



TOWN OF SALISBURY

BOARD OF HEALTH

JOHN W. MORRIS, DIRECTOR

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DANIEL RICHARD
RON LAFFELY
SUE RING
DENISE PETERSON

February 5, 2019

BOARD OF HEALTH MEETING MINUTES

7:00 PM Salisbury Town Hall

Board Members Present:

Dan Richard, Ron Laffely, Sue Ring and Denise Peterson

Staff:

John Morris-Health Director

Meeting called to order at 7:06 PM.

Minutes

November 6, 2018 to be approved

Ron Laffely makes a motion to approve the November 6, 2018 meeting minutes as written.

Sue Ring seconds the motion. 3 in favor, 0 opposed. Motion carries unanimous.

Denise Peterson did not sign the minutes or vote; she was not present for that portion of the meeting.

December 4, 2018 to be approved

Sue Ring makes a motion to approve the December 4, 2018 meeting minutes as written.

Ron Laffely seconds the motion. 3 in favor, 0 opposed. Motion carries unanimous.

Denise Peterson did not sign the minutes or vote; she was not present for that portion of the meeting.

Old Business

None

New Business

Hearing for appeal of condemnation order, correction order and fine issued to Harold Congdon regarding 21 Mudnock Rd housing code violations.

Mr. Morris – At the beginning of December 21018 Mr. Morris was informed of concerns from the Council on Aging of a senior living in the basement apartment of the aforementioned property. An investigation by Mr. Morris, in December, revealed violations that resulted in emergency condemnation. Mr. Morris reported these violations to the Building Inspector. On January 22, 2019 the Building Inspector issued an order to vacate the basement apartment, to

vacate a second apartment to the rear of the property and to return the property to a single family dwelling. Mr. Morris reviewed the rental property file and found that the basement apartment was never approved for rental use, and issued a fine of \$8,700. Calculated at \$100 per month for the 7 years and 3 months that it was occupied as a rental unit.

Mr. Laffely - Did the tenant make the complaint?

Mr. Morris - The complaint came from the council on aging, they may have received information from the state's visiting nurse.

Mr. Laffely - What information did the Building Official use to change the non-conforming use to conforming?

Mr. Morris reads the memo from The Building Inspector, there are two illegal, non-permitted, not allowed dwelling units. Nor is there a record for a special permit the apartments.

Mr. Laffely - Were they there prior to 1978?

Mr. Morris - No, post 1978

Harold Congdon - Purchased the property in 1990 and he states that it came with the finished basement. Harold states that he hadn't been into the property in a very long time and did not know the property was in such poor conditions. Two years prior he complied with state requests made by a visiting nurse to fix a few items. He has no issue with returning the home back into a single family dwelling, as of now the basement is vacant and he has no intention of renting.

Mr. Laffely – Did this tenant pay rent?

Mr. Congdon – Yes, \$100 per week.

Ms. Peterson - Is it your intention to rent that space out?

Mr. Congdon – No

Mr. Richard – As long as you are the owner, you're not planning on renting to anybody?

Mr. Congdon - No

Ms. Peterson – Do you live on the first floor?

Mr. Congdon – No

Ms. Peterson - Is there still someone living/renting in the rear unit, the converted clam dipping area?

Mr. Morris There is someone living in the rear unit, which there is an affidavit for.

Mr. Richard - Was there someone living there at the time of the complaint?

Mr. Morris - Yes

Mr. Richard - Is there still someone living there now?

Mr. Morris –Yes.

Mr. Richard – Does that unit have to vacated as well?

Mr. Morris – That is up to the Building Inspector. There is a tenant in the first floor unit and that unit has a certificate of habitability.

Mr. Laffely – Harold, which unit is your granddaughter living in?
Mr. Congdon – the rear unit.

Mr. Morris – asks for clarification on what Mr. Congdon is appealing.
Mr. Congdon – would like to appeal for relief of the fine.

Mr. Morris – are you appealing the vacate order or the order to comply with the sanitary code?
Mr. Congdon – No

Board further discusses Mr. Congdon's appeal of the \$8,700 fine.
Mr. Richard recommends that the fine be reduced by 50%. Mr. Laffely recommends to waive the fine and have him use that money to fix the property and to bring it into compliance within a specific timeframe. If the property is not brought into compliance within the time frame than be responsible for the 50% reduced fine. Mr. Morris expresses his concerns of being fair and consistent for every property that comes before the Board and further explains that the \$8,700 is already reduced fine. (\$100 per day is typically how the fine is calculated, in this instance the fine was calculated at \$100 per month).

Mr. Richards makes a motion to reduce the fine by 50% to be paid in 60 days. Ms. Peterson seconds the vote. 3 in favor. Mr. Laffely abstains from vote. Motion carries by majority.

Health Nurse Quarterly Report to the Board

September 1, 2018 – December 31, 2018

Mr. Laffely – are there any new diseases that need to be added to the report?
Mr. Morris – no
Mr. Laffely - are there any state programs, for educational purposes, for Lyme disease offered to the public?
Mr. Morris – will look into having Kim Foss from Mosquito Control come in to discuss further.
Ms. Peterson – how does that information get out to the public?
Mr. Richards – the Town does not have the information, this information comes from the State.
Ms. Peterson - is it posted on the town website?
Mr. Morris – will post the links for the mosquito information on the webpage.
Mr. Laffely – are there any other issues that the board should be discussing such as the phragmites on the marsh, pollution in which helps the phragmites grow.
Mr. Morris – phragmites is a topic for conservation.

Health Officer Report

September 1, 2018 – December 31, 2018

Correspondence

None

Public Comments

None

Next Meeting is scheduled for April 2, 2019.

Adjourn

Mr. Laffely makes a motion to adjourn, Ms. Ring seconds the motion. 4 in favor, 0 opposed. Motion carries unanimous.

Meeting is adjourned at 7:23 PM

Date: 4/2/19

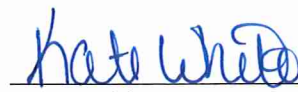
Daniel Richard


Ron Laffely


Sue Ring


Denise Peterson

Respectfully submitted by Kate White

 4.2.2019
Kate White Date