



Hudson Board of Health

78 Main Street
Hudson, MA 01749
(978) 562-2020

MINUTES

April 11, 2023
5:30 pm
Hudson Town Hall
2nd Floor Select Board Room

Board members: Christie Vaillancourt, Michael Delfino, Cassia Monteiro

New Business

1. **Preliminaries:**
 - a. **Call Meeting to Order** - Ms. Vaillancourt called the meeting to order at 5:30 pm.

 2. **Public Hearing: *State Sanitary Code Violations 21 Felton Street #3***
 - a. Ms. Vaillancourt made an opening statement that the meeting would be audio recorded. Ms. Vaillancourt reads the public hearing notice for the record. *State Sanitary Code Violations of 21 Felton Street #3*. Ms. Vaillancourt states hearing is a continuance of original hearing date of 4.4.2023. Ms. Vaillancourt asks if notice of hearing date was published, posted, and served to all interested parties as required by law. Ms. Antonelli confirms all parties were notified via certified mail and served in person by constable on 4.14.2023. Ms. Vaillancourt explains ground rules for Public Hearing. Testimony will be limited to the issues directly related to the subject matter of the *Sanitary Code Violations of 3.13.2023 for 21 Felton Street #3*. All persons will conduct themselves in a civil manner. Only one person will be permitted to speak at a time and testimony will be limited to 5 minutes. All discussions will go through the Chair. Arguments between parties will not be permitted. Kathleen LaPlante Resident of 21 Felton St. Apt. 3 is sworn in by Ms. Vaillancourt, Board of Health Chairperson. Ms. Vaillancourt states for the record that Mr. Langelier had requested a continuance of his hearing. Mr. Langelier received an injunction from the court on 3.31.2023 detailing how he is to provide 48-hour notice to the resident to do repairs and because of that has requested a continuance to get the repairs done. Mr. Delfino motions that Mr. Langelier's request for continuance of his hearing be denied. Ms. Vaillancourt seconded motion and it passed 3-0. Mr. Langelier has been defaulted.
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- b. *Evidence Collection Phase of hearing* - For inspection dated 3.13.2023 the plaintiff, Ms. LaPlante expresses her disagreement with the Health Department's interpretation of State Sanitary Code in regards to facilities and temperature as related to heat. Ms. LaPlante disagrees with the Director of Public and Community Health's assessment of exterior porch exposed wood and requests that this be noted as a violation. Ms. LaPlante states she believes a check-list should be brought to property and completed during inspections. Ms. LaPlante requests that the Board outlines the differences between the Board of Health and The Health Department that Ms. Antonelli oversees.

- c. *Board of Health Response* - Mr. Delfino responds to the interpretation of State Sanitary Code in regards to heat by agreeing with the Town of Hudson's Sanitarian, Mr. St. Louis. Mr. Delfino himself has been an inspector for 24 years and is very familiar with the State Sanitary Code. Mr. Delfino has been in contact with Mr. Halfmann at the State Department of Public Health to verify interpretation. Mr. Halfmann agrees with Hudson Health Department's interpretation of the State Sanitary Code with regards to heat. Ms. Antonelli states that the chipping paint on exterior porch does not pose a structural risk. The chipping paint does not impact the integrity of the structure therefore it was not noted as a violation. Hudson Housing Authority did note chipping paint as a violation but that is outside the purview of Hudson Health Department. Mr. Delfino states that he does not see any structural issues with exterior paint chipping. Ms. Antonelli states that a check-list was brought to the inspection on 3.13.2023 and a copy of the report was offered to the plaintiff. Ms. LaPlante asks why Mr. Langelier was granted a hearing and the plaintiff was not. Ms. Antonelli states that Mr. Langelier disagreed with the report and already repaired some issues so he disputes Health Department's findings and requested a hearing. Request was made by email. Mr. Delfino states that the plaintiff's hearing last year was denied because it either exceeded the 7-day time frame for hearing request or an inspection report was not made. Town Counsel explains to plaintiff that the Board of Health is an administrative agency under the same Health Department umbrella as Ms. Antonelli and Mr. St. Louis who are health agents.

- d. *Board of Health Judgement* – Mr. Delfino motioned to uphold State Sanitary Code violations from 3.13.2023. Ms. Monteiro seconded motion and it passed 3-0. Mr. Delfino motions that the owner/landlord of 21 Felton Street #3 be given no more than 7 days with a start date of 4.14.2023 to complete all repairs with a reinspection date of 4.21.2023. Ms. Vaillancourt seconded the motion and it passed 3-0.

Adjournment: Mr. Delfino motioned to close the meeting and adjourn at 6:16 pm. Ms. Monteiro seconded the motion and it passed 3-0.
