

# Buckland, MA Board of Health Meeting Minutes

December 15, 2022

Via Zoom

## Agenda

1. Open Meeting
2. Review and approve minutes of previous meetings
3. Hearing to determine fitness for habitation – 27 Sears St. Buckland
4. Health Agents report
5. Other business
6. Close meeting

## Attendees

Peggy Hart, chair  
Julia Godfrey, member  
Carmela Lanza-Weil, member  
Kurt Schellenberg, FRCOG Health Agent  
Randy Crochier, FRCOG Health Agent  
Clarence West, public  
Jennifer West, public

1. Chair Peggy Hart opening the meeting at 4:03 pm
2. Minutes of previous meetings

September 15, 2022 - Member Carmela Lanza-Weil moved to approve the minutes as written; chair Hart seconded the motion; all present at the September 15, 2022 meeting voted to approve the minutes.

October 20, 2022 - Member Julie Godfrey moved to approve the minutes as written; chair Hart seconded the motion; all present at the October 20, 2022 meeting voted to approve the minutes.

November 15, 2022 - Member Godfrey moved to approve the minutes as written; member Lanza-Weil seconded the motion; all present at the November 15, 2022 meeting voted to approve the minutes.

3. Chair Hart moved to open the hearing to determine fitness for habitation – 27 Sears St., Buckland. Member Lanza-Weil seconded the motion. All Members voted “yes” by roll call.

Health Agent Kurt Schellenberg noted he has been following this situation since April, 2022; Health Agent Randy Crochier added he has been tracking the situation since 2019. The site is a prospective candidate for the Massachusetts

"neighborhood renewal" program as a derelict property. There has been an unsuccessful search for the property owners, and neighbors have reported the property has been used for "nefarious purposes."

Most recently, Agent Schellenberg created an "order to correct" conditions, including a) south attic window open; b) back door unlatched; c) dead bolt detached; d) peeling paint; and e) property deemed an endangerment to public health. The order was sent, first class/certified mail, to the last address on record for the property owner, as well as to the address posted on the door. Neither mailing was successfully delivered. After 30 days, a hearing may be scheduled to declare the property unfit for habitation (this hearing).

Other conditions noted: water was turned off in 2017. Taxes have been paid through a 3rd party (property management service) and are current. The owner of record is Luke Jeete.

Health agents Crochier and Schellenberg explained they use the term "deteriorating" to describe a situation which is not yet an emergency, but the term "condemned" is a legal term.

Should the hearing result in condemnation, the next step would be an appointment with the Massachusetts Attorney General's office to assign a receiver. If the Attorney General's office doesn't take on the property, the situation would come back to the Housing Court and Town Counsel to determine next steps.

Question from the BOH: How would the owner know the property has been condemned? Health agents responded the Attorney General's office would take over the notification process.

Member Lanza-Weil moved to close the hearing; chair Hart seconded the motion; on a roll call vote, all members voted to close the hearing.

Member Lanza-Weil moved to condemn the building at 27 Sears St., Buckland; chair Hart seconded the motion; on a roll call vote, all members voted affirmatively.

Health agent Schellenberg will place a placard on the building within the next week.

#### 4. Health Agents Report

The agents reported "it's renewal season" referring to the renewal of permits, which is keeping the agents busy.

Buckland projects:



- Red Gate Farm - new dormitory and program building; health agents have performed a septic system inspection, and noted DEP is involved with a new well on site
- Recreation Center Pool - health agents have reviewed septic system details; done an inspection of the pool (now poured); and noted both low and high vents for the leach field - the high ones are particularly noticeable, but necessary for the system to function properly.

FRCOG planning for programs and budgets for the coming year are keeping agents particularly busy. Noted particularly: upcoming meeting about the opioid settlement and how it will be spent.

COVID updates: official cases are very low; testing site in Shelburne Falls is permanently closed; wastewater testing in Greenfield shows transmission is rising; and concern about a "tri-demic" of flu, RSV and COVID. There are flyers available for guidance for holiday gatherings. These have been received and will be copied and distributed. Currently, it is a question not if, but when, people will contract COVID.

5. Other business

Chair Hart asked member Lanza-Weil if she had received reimbursement for a workshop she had attended. Chair Hart moved the reimbursement (if needed) be paid; member Godfrey seconded the motion; all voted in favor.

There has been an unhoused individual camping at the Cricket Field pavilion. The town discovered it could not act without a bylaw restricting camping, overnight access, etc. The individual has found shelter with a local family, and the town is investigating, with the assistance of Town Counsel, a new bylaw limiting the use of public property.

Postal mail: Member Lanza-Weil has been isolating due to COVID, and will tend to the mail next week. She is also intending to update the webpage in coordination with Town Clerk Karen Blom.

Email: Member Godfrey is checking 1 - 2 times a week, and passing information along to health agents and other BOH members. She recently filled out a request for COVID testing supplies from the state to be sent to Town Hall.

Voicemail: Chair Hart reported there were messages concerning comments on a building permit (health agent Schellenberg noted he doesn't see building permits); a tenant complaining about unsafe stairs (health agent Schellenberg noted this is a long-term tenant-landlord situation); and a call in regard to tainted maple syrup purchased from a Buckland supplier in Charlemont (health agent Schellenberg commented not much that can be done in this situation, particularly when the opening of the container was not witnessed by anyone in a official

capacity).

Meeting times were set at 4:00 pm on the 3rd Thursday of the month.

6. Chair Hart moved to adjourn the meeting at 4:56; member Godfrey seconded the Motion; all voted in favor of the motion.

Respectfully submitted, Alison Cornish, Boards Clerk