

**Town of New Salem
Board of Health
Minutes for January 9, 2024
Meeting Held at the Stowell Building**

Attendance: Jenny Potee, Chair, Patrick Temple, Lynn Layton, member(s), Board of Health; Matt Fortier, Board of Health Agent; Phil Delorey, Building Inspector & Zoning Enforcement; Justin Dodge, Charlene Coutu, Amanda Coutu, residents 365 Petersham Road

Meeting called to order at 6:35 pm

Transfer Station Update

➤ *Procedures for Calling for Waste Management Pickup of Recycling Container*

Lynn reported she was recently the point person on the Board for the Transfer Station and was asked by Dan Curdy, one of the Transfer Station Attendants, about making calls for pickup. The recycling container was full and in need of emptying. The point was made that if someone calls WM for pickup, the other Transfer Station Attendants might not know of it under the present system. Lynn proposed the solution that the Board institute a form to be posted in the Transfer Station Attendants Shed and when an Attendant or Board member calls in for pickup, they would write it on the form so the next shift or other Attendants would know.

➤ *Plowing at Transfer Station & Ensuring Plowing such Containers may be Picked Up*

Jenny reported that she received a call from Jan Ameen at the Franklin County Solid Waste Management District regarding the need for timely plowing of the Transfer Station. A recent storm saw the Transfer Station not plowed by the time WM came to pickup and this caused issues. Highway Dept. is good about plowing and sanding for Wednesdays and Saturdays, but it appears they are unaware that there is a need for the rest of the week to ensure that containers can be picked up and hauled away or dropped off. Jenny then reported she intended to talk to the Highway Chief.

➤ *Demo & Metal Containers Gone & Swap Shed Closed for Season*

As a reminder, the Board noted that the Demo and Metal containers are both gone from the Transfer Station for the season and the Swap Shed is also closed for the winter season as well.

Miscellaneous Items

This topic was set aside to allow the Board to enter the hearing earlier.

Scheduling Date & Time of Next Meeting

It was agreed to call for a meeting on February 20, 2024. The meeting will be at 6:30 pm in person at the Stowell Building.

Public Hearing – 365 Petersham Road / Potential Vote to Condemn

At 6:43, motion to start the hearing was called by Jen and second by Lynn. The motion passed unanimously.

The hearing began with the Board members introducing themselves as well as Matt as Agent and Phil as Zoning Enforcement. Justin then introduced himself as the maintenance person and friend of the family. Charlene introduced herself as the property owner, and Amanda elaborated that she is Charlene's daughter. Presently Justin lives in one trailer, and Amanda in the other trailer with her 3 very young kids. Matt then proceeded to explain the process of the hearing. He as Health Agent will sum up the order and how it came to be (history of), then elaborate on how the public gets a say, then the hearing will end with questions and open discussion. That said, Matt proceeded with the summation and history. Matt reported he visited the property several times over the summer. Occupants have been agreeable every step of the way. They agreed to inspect the 2 trailers and a thorough inspection of the house. On December 11, 2023, a formal inspection of the home was made. Subsequently an order

to correct notice was given, along with a follow-up inspection done on December 15, 2023. Matt explained that he also had to notify lien holders, primarily USDA. The Fire Chief then later in the month did a follow up inspection for smoke alarms and a Carbon Monoxide detector. Both matters were dealt with, and new alarms and detectors installed. The heating system in the home has also been fixed with the venting of heating system corrected. The bathroom sink violation was also corrected with a proper sink installed. Matt pointed out that a plumbing permit (i.e., inspection by a licensed plumber) is still needed to make this work official. The previous clutter in the house has also been much improved, and although not perfect, was satisfactory. The temporary housing (i.e., trailers) was the last issue on the list. Matt clarified the definition of temporary housing, and gave a handout with formal definitions. He also suggested not condemning the home at this time in light of the improvements and corrections but suggested further discussion on the subject.

Phil then spoke about his inspection. The temporary housing has been used for at least a year. Phil noted issues with zoning, junk, public safety, and property boundaries. Justin responded that the trailers have water and electricity, and they use a heated hose that is connected to the outside spigot for water connection. There are toilet facilities in the trailers per Justin, and Petersham pump has pumped out the tanks previously. There are propane tanks outside and this is used for heat, hot water, and cooking. Justin said that the Fire Chief looked at the propane setup for heating and said all was ok. Amanda then brought up her past situation, where she left an abusive relationship, and this is when and why she moved into a trailer. The abuser is not allowed on her mother's property, and she feels safer here with her children. Matt interjected that he has no issues with the occupants at this time as they have been making steady progress on all fronts. Amanda then elaborated that her mother is a hoarder, but that she is very clean in the sense that there's no mold, no left out food, no trash, etc., just clean stacked stuff. Justin then noted he is from NY, is on probation, is drug free, and is not sure where he will be going. The Board then discussed its options including granting a 90-day temporary housing permit to allow for further compliance in light of how cooperative the occupants have been. Amanda interjected to outline their plan. This is to clean the house and get the kids living inside. She noted that she has a storage place in Orange where they will move some things, and then organize the rest. They are very confident that they can achieve this in 90 days.

Jenny then requested records from Petersham pump be provided to demonstrate the trailer tanks have indeed been emptied. Phil then reported that per the towns by-laws the trailers can stay on the property, but they can't be used for living or storage of other materials. Amanda revisited her situation about being on welfare and only getting \$900 a month. It isn't enough to support her and her children with the cost of living and this was her only viable option at the time. Jenny responded that every one of the Board members is in the medical profession and affirmed that the Board understands and sympathizes with Amanda's situation. Matt then explained to Charlene that since she is the property owner, these responsibilities fall on her. Essentially, she is the landlord and Amanda and Justin are tenants, and as a landlord she must provide adequate housing for her "tenants." It was understood that this is not the typical landlord/tenant relationship. Pat expressed concern about pets such as cats and a dog, including infectious disease risks like rabies. It was quickly stated by Amanda that all pets are up to date with rabies vaccinations. Matt also added that on reinspection the cats were out of their kennels and walking freely about the house and seemed in good health. Phil then stated that he wanted to get into the trailers to check for safety issues like extension cords, etc. Justin responded that the Fire Chief has been in the trailers and didn't have any concerns for electrical hazards. This prompted Jenny to suggest a motion to continue the hearing pending Phil's evaluation of the trailers, which he will do on January 12, 2024. Since Matt would have to re-notice the hearing, including lien holders, it was suggested by Matt that we could do a final order granting a 90-day temporary housing permit but with reinspection stipulations. It was so agreed.

A motion was made by Jenny to order a 90-day temporary housing extension for the trailers with a starting date of January 10, 2024, assuming satisfactory inspections have been conducted by the Building Inspector and Fire Chief within 2 days thereafter, and with the further stipulation that the Board of Health Agent be permitted to conduct follow up inspections on February 9, 2024 and March 15, 2024 (at 9 am), with the final inspection due, after the 90 days has run its course, to be held on April 26 (9 am). The motion was seconded by Pat and passed unanimously.

Board of Health Agent Update

Matt reported briefly on various permits issued and inspections done since the last meeting. He then turned to a prior recommendation he made to the Board to consider joining a regional shared inspection service. To that end he asked

if Ashley Gough could be invited to the Board's next meeting to discuss the idea further. The Board was amenable, and it was so agreed.

Minutes

The Board considered its minutes from meetings held on December 12, 2023. Seeing no need for corrections it was agreed to adopt them as written.

A motion was made by Jenny to approve the minutes of December 12, 2023, as written. The motion was seconded by Pat and passed without objection.

Adjournment

A motion to adjourn at 8:08 pm was made by Jenny and seconded by Lynn. The motion passed without objection.

Respectfully Submitted,
Jake K. Voelker, JD
Interim Board of Health Clerk