

BOARD OF HEALTH MEETING

April 25, 2018

Watertown Administration Building, Third Floor Conference Room

PRESENT: Dr. John Straus, Chairperson; Dr. Barbara Beck, Secretary; Richard Arnold, Board Member

Staff: Deborah Rosati, Director of Public Health; Kristel Bennett, Chief Environmental Health Officer (CEHO); Rajit Gupta, Health Officer

CALL TO ORDER: Dr. John Straus called the meeting to order at 7:05 pm.

New Health Officer Rajit Gupta

The Board was introduced to Rajit Gupta who joined the department on December 26, 2017 as the new Health Officer to replace Pat Martin. Mr. Gupta has a Master of Public Health Degree from Rajiv Gandhi University in India, and several years of health and safety consulting experience as well as experience with the Framingham Health Department.

The Board welcomed Mr. Gupta to the department.

Public Comment: There were none present for comment.

44 Katherine Road – 105 CMR 410.000 State Sanitary Code

Hearing in consideration of Health Department's April 6, 2018 Order of Condemnation with Conditions that are Unfit for Human Habitation

Present: Owners- Faik and Ankin Cam, and their son Arda Cam; Tenant – Sean Canty

Kristel Bennett, CEHO, offered a chronology of events relative to this Housing Code case starting with a complaint that was filed with the Health Department by Mr. Canty on February 22, 2018 alleging that the bathroom trap was backed up, there was only one heating vent in the apartment, the windows will not close, the doors are not weathertight, and the electric keeps going on and off. Health Officer, Rajit Gupta, left a message with the occupant on February 23rd and then advised the occupant on February 27th that the basement unit was not approved as an accessory dwelling unit and the Zoning Enforcement Officer would be involved. The occupant refused inspection at that time. On March 29, 2018, Mr. Canty came to the Health Department requesting an inspection; he had been issued a notice to vacate due to nonpayment of rent and due in Court the next morning. On April 2, 2018, an inspection of the unit was conducted, and violations were noted: only one egress, no functioning smoke and carbon monoxide detectors, no handrail at basement stairs, some lighting not working, hole around pipe, broken electrical outlet cover, bathroom vent not working, insufficient heat in unit, and bathroom sink trap leaking sewage. An order letter was issued to the owners, and a reinspection was conducted on April 19, 2018, which revealed that the handrail, heat and egress had not been corrected.

Arda Cam spoke for his parents and indicated that Mr. Canty had moved in with all of his boxes, using the basement unit for storage. He was only going to be there occasionally to access his storage but started showing up more frequently and then stopped paying the rent.

Arda Cam also stated that the Zoning Enforcement offered three options: remove everything in the basement, remove the kitchenette, or seek approval for an accessory dwelling unit. Arda Cam indicated that they are not intending to seek approval as an accessory dwelling unit, so they will not be making the additional repairs. He indicated that the tenant has not been residing there.

Mr. Canty indicated that he is not residing in the unit, but wishes the order to be enforced with all violations corrected.

Following further discussion, Dr. Beck offered the following motion:

The condemnation is upheld until such time as the unit may be approved by the Zoning Board of Appeals as an accessory dwelling unit, and deemed in compliance with 105 CMR 410.000 and including correction of items #1 (secondary egress) and #5 (heat requirement) on the Order Letter dated April 6, 2018. The unit must be vacated immediately and secured for human habitation. The Board noted that item #2 (handrail) shall be corrected in any case by the date of the next Board meeting.

This was seconded by Richard Arnold, and voted unanimously.

Minutes

The minutes of the February 22, 2018 meeting were approved as presented (Motion- Dr. Beck, Second- Dr. Straus, 2-0).

139 Galen St. – 105 CMR 410.000 State Sanitary Code

In consideration of ratification of Condemnation Order with Conditions that are Unfit for Human Habitation

K. Bennett presented the history of the complaint and condemnation indicating conditions that were unfit for human habitation including non-functioning heating system, no running water, and no smoke or carbon monoxide detectors, structural issues, and other violations. An order letter was issued to the owner on March 20, 2018, and social workers and professional organizer have been contacted to assist the owner/resident with alternative housing while the violations have been corrected.

Following further discussion, Richard Arnold offered the following motion: **The condemnation order issued for 139 Galen Street on March 20, 2018 is upheld and will be re-assessed in three months.** Motion was seconded by Dr. Beck, and voted unanimously.

Department Updates

D. Rosati reported that Vivian Zeng has accepted a position in Wellesley and her position has been posted. There are a number of qualified candidates and interviews are being set up.

Belmont's Recreational Marijuana regulation was shared with the Board for consideration. D. Rosati and R. Gupta are attending a full day training called "The Impacts of Marijuana" on Thursday. They will report back with additional information.

The next Board meeting is proposed for May 23rd.

Meeting was adjourned at 9:46 pm (Motion – Dr. Beck, Second – Richard Arnold, 3-0)

Respectfully submitted: Deborah M. Rosati, Director of Public Health

Approved: May 23, 2018