

## MONTAGUE BOARD OF HEALTH HEARING

Wednesday, July 2<sup>nd</sup>, 2025 – 5:00 PM

Town Hall – Second Floor Meeting Room and ZOOM

### Hearing Minutes

**Present:** Melanie Ames-Zamojski, Chair (via Zoom) and Rachel Stoler (via Zoom)

**Staff:** Ryan Paxton, Health Director for Montague and Geneva Bickford, Board of Health Clerk

**Other:** Andy Jobt (via zoom), James & Theresa Renaud (in person), Jeremy Miller (via zoom), Fallon McElligot (via Zoom) and Constantine (via zoom)

**Melanie Ames-Zamojski opened Hearing #1 at 5:00 PM  
Michael Nelson was absent, and Roll Call Votes were taken**

#### **Hearing: Enforcement of Sanitary Code at 15 Unity St #2:**

- Board to conduct a hearing regarding the ongoing enforcement of 105 CMR 410.00 at 15 Unity St #2, following previous hearing on May 28, 2025.
  - Andy Jobt (“Jobt”), occupant, is present via Zoom. The board held a hearing regarding 15 Unity St #2 on May 29, 2025 which resulted in an extension of the correction deadlines for all ongoing violations with a re-inspection deadline of June 16, 2025. A reinspection occurred on June 16 and there were several violations that were corrected and several that were not. The remaining violations as of June 16, 2025 are: 1) larval insects still present and no extermination report provided; 2) the windows are still broken; and 3) there is a window on the second floor in the hallway broken. During the re-inspection Paxton saw that the screen door is not weathertight, and a new OTC was issued on June 17, 2025 for that one violation. There continues to be access issues between the property owner and the occupant. An exterminator was scheduled to assess and possibly treat the larval insects but was not allowed access to the unit and the police were called. Jobt and the board discuss access issues. Jobt wants the “correct people” hired to complete the work as the property owner is not a “jack of all trades”. James and Theresa Renaud (“Renauds”), property owners, arrive in person at the Board of Health Office and attend the hearing in person at town hall via zoom in the health clerk’s office. Paxton advises the board that the Court Order states “that the landlord must correct all violations cited within the time frames given and the occupant shall not unreasonably deny access provided they are given at least 24 hours’ notice, the landlord shall schedule repairs from 8 am to 4 pm Monday, Tuesday or Wednesdays. The remainder of the issues raised by the parties in this action are reserved to the summary process action scheduled for a first-tier court event next month”. Both parties were in court last week and Renaud advises the board that nothing happened as the occupant requested an extension. The Renauds discuss with the board the difficulty of accessing the unit with the occupants and confirm the occupants were notified via text message that an exterminator had been scheduled and the occupant acknowledged the message. The Renauds advise the board that the occupants generally do not respond and do not allow them to make any corrections. The next court date is scheduled for July 11, 2025. Paxton advises the board there is a court order in place and recommends the board defer to the courts. Zamojski asks that one of the parties provides a copy of the court order that is entered after the July 11, 2025 date. Paxton encourages the board to close out the hearing without allowing an extension as the court is the authority at this time. Zamojski and Stoler agree with Paxton. Both parties understand the outcome of today’s hearing.

*Rachel Stoler **Motioned** to close hearing number 1 regarding 15 Unity Street. Seconded by Melanie Ames-Zamojski. **Motion passes.***

*Stoler – aye, and Ames-Zamojski – aye*

**Melanie Ames-Zamojski opened Hearing #2 at 5:33 PM  
Michael Nelson was absent, and Roll Call Votes were taken**

**Hearing: Enforcement of Sanitary Code at 453 Millers Falls Rd:**

- Board to conduct a hearing regarding the ongoing enforcement of 105 CMR 410.00 at 453 Millers Falls Rd.
  - Jeremy Miller (“Miller”), property owner, is present via zoom, and Fallon McElligot, (“McElligot”), occupant, is present via Zoom with her mother Constantine and children. Paxton advises the board there have been a number of re-inspections and violations at this property. Some issues have been corrected and some have not. The following items remain uncorrected: 1) 3 second floor bedroom doors are not cased in property; 2) front entrance to dwelling is lacking a wall covering; 3) a portion of the bathroom door is damaged and missing a door frame; 4) the casing lacks a wall covering in the interior wall near the bathroom door; 5) loose insulation hanging in basement; and 6) exposed electrical wires in the front entrance. Paxton advises the board that the property owner does not live in the residence at this time but the Court is allowing him to move back in in the fall and the occupant must vacate in January. Miller discusses with the board the items that need to be corrected and states that he has already corrected the loose wires hanging in the basement. Miller continues to try and complete the work on time but has had personal issues and also has to rely on the availability of someone else being able to go to the property with him as there are ongoing legal issues between both parties. Miller confirms he provides 24 hours’ notice to the occupant via text message and does not always get a confirmation or response back from the occupant. Miller hopes to complete the remaining items within the next two weeks but is unable to provide any anticipated dates that he will be there in the next two weeks. McElligot and the board discuss the access issues and McElligot advises the board she will allow access per the court order issued. Paxton advises the board to extend the deadlines for all corrections by two weeks except for the loose wiring and confirms verbally with Miller that the wires have been corrected. Both parties are currently in housing court but not related to the sanitary code. Miller advises the board that the order allows him to make repairs after giving 24 hours notice and he is not able to work at the property on the weekends. The board allows a two week extension to July 16, 2025 and Paxton has scheduled a re-inspection of the wires for July 8, 2025 at 2 pm. The board discussed imposing fines but ultimately decided to hold off for now but may consider after the July 16 deadline.

*Rachel Stoler **Motioned** to extend the deadline for the current list of repairs to July 16, 2025. Ryan Paxton will do a re-inspection of the wiring on July 8, 2025 at 2 pm. Seconded by Melanie Ames-Zamojski. **Motion passes.***

*Stoler – aye, and Ames-Zamojski– aye*

**Meeting adjourned: 6:08 PM**

*Rachel Stoler **Motioned** to close the hearing on 453 Millers Falls Rd. Seconded by Melanie Ames-Zamojski. **Motion passes.***

*Stoler – aye, and Ames-Zamojski – aye*

Approved by: 

Date: 08/28/25

**Documents:**

- 15 Unity St #2 Hearing Confirmation Ltr (5/29/25);
- 15 Unity St #2 Order to Correct (6/17/25);
- 15 Unity St #2 Reinspection Form (6/16/25);
- 15 Unity St #2 West Building & Remodeling Invoice;
- 15 Unity St #2 Court Order (5/30/25);
- 453 Millers Falls Rd Order to Correct (6/17/25); and
- 453 Millers Falls Rd Inspection Form (6/16/25)