

Acton Board of Health

Minutes

December 11, 2006

Members Present: William McInnis, Chairman, William Taylor, Vice Chairman, Joanne Bissetta and Pam Harting-Barrat, Member.

Staff Present: Doug Halley and Sheryl Ball.

Others Present: John Wnukowski, Stephanie Lombardi, George Keramaris and John Keramaris

The meeting was called to order at 7:33 p.m.

Minutes

On a motion made by Dr. Taylor, seconded by Dr. Harting-Barrat, the Board unanimously voted to accept the minutes of November 20, 2006 as amended.

Public Hearing – 14B Strawberry Hill Road

The Board of Health is in receipt of an appeal of the outcome of a housing inspection conducted by the Health Department as a result of a complaint made by the tenants of a property located at 14B Strawberry Hill Road. Mr. McInnis outlined the proper protocol of the hearing. Mr. McInnis swore in the participants for the hearing.

Mr. Wnukowski, the tenant at 14B Strawberry Hill Road stated that his main complaint is mold in his unit which he says was caused by a water leak located underneath the kitchen sink which was never fixed. Mr. Wnukowski stated that the leak has finally been fixed, however, he feels

that spraying the area with bleach is not an acceptable remedy for mold removal. Mr. Wnukowski hired a private company who conducted an inspection and issued a report indicating that mold is present. Mr. Wnukowski summarized the results of the inspection report to the Board. Mr. Wnukowski stated that the report indicated that the mold should be removed by closing off the area, venting the area with a HEPA filter and the removal of the cabinets. Mr. Wnukowski questioned why the Health Department signed off on their outstanding order when mold was still present. Mr. Wnukowski also stated that he contacted Mr. Halfmann from the Department of Public Health (DPH) regarding the Health Department's signing off on the outstanding order when mold was still present. Mr. Wnukowski further indicated that both he and Stephanie Lombardi are experiencing health issues from living in the unit and their physicians are monitoring them.

Mr. Halley responded that the Health Department received a request for a hearing from John Wnukowski and Stephanie Lombardi, tenants of 14 B Strawberry Hill Road, stating that there is an outstanding mold problem at that unit. Mr. Halley stated the Health Department conducted several inspections of the unit and order letters were issued. Mr. Halley stated that after conducting the final inspection all visible signs of mold were removed and the Health Department released the landlord from the outstanding orders. Mr. Halfmann, from the DPH stated that as a Health Department we are responsible for ordering landlords to correct problems that we can see. Mr. Halley stated that on final signoff, there were no visible signs of mold present. Mr. Halfmann also indicated that the Housing Code only speaks to moisture and dampness and does not currently address mold and there are no standards in regards to the removal of mold. Mr. Halfmann also indicated that this appeal filed by Mr. Wnukowski could be denied as there is no basis under the housing code.

George Keramaris, owner of the unit, asked Mr. Wnukowski what his purpose of continuing to live in the apartment was and why is he going after landlords.

Mr. Wnukowski stated that he has a right to live where he wants to live and has not left due to needing, 1st, last, security deposit and moving expenses. Mr. Keramaris offered Mr. Wnukowski the money. Mr. Wnukowski stated that the issue tonight is mold and he wants it fixed.

Mr. McInnis asked Mr. Wnukowski if he heard Mr. Keramaris' offer to give him the money to move. Mr. Wnukowski stated that any offers should be made through his attorney.

Mr. McInnis asked the Board their opinions. The Board discussed their options. This issue could be denied, taken under advisement or continued. Dr. Harting-Barrat stated that she is not aware of any standards for mold and wondered how the private company Mr. Wnukowski hired could state that the mold levels were above the corrective action limit when there is no limit. Mr. Wnukowski stated that he would speak with the company and ask them if they could attend a future meeting to answer the Board's questions or provide information. Mr. Halley suggested that the standards used by the company may be the companies own internal standards. Dr. Taylor asked Mr. Wnukowski if he has been allergy tested and was he allergic to mold and was it physician recommended that he move. Mr. Wnukowski stated that his physician is monitoring him and did recommend that he move.

On a motion made by Ms. Bissetta, seconded by Dr. Harting-Barrat, the Board unanimously voted to take the documentation under advisement until such a time that additional documentation/testimony can be presented to the Board.

Mr. McInnis question the kind of mold found by the private inspection company.

Other

- W.R. Grace – Mr. Halley drafted his comments to the E.P.A. regarding their work plan and the Selectmen are reviewing them this evening.

Adjournment

On a motion made by, seconded by Dr. Harting-Barrat, seconded by Ms. Bissetta, the Board unanimously voted to adjourn the Board of Health meeting at 9:05 P.M.

Respectfully Submitted,



Sheryl Ball, Health Secretary
Acton Board of Health



William McInnis, Chairman
Acton Board of Health