

BOARD OF HEALTH

TOWN HALL – 1 MAIN STREET – AYER, MASSACHUSETTS 01432 – (978) 772-8213



Meeting Minutes
November 18, 2013

Members Present: Heather Hasz, *Chair*; Mary Spinner, *Clerk*

Member Absent: Pamela Papineau, *Member*

Others Present: Debra Butcher, *Administrative Assistant*

Meeting Called to Order: H. Hasz called the meeting to order at 5:30 pm.

24 Maple Street:

Present: Mr. C. Phillip Brown, property owner/landlord

H. Hasz stated that the Board received a request from Mr. Brown to be placed on the agenda in order to appeal Health Agent Bridgette Braley's housing complaint order dated October 21, 2013 relative to 24 Maple Street. She reported that at the request of the tenant, Ms. Braley conducted a property inspection on October 17, 2013 and noted several site issues under the housing code needing immediate attention.

Mr. Brown stated that his tenant had been living at the house since January; however, he filed for a court order to have her evicted for non-payment of rent. He stated that he contacted the Ayer Police Department as a result of the tenant denying him access to the property; however, the Police Department advised him that they could not assist him because it was not a criminal matter. He reported that, unbeknownst to him, the tenant moved out last week and the property is currently vacant. He said that he has taken videos and pictures showing extensive internal and external property damage.

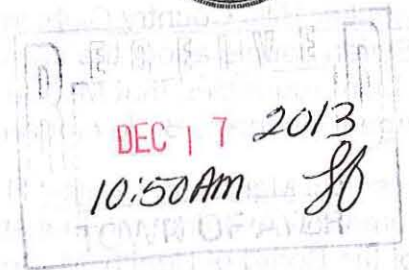
H. Hasz expressed her concern that the house had no smoke detectors or CO2 units. She acknowledged that the housing code allows access to the property with reasonable notice to the tenant in order to make any repairs. She asked if the house was a multi-family dwelling. Mr. Brown replied that it was a two-family house. H. Hasz stated that he should address the immediate concerns and contact the health agent once they have been corrected, however, the property should not be re-occupied until the violations were corrected. She stated that the Board could extend the time table to allow Mr. Brown more time if needed. Ms. Spinner questioned whether Mr. Brown had a qualified person to do the work and whether another 30 days would allow that person enough time to correct the violations. Mr. Brown stated "yes".

Discussion continued concerning the present condition of the property and the repairs needing immediate attention noted in Ms. Braley's letter. M. Spinner made a motion to grant an extension of 30 days from November 18, 2013 to comply with the orders referenced in Ms. Braley's October 21, 2013 letter, H. Hasz 2nd. *VOTE: 2-0 in favor.*

H. Hasz requested that Mr. Brown contact Ms. Braley once the corrections are made in order to schedule a re-inspection. Ms. Butcher will contact Ms. Braley to notify her of the extension granted to Mr. Brown.

Minutes: M. Spinner motioned to approve the minutes of November 4, 2013 with a minor correction, H. Hasz 2nd. *VOTE: 2-0 in favor.*

Bills/Invoices Approved: None



Shepley Hill/Plow Update: No update was given due to P. Papineau's absence.

Shaker Hills Country Club: M. Spinner reported that the Selectmen's office received an inquiry from a Syrian couple about the use of a camel for their upcoming wedding being held at Shaker Hills. The Board requested that Ms. Butcher obtain all the facts surrounding this request and contact Health Agent Bridgette Braley for any potential public health and/or safety concerns.

Medical Marijuana Facility: H. Hasz stated that the Selectmen will be listening to three presentations tomorrow evening and that she will be in attendance as a resident of the town and not as a member of the Board of Health. M. Spinner stated that she will also be in attendance and added that the applicants will be presenting this as part of their Phase II requirement to the state.

2014 Board of Health Meeting Schedule: The Board established their 2014 meeting schedule. Ms. Butcher will forward it to the Selectmen's office and Town Clerk.

Miscellaneous: H. Hasz stated that she received an email from Department of Public Works Superintendent Mark Wetzel stating that the town has received a technical assistance grant from the DEP to evaluate the costs and benefits of curbside solid waste/recycling collection vs. the existing transfer station operation and was seeking a representative from the Board of Health to be on it. M. Spinner agreed to be the Board of Health's representative.

H. Hasz reported that she will be picking up a signed copy of the Memorandum of Understanding for the Emergency Dispensing Sites for the Ayer-Shirley High School and the Page Hilltop Elementary School from Superintendent Carl Mock on Tuesday, November 19, 2013.

Nashoba Associated Boards of Health Mail Review: No mail submitted. Ms. Spinner reported that the Ah Gin Wong restaurant has closed.

Mail Review: The Board reviewed the mail packet containing some HHAN recalls and E-Cigarettes.

Administrative Assistant Update: Ms. Butcher reported on the following update to the Board:

1. Tobacco Permit Renewals: Ms. Butcher stated that she has received (9) renewal applications and is awaiting the final (3) to complete 2014. She will contact the remaining three tobacco merchants to remind them of the due dates. H. Hasz signed the 2014 Tobacco Permit for Hannaford's Supermarket.
2. Thanksgiving Holiday Schedule: Ms. Butcher requested permission to work on Monday in lieu of Thursday next week because of the holiday. She stated that the Town Hall would be closed both Thursday and Friday. H. Hasz stated that she supported the request and that Ms. Butcher could alter her schedule with the upcoming Christmas and New Year's holidays as well.
3. 10 East Street: Ms. Butcher stated that she received a phone message from Barn Inspector Carlene Purdy stating that this property no longer houses chickens and ducks and asked what the Board wanted her to report to the state. M. Spinner stated that she should note that this property no longer has livestock on the property.

Vacant & Abandoned Properties: The Board discussed the language contained in the towns that had provisions for vacant and abandoned properties. M. Spinner stated that she reviewed the towns of Adams and Medway and the wording was almost identical to each other, however, she noted that they were both by-laws. She expressed concerns about the enforcement procedure because of the limited support staff Ayer has and also that she didn't want to go the "by-law" route. H. Hasz stated that it appeared that these towns modeled their documents from the state guidelines. She said that she reviewed the town of Swansea and that theirs was a regulation and not a by-law. She stated that she is awaiting additional information from the Health Director answering her inquiries


about how enforcement is done there. She will report back to the Board once she obtains more information.

2013 Town Report: The Board discussed the preparation for this year's Town Report. H. Hasz will begin compiling input beginning with the moratorium on groundwater wells hearing conducted in May.

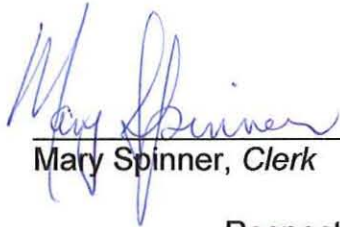
M. Spinner motioned to recess open session at 6:35 pm and to reconvene into Executive Session at 7:00 pm and not to reconvene back into open session. H. Hasz 2nd. *VOTE: 2-0 in favor.*

AYER BOARD OF HEALTH

Members in Attendance,



Heather Hasz, *Chair*



Mary Spinner, *Clerk*

Respectfully Submitted,



Debra A. Butcher
Administrative Assistant