (MCL) the BOH cannot specify an action. Mr. Grossman advised that the BOH can require testing now under the current regulation, in certain areas. Further, once DEP MCL and standards are set, the BOH can include the MCL in the regulation and set the actions required of the home owner.

b. Consider revisions to trash hauler regulation to include provisions re inclement weather- Ms. Levison indicated that BOH cannot ask the haulers to alter their complex routes due to inclement weather, but suggested the regulations require homeowners use closed recycling bins. Ms. McCarthy and Mr. Philippou were supportive of this suggestion. Ms. Levison noted that yellow lids on Waste Management rollers indicate they are to be used for recycling. The BOH members agreed to request Ms. Flynn review the hauler regulation to advise where a requirement for lidded containers can be included.

c. Clerk and Health Agent update

- It was noted that Ms. Flynn will be out of the office on January 29th.
- Mr. Philippou agreed to review Ms. Flynn's proposed ordering of the regulations
- An invoice from Alpha Graphics for production of 100 unaddressed copies of the town-wide mailing regarding recycling was reviewed. Ms. Levison made a motion to approve the invoice for payment; Ms. McCarthy seconded. All were in favor.

OLD BUSINESS

a. 200 Ayer Road: A Joyful Adult Healthcare Center, Food Service Application- Mr. Russo presented Ms. Braley's most recent correspondence, which should have been dated January 28, 2020, in response to Ms. Cindy Russo's letter of January 12, 2020, with application, and the latest building plans for A Joyful Adult Daycare, for the BOH's discussion. Mr. Grossman indicated that the heated wells addressed in Ms. Braley's letter do not meet the Food Code for reheating food, and a stove is instead required. Mr. Russo agreed to install a stove. Mr. Russo

confirmed that Ms. Su is certified in anti-choking, and on the occasions when she cannot be on-site, another certified staff member will be present. Mr. Russo also confirmed that Ms. Su plans to use the exact same contract with KAM (the company which prepares food for her other adult healthcare location). Mr. Grossman indicated that he thinks the application is in good shape, and said he would share the information from the meeting with Ms. Braley the next day. Mr. Russo stated that he will submit revised plans which will include a stove, new sink, and dishwasher.

b. 23 Lovers Lane: Continued hearing of 9/24/19 - Ms. Thomsen reported that her progress has focused on clean out. She stated that she tries to stop in each day, and is often there on weekends with help from family members, if available. She indicated that she is a quarter to a third way to emptying out. Ms. Levison made the motion to continue the hearing until March 10, 2020 at 3:30 pm; Ms. McCarthy seconded. All were in favor.

c. Consider revisions to draft letter to Governor Baker regarding concerns regarding ground mosquito spraying- The BOH members reviewed and revised the draft letter. Mr. Philippou agreed to incorporate the revisions into the draft.

d. . Consider availability to attend Region 2 set-up drill in Shirley (2/20/20)- Mr. Grossman confirmed that the drill has been scheduled for 9 a.m. He and Ms. Flynn will attend on behalf of Harvard.

e. Continued discussions re Movie Night with the BOH (4/2/20) - Ms. Levison stated the movie has been confirmed for April 2nd at 6:30 pm.

f. Update from Devens Restoration Advisory Board (RAB) meeting (1/16/20)- Ms. McCarthy reported on her attendance at the Restoration Advisory Board (“RAB”) meeting at Devens on January 16, 2020, including that she learned DEP has scheduled a public hearing at its Worcester office for the proposed Maximum Contaminant Level for PFAS. She also stated she learned that PFAS have been found in Littleton near Spectacle Pond with the suspected source being the Littleton landfill. Mr. Grossman indicated that the Littleton water supply is there. Ms. McCarthy indicated that she will follow up with Ms. Reddy to ask whether the Army will follow-up with Harvard residents who did not opt-in for testing. Mr. Philippou volunteered to draft a letter to non-responsive residents advising that PFAS test results with their addresses will not be published.

g. Addition updates re PFAS testing- This discussion was tabled as no new results were received prior to the meeting.

h. Status PFAS remediation funding- Ms. McCarthy noted that MaryJude Pigsley of DEP provided more detail on the funding set aside by the Governor for PFAS remediation, including that it appears to be for public water supplies. Ms. Pigsley indicated she will continue to monitor the funding as it becomes available and will inform the BOH if it can be used for private wells.

i. Update regarding request for sharing of RDP points- Mr. Philippou stated that he continues to believe Mr. Kilhart will share funds from the RDP points, but does not know how much.

j. Update from the Deer Management Subcommittee- Mr. Philippou reported there is no information to report, and suggested this item might come off the next agenda.

k. Update from the Transfer Station Committee- Mr. Philippou and Ms. Levison indicated there is no update to report.

l. Review action items- Action items were not reviewed.

PERMITS

Stable:

- The BOH members reviewed a stable permit application for Nicole Schmidt of 7 East Bare Hill Road, and Ms. McCarthy made a motion to issue a permit; Ms. Levison seconded. All were in favor.

Waste Hauler:

- The BOH members reviewed a waste hauler application package for D&D Waste Removal and Ms. Levison made a motion to issue a permit for hauling of roll-off dumpsters, only; Ms. McCarthy seconded. All were in favor.
- The BOH members reviewed a waste hauler application package for Baker Commodities and Ms. Levison made a motion to issue a permit for hauling of used cooking oil, only; Ms. McCarthy seconded. All were in favor.
- The BOH members reviewed a waste hauler application package for Waste Not Disposal, LLC, and Ms. Levison made a motion to issue a permit; Ms. McCarthy seconded. All were in favor.

Septic:

- The BOH reviewed a septic permit application package for installation of a SDS to increase flow at 285 Still River Road and voted to issue a permit.
- The BOH reviewed a septic permit application package for installation of a Presby system at 88 Pinnacle Road and voted to issue a permit.
- The BOH reviewed a septic permit application package for a distribution box replacement at 41 Old Littleton Road.
- The BOH reviewed a septic permit application package for a distribution box replacement at 21 Woodside Road.

MINUTES

The draft minutes of 1/14/20 were reviewed and revised. Ms. Levison made a motion to approve the minutes as amended; Ms. McCarthy seconded. All were in favor. Mr. Philippou will provide the revised minutes to Ms. Flynn.

ITEMS FOR NEXT AGENDA- Such items were not discussed.

ADJOURNMENT- Ms. McCarthy made a Motion to adjourn at 9:02 p.m.; Mr. Philippou seconded. All were in favor.

Respectfully submitted,

Libby Levison & Sharon McCarthy

List of documents:

- Agenda
- Septic permit application packages for: 285 Still River Rd., 41 Old Littleton Rd., 88 Pinnacle Rd., 21 Woodside Rd.
- Stable permit application for: 7 East Bare Hill Rd.
- Waste hauler application packages for: D&D Disposal, Waste Not Disposal, and Baker Commodities
- Alpha Graphics invoice of 1/21/20
- RAB PowerPoint Presentation
- Draft letter to Governor Baker
- 200 Ayer Road: A Joyful Adult Healthcare Center- correspondence from NABH dated June 4, 2019 (in error), Ms. Russo's letter of 1/12/20, with Food Service Permit application, and building plans from Maguel Architects, dated 9/12/19
- 23 Lovers Lane update of 1/27/20
- Draft minutes of 1/14/20