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November 9, 2009

REPORT OF THE COMMITTEE
ON PUBLIC HEALTH AND PUBLIC SAFETY

The Committee on Public Health and Public Safety convened on November 9, 2009, with Chairman William White presiding and Committee Members Aldermen John Connolly and Rebekah Gewirtz also present and voting. Also present were Aldermen Bruce Desmond, Maryann Heuston and Sean O'Donovan, Executive Director Monica Lamboy and Steve Azar from OSPCD, City Solicitor John Gannon, Chief Fire Engineer Kevin Kelleher, Ted Tobin from KSS Realty Partners, Stephen Guerette from RSG Contracting Corp., Brian Walsh from CSI and interested members of the public.

MaxPak site:

The committee discussed the property at the former MaxPak site. Ms. Lamboy informed the committee that she is awaiting the demolition plans and that a brownfields grant has been issued. The developer will be expected to repay the loan to the city. Alderman O'Donovan expressed his concerns regarding the removal of the community path. Mr. Tobin spoke about the demolition and the removal hazardous materials and also about the removal and recycling of railroad ties and rails. The MBTA has granted a license to allow use of its roadway so that heavy equipment won't have to operate on the street. Mr. Tobin stated that there are no trees on the site at the present time and that he is not aware of any trees having been removed by the MBTA. He assured the members that the new development would include several trees. Chairman White raised concerns about creosote contained in the railroad ties and Mr. Wozmak stated that railroad ties are not considered hazardous waste in Massachusetts because of their age and Mr. Guerette explained that the soil was not disturbed since the ties are placed in gravel. Ms. Lamboy said that the city would design a plan for the community path and test the soil. Mr. Tobin discussed DEP approvals and provided a timeline for the removal of the rails and the demolition work stating that he expects the demolition to be completed by the first week of January. Mr. Walsh discussed asbestos abatement procedures and Mr. Guerette explained that an industrial hygienist would be on site to test air samples to ensure that asbestos is not contaminating the neighborhood. Ms. Lamboy will work with the DEP to ensure that all work is performed in a safe and proper manner. Ms. Lamboy told the members that permits would be issued by ISD, with a sign off provided by the Fire Department, and by the Health Department. Chief Kelleher stated that a fire detail would be present 24 hours per day until the last combustible is removed. Mr. Tobin and Mr. Guerette discussed what material would be recycled and said some of the crushed and recycled materials would be used as fill.

Resident Joe Lynch spoke about his research and stated that the DEP assumes that contamination is present in the rail bed and he commented on the possible speed of contamination by truck tires, etc., and hopes that the contractor abides by the “best practices” recommendations of the DEP. Mr. Guerette replied that he has not heard of any complaints regarding tracking contaminants in the street. Mr. Lynch stated that there has been no communication from the city on this matter and he requested that a community meeting be scheduled. Alderman O’Donovan discussed the ways in which the neighborhood was involved and Mr. Querusio the requirements for notification. Mr. Joel Bennet, from the Friends of the Community Path, doesn’t agree with the use of the MBTA path and he is also concerned about high levels of arsenic and vegetation being cut down. Resident Rachel Drickosevich expressed concern about asbestos dust, vermin and critters and asked if residents would be kept apprised of any danger. Resident Sandra Resnick stated that her only notice of this matter came from Alderman O’Donovan and she expressed concern over contaminants in the air. Resident Paul Morgan spoke of his concern for youths playing and drinking on the site and Alderman O’Donovan replied that the police will be better able to patrol the area now that the vegetation is cleared.

Pearson Road:

Mr. Gannon informed the members that Bank of America would take care of the violations and noted that they have requested an extension of 15 days. Alderman O’Donovan asked that neighbors be informed of the developments.

Chairman White requested that Ms. Lamboy address the concerns of the neighbors.

No papers were acted on.

Amendment to this report – added at BOA meeting on 11/12/09

- That a communication be sent to the Executive Director of the Office of Strategic Planning and Community Development to provide the Board of Aldermen with a copy of any contamination studies or reports pertaining to the community path.
- That a communication be sent to the Executive Director of the Office of Strategic Planning and Community Development to advise the Board of Aldermen if any changes are made to the demolition plan or asbestos removal plan that had been given to the Public Health and Public Safety Committee at the November 9, 2009 committee meeting.
- That the Public Health and Public Safety Committee completed its work on the so called “sober house” on Wilton Street because the City Solicitor’s Office will be preparing an ordinance regulating such use.

Alderman William A. White, Jr., Chairman
Committee on Public Health and Public Safety