

Minutes of Joint Board of Health Meeting

Towns of Charlemont, Bernardston, Leyden, and Heath

July 9, 2020

BOH Members Present:

- Bernardston (quorum present): Jean Page, Barbara Killeen
- Charlemont (quorum present): Doug Telling, Bill Harker
- Leyden (quorum present): Beth Kuzdeba, Carol Kuzdeba, and Town Administrator Michele Giarusso
- Heath (quorum present): Betsy Kovacs, John Palmer, Sue Gruen
- Conway: Marie Iken
- Hawley: Cass Nawrocki, Town Coordinator

Visitors: Bill Williford, Greenfield

FRCOG Staff present: Randy Crochier and Lisa Danek Burke, Regional Health Agents, Phoebe Walker, Director of Community Services, Alyssa Larose, Senior Land Use Planner

AGO Staff present: Amber Villa, Director AHI, Maja Kazmierczak

The following members called their board of health meetings to order at 4:10 PM: Bernardston (Jean Page), Leyden (Beth Kuzdeba), Heath (Sue Gruen), Charlemont (Doug Telling)

Maja presented the history of the Abandoned Property Task Force at the Attorney General's Office and how it works:

- Municipalities identify properties to refer to the program, and take a first step of sending notices of violation.
- Maja will come out and visit them with the Health Agent(s) to confirm their appropriateness for the program.
- AGO does a thorough Title Search to identify all interested parties
- AGO sends a demand letter to all parties of interest, ccing the town, and lets them know that the AGO is intending to appoint a receiver, listing the violations, and asking owner(s) to communicate with AGO AHI on their response.
- Different approach based on whether owner is cooperative or not.
- Receiver identified after thorough vetting. A budget for the project is approved and monitored by the court. Receivers do not need to be contractors.
- Once the project is complete and it is sold any municipal lien for back taxes and fees is paid first, receiver second, then anyone next in line.
- They do have a receivership loan fund to help receivers to do the work. And they will have a demolition fund again some day to help towns in cases where the receiver option does not work?
- Limited receivership is also possible if the property is a tear-down, not rehab.

Questions:

- RC: is their progress just from getting the demand letters, without going to receivership?

Answer: yes, many absentee owners need a nudge to address their properties, for example.

- CN: can it be hard to find receivers? Answer: sometime, yes. The AHI is willing to do a receiver training for our region to identify additional receivers (likely online).
- CN: can properties be vacant? (yes, most are)
- SG: can you talk more about how the profits are split up? Answer: Town paid first, then receiver. So if the unpaid taxes are too high, the program can get unattractive for the receivership, so do not let it get that far.
- BK: Can a town forgive the back taxes if they want to get the receiver to pay for razing the building? Answer: Theoretically possible, through DOR, though there is not a very clear process for that. AGO would work with town and DOR to do this.
- SG: could this apply to houses in campgrounds? Answer: yes, if there is a cost
- DT: only residential properties? Can any businesses be submitted? Answer: only in very special circumstances, and not recently.
- AL: How are receivers identified? Answer: There is a list of questions on their website to be considered, then the AGO does a background check and an interview. They are then put on a list by Housing Court jurisdiction.

Lisa Danek Burke: Two District towns are already in the program – Gill, Buckland. The Health Agents have done a comprehensive inventory and have identified ten properties in each town for further investigation. Next step is prioritizing them, and town

Discussion of the pros and cons of joining. Bernardston, Charlemont, Heath will vote at their next meeting of the Board of Health. Conway and Hawley will consider hosting a similar information session at upcoming meetings.

Leyden: Beth moved that Leyden BOH join the Abandoned Housing Initiative, Carol seconded. No further discussion. Beth voted yes, Carol voted yes.

Meeting closed at 5:08 PM