

Winthrop Board of Health Special Meeting

May 26, 2022 at 5:30 pm

Harvey Hearing Room

Call to order: 5:34 pm

Roll call: Bill Schmidt, Chair; Jeanne Holgersen, Vice-Chair; Marianne Dalton, Member.

Present: Anthony Brunco, Associate Attorney at D'Ambrosio LLP

76 Sunnyside Avenue: Attorney Brunco summarizes the situation at 79 Sunnyside Avenue:

Rat complaints, starting in March 2022, were followed by Inspectional Services investigating and issuing an order to correct. The property owner stated to Al Legee, Commissioner of Inspectional Services that she was in the process of selling the property, imminently. Ticketing was suspended to allow the owner to try to recoup a portion of her losses, as she had an outstanding reverse mortgage on the home.

IS arranged for baiting of the house, pending the sale of the home, and the rat problem was temporarily improved.

Two months passed, and the sale of the home had not taken place. The town was not able to indefinitely pay for baiting of the house, stopped baiting, and the rats returned.

The second floor tenant contacted the town on May 18, 2022, and reported that her 2-year-old daughter had witnessed

their dog kill a rat in the home. This report prompted another inspection from IS, where evidence of extensive rat infestation, in and outside the home, dead rats, food, trash, and other debris were found scattered throughout the common areas and in the vacant third floor apartment. Multiple health violations, including lack of adequate fire protection, over-accumulation of personal possessions blocking egress, as well as multiple health and safety violations, were found and documented by Attorney Brunco in writing and photographs.

Al Legee, acting as Agent of the Board of Health, determined the property unsafe and unfit for human dwelling, due to the unsanitary conditions posing immediate danger to the life or health of the occupants. He obtained an Condemnation Order and Order to Vacate.

Attorney Brunco states that the second floor tenant has a place to go, and the owner will be housed in a hotel for a limited time until public housing can be obtained.

Attorney Brunco states he will deal with the bank that is conducting foreclosure procedures on the property. He explains that if the home goes into receivership, the town will be able to recoup the costs of baiting and relocating tenants. If the bank sells the property promptly, the bank will be responsible.

Attorney Brunco states that the Board's ratification of the findings of Inspectional Services is not required, but advisable, given the emergency nature of the violations.

Motion to ratify and approve the findings of Inspectional Services and Anthony Brunco, Associate Attorney at D'Ambrosio LLP is made and seconded. Unanimously approved, 3-0.

Bill asks for updates from Attorney Brunco at the next board meeting. Attorney Brunco states he will send any updates via email before the next meeting.

Adjournment: 5:45 pm.

Respectfully submitted,

Marianne Dalton, Member