

CHARLEMONT BOH MEETING – CHARLEMONT TOWN HALL

April 10, 2013

MEMBERS PRESENT: Rob Lingle (Chair), Earl Bowen, Ron Smith, Trice Hyer; guest – Glen Ayers, others – see attached list

1. The meeting was called to order at 7:32 pm by the Chair.
2. The minutes of the March 13, 2013 were approved and signed.
3. Glen Ayers reports:
 - a. Received a check for \$225 for a Septic System Permit for 224 Avery Brook Road. Check was made out to FRCOG, so Glen signed the check over to the Town of Charlemont.
 - b. Presented 3 Food Inspection Reports. Hawlemont School had to add a booster to its dishwasher.
 - c. Received 3 septic system remediation permits for Woodland Park. Earl Bowen recused himself. They were for units #10/12, #14 and #30. Glen signed off on the permits, and a Maintenance Agreement was received. He reported that satisfactory progress is being made. Glen also collected water samples for analysis.
4. Public Hearing on Potential Condemnation of 122 Main Street – convened at 7:46 pm:
 - a. Glen Ayers presented a history of property violations:
 - i. 12/2/2011 – “Notice of Code Violation”, “Order to Correct” from Charlemont Board of Health
 - ii. 5/2/2012 – “Notice to Tenants” from Charlemont Board of Health
 - iii. 5/2/2012 – “Notice of Continuing Code Violations”, “Order to Correct” and “Notice of Condemnation Hearing” from Charlemont Board of Health
 - iv. 6/20/2012 – “Finding That Dwelling Unit is Unfit for Human Habitation” from Charlemont Board of Health
 - v. 8/20/2012 – “Finding That Dwelling Unit is Unfit for Human Habitation” from Charlemont Board of Health
 - vi. 2/6/2013 – Packet of “Periodic Inspection Findings” from Building Inspector James Cerone
 - vii. 3/13/2013 - Email from James Cerone – order “not to have any new tenants until I have issued a certificate of inspection. Legally, you are not permitted to continue use of the building without this certificate”.
 - viii. Glen reported that he has seen no Public Water Supply approval as of 1/3/2013.
 - ix. Glen distributed copies of sections of the Health Code that apply to the property in question.
 - b. Rebuttal – James Greelish:
 - i. Mr. Greelish presented a “Completed Repair List at 122 Main Street Since Inception on 6/2011”.
 - ii. Presented a letter from a tenant, Rich Charette, supporting the efforts of Mr. Greelish.

- iii. Mr. Greelish claims "there is no mold in the building", and is requesting a re-inspection of the premises.
5. Rob Lingle moved that the Hearing on 122 Main Street be continued until the next scheduled BOH meeting, April 24, 2013, for the purposes of reconciling previous orders and conducting an inspection of all units. Earl Bowen seconded. The motion passed.
6. The Board received from Glen Ayers and the Regional Housing Authority information on Section 8 Housing.
7. The Board reviewed the Permit Fees that have not been paid. Ron Smith will follow up on those who still owe.
8. Review of Correspondence:
 - a. Letter from FRCOG on Title 5 Sand Testing Policy
 - b. Notice from DEP on a violation for failure concerning water at Country Aire
 - c. Letter from DEP concerning water at Charlemont Mini Service
 - d. Received a "Deleading Report" for 122 Main Street
 - e. Received notice of a release of hydrocarbons, which were remediated by Environmental Management Associates
9. The meeting adjourned at 10:00 pm.

Respectfully submitted,

Ronald Smith

This document is a draft until approved by the Board of Health

BOH Meeting of April 10, 2013

Those in Attendance

<u>NAME</u>	<u>Address/Town</u>
Wayne Mercier	POB 613 CHARLEMONT
Vaughn Tower	POB 2012 Charlemont,
Rachel Porter	POBox 525 Charlemont
Beth Bandy	7 Avery Brook Rd., Charlemont
James Greefish	42 Pacific St Fitchburg, MA
Diane Brancetti	the Recorder (Shelburne Mass.)
Virginia Ray	the Shelburne Falls & West County Independent

LIST OF DOCUMENTS

April 10, 2013

1. Agenda for April 10, 2013 meeting
2. Minutes of March 13, 2013 meeting (signed)
3. Food Inspection Reports (3)
4. Septic System Remediation Permits (3) for Woodland Park
5. Hearing Rebuttal Letter from James Greelish
6. Letter from tenant at 122 Main Street
7. Section 8 Housing information
8. Letter from FRCOG on Title 5 Sand Testing Policy
9. Letter from DEP concerning water at Country Aire Campground
10. Letter from DEP concerning water at Charlemont Mini Service
11. Deleading Report for 122 Main Street
12. Email re: Lisa White to the Senior Center on May 2
13. Letter from Environmental Management Associates, re: release of hydrocarbons and remediation
14. Invoices from Glen Ayers