



CITY OF SOMERVILLE, MASSACHUSETTS CLERK OF COMMITTEES

September 20, 2010

REPORT OF THE PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE

Attendee Name	Title	Status	Arrived
William A. White Jr.	Chair	Present	
Rebekah L. Gewirtz	Vice Chair	Absent	
John M Connolly	Alderman At Large	Present	
Thomas F. Taylor	Ward Three Alderman	Present	
Michael Cabral	Chief of Police	Present	
Kevin Kelleher	Chief Fire Engineer	Present	
Matthew Dias	Director of Traffic and Parking	Present	
Omar Boukili	Administrative Assistant	Present	
Matt Buckley	Assistant City Solicitor	Present	
Eddie Nuzzo	Supt. of Inspectional Services	Present	
Dave Shapiro	Assistant City Solicitor	Present	
Wig Zamore	Airport Study Representaive	Present	
Debra McLaughlin	Manager	Present	

Alderman Taylor was appointed to the committee for this meeting, only.

188794 - That the Director of Public Health Bait Pleasant Ave., Grandview Ave., Walnut St., Vinal Ave. and Summit Ave. for Rodents, and Report Back to the Committee on Public Health & Safety for Further Action.:

Mr. Nuzzo stated the work had performed as requested.

RESULT: WORK COMPLETED

189015 - That the Director of Traffic and Parking Inspect the Property at 132 Cedar Street and Lexington Avenue, the Site of Several Accidents, and Take Appropriate Measures to Protect Persons and Property at that Intersection, Especially with Respect to the Street and Sidewalk Areas.:

Mr. Dias told the members that there have been 3 accidents at this location in the past 5 years. The crosswalks will be re-painted and Mr. Dias will submit a written report on this issue.

RESULT: WORK COMPLETED

189114 - That This Board of Aldermen Hereby Requests that the Administration Provide an Update on the Status of the Bicycle Safety/Enforcement Task Force.:

Mr. Boukili will report back to the committee with an update.

RESULT: KEPT IN COMMITTEE**Next: 12/31/2010 12:00 AM****189131 - That the Executive Director of the Office of Strategic Planning and Community Development (ISD) and the City Solicitor Appear Before an Upcoming Meeting of the Committee on Public Health and Public Safety to Discuss the Regulation of Asbestos Removal Contractors.:**

Mr. Buckley discussed his conversations with officials from Brookline and Cambridge and explained the asbestos protection ordinance used in Cambridge. Chairman White discussed the possibility of requiring a permit to remove asbestos as a means for the city to ensure that only licensed contractor perform this work. Mr. Buckley proposed that the Building Department be the enforcing authority for this issue. Mr. Buckley will provide the committee with a draft ordinance requiring the permit.

RESULT: KEPT IN COMMITTEE**Next: 12/31/2010 12:00 AM****189132 - That the Executive Director of the Office of Strategic Planning and Community Development (ISD) Prepare a Fact Sheet that is Given to Every Homeowner who Pulls a Construction Permit, Explaining to the Homeowner His Rights Under the Massachusetts Home Improvement Contractor Law.:**

Mr. Shapiro discussed this issue with the members and Chairman White said that homeowners should know that they are losing their right by pulling their own permits, losing the ability to get \$10,000 from the guarantee fund and losing the ability to arbitrate. Mr. Shapiro stated that he would draft a handout to be given to homeowners who pull permits.

RESULT: KEPT IN COMMITTEE**Next: 12/31/2010 12:00 AM****189248 - That This Board's Subcommittee on Public Health and Public Safety Invite the Owner(S) of the Armory Building to a Meeting to Discuss Their Inability to Contain Noise During Performances.:**

Ms. McLaughlin discussed the report of the sound study performed at the armory and highlighted some of the recommendations, among them, soundproofing the windows in the cafe. Ms. McLaughlin assured the members that she is continuing to work with the building owner and with neighbors to remedy the problem as quickly as possible.

Chairman White's motion that the owner of the armory provide the committee with a timeline for completing the work to abate the noise emanating from the building, was approved.

Chief Cabral told the members that he made several visits to the property and took readings using a decible meter. At no time were the readings in violation of applicable codes. There were no calls to the police regarding noise from the armory during the summer. Parking continues to be a problem and is being addressed through the use of an alternate parking lot.

RESULT: KEPT IN COMMITTEE

Next: 12/31/2010 12:00 AM

189278 - That the City Solicitor Provide the Committee on Public Health and Public Safety with a Report on the Use and Licensing of Public Address Systems as Well as the Noise Ordinance, was Approved.:

Mr. Buckley discussed the applicable ordinances from other communities, decible levels and noise violations. The members discussed the possibility of licensing or permitting public address systems and Chairman White inquired about the meaning of "duly authorized agent" in section 9-116 (12) of the Somerville Noise Ordinance. Alderman Taylor feels that it is un-necessary for churches to obtain permits for public address systems if they are not in violation of the noise ordinance. Chairman White asked Mr. Buckley to send copies of the noise ordinances from Brookline and Cambridge to the Board of Aldermen and to follow-up with Alderman Heuston to get her thoughts on this issue. Alderman Taylor believes that this issue should be dealt with in the Legislative Matters committee.

RESULT: KEPT IN COMMITTEE

Next: 12/31/2010 12:00 AM

189404 - That the Executive Director of the Office of Strategic Planning and Community Development (ISD) and the City Solicitor Determine Appropriate Fines for Landlords And/Or Contractors who Blatantly Disregard the City's Regulations, E.G. Performing Work Without the Necessary Permits or Continuing to Work After a Stop Work Order Has Been Issued.:

Mr. Shapiro discussed the fine structure with the members and Chairman White asked about possibly using a database containing the names of contractors, who have previously violated building codes, as a means of protecting homeowners. Chairman White asked Mr. Shapiro to research the city's ability to disqualify a contractor found to be violating building codes and the city's ability to assess triple fees and fines.

RESULT: KEPT IN COMMITTEE

Next: 12/31/2010 12:00 AM

189417 - That the Executive Director of the Office of Strategic Planning and Community Development (ISD) Inspect the Miller and Sacramento Street Area for a Severe Rodent Problem and Inspect All Food Establishments and Businesses in that Area, Requiring Them to Demonstrate the Proper Disposal of Trash, Waste, Cooking Oil, Etc. and Cite Any Establishment Found to be in Violation of Any City Code or Ordinance.:

Mr. Nuzzo has dealt with the food establishments and cited two of them. An email from Monica Lamboy (OSPCD) addressing the subject of rodent control, is attached.

RESULT: WORK COMPLETED

189429 - That Somerville's Representative on the Logan Airport Community Advisory Committee Appear Before the Committee on Public Health and Public Safety to Discuss the Status of the Boston Logan Airport Noise Study and Efforts to Reduce Air Traffic Noise.:

Mr. Zamore discussed the Logan Airport Noise Study and informed the members that the tactics to be used, going forward, would be finalized by the end of the year. The goal is to get the jets to fly as high and as far as possible before turning. Mr. Zamore also discussed litigation and mitigation efforts regarding this issue.

RESULT: WORK COMPLETED

189631 - Response to Order #189278 - Use and Licensing of Public Address Systems as Well as the Noise Ordinance:

See discussion for item 189278 (above).

RESULT: KEPT IN COMMITTEE

Next: 12/31/2010 12:00 AM

189933 - That the Chief of Police Provide This Board with an Update on Any Crime Complaints in Statue Park in Davis Square and Provide a Comparison of Last Year's Crime Activity at the Same Time of Year.:

Chief Cabral compared the 2009 vs. 2010 data and noted that directed patrols have been increased. Chairman White asked Chief Cabral to email the information, presented here, to all BOA members.

RESULT: WORK COMPLETED

189963 - Fire Chief Responding to #189914 re: a fire at 111 Glenwood Rd.:

Chief Kelleher discussed the fire and told the members that the owner was non-criminally cited because some of the smoke detectors were not working. Mr. Nuzzo added that the owner was also in violation of city ordinances since more than 5 unrelated people were living together. It appears that the owner intends to demolish the building.

RESULT: WORK COMPLETED

190055 - That the Director of SPCD (ISD) Consult with the Law Office to Obtain an Administrative Search Warrant to Examine 22 Forster Street and Then Issue All Appropriate Citations and Pursue Legal Action If Necessary.:

Mr. Shapiro contacted the mortgagee regarding the code violations at the property and Alderman Taylor will attempt to contact the owner, directly. Chairman White requested that a code violation notice be sent to the address at which the owner resides.

RESULT: KEPT IN COMMITTEE

Next: 12/31/2010 12:00 AM

190056 - That the Clerk of Committees Send a Communication to the Owner of the Armory and to Arts at the Armory, that They Send to This Board the Consultant's Armory Noise Report before the Next Meeting of the Committee on Public Health and Public Safety, Scheduled for September 20 at 6 PM, and that Representatives of the Armory Appear at that Meeting.:

This item was discussed in conjunction with item 189248 above.

RESULT: WORK COMPLETED

190057 - That the Chief of Police Appear Before the Committee on Public Health and Public Safety to Discuss Crime Statistics for the Summer Months.:

Chief Cabral reviewed the crime statistics and distributed analytical data to the members. From the Police Department's view, it was a quiet summer, due in part to an increased police presence in East Somerville.

RESULT: WORK COMPLETED