



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

FAX (617) 349-4307

D. MARGARET DRURY
CITY CLERK

October 17, 1995

Robert W. Healy
City Manager
Cambridge City Hall
Cambridge, MA 02139

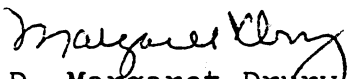
Dear Mr. Healy:

At its October 16, 1995 meeting, the City Council requested that I inquire as to whether there are any legal or other impediments to changing the procedures for consideration of claims.

The City Council expressed concern over the large number of claims that come to the Claims Committee from the School Department and the Hospital, and wanted to know whether it could require those claims to be settled by those departments and whether changing the current procedure would aid the claimants by reducing the losses in at least simplifying and shortening the reimbursement procedures.

Thank you for your assistance in this matter.

Sincerely,


D. Margaret Drury
City Clerk

DMD:ka



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
OCT 18 AM 10:40
CAMBRIDGE MA.

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 October 16 1995

Committee Rept #1 Order As Amended \$5,631.82

	YEA	NAY	ABSENT	PRESENT	
Ms. Kathleen L. Born	✓				
Mr. Francis H. Duehay	✓				
Mr. Anthony Galluccio	✓				
Mr. Jonathan S. Myers	✓				
Mrs. Sheila T. Russell	✓				
Mr. Michael A. Sullivan	✓				
Mr. Timothy J. Toomey, Jr.	✓				
Ms. Katherine Triantafillou	✓				
Mayor Kenneth E. Reeves	✓				

9 0 0 0

City of Cambridge

ORIGINAL REPORT

The Claims Committee conducted a public hearing on Wednesday, October 11, 1995 beginning at five o'clock and thirty-five minutes p. m. in the Ackermann Room, Second Floor, City Hall.

The purpose of the hearing was to review and make recommendations on claims against the city filed by members of the general public.

Present at the hearing were: Councillor Timothy J. Toomey, Jr., Chair, Vice Mayor Sheila T. Russell, City Clerk D. Margaret Drury, Interim Deputy City Clerk Donna P. Lopez and Legal Counsel Linda Stamper.

<u>Claimant</u>	<u>Nature of Claims</u>	<u>Committee Recommendation</u>
Jose Biasella 291 Hurley Street Cambridge, MA	The mirror of my automobile was torn off by a passing City of Cambridge truck while parked on Hurley St.	To be Approved
Dale Blidgen 47 Lee Street Cambridge, MA 02139	\$70 cash was lost/stolen from wallet while a patient at Cambridge Hospital.	To be Approved
Lynne Browning 271 Pearl Street. #2R Cambridge, MA	Car was damaged after striking a pothole while driving down Pleasant Street.	To be Approved
Clayton Douglas 150 Erie Street #704 Cambridge, MA 021392	Address books, business card organizers, and personal identification were lost while a patient at Cambridge Hospital.	*Remained in Committee
Michael Dozier 15 Woodville Street Boston, MA 02119	Sharp Zaurus PDA Computer was stolen from the plaster room of the Out-patient Dept. of the Cambridge Hospital.	*Remained in Committee

Mark Eisenhart 26 Beacon Street Apt. 58F Burlington, MA 01803	Right front wheel and tire of automobile were damaged after striking a sinkhole in the road on Concord Avenue.	To be Approved
Diane Fabiano 13 Broadway Place Somerville, MA 02145	Automobile tire was damaged after striking a pothole in front of 146 Rindge Avenue.	*Remained in Committee
Laurie Geltman 3 Haskell Street P.O. Box 347 Allston, MA 02134	Automobile headlight was damaged by a golf ball from the Fresh Pond Golf Course while driving on Concord Avenue.	*Remained in Committee
Gerard Gordon 56 Saville Street Cambridge, MA	Car was damaged after striking a pothole while driving on Sparks Street.	*Remained in Committee
George Haldeman 73 Blanchard Road Cambridge, MA 02138	Right front wheel of auto- mobile was damaged after striking a pothole on Concord Avenue.	To be Approved
Nicole Haln 151 Tremont Street #8R Boston, MA 02111	Car was damaged after striking a pothole on Vassar Street.	*Remained in Committee
Richard Johansson 284 Huron Avenue Cambridge, MA 02138-1304	Bicycle was stolen from the bike rack at Cambridge Hospital.	To be Approved
Christina Kim P.O. Box 441824 Somerville, MA 02144	Car was damaged by a police officer trying to assist and open car door.	Claim to be rescheduled
Betty Mahoney 97 Lowell Street Somerville, MA 021436	Raincoat was stolen while attending an employee recognition ceremony at the Cambridge Hospital.	To be Approved
Angelo Marchio c/o Sylvia Marchio 648 Huron Avenue Cambridge, MA 02138	Tooth was broken as a result tripping and falling on the ice during a day trip to the Watertown Arena Skating Rink.	To be Approved

Laurence W. McNulty 23 Decatur Street Cambridge, MA 02139	Sleeve of jacket was torn after catching it on a piece of broken fence in the park at the corner of Magazine and Lawrence Street.	*Remained in Committee
Holli Ann Medeiros 386 Windsor Street Cambridge, MA	Was injured and incurred medical bills after striking her head on the edge of a table at the Kennedy Follow Through School.	To be Approved
Salvatore Mele 27 Lassell Street Wakefield, MA 01880	Car was damaged after striking an open manhole cover on Portland Street.	To be Approved
Dorothy Menken c/o Dorothy Benullo 1036 Main Street Woburn, MA 01801	Gold necklace and three gold charms were lost while a patient in Cambridge Hospital Radiology Department.	To be Approved
Richard P. Morris 46 Charlotte Road Waltham, MA 02154	Automobile was damaged when he struck a pothole on Concord Avenue near the International House of Pancakes.	To be Approved
Brian Moynihan 3 Mack Street Manchester, NH 03110	Watch was stolen while a patient at the Cambridge Hospital.	*Remained in Committee
Shirley Murphy 15 Gardner Street Apt. 2-8 Arlington, MA 02174	Brother's gold bracelet was found missing by the undertaker when he went to transport him from the Cambridge Hospital.	To be Approved
Miguel Pacheco c/o Maria Pacheco 1222 Cambridge Street Cambridge, MA 02141	Personal belongings misplaced while he was a patient at Cambridge Hospital.	*Remained in Committee
George Percy 55 Essex Street Cambridge, MA 02139	Dentures were damaged while he was a patient at Cambridge Hospital.	To be Approved

Bernice Phillips 15 Lambert Street E. Cambridge, MA 02141	Sneakers were lost while she was a patient at Cambridge Hospital.	Withdrawn
Ioannis Poutahidis 12 Lincoln Street Norwood, MA 02062	Car was damaged after striking a pothole while driving between 2465 and 2535 Massachusetts Avenue.	*Remained in Committee
Rita L. Power 1374 Broadway, C-50 Somerville, MA 02144	Car was damaged after striking a series of potholes on Massachusetts Avenue.	*Remained in Committee
Nancy A. Queen 90 Chester Road Belmont, MA 02178	Car was damaged after striking a pothole on Concord Avenue.	To be Approved
Paul Schermerhorn c/o Metro Parking System 1000 Massachusetts Avenue Cambridge, MA 02139	Clothes were discarded while he was a patient at Cambridge Hospital.	To be Approved
Dennis Sentenac P.O. Box 220 Devon, PA 19333	Child's "Secret Sender" was stolen from her backpack while in her classroom at the Peabody School.	Denied
Ronald Shuenate 89 Colonial Terrace Plymouth, MA 02360	Automobile tire and rim were damaged after striking a pothole in front of 290 Massachusetts Avenue.	*Remained in Committee
Robert Small 15 Milton Street Belmont, MA 02178	Car was damaged after striking a pothole on Concord Avenue.	To be Approved
Robert Smyth 29 Josephine Ave. Somerville, MA 02144	Bicycle was damaged after striking a pothole in the middle of Cambridge Common.	To be Approved
Alelania Sood 183 Prospect Street Cambridge, MA 02139	Leggings were torn on a piece of protruding metal from a chair in the PCU at Cambridge Hospital.	*Remained in Committee

Philip Tortora
20 Lopez Street
Cambridge, MA 02139

Automobile was damaged after
striking a pothole on Oxford
Street, near the Agassiz School.

*Remained in
Committee

Kimberley M. Venable
6 Judson Street
Wareham, MA 02571

Car was damaged after
striking an elevated manhole
cover while driving on Windsor
Street.

To be Approved

Mary A. Vitiello
59 Birch Hill Road
Belmont, MA 02178

Car was damaged after
striking a pothole at 680 Concord
Avenue.

To be Approved

The above claimants submitted documents detailing their request for reimbursement and it is the recommendation of the committee that these claims be granted in the amount totalling five thousand three hundred fifty-eight dollars and fourteen cents (\$5,358.14).

*The committee further recommended that the claims that **remained in committee** be given **final notification** of the next Claims Committee meeting and that failure to appear will result in their claims being dismissed.

The hearing was adjourned at six o'clock and thirty-five minutes p. m.

For the Committee,

Timothy J. Toomey, Jr.

Councillor Timothy J. Toomey, Jr.,
Chair



City of Cambridge

Committee Report # 1

IN CITY COUNCIL
October 16, 1995

COUNCILLOR TOOMEY
VICE MAYOR RUSSELL

ORDERED: That the award of the Claims Committee be amended to \$5,631.82 to include the claims of Philip Tortora, who was on the Agenda for the October 11, 1995 Claims Committee, with documentation of his damages submitted, but who did not receive notice of the hearing of his claim and so did not appear and will suffer hardship if the Claim must be postponed until the next Claims Committee meeting.

In City Council October 16, 1995.

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

A handwritten signature in cursive script, reading "D. Margaret Drury".

ATTEST:-

D. Margaret Drury,
City Clerk

City of Cambridge

AMENDED REPORT

The Claims Committee conducted a public hearing on Wednesday, October 11, 1995 beginning at five o'clock and thirty-five minutes p. m. in the Ackermann Room, Second Floor, City Hall.

The purpose of the hearing was to review and make recommendations on claims against the city filed by members of the general public.

Present at the hearing were: Councillor Timothy J. Toomey, Jr., Chair, Vice Mayor Sheila T. Russell, City Clerk D. Margaret Drury, Interim Deputy City Clerk Donna P. Lopez and Legal Counsel Linda Stamper.

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Lynne Browning 271 Pearl Street. #2R Cambridge, MA	Car was damaged after striking a pothole while driving down Pleasant Street.	To be Approved
Clayton Douglas 150 Erie Street #704 Cambridge, MA 021392	Address books, business card organizers, and personal identification were lost while a patient at Cambridge Hospital.	*Remained in Committee
Michael Dozier 15 Woodville Street Boston, MA 02119	Sharp Zaurus PDA Computer was stolen from the plaster room of the Out-patient Dept. of the Cambridge Hospital.	*Remained in Committee

Mark Eisenhart 26 Beacon Street Apt. 58F Burlington, MA 01803	Right front wheel and tire of automobile were damaged after striking a sinkhole in the road on Concord Avenue.	To be Approved
Diane Fabiano 13 Broadway Place Somerville, MA 02145	Automobile tire was damaged after striking a pothole in front of 146 Rindge Avenue.	*Remained in Committee
Laurie Geltman 3 Haskell Street P.O. Box 347 Allston, MA 02134	Automobile headlight was damaged by a golf ball from the Fresh Pond Golf Course while driving on Concord Avenue.	*Remained in Committee
Gerard Gordon 56 Saville Street Cambridge, MA	Car was damaged after striking a pothole while driving on Sparks Street.	*Remained in Committee
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*Remained in Committee

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To be Approved

Salvatore Mele
27 Lassell Street
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To be Approved

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c/o Dorothy Benullo
1036 Main Street
Woburn, MA 01801

Gold necklace and three gold charms were lost while a patient in Cambridge Hospital Radiology Department.

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Richard P. Morris
46 Charlotte Road
Waltham, MA 02154

Automobile was damaged when he struck a pothole on Concord Avenue near the International House of Pancakes.

To be Approved

Brian Moynihan
3 Mack Street
Manchester, NH 03110

Watch was stolen while a patient at the Cambridge Hospital.

*Remained in Committee

Shirley Murphy
15 Gardner Street
Apt. 2-8
Arlington, MA 02174

Brother's gold bracelet was found missing by the undertaker when he went to transport him from the Cambridge Hospital.

To be Approved

Miguel Pacheco
c/o Maria Pacheco
1222 Cambridge Street
Cambridge, MA 02141

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*Remained in Committee

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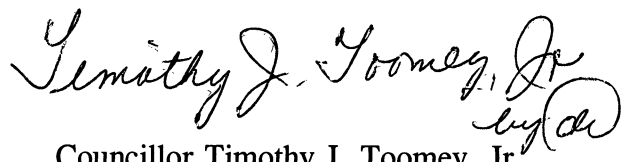
To be Approved

The above claimants submitted documents detailing their request for reimbursement and it is the recommendation of the committee that these claims be granted in the amount totalling five thousand six hundred thirty-one dollars and eighty-two cents (\$5,631.82).

*The committee further recommended that the claims that **remained in committee** be given **final notification** of the next Claims Committee meeting and that failure to appear will result in their claims being dismissed.

The hearing was adjourned at six o'clock and thirty-five minutes p. m.

For the Committee,

A handwritten signature in cursive script that reads "Timothy J. Toomey, Jr." with a stylized flourish at the end.

Councillor Timothy J. Toomey, Jr.,
Chair

City of Cambridge

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For the Committee,

Timothy J. Toomey, Jr.

Councillor Timothy J. Toomey, Jr.,
Chair

Committee Report #

S-367

Communication was received from
D. Margaret Drury, City Clerk,
Transmitting a report from Councillor
Timothy J. Toomey, Jr., Chairman
of the Claims Committee, for a
public hearing held on Wednesday,
October 11, 1995 to review and
make recommendations on claims
against the City filed by
members of the general public.

In City Council October 16, 1995

*Order Adopted to amend Committee
Report.*

Amended Committee report accepted.

*Recommendations adopted - 9-0-0 and
Placed on file.*