

**Braintree Board of Health
Cahill Auditorium, Town Hall
1 John F. Kennedy Memorial Drive, Braintree MA
Thursday, September 13, 2018, 7:00 p.m.**

IN ATTENDANCE: Dr. Arthur Bregoli, Chairman
Dr. Philip Nedelman, Vice Chairman

NOT PRESENT: Laurie Melchionda, Clerk

ALSO PRESENT: Marybeth McGrath, Director of ML & I

Dr. Bregoli called the meeting to order at 7:00 p.m.

Approval of Meeting Minutes: August 16, 2018

Motion By: Dr. Nedelman to approve the meeting minutes of August 16, 2018

Second By: Dr. Bregoli

Unanimously Voted

List of Complaints:

The Board reviewed a list of complaints received from August 13 - September 7, 2018.

New Business:

- 1) Request for Hearing on Nuisance Order: 249 Franklin Street

Present: James Kelley, property owner

Marybeth McGrath stated that the department received an on-line complaint regarding overgrowth of vegetation, grass and shrubbery at this property. The complaint stated that there were insects and potential rodents on the property affecting neighboring properties.

Ms. McGrath advised that she conducted an inspection and the property does need to be maintained, trimmed and mowed. A nuisance order was sent to Mr. Kelley and he requested a hearing.

Mr. Kelley stated that on September 1, 2018, he received the notice, which was Labor Day weekend. He tried to contact Ms. McGrath on Tuesday, September 4, 2018 and she was out. He stated he left two voice messages and a message with an employee asking her to contact him. On Wednesday, September 5, 2018, he wrote a letter which he hand delivered to the Health Department on Thursday, September 6, 2018. He stated later that day a vehicle drove by his house and stopped outside for a period of time. On Friday September 7, 2018, Ms. McGrath, accompanied by a gentleman, came to his property and knocked on the door. She asked him what he wanted to discuss at the hearing. He stated

he does not know who the gentleman with her was. Ms. McGrath stated it was Russell Forsberg, Inspector of Buildings.

Mr. Kelley expressed concern that the order he received, dated August 30, 2018 did not indicate what triggered this. He stated that he used to use a landscaper, but stopped doing this in 2013 because he is no longer employed and he has never had a prior complaint about cutting the grass. He asked who filed the complaint.

Ms. McGrath stated it was an anonymous complaint filed on-line.

Mr. Kelly stated this information should have been included in the nuisance order.

Ms. McGrath stated she used a standard form and did try to attempt to contact Mr. Kelley several times, but his phone just rang and there was no answering machine.

Mr. Kelley asked if Ms. McGrath came onto his property to conduct the inspection.

Ms. McGrath stated she did not go onto his property, as she could see the condition in question, from the street.

Dr. Nedelman asked if Mr. Kelley feels his property is overgrown.

Mr. Kelley stated yes.

Dr. Nedelman stated it is not relevant who filed the complaint, neither the Board nor Ms. McGrath have knowledge of who it is. He asked Mr. Kelley if he can take care of cutting the grass and overgrowth.

Mr. Kelley stated he cannot do the work, and he would have to hire a landscaper to do a one-time mowing at the end of the season.

Ms. McGrath recommended that Mr. Kelley contact the Department of Elder Affairs to see if they have a list of handypersons that could do this at a low and reasonable cost. Ms. McGrath agreed to call herself and ask them to send Mr. Kelley a list.

Dr. Bregoli stated the Board wants the grass cut. They do not care if it is done by a professional. It just has to be cut.

Ms. McGrath stated the town does not have the staff to go out and look for complaints, but when a complaint comes in they act on it.

Dr. Bregoli stated they will try to accommodate him, but there is a nuisance order and the work has to be done.

Motion By: Dr. Nedelman that Ms. McGrath will work with Mr. Kelley to try to provide resources for him to get this work done.

Second By: Dr. Bregoli
Unanimously Voted

Other Business:

Dr. Bregoli asked if there is any update on Motel 6. Ms. McGrath stated there is no news. However, she expects to hear something soon as there was a court hearing held in August.

Next Meeting Date: October 18, 2018

Motion By: Dr. Nedelman to adjourn the meeting at 7:30 p.m.
Second By: Dr. Bregoli
Unanimously Voted