



## ***Board of Health***

November 14, 2013 – 6:30 PM - **Minutes**  
1213 Purchase Street., New Bedford, MA

**\*\*View Agenda\*\***

A public meeting of the Board of Health was held on November 14, 2013 in the Health Department conference room, 1213 Purchase Street, New Bedford.

Present: Patricia Andrade, M.D., Chairperson  
Athena Xifaras, M.D., Member  
Craig Longo, M.D., Member

Also Present: Dr. Brenda K. Weis, Director of Public Health

### **CALL TO ORDER**

**1. Dr. Xifaras called the meeting to order at 6:35 p.m. Dr. Andrade called roll with herself Dr. Craig Longo and Dr. Weis as present. Dr. Andrade called for a motion to accept and place on file the minutes of the regular meeting held on August 20, 2013.**

**MOTION:** by Dr. Xifaras to accept and place on file the minutes of the regular meeting held on August 20, 2013. **SECONDED:** Dr. Longo. All in favor. **MOTION CARRIES.**

### **ACTION**

**2. 16 Wing St., 1<sup>st</sup>. Floor, Request for Hearing Re: Minimum Housing Violation Order #28349; Flora D. Centeio, Trustee, 69 Foster St., New Bedford, MA, Jose Correia, tenant not present; Mary Freire Kellogg, Sanitarian**

Mary Freire Kellogg appeared before the Board and state this was a case that Ron Leger had and he asked her to cover for him. The tenants called in a complaint and we did an initial inspection but the owner had a difficult time trying to fix the violations from that initial inspection. Ms. Centeio requested a hearing date because she was not able to get into apartment to make the corrections in the appropriate amount of time given and did not want to get in trouble.

Dr. Andrade asked if a letter was sent out to tenant regarding inability to allow access to repair corrections. Ms. Kellogg replied that the tenant came into office and she verbally mentioned he has to allow access into the apartment in order for the violations to be fixed.

**MOTION:** by Dr. Xifaras that a letter needs to be given to the tenant at 16 Wing St. within 20-24 hrs. of entering the property for repairs for inspection. **SECONDED:** Dr. Longo. All in favor. **MOTION CARRIES**

**MOTION:** by Dr. Xifaras that all the violations be corrected and inspected within 30 day and that bedbug contracting fee be presented to the Health Department within 10 days. **SECONDED:** Dr. Longo. All in favor. **MOTION CARRIES**

**3. 1305 Acushnet Ave., #105, Request for Hearing Re: Minimum Housing Violation Order #28207; Roland Hopwood, Owner, 147 Eighth St., Ste. 1A, New Bedford, MA, Marina Vieira, tenant not present; Mary Freire Kellogg, Sanitarian**

Mary Freire Kellogg appeared before the Board and stated an inspection was done at 1305 Acushnet Ave. #105. Mr. Hopwood has been the new owner of this Rooming House property for a year. Ms. Kellogg stated as she was doing the inspection the tenant was being difficult. This property has 32 units and out of all the units this one was infested with bedbugs. Ms. Kellogg stated they already have pest control in place on a monthly basis but every time they came to this tenant's apartment Ms. Vieira would be uncooperative. Ms. Kellogg along with another inspector stated to tenant to take everything off the walls and to be prepared having everything ready for Pest Control when they arrive the next day. The tenant did not do what they had asked of her.

Mr. Hopwood stated that he had to take items off the wall himself the last time he was there for pest control to treat the unit. He has also gone in to treat the unit in between pest control's monthly visits. He stated she uses her bathroom as a closet does not use it for taking showers. Also she is in the process of being evicted. There is also a strip of the floor that needs to be replaced but it is very difficult to do with the tenant there.

**MOTION:** by Dr. Xifaras that the violation at 1305 Acushnet Ave., # 105 be corrected and inspected within 60 days of today. **SECONDED:** Dr. Longo. All in favor. **MOTION CARRIES**

**4. 179 Belleville Ave., #4, Request for Hearing Re: Minimum Housing Violation Order #28450; Armando Pereira, Property Manager, 2 Holly Tree Ln., Wareham, MA, Sharon Prichard, tenant not present; Mary Freire Kellogg, Sanitarian**

Mary Freire Kellogg appeared before the Board and stated that Mr. Pereira could not attend meeting but did say that he would make all the necessary corrections regarding the violations at 179 Belleville Ave. #4 and will not rent the apartment until all violations are fixed.

**MOTION:** by Dr. Xifaras that violation at 179 Belleville Ave. #4 be corrected and inspected by Mary Freire Kellogg before property can be rented. **SECONDED:** Dr. Longo. All in favor. **MOTION CARRIES**

**5. Revisit the fee for Flu shots.**

**Invitee: Andrea Lague, Public Health Nurse**

Andrea Lague appeared before the Board to discuss the fee schedule for this year. We have had the fee schedule for the flu shots at \$5.00 for uninsured, waived for insured because we can bill. Ms. Lague asked the Board if they would want it to stay the same or change the fee for this year. Dr. Andrade stated it would be better to have the fee at a lower rate rather than higher.

The Board decided to keep the fee the same.

**6. Medical Marijuana**

**Invitees: Brenda K. Weis, Director of Public Health  
Blair S. Bailey, City Solicitor**

Ms. Weis stated that the status of the state regulation right now has passed the use of medical purposes but the state has not discussed the issue of claiming hardship or how to get a hardship card and what is considered a hardship.

Blair Bailey stated right now as it stands anyone can cultivate personal marijuana once they are provided with a letter by a physician. They can grow personal cultivation. Once the state starts giving out the hardship cards they will not tell us who they have given it to. The state will have a registry of people but it will not be shared with anyone.

Mr. Bailey went over some of the more important sections of the regulation. We have ten plants with fifty square feet which offers plenty of room for cultivation, enclosed lock building room permanent structure, no motels or dormitories, movable vans etc. One addition to the regulation is if they are growing medical marijuana in a rental property, they need to have permission from the landlord to do it. Essentially what a new ordinance would do is require a registration from people who are licensed to grow, restrict where and how much they can grow, and restrict the area for growing. He also mentioned if the Board has any further suggestions or issues with this regulation to let Brenda know and she will discuss it with him.

**DEPARTMENTAL BRIEFING**

**DEPARTMENTAL ISSUES**

**CORRESPONDENCE**

**MOTION TO ADJOURN**

The next meeting of the Board of Health will be Thursday, May 29, 2014, at 6:30 p.m.

**MOTION:** by Dr. Andrade to adjourn the meeting. **SECONDED:** Dr. Longo. All in favor. **MOTION CARRIES.**

Dr. Andrade adjourned the meeting at 8 p.m.



A true record attest:

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Director of Public Health