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Inspection Services
41 Elm Street

TOWN OF SOUTHBRIDGE

September 15, 2022 BOH Meeting 6:00pm Veterans' Room
Continuation Public Hearing @ 6:05 pm Thomas Variety 58 East Main St Tobacco Violation
Continuation Public Hearing @ 6:30pm 209 Marcy St Declare Unfit for Human Habitation

Agenda #1- Open Meeting- @ 6:00 p.m.

Agenda #2- Roll Call

Nicole Duffey
Anthony Postale
Daniel Grabowski
Paige Szugda
Jasmin Quinones- excused

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TOWN OF SOUTHBRIDGE
MASSACHUSETTS

Agenda #3- Accept Meeting Minutes

- a. September 8, 2022- Motion to accept meeting minutes as is made by A. Postale; 2nd P. Szugda;
Roll Call
P. Szugda-yes
J. Quinones-excused
N. Duffey-yes
D. Grabowski-yes
A. Postale-yes

Motion passes 4-1 (Quinones). Minutes accepted.

Agenda #4-Citizens Forum- Citizen Kevin Buxton from 28 Columbus Ave requests the Board reinstate the Landfill Oversight Committee. States he has had the opportunity to visit the Landfill recently and expressed his concerns on the Oversight; due to an ongoing punch list.

Open Continuation of Public Hearing @ 6:05 pm Thomas Variety 58 East Main St Tobacco Violation- Mr. Swadia present on behalf of Thomas Variety states he has previously explained to the Board everything at the meeting of the 8th. A. Postale questions Mr. Swadia if he has reached out to the distributor/manufacturer.

Mr. Swadia explains he has informed the distributor not to provide any products without his consent/permission. In addition, Mr. Swadia states he will be asking for manufacturer documentation. Thomas Variety has a set inventory and any new products will need to be with his consent as well as documentation from the manufacturer. He states the violations will not happen again.

Leominster Tobacco Control Representative, Rich Saudelli provides a copy of the educational sign off sheet for the Board to review. Within the delivery of these educational materials, it clearly states "as of June 1st 2020, all retailers are required to obtain a letter from each manufacturer of all tobacco and vaping products verifying the manufacturer's list of non-flavored products". The signature on the sign off sheet confirms that they have received the materials.

Mr. Saudelli clarifies the Board may forgive the August violations only if a procedural error is relative to the game cigars.

6:13pm Member Quinones joins the meeting.

Mr. Swadia questions if there is a list of illegal tobacco and vaping products available for retailers to follow because it's unfair that the distributors can come and bring you whatever they have and want you to sell.

Response from Mr. Saudelli: The State does not have a master list of all products that are either allowed or prohibited. If this list existed it would be to the benefit of the retailer and the Tobacco Coalition. Unfortunately, manufacturers are crafty and fluid with their products. Mr. Saudelli recommends if not sure of the product the distributors provide, look it up. The bottom line is all retailers must have a manufacturer letter on the premises for each product.

Brief discussion on the packaging and its vague description of the product.

Chair Duffey states aside from the packaging, the sign off sheet is confusing in itself because of the three different dates on it.

Member Quinones agrees. Sharing the information on the packaging doesn't specify flavored vs non-flavored and is confusing.

Member Postale feels if a retailer is selling a product they should be aware of the products they are selling to the public.

Chair Duffey expresses and shares her concern regarding the sign off sheet not specific on the dates and what educational materials were provided on each of the days.

Discussion:

Motion made by D. Grabowski to not accept as a violation but an administrative error; 2nd by J. Quinones;

Roll Call

D. Grabowski-yes

J. Quinones-yes

N. Duffey-yes

P. Szugda-yes

A. Postale-yes

Motion passes. Thomas Variety Tobacco violation is dismissed and entered into record as an Administrative Error.

NOTE: Member Postale reiterates to Mr. Swadia; ultimately it is his responsibility to know the products sold and have on the premises the letters from the manufacturer for each product.

Citizen Pulawski suggests the Board prepare a letter to State Rep. and Senator explaining the situation; insisting manufacturers send letters WITH the tobacco and vaping products.

Chair Duffey continues the 209 Marcy St Declare Unfit for Human Habitation- Inspector Emily Quinn provides photos taken at 5pm that afternoon for the Board to review.

Member Quinones excuses herself from the meeting at 6:36pm

Quinn states at the previous meeting the Chair explained to Ms. Gail Frank, Owner/Occupant that she had seven days to restore water, obtain a dumpster, gain access to egresses and make daily contact with the Department.

During a reinspection today, Inspector Quinn observed access to both egress (small path), one brand new smoke detector still inside the box, heavy accumulation of trash/debris throughout the house.

The house is scheduled to be auctioned off on November 17th (foreclosure). In addition, Quinn provides documentation from the Tax Collector's Office showing a ZERO consumption of water since June of 2020. So, either they were not charged for any water since Feb. 2022 when the pipe broke OR there has been no water since June of 2020.

Inspector Quinn informs the Board, at the request of Ms. Frank, Steve Gregoire from the water department went to turn the water back on however, it was determined that a plumber is necessary to repair the damaged pipes therefore unable to turn the water back on. Thus, the water is shut off at the meter.

Ms. Frank explains she intended to make daily call the department but works 2nd shift and it got too late. Also, she states making daily calls to obtain a dumpster within her price range. She states they had running water all this time until the oil ran out and the pipes froze in February 2022. She is not sure why the meter wasn't reading.

Member Postale questions what are the plans this winter season. Ms. Franks claims she has been overwhelmed with the cleaning getting things out of the way and figuring out the next step.

Member Szugda confirms with Ms. Frank if she has been in touch with someone to obtain assistance such as with housing. Ms. Frank responds yes in addition, she is looking into emergency food stamps and other resources. Szugda expresses concerns with the lack of smoke detectors, space heaters and the situation with the amount of trash accumulated in the home.

Chair asks Ms. Frank what are the top three priorities on her list.
Response from Ms. Frank water, storage unit and dumpster.

Inspector Quinn strongly expresses it's been 16 days and there has not been any water restored. There is an excessive amount of filth with odor, animals are living in the house, the house itself is unsafe. In addition, the 2nd floor has enough weight on it that it is making the ceiling bow. Ready to collapse. This is an unsafe house.

Building Inspector, Michael Julian joins the meeting declaring that there is too much in the home to do an adequate assessment of the structure. The tenants need to be removed from the home, the house cleaned out and then the structure can be properly assessed. There could be mold with rotted floor joists and until the home is cleaned out there is no way for a proper assessment as you can't visibly see the floors or walls.

M. Julian indicates there are signs of structural failure in some spots and feels it is unfit. If there were a fire, there is no way the firefighters would be able to walk through to get anyone out. They would have to climb/crawl over all the stuff inside the home.

Discussion amongst the Board.

Motion made by A. Postale to Declare 209 Marcy St Unfit for Human Habitation allowing residents to remove all personal belonging and vacate the premises by September 19th at 5:00pm; 2nd by P. Szugda:

Roll Call

A. Postale-yes

P. Szugda-yes

N. Duffey-yes
D. Grabowski-yes
J. Quinones-excused

Motion passes 4-1 excused (Quinones)

Chair Duffey informs Ms. Frank we will reach out and contact her as we come across any resources that may be able to assist her.

Member Quinones joins the meeting at 7:38pm

Continue to Citizens Forum- No citizens at this time

Agenda #5- Discuss and vote to support the Technical Assistant Grant and recommend to Council- Member Postale expresses supporting the Technical Assistant Grant. Councilor Marketti states there is nothing wrong with applying for a grant. There is no commitment only applying for the grant for assistance on different variable/presentations.

Brief discussion amongst members.

Motion made by A. Postale to support the Technical Assistance Grant and recommend to Council; 2nd by P. Szugda;

Roll Call
A. Postale-yes
D. Grabowski-yes
P. Szugda-yes
N. Duffey-yes
J. Quinones-yes

Motion passes unanimously.

Agenda #6-Old Business

- a. Blight Update- Inspector Quinn announces the trimmed brush located on the corner of Henry St and Worcester St.
- b. Update on Autumn Clean Up- Inspector Quinn announces the first annual Booooo-tify Southbridge on October 8th clean up begins at 8:30am until Noon. We will meet at the Town Hall. Gloves and grabbers will be provided.
- c. Update on Autumn Festival- Recording Clerk announces the AutumnFest on Saturday, September 17th Town Common and asks members to volunteer their time.

Agenda #7- Chairman Announcements-Chair Duffey announces the Board will have hotline numbers (grieving support and mental health support) available to hand out during the AutumFest on Sept 17th.

Agenda #8- Board Members Announcements-

Member Quinones explains she is currently starting a support group (one English and the other Spanish) for Grandparents raising Grandkids. Additional information will be provided to Board.

Member Grabowski commends the Board for their difficult decision.

P. Szudga - None
J. Quinones- None

Agenda #9- Schedule Next Meeting- October 13th @ 6:0pm

Agenda #10- Adjournment- Motion to adjourn mad by A. Postale; 2nd by D. Grabowski;

Roll Call

N. Duffey-yes

A. Postale-yes

J. Quinones-yes

D. Grabowski-yes

P. Szugda-yes

Motion passes. Meeting adjourned at 7:56pm

Recording Clerk
M. Portalatin

A handwritten signature in pink ink, appearing to be 'M. Portalatin', written in a cursive style.

