

City of Cambridge

O-38
AMENDED ORDER
IN CITY COUNCIL
September 8, 2003

COUNCILLOR TOOMEY

ORDERED: That the City Council be and hereby is requested to approve payment of claims against the City of Cambridge in accordance with the recommendations set forth in the report of September 8, 2003 Claims Committee in the total amount of \$5,807.71; subject to the provision that claims made against other City Departments be paid and that the Law Department seek reimbursement to the Judgment and Damages Account from the department against which said claim was made.

In City Council September 8, 2003

Adopted as amended by

Yeas 8; Nays 0; Absent 1.

Attest:- D. Margaret Drury, City Clerk

A true copy;

A handwritten signature in cursive script that reads "D. Margaret Drury".

ATTEST:-

D. Margaret Drury, City Clerk

Vera S. Cohen 139 Antrim Street Cambridge, MA 02139	Window on her home was shattered due to a part of a tree that being dug up by city workers, Cambridge, MA. and Landsdowne Street.	Approved
Geoffrey & Judith Coughlin 9 Tenney Street Cambridge, MA 02140	The water pipe from the main to our house froze at 9 Tenney Street, Cambridge, MA.	Approved
Caron D. Courier 70 Porter Road, #1 Cambridge, MA 02140	Vehicle was scratched during trash pick-up on Porter Circle, Cambridge, MA.	Approved
**Kristen Doherty 117 Inman Street Cambridge, MA 02139	Her personal belongings were stolen from the Arts Building in the Cambridge Rindge & Latin School, Cambridge, MA.	Approved
Rose Donabed 10 Malcolm Road Cambridge, MA 02138	Tires on her vehicle were damaged due to new receding curbs on Lake View Avenue and one on Concord	Approved
Ann E. Ferrara 44 Gold Star Road Cambridge, MA 02140	Vehicle struck a pothole on Aberdeen Avenue, Cambridge, MA.	Approved
Susan Freitas 762 Highland Avenue Medford, MA 02155	Vehicle struck a pothole on River Street, Cambridge, MA.	Approved
Philip Gianatasio 57 Otis Street Cambridge, MA 02141	Tree limb fell on his home, on Otis Street, Cambridge, MA.	Approved
Catherine E.C. Henn 6 Walnut Avenue Cambridge, MA 02140	Tree fell and damaged her creeping juniper bush, Cambridge, MA.	Approved
Brian R. LeClerc 39 Dickinson Street Cambridge, MA 02139	His window on his home was damaged from a snowplow Cambridge, MA.	Approved
William F. Miner 5 Canterbury Circle Hyannis, MA 02601	My vehicle struck a pothole on Third Street, Cambridge, MA.	Approved

****Emer Molloy**
5 Muller Avenue
Cambridge, MA 02140

Her personal belongings were stolen from her classroom at the Harrington School when someone broke into her classroom. Approved

Susan O'Regan
404 Pleasant Street
Belmont, MA 02478

Vehicle struck a pothole on Concord Avenue near the intersection of Fresh Pond Parkway, Cambridge, MA. Approved

****Christine A. Quinn**
18 Hamilton Road
Belmont, MA 02478

Her personal belongings were stolen from her classroom at the Harrington School when someone broke into her classroom. Approved

Thaddeus Szymanski
125 Willow Street
Cambridge, MA 02141

The siding on his home was damaged due to a trash barrel that was thrown during rubbish pick-up, Cambridge, MA. Approved

Alisa Todreas
15 Day Street, #3
Cambridge, MA 02140

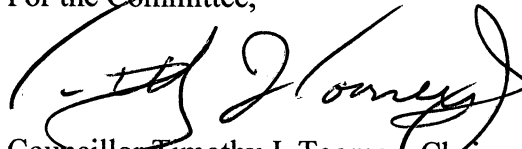
Tree branch fell and ripped her shirt on Walden Street, Cambridge, MA. Approved

****Councillor Toomey** stated that a policy had been previously established by the City Manager where claims against the city occurring in city departments would be paid and then the department would reimburse the Judgment and Damages Account in the Law Department. Mayor Sullivan commented that the claims should be approved and the School Department charged for the damages. The Deputy City Clerk distributed to the committee a 1995 memorandum from the City Manager outlining the policy that reimbursement be made to the Law Department from the department in which the claim arose. (ATTACHMENT A)

Councillor Toomey thanked all those present for their attendance.

The meeting was adjourned at six o'clock and forty-five minutes p. m.

For the Committee,



Councillor Timothy J. Toomey, Chair



EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300
FAX 349-4307

ATTACHMENT A.

MEMORANDUM

TO: All Department Heads
FROM: Robert W. Healy, City Manager
DATE: October 17, 1995
RE: *CLAIMS*

On several occasions recently, the Chair of the City Council Committee on Claims has expressed concern over the number of claims against the City for lost, stolen or damaged property allegedly occurring in various City departments. I, too, am concerned that the amount of money it is costing the City to settle these claims has increased during recent years.

You should be aware that the payment for these claims has traditionally been made through the Judgments and Damages Account of the Law Department. That account does not represent an unlimited source money. As a result of recent increases in the demands upon that account, I have determined that it is necessary to require that all payments made on claims that are processed by the Law Department and the Committee on Claims shall be reimbursed to the Law Department by a transfer of funds from the department in which the claim arose.

More importantly, I expect every department to examine and investigate these claims in order to identify strategies to prevent repetition. Procedures should be in place for appropriate implementation of discipline or training of employees to address problems that are generating these claims.

City of Cambridge

MASSACHUSETTS

In City Council Sept 8, 2003

Committee Report # 3

YEA	NAY	ABSENT	PRESENT	
✓				Vice Mayor Henrietta Davis
✓				Ms. Marjorie C. Decker
✓				Mr. Anthony D. Galluccio
✓				Mr. David P. Maher
✓				Mr. Brian Murphy
✓				Mr. Kenneth E. Reeves
✓				Ms. Denise Simmons
1				Mr. Timothy J. Toomey, Jr.
✓				Mayor Michael A. Sullivan

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City of Cambridge

CLAIMS COMMITTEE MEMBERS*Councillor Timothy J. Toomey, Chair**Councillor David P. Maher**Councillor Kenneth E. Reeves*

In City Council September 8, 2003

The Claims Committee held a public meeting on Wednesday, August 6, 2003 at five o'clock and forty-five minutes p.m. in the Ackermann Room.

The purpose of the meeting was to consider claims filed against the city.

Present at the meeting was Councillor Timothy J. Toomey, Chair of the Committee, Mayor Michael A. Sullivan and Deputy City Clerk Donna P. Lopez. Also present was Cheryl Anne Watson, Assistant City Solicitor.

Councillor Toomey opened the meeting and stated the purpose. Thereupon the committee moved to the consideration of the following claims:

<u>Claimant</u>	<u>Nature of Claim</u>	<u>Award</u>
Joseph Barrila 1 Harding Street Cambridge, MA 02141	Struck a pothole on Portland and Washington Streets, Cambridge, MA.	Approved
Jean M. Boyle 7 Spring Hill Terrace Somerville, MA 02143	Struck a pothole on Concord Avenue, Cambridge, MA.	Approved
**Mike Bresnahan 386 Walden Street Cambridge, MA 02138	Vehicle was hit in the parking lot of the Tobin School, Cambridge, MA.	Approved
Moriah Campbell-Holt 97 Sawyer Avenue Dorchester, MA 02125	Vehicle was struck by a snow plow while it was parked in front of 36 Upland Road, Cambridge, MA.	Hold for next meeting
Robert Cataldo 161 Otis Street Cambridge, MA 02141	Vehicle struck a pothole on Ellery Street, Cambridge, MA.	Approved

Committee Report #3

A communication was received from Donna P. Lopez, Deputy City Clerk, transmitting a report from Councillor Timothy J. Toomey, Chair of the Claims Committee, for a meeting held on August 6, 2003 to consider claims filed against the city.

In City Council September 8, 2003

**REPORT ACCEPTED
PLACED ON FILE
ORDER ADOPTED AS
AMENDED ROLL CALL 9-0-0
SEE ORDER #38**