



City of Cambridge

~~33.~~
Calendar Item #3

IN CITY COUNCIL

~~June 8, 1998~~
June 15, 1998

COUNCILLOR DAVIS
COUNCILLOR BORN
MAYOR DUEHAY
VICE MAYOR GALLUCCIO
COUNCILLOR REEVES
COUNCILLOR TRIANTAFILLOU

ORDERED: That the City Manager be and hereby is requested to transmit the attached letter regarding the redevelopment of Neville Manor to the City Council Health and Hospital Committee and the Environment Committee.

In City Council June 15, 1998.
Adopted by the affirmative vote of eight members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

A handwritten signature in black ink that reads "D. Margaret Drury".

ATTEST:-

D. Margaret Drury
City Clerk



City of Cambridge

~~33.~~

Calendar Item #3

IN CITY COUNCIL

~~June 8, 1998~~

June 15, 1998

COUNCILLOR DAVIS
COUNCILLOR BORN
MAYOR DUEHAY
VICE MAYOR GALLUCCIO
COUNCILLOR REEVES
COUNCILLOR TRIANTAFILLOU

ORDERED: That the City Manager be and hereby is requested to transmit the attached letter regarding the redevelopment of Neville Manor to the City Council Health and Hospital Committee and the Environment Committee.

In City Council June 15, 1998.

Adopted by the affirmative vote of eight members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
D. Margaret Drury
City Clerk



City of Cambridge

33.

IN CITY COUNCIL

June 8, 1998

COUNCILLOR DAVIS
COUNCILLOR BORN
MAYOR DUEHAY
VICE MAYOR GALLUCCIO
COUNCILLOR REEVES
COUNCILLOR TRIANTAFILLOU

ORDERED: That the City Manager be and hereby is requested to transmit the attached letter regarding the redevelopment of Neville Manor to the City Council Health and Hospital Committee and the Environment Committee.

CHARTER RIGHT EXERCISED BY COUNCILLOR DAVIS.



CITY OF CAMBRIDGE

250 FRESH POND PARKWAY, CAMBRIDGE, MASSACHUSETTS 02138 • 617/349-4770

#33

COPY

OFFICE OF THE WATER BOARD

Joseph J. Harrington
President
James A. Burruss
Kevin Rogers
Ann C. Roosevelt
Philip Weinberg

2 June, 1998

Mr. Robert W. Healy
City Manager
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139

Dear Mr. Healy:

In the matter of Neville Manor, let me state clearly that there is no one on the Water Board who is opposed to the redevelopment of the nursing home.

The minutes for the informational hearing conducted by the City Council Sub-committee on Health and Hospitals at City Hall on May 11, 1998 are not yet available. If I am not mistaken I believe that you said that you had three opinions from the Office of the City Solicitor that the Water Board was purely advisory. I am aware of three written opinions between the early 1940s and 1992: the first stated that, under the then new form of government, the City Manager had an unequivocal right to appoint Boards, Commissions, etc.; the second stated that the City Manager could remove Board members even before the end of their terms; and the third stated that the City Manager has the sole right to appoint the Superintendent (now Managing Director) of the Water Department. There is no one who could dispute those three propositions. But in 1951, in the matter of sale of house lots, the Water Board had to certify that there was no longer need for such land as had originally been acquired for water supply purposes. After he lost the vote in the Water Board, the then President Gordon M. Fair resigned in protest.

As I wrote in my letter to you dated May 10, 1998, the changes in use of water supply lands that were approved by two-thirds votes of the Water Board, City Council and Massachusetts State Legislature in 1925 (City Infirmary - now Neville Manor), 1931 (golf course) and 1951 (house lots) would not be recommended today by any responsible Water Board or responsible state agency such as Massachusetts DEP. They were, however, approved and the Water Board does not propose to revisit those decisions.

The Water Board strongly and unanimously urges that the current Neville Manor proposal be reworked so as to avoid further change in use of water supply lands owned by the City.

There is no publicly verifiable analysis that a less vulnerable site could not be selected nor evidence given that objectives could not be met within the footprint of the existing structure. By way of example, the CWD will have a smaller footprint for the new water plant than the existing plant and will incorporate advanced mitigating water conservation measures to preserve water quality and quantity. The Water Board is extremely concerned that further encroachment on water supply land will invite future proposals for land taking at Fresh Pond Reservation and will set an especially poor example in the vicinity of our upland reservoirs where we actively promote watershed protection on lands that we do not fully control.

Sincerely, for the Water Board,



Joseph J. Harrington, Ph.D., PE, DEE

cc: Mr. Richard C. Rossi
Mr. Michael A. Nicoloro, PE
Councilors Born, Davis; Mayor Duehay; Vice Mayor Gallucio; Councilors
Reeves, Russell, Sullivan, Toomey, Triantafillou
Secretary Coxe



CITY OF CAMBRIDGE

250 FRESH POND PARKWAY, CAMBRIDGE, MASSACHUSETTS 02138 · 617/349-4770

COPY

OFFICE OF THE WATER BOARD

Joseph J. Harrington
President

James A. Burruss

Kevin Rogers

Ann C. Roosevelt

Philip Weinberg

2 June, 1998

Mr. Robert W. Healy
City Manager
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139

Dear Mr. Healy:

In the matter of Neville Manor, let me state clearly that there is no one on the Water Board who is opposed to the redevelopment of the nursing home.

The minutes for the informational hearing conducted by the City Council Sub-committee on Health and Hospitals at City Hall on May 11, 1998 are not yet available. If I am not mistaken I believe that you said that you had three opinions from the Office of the City Solicitor that the Water Board was purely advisory. I am aware of three written opinions between the early 1940s and 1992: the first stated that, under the then new form of government, the City Manager had an unequivocal right to appoint Boards, Commissions, etc.; the second stated that the City Manager could remove Board members even before the end of their terms; and the third stated that the City Manager has the sole right to appoint the Superintendent (now Managing Director) of the Water Department. There is no one who could dispute those three propositions. But in 1951, in the matter of sale of house lots, the Water Board had to certify that there was no longer need for such land as had originally been acquired for water supply purposes. After he lost the vote in the Water Board, the then President Gordon M. Fair resigned in protest.

As I wrote in my letter to you dated May 10, 1998, the changes in use of water supply lands that were approved by two-thirds votes of the Water Board, City Council and Massachusetts State Legislature in 1925 (City Infirmary - now Neville Manor), 1931 (golf course) and 1951 (house lots) would not be recommended today by any responsible Water Board or responsible state agency such as Massachusetts DEP. They were, however, approved and the Water Board does not propose to revisit those decisions.

The Water Board strongly and unanimously urges that the current Neville Manor proposal be reworked so as to avoid further change in use of water supply lands owned by the City.

495-2859

There is no publicly verifiable analysis that a less vulnerable site could not be selected nor evidence given that objectives could not be met within the footprint of the existing structure. By way of example, the CWD will have a smaller footprint for the new water plant than the existing plant and will incorporate advanced mitigating water conservation measures to preserve water quality and quantity. The Water Board is extremely concerned that further encroachment on water supply land will invite future proposals for land taking at Fresh Pond Reservation and will set an especially poor example in the vicinity of our upland reservoirs where we actively promote watershed protection on lands that we do not fully control.

Sincerely, for the Water Board,



Joseph J. Harrington, Ph.D., PE, DEE

cc: Mr. Richard C. Rossi
Mr. Michael A. Nicoloro, PE
Councilors Born, Davis; Mayor Duehay; Vice Mayor Gallucio; Councilors
Reeves, Russell, Sullivan, Toomey, Triantafillou
Secretary Coxe



City of Cambridge

33.

IN CITY COUNCIL

June 8, 1998

COUNCILLOR DAVIS

ORDERED: That the City Manager be and hereby is requested to transmit the attached letter regarding the redevelopment of Neville Manor to the City Council Health and Hospital Committee and the Environment Committee.

Consent Order #33

329CM Col. 3

Councillor Davis re: letter regarding the
redevelopment of Neville Manor.

In City Council June 8, 1998

Charter Right
exercised by
Councillor Davis

6/15/98

ORDER ADOPTED