



Billerica Board of Health

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2025 FEB 11 P 2: 26

Sandra Giroux, Chair
Chris Ravin, Vice Chair
Amit Gandhi, Ph.D., Secretary
Marie O'Rourke
Robert Reader

Kristel Bennett, Director
TOWN CLERK
BILLERICA

BOARD OF HEALTH MEETING MINUTES

Monday, January 6, 2025, 7:00 PM

Town Hall Auditorium

365 Boston Road, Billerica, MA 01821

Members present: Sandra Giroux, Chair; Chris Ravin, Vice Chair; Amit Gandhi, Ph.D., Secretary; Rober Reader, and Marie O'Rourke (virtual)

Staff Present: Kristel Bennett, Director of Public Health and Melissa Paolicelli, Recording Clerk

Call to Order: Ms. Giroux called the meeting to order at 7:02 pm.

Open Microphone:

- Pam Porcaro of 8 Kenmar Drive identified herself. P. Pocaro spoke regarding pest control at 8 Kenmar Drive. P. Porcaro had Ehrlich Pest Control come in on 01/06/2025. P. Porcaro reviewed with Ehrlich Pest Control what Absolute Pest Control was using for treatment of roaches within the building. Ehrlich told P. Porcaro that gel base is safe, and it would have killed all the roaches, and he has no idea why Absolute Pest Control decided to spray first. P. Porcaro stated that they sprayed the building over a month 4 times since November, the whole building, in different areas, and then they did a whole unit spray. P. Pocaro has also stated that it's the law to have 48 hours' notice when a pest management company is coming to spray, and management did not provide notice.
- Alessia Dacruz of 8 Kenmar Drive identified herself. A. Dacruz stated that there is ineffective pest control at 8 Kenmar Drive. A. Dacruz asked why Absolute Pest Control does not use bait and the gentleman who runs the company says he's been doing this for 40 years and he does not

need to bait. A. Dacruz stated that she has done some inspections on the property, and she has found dead cockroach carcasses in the common areas when you walk in. A 7 day order was given to management to come to treat her unit and the abutting units. And only her unit was treated, not the abutting units. Her daughter has allergies to cockroaches and has been suffering because of the ineffective treatment.

1) **Minutes:**

- The Minutes for the December 2024 meeting were not prepared and the Board will review them at the next meeting.

2) **Board of Health Business**

a) **Next Meeting – February 3, 2025**

b) **Health Director Updates**

- Ms. Bennett informed the Board that she will be meeting with the Town Manager to discuss the Health Department FY26 Budget. She informed the Board that the budget will be a level service budget and similar to the current year.
- Ms. Giroux inquired about the location of the Narcan, and we received any Covid test. Ms. Bennett shared that we did receive more Covid tests, and Narcan. Ms. Bennett noted that the Facility Department installed cabinets in the Town Hall near the entrances for Narcan distribution. And Ms. Paolicelli is managing the inventory and the locations. Narcan can be picked up after hours if the patron goes through the Police Dept. to gain entrance to the Town Hall.
- Mr. Reader inquired about Mangia Mangia, Ms. Bennett They're slowly moving forward, doing the right interior renovations to operate in. But it's going to take another month or so. Mr. Reader also inquired about the new Mexican takeout place by across from Enterprise Bank and Market Basket Plaza. Ms. Bennett -This is still happening; the owner is pushing to have the building permit issued to move forward with the project.
- Ms. Giroux inquired about what other establishments are coming into town, Ms. Bennett, informed the Board that there will be a Vietnamese take-out (Bahn Me) establishment in O'Connor's Plaza and a Mexican restaurant in the former Chung King. Ms. Bennett also noted that Stelios is switching ownership.
- Ms. Giroux inquired if anyone has reached out regarding 71 Boston Road as there was a water main break, and the residents were evacuated and sent to hotels. Ms. Bennett informed the Board that Service Master has pulled a

building permit to repair a lot of the units. It is a work in progress and there has been no requests from residents concerning this matter. The Building Department has been following up.

7:15 PM Public Hearing for Fee Schedule Amendment – Drainage Fee

Ms. Giroux opened the public hearing at 7:15 pm. No one was present from the public to make comments. Ms. Bennett reported that the office has received no public comments regarding the proposed amendment to the Fee Schedule. Ms. Giroux opened comments from the Board.

Ms. O'Rourke inquired about the new fee and noted the amended fee schedule to include Stormwater Engineering fee. Ms. O'Rourke inquired about the drain connection fee and when did it come about? Ms. Bennett provided a response; residents have always had the ability to connect their drainage structures to the municipal drainage system. The fee is being assessed to ensure that there is oversight into this process. Ms. Bennett reported that Christina Papadopoulos, Stormwater Engineer, is able to assist a resident with what is going into the municipal stormwater system which needs to be clean water. Ms. Papadopoulos has investigated residents that have connected their laundry drainage system to the municipal stormwater system, and the laundry wastewater has an output of soapy water which is not healthy for the environment. This drainage fee is for both residents and commercial properties.

Mr. Reader inquired about how we will be enforcing the drainage connection? Ms. Bennett said it is similar to how someone needs to pull a permit to for street opening. A resident, a commercial property owner, or a builder will come to the DPW to talk with them about what they need to do.

Dr. Gandhi commented on the fee schedule and wanted to make sure there is no confusion with stormwater fees. Ms. Bennett said she would address the technical changes regarding formatting.

Dr. Gandhi made a motion to accept the fee schedule amendment. Mr. Ravin seconded the motion. Roll Call voted yes, 5-0

7:32 Plaza Place Condominium Trust, Lundgren Management Group as Agent – 8 Kenmar Drive – Administrative Hearing

Present: Ms. Val McLaughlin from Lundgren Management for Plaza Place, Attorney Gabrielle Hunter-Ensor for the Condo Asso., and Ms. Sheila Sullivan, the property site manager at Plaza Place.

Ms. Bennett, we have asked Lundgren Management for Plaza Place, Condominium Trust, Lundgren Management Group is the agent for Plaza Place Condominium Trust to come in for an administrative

hearing to discuss what is being done with the pest control treatment for all the units at 8 Kenmar Drive for cockroaches. This hearing is as a result of complaints that were received from residents living within the building. Phavy Pheng, our Health Agent has met with residents, inspected dwelling units, met with Lundgren Management onsite, and has met with their pest operator. We have asked Lundgren Management to present what they have done for treatment and what they are currently doing to treat for cockroaches within the building

Ms. McLaughlin reported that Lundgren Management's role is the access agent for Plaza Place Condominium. The responsibilities are outlined in the Condominium Association governing document. The Condominium Association which Lundgren Management manages takes directions on extermination procedures from a licensed exterminator. The Condominium treats all pest activity as it is report to Lundgren Management and the common areas of the property are also on preventative treatment programs. Lundgren Management inspects and treats any units which pest activity is reported. Also, inspections are performed on surrounding units when there is cause to do so.

Ms. McLaughlin reported that regarding the November and December activity in Building 8, Lundgren was already in the process of working with residents to coordinate inspections of the target surrounding units. When Lundgren Management was approached by the Board of Health regarding complaints that were received, as well as treatment being underway.

Ms. McLaughlin noted in the December 6, 2024, response letter to the Board of Health that there has not been evidence found by the licensed exterminator, or to our knowledge by the individual inspectors on site, to support a building wide infestation. There have been individual units that required treatments, and those treatments were being coordinated and are continuing to be coordinated as needed. Ongoing treatments and reinspections have been scheduled and performed on additional building wide treatment for 8 Kenmar Drive on December 11th per the Board of Health. As a Condominium Association, it operates on a limited budget with the Condominium Association that is paid for by the owners of that condo association, and we just wish to clarify for the Board that it is the individual owner's responsibility to report pest issues to us as they may arise. It's also not only burdensome for the residents to require inspections when it's not necessary, but we also don't want to burden residents who do not wish to have chemical sprayed in their units. When there is no cause, however, we have responded to all reports of extermination needs at Kenmar Drive, and we will continue to do so under the direction of the licensed exterminator.

Ms. McLaughlin noted that several treatment reports and copies of the notification were provided to the residents. It is our hope that the Board will consider this matter closed and will rescind the previous violations as we feel we have adequately demonstrated that we have performed all of our responsibilities on behalf of the Condominium Trust and have also gone above and beyond what is necessary to ensure the Board of Health satisfaction in this matter by performing an entire building wide treatment.

Attorney Gabrielle Hinter-Ensor reported that after we do the inspection, and after we have the treatment, essentially most of the units were found to be free of any roach activity. Aside from these 2 unit owners. We have not had any other unit owners complain. We really do feel that there's not sufficient cause to move forward with this. We are happy to continue to work with these unit owners. If they do see a cockroach, if they see anything that would be a violation of the health code, we certainly will address it.

Attorney Gabrielle Hinter-Ensor stated that she is aware there were some concerns about the exterminator Lundgren Management has been using, but the Mass. Department of Agricultural Resources has investigated them extensively at the request of the unit owners on multiple occasions and found that their systems are up to code. Our exterminator is following all Massachusetts Regulations and there really is no more that the Condo Association can be doing. We would like to request that this matter be closed, and the violations be rescinded. There are 24 units in the building, 20 units have been taken care of and inspected. The other 4 have not been addressed because we have been denied access. We have rescheduled on multiple occasions with those unit owners, and we are in the process of rescheduling once again to address any remaining issues, notably, I will say that one of the units in question is #65 where Ms. Alessia DeCruz resides, she has refused us entry on any occasion to address the cockroach issue, but we are willing and able and committed to continue working with her.

Mr. Reader asked Lundgren Management, are you willing to work with units 65 & 66 to rectify their problems? Attorney Gabrielle Hinter-Ensor said, yes, I don't think that should be any issue. My understanding is unit 66 was last treated at the end of December. No activity was found subsequent to that. There may have been a report again of activity that was relayed today, and we will continue working with them and set up treatment.

Mr. Reader said that I think it would benefit everybody if unit 65 & 66 were dealt with, and they will be pleased with the results, it would be better for you and the Board of Health.

Ms. McLaughlin stated that we just want to say that we always strive for expedient treatment whenever a pest control issue is reported to us. Following unit 65's initial report, we provided the resident with the necessary information to get back to us with her doctor's recommendation so that we could accommodate her. We did not hear back until nearly a month afterwards, when she escalated this matter to the Board of Health. But since that time, we have had multiple treatment attempts and inspections, and in addition to the building wide treat that the Board of Health order in December, we will continue to work with residents as needed. It has been challenging when the residents are not cooperative with us or promptly reporting issues when neighbors report pest control issued to neighbors but not to the management office. It's challenging for us to try to catch up on issues.

Mr. Ravin noted that the pipes in the storage areas should be sealed so pests can't use them.

Ms. O'Rourke made a motion that Lundgren Management provide a second opinion from another Pest Management Operator and provide a second treatment for cockroaches of the entire building at 8 Kenmar Drive including the 4 units that were not treated. Ms. O'Rourke made the motion to have a second opinion. Dr. Gandhi seconded the motion. Roll Call voted yes, 5-0

Adjourn

Motion to adjourn made by Mr. Ravin and seconded by Ms. O'Rourke. Roll call vote yes, 5-0.

The Board adjourned at 8:06 pm.

Respectfully submitted,

Amit Gandhi, Ph.D.
Secretary

Melissa Paolicelli
Board of Health Recording Clerk