

Board of Health

Meeting Minutes

April 16, 2025

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TOWN OF LUDLOW

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

Also Present: Paulina Matusik; Health Director

Meeting was called to order at 5:01 PM by Ms. Lamas and the Pledge of Allegiance was performed.

A motion was made by Ms. DeSantis to appoint Ms. Lamas as Chairperson, seconded by Mr. Tavares. All in favor 2-0. A motion was made by Ms. DeSantis to appoint Mr. Tavares as Secretary, seconded by Ms. Lamas. All in favor 2-0. Reorganization will be sent to all town departments.

Mr. Tavares signed the meeting minutes from March 19, 2025. Ms. DeSantis made a motion to approve the meeting minutes for March 19, 2025, seconded by Mr. Tavares. All in favor 3-0.

Public Hearing:

Mr. Tavares made a motion to open the public hearing for 50 Pond Street (nuisance complaint), seconded by Ms. DeSantis. All in favor 3-0.

**Ms. Lamas:** We will start with Paulina to give us an overview of what has been happening at that address.

**Ms. Matusik:** In front of you, you will see a packet for 50 Pond Street. On December 3, 2024, we received a complaint to our department regarding a mess on the property. This was logged into our internal spreadsheet, and we went out to inspect it. Upon inspection, we did see debris in the yard, and an accumulation of products. A letter for Code Enforcement was sent out and scheduled for December 19, 2024. I usually start with the letters because we don't have their phone numbers, basically stating that we received a complaint about the unsanitary matter of air conditioning, we scheduled an inspection at their address in hopes of meeting the homeowners to discuss the violations or hoping they will clean this up so there is no further action required. On December 19, 2024, Emily and I arrived at the property for the code inspection. We observed that no progress was made at all to the property, we knocked on the door, there was no answer, we knocked again, there was no answer, we waited for about ten minutes and then left. On December 26, 2024, an Order to Correct was sent out certified mail and the date of correction that was given was January 12, 2025. On January 16, 2025, Emily went out to do a reinspection, that showed no progress was made. A second Order to Correct was sent via certified mail and the date of the correction that was given was February 3, 2025. On March 19, 2025, we received a second complaint of the property and on March 24, 2025, we went out to inspect the second complaint as well as the property and confirm the condition still exists. In the first packet you will notice the pictures dated March 24, 2025, and in the second packet the photos are dated as of today. I drove out by the property just to make sure,

see if there is any progress, there are actually additions. On March 25, 2025, the public hearing letter was sent out via certified mail. All certified mail was returned and unsigned for. Everything that we sent out certified also goes out regular mail. This has been ongoing, to our knowledge, for over four months with no communication, no correspondence, no progress. I did drive by the property and the residents there really maintain their property well. I do fee for the residents.

**Mr. Tavares:** Are we sure there are people living there?

**Ms. Matusik:** Yes, I observed vehicles and the day we went out there, there were multiple vehicles in the yard.

**Ms. Lamas:** For the public hearing did they receive that certified in the mail?

**Ms. Matusik:** Yes

**Ms. Lamas:** Was it returned?

**Ms. Matusik:** It was marked "Refused"

**Ms. Lamas:** There is no one here in the audience to speak. I drove by and all the lawns are very well maintained.

**Ms. Lamas:** The next steps would be consulting the Town Counsel?

**Ms. Matusik:** There are a couple of options. We did site the Town By-Law Chapter 4, Section 35, I printed this out for the Board to look at. Enforcement persons mean the Building Commissioner, Fire Chief or his designee, Police Chief or his designee or a representee of the Board of Health. For Penalties for the purposes of non-criminal refer to Chapter 13, Section 2, which I printed out and will pass along. #1 – Any violation in an order of the Towns Board of Health relating to public health, which is authorized by the general laws, any special law applicable to the town. The provisions of the state sanitary code or other state regulation or any town by-law rule or regulation. Then it goes over the fine structure of:

- First violation - warning
- Second violation - \$100.00
- Third violation - \$200.00
- Fourth & Subsequent - \$300.00

**Ms. DeSantis:** Is that a day?

**Ms. Matusik:** That is up for the Board to decide, it doesn't state, but I will pass this along the by-law, I highlighted the sections pertinent to us and then I printed out the table. The Board can set a clear time table for compliance although I feel like the Health Department has done that but If you would like to give another two weeks, you can do that, after that you can set a fining structure, you can start with fines or we can bring this to court which I feel is probably the next step.

**Ms. Lamas:** This says, "each day a violation exists shall constitute a separate violation" and at this point they are at fourth & subsequent violations and based on the timeline that Paulina and Emily

have already followed through on. In thinking about this, this is becoming, now that we have a full-time Health Inspector, she has been playing catch up on a lot of tasks around town, and she has been very busy. I think we are going to see more of this and in my mind, I think it important that we set a precedent and a framework. Once people are not responding or not showing up to this public hearing. It's not fair to neighbors and the community they live in to continue to have this nuisance. We had something that was prolonged for a very long time on Bristol Street at our last meeting. I'm hoping we can agree on something to move this faster along, everything in municipal usually takes a while in general. If we can come up with a plan to use as a precedent or framework moving forward, I think it might be good.

**Ms. Lamas:** Any other information that we need before we close this public hearing and since no one has showed up?

**Ms. DeSantis:** How many letters total?

**Ms. Matusik:** Three, four because we sent out the first Code Inspection, the first Correction, Order to Correct and the second Order to Correct and the fourth letter was the public hearing letter.

**Ms. DeSantis:** And that was declined?

**Ms. Matusik:** All the other ones were returned where the public hearing letter stated "refused"

**Ms. DeSantis:** So, they did talk to somebody, reached somebody and they said I'm not taking it.

**Ms. Matusik:** I'm assuming, I'm not sure, the Post Office does not give us that information we just get the green card back from the certified mail and that is was it stated on this one.

**Ms. DeSantis:** It said declined.

**Ms. Matusik:** Is said refused.

**Ms. DeSantis:** That's pretty clear then.

**Ms. Lamas:** Any other questions for Paulina?

**Mr. Tavares:** No, the question that was just asked, but I think if you just keep sending letters you are going to get the same response. I feel for the neighbors because if someone wants to sell a house next to that street, they always look at those things.

**Ms. Lamas:** Can we have a motion to close the Public Hearing?

**Ms. DeSantis:** I motion to close the Public Hearing.

**Ms. Tavares:** Second

**Ms. Lamas:** All in favor 3-0. The Public Hearing for 50 Pond Street has closed. Just want to note again that there is no one in the audience and no one has shown up from that address.

The Board discussed how they would like to proceed because the resident is at fourth and subsequent. The resident has not followed through with any of the correction orders thus far.

Mr. Tavares made a motion to send an Order to Correct that includes a three hundred dollar fine for the four violations with a notice to correct within thirty days, the deadline will be May 16, 2025. If they do not correct within the thirty days, they will receive an additional fine of five hundred dollars and the Board will proceed with Town Council, seconded by Ms. DeSantis. All in favor 3-0.

Actions/Correspondence:

Ms. Matusik explained that 89 Old West Street is requesting permission for eleven hens, the use of their chickens is to produce fresh eggs, the coop is in the backyard about fifteen feet from the nearest property line and the storage of food is in containers the shed.

Ms. DeSantis made a motion to approve the request for eleven hens at 89 Old West Street, seconded by Mr. Tavares. All in favor 3-0.

Ms. Matusik explained to the Board that on Wednesday, April 2, 2025, the Town Administrator (Marc Strange) sent an email to all department heads because he was tasked by the Board of Selectman to see how they can further reduce the current deficit for FY26.

Ms. Matusik handed out Ms. McMurray's Shared Services update to the Board.

Ms. Matusik updated the Board that she will be attending the 2025 Emergency Preparedness Conference in Texas this month. The conference is about how to prepare and respond to public health emergencies. This conference is paid for through the Hampden County Health Coalition that Ms. Matusik is co-chair of. The Health Coalition is responsible for making sure that the Health Departments have emergency plans up to date and they are currently working on a water emergency preparedness plan.

The Health Department will be getting a student intern through the Department of Public Health and will be starting in June. Ms. Matusik will be meeting with her next week to go over project details. Ms. Matusik did receive an email from the State Epidemiology Program that does fund this, they are uncertain whether the intern will be paid or not, but they will keep them up to date.

Ms. Matusik noted from Ms. McMurray's update that she now offers car seat inspections, she completed her course and will be partnering with the Fire Department. Ms. McMurray can be reached in the Health Department to schedule an inspection, and she does plan on holding a day event for the inspection with the Fire Department.

Ms. Matusik mentioned that their High School intern created a new logo for the Health Department.

Ms. Matusik noted that Ms. Anderson will be attending the next Board of Health Meeting to discuss rabies because it is rabies season. They receive calls for animals and explained that the only way to test rabies is to cut the head off the animal and send it in for testing.

Ms. Matusik shared with the Board some of the free resources they have through the Mill Town Collaborative that include: Covid test kits, overdose reversal kits, Fentanyl test strips, First Aid kits, pregnancy test, latex free condoms, weekly pill box organizers, toothbrushes, hand sanitizer, mindful journal kits, and sleep wellness kits.

As part of the Shared Services update, Ms. McMurray put together packets of clothing items that each of the Board Members can choose from up to two hundred and fifty dollars each and all orders need to be submitted by May 16, 2025. This is from the Mill Towns Shared Services Grant.

Ms. Matusik shared with the Board the 2025 Public Health Law and Topics for Boards of Health through MAHB, they are having a conference in Northampton, if they would like to attend it will be covered by the Share Services Collaborative.

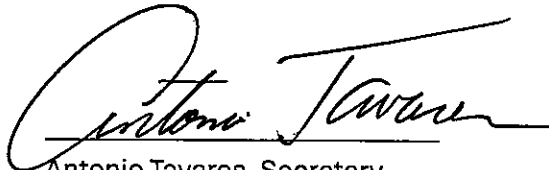
The legal notices were reviewed by the Board.

Mr. Tavares expressed his condolences from the Board to the family of Tony Goncalves, we have lost someone that did a lot for our town, our community as a family man and as a businessman.

The next Board of Health meeting will be on Wednesday, May 21, 2025, at 4:30 PM in the Board of Selectman's Conference Room.

A motion was made by Mr. Tavares to adjourn the meeting on April 16, 2025, at 5:40 PM, seconded by Ms. DeSantis. All in Favor 3-0.

Respectfully Submitted,



Antonio Tavares, Secretary