

Board of Health

Meeting Minutes

July 30, 2025

RECEIVED
TOWN CLERK'S OFFICE

2025 AUG 21 A 9:34

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

Also Present: Paulina Matusik; Health Director

Meeting was called to order at 4:31 PM by Ms. Lamas and the Pledge of Allegiance was performed.

Monthly Business:

Mr. Tavares signed the meeting minutes from June 18, 2025. Ms. DeSantis made a motion to approve the meeting minutes of Wednesday, June 18, 2025, seconded by Mr. Tavares. All in favor 3-0.

Actions/Correspondence:

Ms. Matusik discussed with the Board the request for chickens at 184 West Street. She explained that she went out with Ms. Quinn on Thursday, July 3, 2025, and met with the homeowners to conduct an inspection and noted that they fall under Residential A which requires Board approval. During the inspection, Ms. Matusik estimated the homeowners have about forty to fifty birds including twenty-five chickens, four ducks and nine pigeons that are used for eggs and meat. Ms. Matusik showed the Board pictures of the backyard and coop, she verified the food is stored in bins. The cleaning and maintenance are done every one to two weeks as needed and the homeowners have a three-year contract with a pest control company that comes as needed. Ms. Matusik noted that they do have two Roosters, they were collared, to fertilize their eggs. Ms. Matusik read the definition of poultry as it refers to the Massachusetts Department of Agricultural Resources – 330 CMR 5.00:

- **Poultry:** all domesticated birds, including but not limited to, chickens, turkeys, guineas, exotic and game birds (including ducks)
- **Variance:** – to have greater than 25 but no more than 40 chickens and is subject to conditions such as no complaints and proper sanitation.

Ms. DeSantis made a motion to approve the variance of up to forty birds including chickens, ducks and pigeons at 184 West Street, seconded by Mr. Tavares. All in favor 3-0.

Ms. Matusik updated the Board with Ms. Quinn's last inspection of 50 Pond Street. She noted that the \$300.00 fine has still not been paid to date and she shared photos of the property with the Board noting there has been minimal change in the property. The Board discussed and noted that there has been no communication or progress from the homeowner.

Mr. Tavares made a motion to proceed with the additional \$500.00 fine for not cleaning their property and following through with the nuisance complaints and will move forward with legal action for 50 Pond Street, seconded by Ms. DeSantis. All in favor 3-0.

Ms. Matusik explained that at the June 24, 2025, Select Board meeting, the Select Board requested input from the departments regarding requests for the Opioid Settlement fund for the upcoming fiscal year. Ms. Matusik requested approval from the Board of Health for the proposal from Tapestry Health to the Select Board for final approval of their request and noted that the Health Department does a lot of work with and has partnered with Tapestry Health. The Health Department meets with Tapestry Health every other month to discuss new drug trends, what type of outreach is being done in Ludlow, they track numbers for the department, free sharps disposal. Other types of services they offer include wound care, Naloxone, syringe services just to name a few. Ms. Matusik also noted that she would also include with the proposal if approved a letter of support.

Ms. DeSantis made a motion to approve the proposal from Tapestry Health to request funds from the Opioid Settlement Fund in the amount of \$19,409.00, seconded by Mr. Tavares. All in favor 3-0.

Other Discussions:

Ms. Matusik updated the Board regarding 38 Bristol Street. On Monday, July 21, 2025, Ms. Quinn and Town Council appeared in Western Housing Court in Springfield along with the occupants of 38 Bristol Street at which time the Judge ordered the defendants to rectify any code violations and ordered the Health Department and occupants to have a site walk on July 24, 2025, with a written list of outstanding violations and to conduct a reinspection on August 7, 2025, and to appear in court again on August 14, 2025 at 9:00am. The reinspection was conducted by Ms. Quinn and Ms. Obuchowski at 3:00 pm on July 24, 2025, and the violations were verbally discussed with the occupant. They walked through the exterior of the property, photographed the conditions and discussed the timeline set forth by the Judge. A written list of outstanding violations was mailed on July 28, 2025. On August 7, 2025, the Health Department will conduct a reinspection to determine the conditions and take photographs. The evidence will be presented to the Judge at the August 14, 2025, hearing and Town Council will request an appropriate next action based on the conditions found during the August 7, 2025, inspection. The Judge will then determine the next steps.

Ms. Matusik updated the Board regarding Trippy's at 348 West Avenue. On Tuesday, July 22, 2025, Ms. Matusik, Ms. Quinn, Town Council and JJ Prusak of the Pioneer Valley Tobacco Control Coalition appeared via zoom for the Palmer District Court Hearing, Trippy's did not show. The Judge ordered the defendant (Trippy's) to immediately Cease and Desist from selling tobacco products within the Town of Ludlow unless the Ludlow Board of Health issued a permit to the defendant to sell such products. Town Council filed:

- Rule 55A - a request for default
- Rule 55B - a motion for default judgment
- And three other forms of judgment

- Requesting that the plaintiff has demonstrated entitlement to enforcement of its tobacco regulations via injunctive relief, entitlement to enforce the unappealed fines assessed upon defendant in the amount of \$3,000.00.
- In light of the foregoing findings, the defendant shall immediately cease and desist from selling tobacco products within the Town of Ludlow unless and until the town's Board of Health issues a permit to the defendant to sell such products.
- In light of the foregoing findings, the defendant shall work with/pay past due fines due to the Board of Health in the amount of \$3,000.00
 - These are the fines that have not been paid within the last two years which include late fees and paid postings in the paper.

These will be presented at the next scheduled court hearing on Tuesday, August 19, 2025, if and when signed by the court on August 19, 2025, and after a ten-day district court appeal period. This will cause it to a final judgment for injunctive relief against Trippy's punishable by contempt and other violations.

The next Board of Health meeting will be on Wednesday, August 20, 2025, at 5:00 PM in Hearing Room #1.

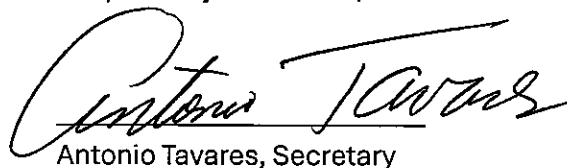
Ms. DeSantis made motion to close the Open Session at 5:00pm, seconded by Mr. Tavares. All in favor 3-0.

Executive Session:

To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual

Mr. Tavares made motion to open the Executive Session at 5:00 PM, seconded by Ms. DeSantis. All in favor 3-0.

Respectfully Submitted,



Antonio Tavares, Secretary