

## MONTAGUE BOARD OF HEALTH MEETING

Wednesday, September 21, 2011 – 5:30 pm – Downstairs Meeting Room - Town Hall, One Avenue A,  
Turners Falls, MA

### Meeting Minutes

**Present:** Chris Boutwell, Jay DiPucchio, Michael Nelson - Chair, Gina McNeely, Director Public Health

- **Directors Report for August 2011 Highlights:**
- Housing
  - a. 216 Wendell Road – landlord has been very responsive to Gina’s orders
  - b. 108 J Street – Strong sulfur odor in the water. Gina spoke to Mike Brown and they have put in a water filtration system at the end of the street.
  - c. 88 South Prospect Street – closed
  - d. 57 Old Sunderland Road -Lead determination (August)
  - e. 3 Norman Circle - court date set for October 14, 2011
- Food
  - a. Pumpkinfest Permits coming in
  - b. Put up a banner for the Pumpkinfest permits due by October 6, 2011
  - c. Michael emailed Temporary Food information to all vendors.
- FDA Standard Grant
  - a. Gina spoke with Carolyn regarding the grant about the funding. We will have \$500 until the project is done. If we get someone to do the role we can pay up front and then collect on the grant.
- Title 5
  - a. Invasiveness of a Title 5 inspection – concerns with property owners if the ground has to be dug up.
- Dog
  - a. Gina has been doing the animal inspections on her own time – document
  - b. No new news from Steve Fitzpatrick regarding his dog being attacked and killed by a chocolate lab
- Other
  - a. Attempt to capture walk-in traffic and what goes on in the office on a daily basis
- Tru Green Lawn Care- Greenfield Road spill. Took a lot of time due to the liability of the issues.

*Jay DiPucchio motioned to adopt the Directors report for the month of August 2011. This motion was seconded by Christopher Boutwell. Motion passes.*

- **Review Minutes: August 24, 2011 Minutes.**

*Jay DiPucchio motioned to accept the August 24, 2011 Meeting Minutes. This motion was seconded by Michael Nelson. Approval of August 24, 2011 Minutes passes.*

- **Flu vaccine distribution**

- a. We have received 170 flu vaccines. We have to make it clear in all print materials that it is only for the underinsured and non-insured individuals. Billie has agreed to come in and administer the shots
- b. No applicants so far for the nurse position who might do food inspections as well.
- c. Nicole Zabko – Gina met with Nicole to talk about animal inspectors. Gina sent an email to Greenfield, Deerfield, Sunderland, Bernardston, and Gill to see if anyone is interested in hiring an animal inspector between towns. Flyers and ads in the paper will happen.

- **Hearing Continued: 57A Old Sunderland Road – Shauna Lynn, Occupant**

**Present:** Shauna Lynn – occupant, Martin Moore – landlord and David Jensen – Building Inspector

We discussed a request from Shauna Lynn on August 24, 2011

To either modify, leave it alone or completely withdraw the order that Gina wrote that Shauna Lynn was to remove the solid wooden casement shoddily constructed over a well constructed ventilation system and to return the spigot to original condition. Shauna Lynn has one hose still attached to the spigot. David Jensen said that there is no law/rule concerning venting air – just gases. It is Mr. Jensen’s opinion that there needs to be venting from the basement area; otherwise there is a danger to the structure. Martin Moore has spent over \$12,000 on mold remediation (Fall 2009) in the basement, stones and a sump pump. The company recommended the fan and was designed for this application and was installed by a licensed electrician. There is a humidity factor in the basement and that the fan should continue to run. Shauna has put cedar boards up and chips against the area to try and “fix” the air quality. Martin Moore said Shauna was told to put down the chips to inhibit weed growth not for any type of air quality control. Shauna has a situation a professional fan has been installed to do the job and since she is not the homeowner although other things could be done there is no code the BOH can enforce upon the landlord to change the situation.

Shauna wanted the hose situation addressed as the other tenant uses the spigot and hose on her apartment. Shauna and the other tenant have restraining orders against each other and she wants the neighbors to have the water – thus the extension hose was bought to use the water without being near her. David Jensen thinks it is a yard item and not a tenant item for the spigot. It is grandfathered in as far as the building code is concern. Where the spigot is and has a multiplex is leaking thus wetting the chips and is off at the other end the pressure creates backup into Shauna’s area. The sump pump is running constantly in the basement. Gina viewed the hose with Shauna last night August 23, 2011. Jay thinks the splitter is adding to the health order so that needs to be taken down; one spigot one hose. Other concerns will have to be addressed by a lawyer.

*Michael Nelson motioned to accept Gina McNeely’s original report and support it as written. This was seconded by Chris Boutwell. Motion passes.*

- **6 Bridge Street**

**Present:** Sergeant Dodge

For the record, Michael Nelson has not accepted any complimentary trips to Chatham, MA at Mr. Farriks home. This location per email will be owner occupied and will no longer be rented out. The house is currently condemned. Sergeant Dodge states she is very demanding and does not give you a chance to talk. She seems to twist things. Calls started back in May suspected tenant might be growing marijuana and unlicensed pit bulls. Then a call in June door left opened and pit bulls got out. Dog officer took them. June 27 follow up visit per BOH 2 dogs left behind. Officer Dempsey went out to get the dogs and asked that Gina go out to the house and she condemned and placed signage. She said she arrived from Miami FL and found the house in a bad state. Officer LaPointe spoke to Curbow-Healy and then Sergeant Dodge came to the location. No structural damage was done it was old furniture left behind, dog feces. The security deposit should handle this. Curbow-Healy said she did not charge security deposit because they were friends. She wanted the tenant arrested – the police could not help on that. The stories change, the status of weather they were tenants or just staying there. She will not be satisfied until the tenants are charged and Curbow-Healy gets a check. Police Station now has a policy in effect now – 2 officer responses to deal with Curbow-Healy. The BOH is going to adopt this policy as well. A relative of Amanda's boyfriend was able to stay there. The debris is the relatives and was told he needed to watch the dogs. The relative did not want to watch the dog. Ultimate responsibility lands on Amanda but it is the court's decision in the end. Curow- Healy needs to comply with the (Gina's) Agents order. We will not argue this in the media.

*Jay DiPucchio motioned to accept Gina's report of 6 Bridge Street. This was seconded by Chris Boutwell. Motion passes.*

- **Topics not anticipated covered in the 48 hour posting requirements:**

Chris Boutwell went to the Franklin County radio control club first fly event at Turners Falls Airport. They said they would be selling food to defray the cost. When Chris Boutwell went to view the event he saw what the food situation was. They were selling soda, coffee, hamburgers and hotdogs. In the future they will need a permit. Gina will send a letter to the president of the club.

If a licensed establishment is selling food for the Pumpkinfest or another community event outside their restaurant they will need a permit with the fee waived and a test.

*Jay DiPucchio motioned to adjourn at 6:52PM. This was seconded by Chris Boutwell.*

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

\*\*\*Meeting Agenda Subject to Change\*\*\*

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