

MONTAGUE BOARD OF HEALTH MEETING

Wednesday, March 21, 2018 – 5:30 pm

Montague Town Hall
First Floor Meeting Room
Turners Falls, MA

Meeting Minutes

Present: Al Cummings, Chair, Christopher Boutwell

Absent: Michael Nelson

Staff: Gina McNeely, Health Director

Guests: David Collings & Michelle Putnam Collings

Minutes from the special meeting on February 21, 2018:

*Christopher Boutwell **motioned** table the minutes till April meeting. Seconded by Al Cummings. **Motion passes.***

Director's Report for February 2018:

- 111 L Street, a receivership property is back on the tax role with two apartments completed and a third pending.
- 4 K Street has had several inspections due to a "reported" burst pipe in the kitchen of Apartment A around January 2, 2018. The Occupant, Chris Garcia did not allow the Montague BOH in to inspect the apartment. Due to the burst pipe Mrs. Reed the landlord at the property put Mr. Garcia up at a hotel until the repairs were completed and the apartment could be occupied. After the repairs the Montague BOH was contacted on January 29, 2018 as Chris didn't want to move back in unless the BOH did an inspection. There was an agreement that the Montague BOH would inspect the apartment on January 30, 2018 after the request came in from Miguel Morales (Uncle to Chris) and that Chris would be present for the inspection and allow the Montague BOH access to the apartment. After inspection there was no reason that the apartment could not be occupied.
- Red Fire Farm North is now partially open and they have a refrigerated case selling yogurt, butter, and milk and serving coffee. In the future they will have grab and go foods and bake goods.
- The septic system has been installed at 42-44 Canal Street and Gina inspected the installation and it has passed. Curt Sherrer is proposing a cidery at this location in the future and had many questions for Gina but no clear description of his intentions for the overall operation.
- The Hallmark Imaging building is proposed for 253 Organics LLC for marijuana cultivation and sales. They have to go to the Planning Board for approval.
- Gina found a community nurse to do Maven monitoring at \$40.00 an hour. Gina did some research regarding a nurse through the FRCOG and it worked out to \$96.00 per hour.
- There was a false claim made by a FCTS student regarding receiving an undercook chicken for lunch at the school. The student had taken a picture of the chicken, posted it to social media and tagged 22 news. 22 news then spoke to both the student and parent about the incident airing the story without talking to anyone at the Montague BOH or the FCTS to get more information.

*Christopher Boutwell **motioned** to accept the February 2018 Director's Report. Seconded by Al Cummings. **Motion passes.***

Health Inspector's Report for February 2018:

- 34 Millers Fall Road - The occupant, Jazmyn Brewington requested an inspection of her apartment at this location. The Montague BOH has had many dealings with the property owner over the years (Deborah), and she has made it clear that she doesn't want the Montague BOH on the property. Given those circumstances we required the occupant to make a written request with her signature on it asking for the inspection. Gina McNeely completed the inspection and afterwards condemned the apartment.
- 111 L Street as noted above is in the receivership program and in the process of being rehabbed by Bob Obear.
- John Laprade is in the process of buying 4 lots of land located on Foster Road/Old Sunderland Road. Gina oversaw 4 perc tests done on the lots at this location.
- 51 Grove Street had a report of a cat biting the owner and Kathy Burek follow up with the victim.

Christopher Boutwell **motioned** to accept the February 2018 Health Inspector's Report. Seconded by Al Cummings. **Motion passes.**

Discussion: Striking & Replacing the Montague Board of Health Tobacco Regulations:

Strike: "Restricting the Sale of Tobacco Products & Nicotine Delivery Products" that were amended on December 18, 2013.

Replace: "Regulation of the Montague Board of Health Restricting the Sale of Tobacco Products" effective July 1, 2015.

- Gina was going through the files last week due to the upcoming marijuana regulations and was looking for sample language to address issues of 2nd hand marijuana smoke. In doing so, she found the two versions of the tobacco regulations; Anne and Gina then looked through the past minutes to see if the earlier version was stricken and that the new regulations were complete as of July 1, 2015. The 2015 regulations were sent to DEP and the Town Clerk so they are in affect.

Christopher Boutwell **motioned** to strike "Restricting the Sale of Tobacco Products & Nicotine Delivery Products" that were amended on December 18, 2013. Seconded by Al Cummings. **Motion passes.**

Hearing: 20 G Street regarding a variance for a windowless kitchen for David Collings and Michelle Putnam Collings.

Guests: David Collings and Michelle Putnam Collings

- Gina did a housing inspection at 20 G Street Apartment #2 as requested by the occupant Faith Wills. During the inspection of Apartment #2, Gina noticed that the kitchen didn't have any windows. The Federal Housing code states that you have to have 8% of the floor space in natural light. After Gina spoke to Paul Hoffman at State regarding the situation (the house is turn of the century) he suggested that a variance could be granted due to the fact that trying to remedy the issue would be "financially manifest unjust".

Christopher Boutwell **motioned** to grant a variance for a windowless kitchen located at 20 G Street Apartment #2 Turners Falls, MA. Seconded by Al Cummings. **Motion passes.**

Topics Not Anticipated:

- Christopher Boutwell mentioned when we update the fee schedules we need to put fees regarding marijuana categories. The regulations of marijuana at this point are not falling under the BOH so if that continues BOH won't be issuing any permits.

*Al Cummings **motioned** to adjourn at 6:10PM. Seconded by, Christopher Boutwell. **Motion passes.***

Meeting adjourned: 6:10 PM

Approved by: _____

Date: _____

List of documents used at this meeting:

February 21, 2018 BOH Minutes

February 2018 Health Director's Report

February 2018 Health Inspector's Report

Regulations Restricting the Sale of Tobacco Products & Nicotine Delivery Products" that were amended on December 18, 2013.

Regulations of the Montague Board of Health Restricting the Sale of Tobacco Products" effective July 1, 2015.