

Board of Health

Meeting Minutes

August 15, 2024

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TOWN OF LUDLOW

Members Present: Kelly Lamas, Chair; Adrienne DeSantis, Secretary; Antonio Tavares, Member

Also Present: Paulina Matusik

Meeting was called to order @ 4:30 PM by Ms. Lamas and the Pledge of Allegiance was performed.

Public Hearing: 38 Skyridge Street

Ms. Lamas: First up we have a public hearing for 38 Skyridge Street, so this is a Quasi-Judicial Hearing so what we will first need to do is a motion to open the hearing, we will hear evidence which is from our Health Inspector Emily, we have visitation from Deborah from Skyridge, we will close the hearing and we will deliberate as a board, sound good, ok. So, I just need a motion to open the hearing.

Mr. Tavaras: I make a motion that we open the hearing for 38 Skyridge Street.

Ms. Lamas: Do I have a second?

Ms. DeSantis: Second

Ms. Lamas: All in favor 3-0. So, the public hearing for 38 Skyridge is open. And this is regarding a request to appeal letter from the health inspector dated July 16, 2024, regarding the violation of unkept property, so first up we have Emily our Health Inspector, and she is sharing with us the information.

Emily Quinn: Hi, I'm Emily Quinn the Health Inspector for the Town of Ludlow. So, on July 12th we received an anonymous complaint regarding the property at 38 Skyridge Street and the person called in because the grass was very tall, so I just did a routine inspection, drove by, confirmed that with some photos I have for you - sorry, I just labeled everyone's so that I made sure I had enough copies. The first page is of the initial inspection on July 16th and then the two other pages I just went back today just to confirm how the conditions were before our meeting today so you could make your determinations based on all of that. But yes, I did the inspection on July 16th, and I sent out the order on July 16th just saying to please maintain the overgrown property.

Ms. DeSantis: This is all from the 16th then?

Ms Quinn: Nope, sorry, the first picture is ...

Ms. Lamas: This is from today

Ms. DeSantis: Gotcha, I see it

Mr. Tavaras: This one is today, right?

Ms. Lamas: The one that says 8/15 on top, no first page, that's July 16th so if you unclip it, the other ones stapled, these two are stapled together.

Mr. Tavaras: Oh, I see it

Ms. Lamas: Questions for Emily?

Mr. Tavaras: From these pictures did you see a difference from July 16th to today when you went by?

Ms. Quinn: I still think it looks overgrown, I think it's pretty common this time of year, we've had quite a few of complaints for overgrown properties, it's pretty standard. I sent out to 38 Skyridge what I would send out to anyone whose property looked like that that we received a complaint for. I don't know that I saw much of a difference.

Ms. Lamas: The lighting is just different in the photos

Ms. Quinn: Yeah, obviously

Ms. Lamas to Ms. DeSantis: Do you have any questions for Emily?

Ms. DeSantis: No, Tony asked my question. I just didn't know if you saw percentage wise an improvement, fifty percent or it looks like some effort has been put into it.

Ms. Quinn: Yeah, I think the photos that I had taken in July, I had just grabbed a couple of the front whereas today I just got a couple more of the sides as well just so that way you had a bigger picture.

Mr. Tavaras: So, Emily, on this one, this is the neighbor's house, right?

Ms. Quinn: That's 38 right there in the photo

Mr. Tavaras: The one that nice and cut over here

Ms. Quinn: No, that's the neighbor, where you see the house and that's the side as I was approaching.

Mr. Tavaras: Right, right, yeah

Ms. Lamas: I don't have any questions, Tony asked mine too.

Ms. Lamas: So next up we have Deborah.

Deborah Jennison: I did let my grass grow.

Ms. Matusik: Deborah, I am just going to have you introduce yourself into the microphone and then just state your address just because this is a public hearing, ok.

Ms. Jennison: My name is Deborah Jennison I'm at 38 Skyridge Street, Ludlow. So, yes, I did let it grow and I did do it on purpose. And part of the reason was because there is a big reduction in pollinators. 2015 Obama did a whole strategic plan on pollinators, and it was basically all hands-on deck. That's what he said. Because there is a 40% reduction in pollinators and that is basically, you know, for every three bites of food, one of those is from a pollinator. I have not seen beetles, I have not seen moths, I have not seen frogs and you know that concerns me, right. So, this is from

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Obama, that's his plan here and it was continued in 2022 as well. In 2020 I got a certificate for Wildlife Habitat, it probably doesn't mean anything to most anybody, but it meant something to me because it says there is a problem, right we need to change, everybody needs to change, and I feel like we need to look at people's lawn a little bit differently. You know, we need to allow a little bit of wildness because that's where the pollinators live. I did go a little bit over the top because I did notice there was a lot more life and it was very inspiring to me because I thought, wow, you know there is hope for us. There is hope that the world can come back from this, you know, we don't need to have polished lawns, I think it's a little outdated honestly, you know, I think we need to look what we're facing in the world and start making some changes, you know and If the government is not going to change it, I think we should try, right. Everybody should have a little bit of hand because that is food on our plates, that's food for our children, you know. So, that is my argument, and you know, that's why, like there's also this book, right, people make these books, right, "Rebugging the Planet" that's the reason for this, right. It's unfortunate that my neighbors got upset with me and I feel bad that they did get upset with me. You know and I did make some effort because you know I thought it did look a little bit better. But I'm trying to like not kill everything. I don't believe in mowing the lawn with a gas-powered mower because that's pollution right there, the electric cordless that's batteries, that's pollution right there you can't get rid of those things, that's toxic, right. So, I use a real mower, or I use a corded weed wacker, you know, because I care, and I think everybody should care and that is my argument right there.

Ms. Lamas: Thank you, Deborah

Ms. Jennison: Your welcome

Ms. Lamas: Questions for Deborah?

Mr. Tavaras: Deborah, do you have a back yard?

Ms. Jennison: I do

Mr. Tavaras: So, what if you grew some of those things in your backyard and you know, for an example I mean, if your neighbor was trying to sell their house, you know what I mean, I think a lot of people try to buy your neighbor's house they are gonna look at that, you know what I mean. I mean if you grew out in the back the weeds you got in the back yard instead of the front. Because imagine if every single household in the Town of Ludlow did that, you know what I mean.

Ms. Jennison: I understand, I understand, but I also noticed like there is different weeds in parts of my yard and I know there's different insects in different parts of my yard, you know, and it's I don't know why that is, you know, but it seems like the front yard was where most of the insects were habiting. So, I do agree that you know it was a little wild, you know, and but I feel like I should be allowed to have some wildness in my yard, you know, and I think it looks better, you know, honestly.

Mr. Tavaras: So, I happened, I didn't go by on the 16th because this just came to our email. But I will personally tell you that I drove by your house this afternoon, I was at your house at 11 o'clock this morning and I saw the weeds in the front, you probably saw me, I pulled in in front of your house and your kid was looking out the door. But I think your weeds are really overgrown in the front, my opinion.

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Ms. Jennison: I do have raised beds and I let the weeds grown there. But everything around there I did weed wack and the weeds that are growing in there, that's a lot of that's food too, there's curly duck, that's food, there's milk weed that food, there's shepherds' purrs, that's food, dandelions, that's food and that's another thing too, like we don't know a lot of the food that's really in our yards which is actually even more nutritious than the stuff we are getting in the grocery store because a lot of the food that is grown doesn't have the nutrice in the soil anymore, it's gone, right. So, the weeds we should know that, in the Great Depression that's how they survived, most people is by they lived off the weeds, right, to get through their days, their weeks. And if you understand and know what's in your yard, you have a better chance, right.

Ms. Lamas: Thank you

Ms. Lamas to Mr. Tavaras: Is there a follow-up question?

Mr. Tavaras: No

Ms. Lamas to Ms. DeSantis: Follow-up question?

Ms. DeSantis: I'm just looking at what our town regulations are I mean I think there is always can be an opportunity to argue the regulations of the town but probably a more formalized way to change it. Because the way that our regulations are written, you are out of compliance, and you chose to live (I live a few streets over and am very familiar with the street) in a development per se and there is some standardization in a development there's no doubt about it. It's not fenced in, you're not out in rural like Lyon Street or other streets in Ludlow where you have the ability to do more natural tailored to your property. I certainly don't disagree with anything you're saying, and I think we certainly we all support the best for our land and for our pollinators, but we have regulations, and you have a development and you've chosen to live in a development that has some standardization. Certainly, fencing it in is probably not be an option for you but that would be an option if you wanted to have better control of your property, but I'm just kind of just throwing it out.

Ms. Jennison: Well, you know, honestly when I bought the place these things didn't even really occur to me. I had no clue, right, the pandemic hit and like we need to change something, right, and so that was my wakeup call and so yeah.

Ms. DeSantis: I appreciate what you're doing, I do but coming from a municipal component it is not working as far as what the regulations have and there may be more formalized ways for you to make change, but I don't know if this is it.

Ms. Jennison: Okay

Ms. Lamas: Yeah, I echo Adrienne and Tony, you know I think there are ways to have pollinators right I have people in my family that have it and I think there is a way to kind of align with what we have for by laws in the town and then also maintain property as well as having a section for pollinators. May was a big month for pollinators, so folks were delaying cutting their grass, cutting down their weeds, so there was a lot more overgrown properties because of that. Now that we are approaching August things have changed a bit, I'm not the best environmentally savvy person but yeah, I echo both Adrienne and Tony on this. Anything else for us Deborah?

Ms. Jennison: So, what would be, I mean to go forward, with anything else what would I have to do?

Ms. Lamas: The next step, so if there's nothing else to discuss from Emily and from yourself then we will close the hearing as a board, we will decide whether to deliberate now or at the next meeting, I imagine we will probably decide to deliberate today. And then we would vote on next steps for decision, so we will look at the letter Emily sent, so it states so you can request a hearing with seven days of this order, which you did, so we have the hearing today and then there is guidelines that we will follow for Mass General Laws in terms of fines and failure to comply with cleaning up the yard. That's what we will vote on as a board, which are our next steps, and you are more than welcome to stay and listen to us discuss and make a decision.

Ms. Jennison: Okay

Ms. Quinn: Do you have any questions?

Ms. Lamas: No

Ms. Lamas: Thank you, Deborah

Ms. Lamas: A motion to close the hearing?

Ms. DeSantis: Motion to close the hearing

Ms. Lamas: A second?

Mr. Tavaras: Second

Ms. Lamas: All in favor 3-0

Ms. Lamas: Public Hearing for 38 Skyridge Street has closed and next up is for us as a board is to deliberate and to make a determination.

Ms. Lamas: Comments, discussion? I will start with this. This is pursuant of Massachusetts General Law – Chapter 111, section 122, shall upon conviction be fined not less than \$10, or more than \$500. Each day's failure to comply shall constitute separate violations. So just to give some context so today is August 15th, Deborah requested a public hearing which we are having today so she did that in compliance within seven days of the order. So, we will start there, I guess. Thoughts on the violation and upholding it?

Mr. Tavaras: So, it looks like Deborah didn't want to do it because, you know, she believes in her thing, she has her own beliefs. That's why I asked, you know, if the back yard could have the stuff grow more in the back yard than the front yard because it looks like, I don't know if maybe the neighbors or somebody doesn't like to see that. I, myself, think that the front of the house maybe should be cleaned up. Maybe she can do some in the back. I know that she said she also has some of the things in the front is beds, stuff for the flowers and all that.

Ms. DeSantis: Raised beds

Ms. Lamas: There is a raised bed in there, yes, it looks like

Ms. Lamas: Ok, so it sounds like you in favor of upholding the violation, yes, is what you're saying?

Mr. Tavaras: Yeah

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Ms. Lamas: To clean up the property

Ms. DeSantis: I would agree, I think it's mainly the front area that's the issue. I think what she does in the back is her business, and if it's not as tidy, it's her backyard and since it's not as visual. I think for standardization I do think it needs to be cleaned up as far as the raised beds I don't know maybe they can be kept but maybe pruned or better looking, better cared for. But, yeah, I would uphold it also.

Ms. Lamas: Yeah, I agree, I mean I didn't get a chance to drive by looking at the raised beds, it looks like there are plants in there but a lot of it looks like weeds to me. Again, this is my naked eye looking at it and not up close. So, I guess my only concern with the raised bed in front is also maintenance of it to align with the bylaws for kept property. So, it sounds like we are all in agreement to clean up the yard, right?

Ms. DeSantis: Yeah, I think her justification for why, it's not like I don't have a mower, or I have no one to mow, the justification is really (I was pleasantly surprised) is there's some good intentions there. I don't think any of the intentions are bad, like not caring about the appearance or whatever. But I think the intentions are pure and are good, but I would say my recommendation is no fine, but another period to just address the front yard. And then, if that's not done then we can be looking at fines but right now because her intentions were good, they were no bad intentions there.

Mr. Tavaras: I agree with Adrienne, I think because she did ask us what we would like to do? Maybe if we send a letter or if Emily sends a letter. Mr. Tavaras asked Ms. Quinn would you be okay if she did the front, or do you want her to do the front and back?

Ms. Quinn: I mean, honestly, I don't even have the photos in front of me (Ms. DeSantis gave her the photos) I was mainly concerned about the front because I feel like from where the neighbors are I don't think you can even really see into the back, at least I couldn't from the street. The front was the concern to me because that's what everyone's seeing, that's what their complaining about. We do have the bylaw in Town, and I think one of the biggest reasonings behind that bylaw is that this kind of unkept property creates a harborage for rodents and that has been an ongoing issue everywhere and this summer has been busy with that. So, I mean I can't even see the back so I can't speak on that, but the front does need to be cut.

Ms. Lamas: So, I think that based on what I am reading for the bylaws we can give a timeline as a board and then decide after that timeline to institute a fine if we so choose for violation. So, we can kind of interpret this however we want or how we decide, I should say. So, does anyone have an idea for a timeline?

Ms. DeSantis: Fifteen days

Mr. Tavaras: Yeah, because I think it's pretty much minor stuff, you know, just garden cleaning, you know, I don't know if she's the only one living at home, or if she has someone to help or if she has someone there to help her, but I think fifteen days is good.

Ms. Lamas: Okay

Ms. DeSantis: Yeah, with no fine right now

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Mr. Tavaras: Yeah, I agree, no fine

Ms. Lamas: So, I don't think we have a meeting for September, right?

Ms. DeSantis: Correct

Ms. Lamas: So, I think we should make a decision that post days, a fine is instituted – it says not less than \$10. or more than each, you know. So, we can just choose ten dollars a day after that?

Ms. DeSantis: mm hmm, mm hmm

Ms. Lamas: Does that should like I'm interpreting the violation correctly?

Ms. DeSantis to Ms. Quinn: And you'll go reinspect in fifteen days?

Ms. Quinn: Absolutely

Mr. Tavaras: Would you be able to send us an email or photos?

Ms. Quinn: Of course, yup

Ms. DeSantis: You can just send them to – motioned to Ms. Matusik

Mr. Tavaras: Paulina

Ms. DeSantis: To you

Ms. Matusik: Yup, to me, you can do that, whatever is easiest

Ms. Lamas: Alright, I just need a motion?

Ms. DeSantis: My motion for 38 Skyridge Street is that we still do feel that even after being presented with data that the front yard needs to be cleaned up further. And that we will give a fifteen-day allowance for that to happen with no fees instituted at this time. After fifteen days if after another inspection it's still not satisfactory we will start fining ten dollars a day until it is cleaned to standards.

Ms. Lamas: Okay, do we have a second?

Mr. Tavaras: Second

Ms. Lamas: All in favor 3-0

Ms. Lamas: So, we have decided to uphold the violation for 38 Skyridge with the decision that 38 Skyridge has fifteen days to clean up the property. After the fifteen days, Emily will inspect or on the fifteenth day and then after that if the property is still in violation of bylaws, then 38 Skyridge will be fined ten dollars per day until it has been cleaned up.

Ms. DeSantis: And define clean up as just tall grasses are cut down; we are not expecting green or lushes' lawn or anything, just cleaned up.

Ms. Lamas: How ever Emily interprets it. I think Emily has a good interpretation of the bylaws.

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Ms. Lamas: Deborah you will also get a written notification of today decision. I know tomorrow there is an all-staff meeting so you will probably get that in the mail by Monday or Tuesday, right.

Ms. Quinn: It will probably go out on Monday.

Ms. Lamas: So, maybe Tuesday

Monthly Business:

Ms. DeSantis signed the meeting minutes from July 22, 2024. Mr. Tavares made a motion to approve the meeting minutes from Thursday, July 22, 2024. Seconded by Mr. DeSantis. All in favor 3-0.

Ms. Matusik explained to the Board that the staff will be attending a Biohazard Safety training on Tuesday, August 27, 2024. The department will be closed from 1:00 PM to 3:00 PM. The training is free through Trama Services. She feels this will be good for the department in regard to hoarding cases, housing, and because the Health Department offers free sharps disposal which will include going over proper handling, biohazards, PPE and it will also offer resources to the department. Ms. Matusik shared this training with other Health Departments in the area and noted that if there are any Health Departments or Social Workers that would like to attend, they are welcome. It is being hosted at the Ludlow Town Hall in the Board of Selectman's Conference Room.

Ms. Matusik and Ms. Quinn attended the Festa planning meeting, walked the grounds, making sure everything is being set up correctly, permits are being pulled and planning on doing the inspections.

Ms. Matusik shared with the Board; Miss Sarah Lapins abstract that she presented on her last day. She created over 200 educational materials for the Health Department to utilize, this includes emergency preparedness, newsletters, education, volunteer information, a did you know section about the Health Department about what is offered, and what people may not know, informational brochures that range from First Aid to Alzheimer's, she created informational flyers, and monthly educational posts. Ms. Matusik noted that August is national immunization month and posted this on their Facebook page. She also shared all of Miss Lapins work with Ms. McMurray of the Mill Towns Coalition to benefit from the resources and because she is constantly updating the website. Food safety month is coming up and feels this will help give Ms. Quinn some educational information to share on Facebook, their website or when she goes out on inspections. Ms. Matusik is very grateful to Miss. Lapin for all the work she did in a short amount of time.

Ms. Matusik explained to the Board that this is the last week of testing for Haviland Pond because this is the last week they are open.

Ms. Matusik explained that she has revamped the monthly updates that she generally gives to the Board.

Inspections for Title V:

- (6) Perc tests
- (2) Final inspections and
- (3) Plan reviews

Food Inspections:

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- (10) Routine inspections
- (1) Reinspection
- (3) Complaint and food borne inspections
- (4) Mobile food truck inspections
- (3) Preoperational inspections

Housing Inspections:

- (5) Inspections
- (3) Orders to correct sent out

Nuisance Complaints: (21)

Haviland Pond Beach Testing: (5)

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Ms. DeSantis wanted to know if all the 21 complaints were resolved? Ms. Matusik explained that some of the complaints are ongoing if an order of correct was sent out. It depends on the complaint because they can be from overgrown property to noise to rodents and varies.

Nursing:

- (23) Home visits in July
- (31) Residents at the Senior Center foot clinic
- (7) Residents at Keystone

Ms. Kramer does blood pressure clinics at the Veterans Center on the second Tuesday of each month at 11:30 AM and she will also address any health-related questions.

Ms. Kramer does blood pressure clinics at the Senior Center are every Tuesday at 12:30 PM and Friday at 10:00 AM –Ms. Kramer will do one a month.

Ms. Kramer does the Foot Care clinics every Thursday at the Senior Center.

Applications:

- (2) Food Service licenses - \$300.00
- (1) Food Establishment Plan Review - \$100.00
- (1) Retail Food Permit - \$100.00
- (2) Temporary Food Event Permit - \$200.00
- (1) Tobacco Permit - \$400.00 + \$200.00 late fee = \$600.00
- (1) Dumpster Permit - \$40.00
- (3) Well Construction Permit - \$255.00
- (4) Disposal Works Construction Permit (Septic Plans) - \$1,000.00
- (3) Perc Tests - \$900.00

Total Fees - \$ 4,675.00

Ms. Lamas wanted to clarify the total fees collected by the Health Department does go to the Towns operating funds not to the Health Department.

Other Discussion:

Ms. McMurray updated the Board regarding questions for the Shared Services budget and how much went back to the State. She noted that \$207,144.20 went back to the state, \$91,326.84 was spent. The Shared Services received three out of the four payments from the state for the grant. Ms.

McMurray also explained that the budget looks like all four payments were received, not just the three payments that were collected.

Ms. Lamas expressed that most of this was not due to funding but due to the positions that were not filled. Ms. McMurray explained how much was budgeted for salaries and how much was spent for salaries and further explained that her position was filled in March and Ms. Jediny (Social Worker) her position was filled in May and there are still other positions open.

Ms. DeSantis inquired about the open positions? Ms. McMurray stated there is a nursing position open and they do plan on hiring a part time Health Inspector. A Title V contractor (Felix Garcia) was hired but this position is not a part of salaries, it is a contracted position that comes out of a different account.

Ms. DeSantis asked Ms. McMurray if she is advertising for the nursing position and the part time Health Inspector? Ms. McMurray explained that she is revamping the Nursing position and the part time Health Inspector now that the Health Department has hired a full time Health Inspector.

Ms. DeSantis wanted to know if Ludlow was the home base for the grant money and if any of the grant money goes towards money for maintaining the office? It was explained that if the Town wanted to utilize the money for payroll, staff, IT or however the town decides and is 15% of what is received from the state.

Ms. McMurray explained that the budget for the following year is the same with a one cent increase.

Ms. Lamas wanted to know what Ms. McMurray's thoughts are as she is reviewing this year's budget and planning for next year, in what was allotted in the line items, on trainings for spending down the budget. Ms. McMurray stated that they have paid for the MHOA conference in the Fall with the FY24 budget and will also pay for this conference in FY25 for the following Fall, Ms. Jediny is signing up for hoarding classes, and once the nurse position is filled, this person will want to take classes and credits.

Ms. Lamas also inquired about technology. Ms. McMurray explained there is a yearly fee for the software that has already been purchased, new iPads and new inspection software were purchased for Warran and West Brookfield which were received this week. Laptops will still need to be purchased for the new staff that will be starting, and Ms. McMurray's goal is to spend as much as of the grant money as she can because at the end of the three years when the state reevaluates, she would like to make sure that the grand funding is more not less and feels that this is a realistic goal because she has a full year to accomplish this, noting that she did start in March and had four months to spend the grant money.

Ms. Lamas asked if the grant pays for professional fees, licensing fees like CEU's? Ms. McMurray stated that she just looked into this because Ms. Jediny inquired about getting her CEU and noted that it can but will not reimburse to go back to school in regards to getting a master's degree but will pay for extra credits.

Ms. McMurray updated the board on the suggestion boxes at the libraries. The Ludlow library does not give a lot of responses but also noted that the last time Ms. Jediny was there, the box seems to be missing. She also noted that the Palmer library does give consistent responses.

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Ms. Lamas wanted to know if Ms. McMurray connected with the director of the library in Palmer because of the transient population staying in the library, she thought it would be a good idea for Ms. Jediny to connect with her. Ms. McMurray stated that they both attended the Community Strong Wellness with their Dart task force about two weeks ago. This event is held every other week, the CHD, Dart task force and Stephanie (Director of the library) was there as well as the Mill Towns Coalition there were handouts and resources offered. It was stated that sometimes it's slow and no one attends or other times just a few people attend. Ms. Jediny has been doing the drop-in hours at the library and Ms. McMurray is thinking about doing something while Ms. Jediny is there on the side to help attract people. They also participated in the Boys and Girls Club-Slide into Summer event in Ludlow, National Night Out in Palmer, Palmer Green Estates for the back-to-school event, Three Rivers - Chamber of Commerce Farmers Market, West Brookfield Farmers Market that is held monthly and will be attending the Color of Love event in Ludlow on September 14, 2024. Ms. McMurray is working on going to as many events as she can, she is also keeping track of how many of each item she is handing out at each event.

Ms. DeSantis wanted to know if there have been any articles written regarding the Mill Towns Coalition? Ms. McMurray explained that the Hubbard Memorial Library is promoting the drop-in hours that Ms. Jediny attends. She also reached out to The Register to have an article written about who the Mill Town Coalition is and what they do, she was asked to submit what she would like known, there was no interview. Ms. DeSantis expressed that even though they have been talking about this for a while and feels that 99% of the residents don't know about this amazing resource that's here. Ms. McMurray has been trying to get the word out that they are here by having their own tab on the Health Department website and trying to attend as many events as possible.

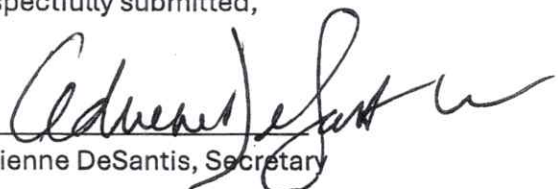
The Legal notices were reviewed by the Board.

The next Board of Health meeting will be on Tuesday, October 8, 2024, at 4:30 PM.

A motion was made by Ms. DeSantis to adjourn the meeting on August 15, 2024, at 5:17 PM.

Seconded by Mr. Tavares. All in favor 3-0.

Respectfully submitted,


Adrienne DeSantis, Secretary

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