

# TOWN OF SALISBURY

## BOARD OF HEALTH

JOHN W. MORRIS, DIRECTOR

SALISBURY TOWN HALL  
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DANIEL RICHARD  
RON LAFFELY  
SUE RING  
DENISE PETERSON

**November 6, 2018**

### **BOARD OF HEALTH MEETING MINUTES**

7:00 PM Salisbury Town Hall

**Board Members Present:**

Sue Ring, Ron Laffely, Dan Richard, Denise Peterson

**Board Members Absent:**

None

**Staff:**

John Morris-Health Director

*Meeting called to order at 7:00 PM.*

**Minutes**

Approve minutes from September 4, 2018.

**R. Laffely makes a motion to accept the minutes as written. S. Ring seconds that motion. 3 in favor, 0 opposed. Motion carries and is passed.**

Ms. Peterson did not sign the minutes or vote; she was not present for the meeting.

Approve minutes from August 7, 2018.

**S. Ring makes a motion to accept the minutes as written. R. Laffely seconds that motion. 3 in favor, 0 opposed. Motion carries and is passed.**

Mr. Richard did not sign the minutes or vote; he was not present for the meeting.

**Old Business**

Continuation of Hearing for fine issued to Fannie Mae regarding 52 Forest Road Housing Code Violations. Information for continued hearing attached-Legal Opinion.

**(Attorney)** Kurt McHugh from Fannie Mae approaches the podium.

**(Mr. Richard)** states the Board has received guidance from Town Counsel and there are a couple of options. Considering different court cases, some say Fannie Mae cannot be assigned fines.

**(Attorney)** states Town Counsel found a case in Virginia and passes out information to the Board; he states the court vacated the case.

**(Mr. Richard)** inquires if there are any other issues in town with Fannie Mae, past or present?

**(Mr. Morris)** states yes, in both Salisbury and Amesbury.

**(Mr. Richard)** states his opinion is to table this case and if any other future violations occur, then pursue it legally at that point.

**(Mr. Laffely)** states a fine should be established and let legal counsel pursue it as the Board does not have the expertise to make legal decisions. All cases should be looked at the same; whether a homeowner or an agency. Fannie Mae does deserve a fine as they were the property owners. **(Mr. Laffely)** states letting the fine stand. **(Ms. Ring)** and **(Ms. Peterson)** agree.

**(Attorney)** states that again, the initial violation, the new septic system, could not be complied with in (30) days; the agency could not get the approval and install it in that time frame.

**(Mr. Morris)** states Fannie Mae should have asked for a hearing for that order; they made a good faith effort by designing one. However, there were other factors that could have been addressed. The Town found out in June that the property was transferred with no notice to the Town. That is why the fines were levied.

**(Mr. Richard)** inquires the total fine owed. **(Mr. Morris)** states the amount of \$13, 300.

**(Mr. Richard)** states his agreement with the rest of the Board.

**(Mr. Morris)** requests the attorney speaks with his client, Fannie Mae.

**(Mr. Richard)** inquires if Mr. McHugh is in a position to negotiate? **(Attorney)** states he is not.

**MOTION: Mr. Richard** made a motion that the fine will stand as ordered and in speaking to Mr. McHugh's client, they are able to come to any resolution, the Board will give them a (30) day window to appeal this decision. The fine stands. **Mr. Laffely** seconds the motion. Motion passes (4-0)

**(Attorney)** confirms his client has (30) days to negotiate with the Board. **(Mr. Richard)** confirms and states to contact Mr. Morris and explain your plans to attend the next meeting with a proposal. **(Mr. Richard)** confirms that if his client does nothing within (30) days, the fine stands.

**New Business - None**

### Health Nurse Quarterly Report to the Board

Quarterly Report – July 1, 2018 to September 30, 2018

(Mr. Laffely) questions the Lyme disease report; if the cases were in a certain part of town; were those sick all one family. The board has a general discussion on the report.

(Mr. Morris) states he will get more details.

### Health Officer Report

Quarterly Report – July 1, 2018 to September 30, 2018

(Mr. Laffely) states the new matrix format on the food service report gives members more insight into the issues; most are preventable or minor. (Mr. Morris) states he had conversations with Ms. Peterson on re-formatting the report. All Board members agree the new format is an improvement. (Mr. Morris) explains the critical violations noted on the report.

### Correspondence

Mr. Morris discusses the email from Town Counsel.

Mr. Morris explains that he and the Building Inspector met with the Town Manager to discuss receivership properties. Mr. Morris updated the Board on rehabbed properties. He states homeowners are beginning to comply more with the notices, though it is a long process.

### Public Comments

None

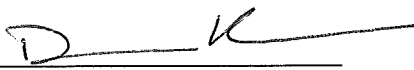
Next Meeting is scheduled for December 4, 2018. Mr. Laffely suggests moving the next meeting to January 15, 2019 if there are no cases.

### Adjourn

Ms. Peterson motions to adjourn, Ms. Ring seconds the motion. 4 in favor, 0 opposed.

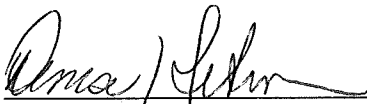
Meeting is adjourned at 7:25PM

Date: 11-6-18

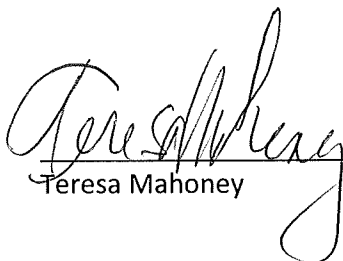
  
Daniel Richard

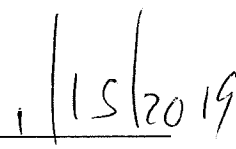
  
Ron Laffely

  
Sue Ring

  
Denise Peterson

Respectfully submitted by Teresa Mahoney

  
Teresa Mahoney

  
Date