

The meeting of the Board of Health came to order at 8:35 am on Tuesday, January 23, 2007 in the Lower Level Conference Room of City Hall. Present at the meeting were Dr. Timothy Tierney, Maurine Garipay, Ruth Clay, John Jarvis, Sue Atkinson and Paul Atkinson.

Ms. Clay gave an overview of the history of the case.

Mr. Jarvis said that the shingles are going to be repaired and made into a fence. The beam covered by asphalt shingles were taken out of the shed due to the flooding last May. They may need to be thrown out depending on their condition. The flags are to block the view from the Atkinsons' cameras. Dr. Tierney said that the Board is not interested in getting into privacy issues between the two parties. Mr. Jarvis continued by saying that the front and rear stairs need to be repaired and the wood in the yard is for those repairs. The pine and cedar are for door jambs. He said everything is going to be used. The door is to replace the door on the shed. At the May flood he lost a whole year of fixing his projects. He had the roof repaired last fall. He said that he uses the barrels for yard trimmings but has reduced stamina due to an injury he sustained in 2002. He does not put the newspapers outside for recycling to prevent them from getting wet and therefore heavy for him to take to the curb. He said that 70% of the material will be gone after the repairs are completed. He took a woodworking class in 2002 and plans to make chairs and tables. He said that before 2002 there was nothing in his backyard.

Mr. Jarvis said that after his conversation with the Health Director last Thursday he went around the yard and picked up all trash including some water jugs that had blown out of the recycling bin, olive oil can, and some pieces of wood that could not be reused. He put the rake and broom in the garage.

Maurine Garipay asked about the car in the backyard and if it was registered. Mr. Jarvis said the car was registered and moved to the back yard in the fall when the roof was being repaired to avoid damage. Ms. Garipay said that the car needed to be moved back to the driveway; Mr. Jarvis said he had not done so due to nails from the roofing job on the ground. Ms. Garipay asked about the shutters in the yard and why couldn't they be stored in the garage? Mr. Jarvis said he did not want to bring the shutters in the house or garage as he was afraid there might be a bug infestation. He wants to repair them outside.

Mrs. Atkinson said that Mr. Jarvis has three old cars that he never works on. Ms. Clay said that Mr. Jarvis is not limited to the number of registered cars kept in a garage and/or driveway. She said he only makes excuses for everything and that his "yard defies sanitation and neatness." She expressed concern about her property value if at some time they choose to sell their house. She was told that property values are not within the purview of the Board of Health.

Dr. Tierney felt that there has been sufficient time since the floods of May, 2006. He noted Mr. Jarvis has refused assistance (Ms. Clay had offered to have high school students help him moving material.) He suggested that disposing of all material and only

buying what he needs when he needs it would be a better strategy than storing all the material forever. He said that the backyard needs to be cleaned. Mr. Jarvis said, "You're asking me to throw out" and Dr. Tierney responded that he did not need to necessarily throw it out. It did need to be either in the garage or in the house.

Mrs. Atkinson said that there is a pot belly stove that he uses. Mr. Jarvis disputed that fact that it is used. Mrs. Atkinson said that her sister, a police officer, was at her house on January 13 and there was a fishlike smell coming from Mr. Jarvis' yard. She said that Christmas week there were three seagulls flying over the yard.

Dr. Tierney offered youth to help Mr. Jarvis. Mr. Jarvis said that he did not want the help. Ms. Clay offered to help; Mr. Jarvis felt that his relationship with Ms. Clay should be kept on a "professional basis."

Mr. Jarvis started to review the individual items. Dr. Tierney said that it was up to the Health Director to decide the individual items. Ms. Clay said that she felt that 2 recycling bins should be sufficient for a person living alone. The empty barrels could stay as long as they were turned upside down. The ladders could be kept outside. The car needed to be moved to the driveway. One of the plant racks could stay (the one with plant pots on it).

Mrs. Atkinson asked about an appliance in the yard. Ms. Clay said that she did not see any appliance when she was there.

Mr. Jarvis asked about whether the City would pick up all the trash. Ms. Clay said that if he called the City Yard, they would arrange for a special pick up.

The Board decided to keep the Order Letter as written and said that the yard needed to be cleaned up by March 1. Ms. Clay said she would contact Mr. Jarvis closer to the date to arrange a time to meet him.

Meeting adjourned at 9:05 am