

1/28/91  
Joe

CAMBRIDGE POSTAL CUSTOMER ADVISORY GROUP

JUN 29 11 35 AM '91

If you have concerns, suggestions or compliments relative to your postal service, you may contact members of the Cambridge Postal Customer Advisory Group at the following addresses. The Advisory Group members were chosen to represent both a cross section of the diverse population of Cambridge as well as each ZIP Code area.

<u>GROUP MEMBER</u>	<u>OCCUPATION/GROUP/ZIP REPRESENTED</u>
Margaret Bailey Post Office Box 390864 Cambridge, MA 02139-0864	Retail Store Owner Cambridge Tenant ZIP CODE 02138
Jacqueline Carroll Post Office Box 390881 Cambridge, MA 02139-0881	Small Minority Business Low Income Neighborhood ZIP CODE 02139
Peter Gesell Post Office Box 390862 Cambridge, MA 02139-0862	Self Employed Manager Cambridge Resident ZIP CODE 02140
Mark Roderick Post Office Box 390882 Cambridge, MA 02139-0882	Small Business Residents of Cambridge ZIP CODE 02140
Robert Stern Post Office Box 390874 Cambridge, MA 02139-0874	Retirees ZIP CODE 02142
Michael Sullivan Post Office Box 390872 Cambridge, MA 02139-0872	Young Working People/ Neighborhood ZIP CODE 02139
Leon Taylor Post Office Box 390873 Cambridge, MA 02139-0873	Senior Citizens ALL ZIP CODES
Russ Tessier Post Office Box 390861 Cambridge, MA 02139-0861	Students ALL ZIP CODES
Pamela Thomure Post Office Box 390871 Cambridge, MA 02139-0871	Attorneys/ East Cambridge Neighborhoods ZIP CODE 02141
Rona Turano Post Office Box 390863 Cambridge, MA 02139-0863	Residents in West Cambridge Neighborhoods ZIP CODE 02138

\* Paul Schlaever is now a non-voting member of the Cambridge Postal Customer Advisory Group.

I know you  
found you in, but  
I got you another  
one!

me

**CITY OF CAMBRIDGE**  
**Post Office Advisory Committee**

1/29/91

Mr. Peter Gessell  
P. O. Box 390862  
Cambridge, MA 02139-0862

Ms. Jacqueline Carroll  
P. O. Box 390881  
02139-0881

Ms. Margaret Bailey  
P. O. Box 390864  
Cambridge, MA 02139-0864

Mr. Russ Tessier  
P. O. Box 390861  
02139-0861

Ms. Rona Turano  
P. O. Box 390863  
Cambridge, MA 02139-0863

Ms. Pamela Thomure  
P. O. Box 390871  
Cambridge, MA 02139-0871

Mr. Leon Taylor  
P. O. Box 390877  
Cambridge, MA 02139-0877

Mr. Michael Sullivan  
P. O. Box 390872  
Cambridge, MA 02139-0872

Mr. Robert Stern  
P. O. Box 390874  
Cambridge, MA 02139-0874

Mr. Mark Roderick  
P. O. Box 390882  
Cambridge, MA 02139-0882



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON  
CITY CLERK

JOHN E. FLYNN  
DEPUTY CITY CLERK

November 8, 1990

Ms. Jacqueline Carroll  
Post Office Box 390881  
Cambridge, MA 02139-0881

Dear Ms. Carroll:

Please be advised that the Cambridge City Council has scheduled a public hearing for Monday, November 26, 1990 at 7:00 P. M. in the Sullivan Chamber, 795 Massachusetts Avenue, Cambridge relative to the on going problem with mail delivery througout Cambridge.

You are requested to attend at this time and be heard.

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,

Joseph E. Connarton  
City Clerk

JEC/dl



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON  
CITY CLERK

JOHN E. FLYNN  
DEPUTY CITY CLERK

November 8, 1990

Mr. Peter Gesell  
Post Office Box 390862  
Cambridge, MA 02139-0862

Dear Mr. Gesell:

Please be advised that the Cambridge City Council has scheduled a public hearing for Monday, November 26, 1990 at 7:00 P. M. in the Sullivan Chamber, 795 Massachusetts Avenue, Cambridge relative to the on going problem with mail delivery througout Cambridge.

You are requested to attend at this time and be heard.

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,

Joseph E. Connarton  
City Clerk

JEC/dl



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON  
CITY CLERK

JOHN E. FLYNN  
DEPUTY CITY CLERK

November 8, 1990

Ms. Margaret Bailey  
Post Office Box 390864  
Cambridge, MA 02139-0864

Dear Ms. Bailey:

Please be advised that the Cambridge City Council has scheduled a public hearing for Monday, November 26, 1990 at 7:00 P. M. in the Sullivan Chamber, 795 Massachusetts Avenue, Cambridge relative to the on going problem with mail delivery througout Cambridge.

You are requested to attend at this time and be heard.

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,

Joseph E. Connarton  
City Clerk .

JEC/d1



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON  
CITY CLERK

JOHN E. FLYNN  
DEPUTY CITY CLERK

November 8, 1990

Mr. Russ Tessier  
Post Office Box 390861  
Cambridge, MA 02139-0861

Dear Mr. Tessier:

Please be advised that the Cambridge City Council has scheduled a public hearing for Monday, November 26, 1990 at 7:00 P. M. in the Sullivan Chamber, 795 Massachusetts Avenue, Cambridge relative to the on going problem with mail delivery througout Cambridge.

You are requested to attend at this time and be heard.

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,

Joseph E. Connarton  
City Clerk

JEC/dl



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON  
CITY CLERK

JOHN E. FLYNN  
DEPUTY CITY CLERK

November 8, 1990

Ms. Pamela Thomure  
Post Office Box 390871  
Cambridge, MA 02139-0871

Dear Ms. Thomure:

Please be advised that the Cambridge City Council has scheduled a public hearing for Monday, November 26, 1990 at 7:00 P. M. in the Sullivan Chamber, 795 Massachusetts Avenue, Cambridge relative to the on going problem with mail delivery throughtout Cambridge.

You are requested to attend at this time and be heard.

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,

Joseph E. Connarton  
City Clerk

JEC/dl



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON  
CITY CLERK

JOHN E. FLYNN  
DEPUTY CITY CLERK

November 8, 1990

Ms. Rona Turano  
Post Office Box 390863  
Cambridge, MA 02139-0863

Dear Ms. Turano:

Please be advised that the Cambridge City Council has scheduled a public hearing for Monday, November 26, 1990 at 7:00 P. M. in the Sullivan Chamber, 795 Massachusetts Avenue, Cambridge relative to the on going problem with mail delivery througout Cambridge.

You are requested to attend at this time and be heard.

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,

Joseph E. Connarton  
City Clerk

JEC/dl



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON  
CITY CLERK

JOHN E. FLYNN  
DEPUTY CITY CLERK

November 8, 1990

Mr. Leon Taylor  
Post Office Box 390877  
Cambridge, MA 02139-0877

Dear Mr. Taylor:

Please be advised that the Cambridge City Council has scheduled a public hearing for Monday, November 26, 1990 at 7:00 P. M. in the Sullivan Chamber, 795 Massachusetts Avenue, Cambridge relative to the on going problem with mail delivery throughtout Cambridge.

You are requested to attend at this time and be heard.

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,

Joseph E. Connarton  
City Clerk

JEC/dl



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON  
CITY CLERK

JOHN E. FLYNN  
DEPUTY CITY CLERK

November 8, 1990

Mr. Michael Sullivan  
Post Office Box 390872  
Cambridge, MA 02139-0872

Dear Mr. Sullivan:

Please be advised that the Cambridge City Council has scheduled a public hearing for Monday, November 26, 1990 at 7:00 P. M. in the Sullivan Chamber, 795 Massachusetts Avenue, Cambridge relative to the on going problem with mail delivery throughtout Cambridge.

You are requested to attend at this time and be heard.

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,

Joseph E. Connarton  
City Clerk

JEC/dl



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON  
CITY CLERK

JOHN E. FLYNN  
DEPUTY CITY CLERK

November 8, 1990

Mr. Robert Stern  
Post Office Box 390874  
Cambridge, MA 02139-0874

Dear Mr. Stern:

Please be advised that the Cambridge City Council has scheduled a public hearing for Monday, November 26, 1990 at 7:00 P. M. in the Sullivan Chamber, 795 Massachusetts Avenue, Cambridge relative to the on going problem with mail delivery througout Cambridge.

You are requested to attend at this time and be heard.

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,

Joseph E. Connarton  
City Clerk

JEC/dl



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON  
CITY CLERK

JOHN E. FLYNN  
DEPUTY CITY CLERK

November 8, 1990 .

Mr. Mark Roderick  
Post Office Box 390882  
Cambridge, MA 02139-0882

Dear Mr. Roderick:

Please be advised that the Cambridge City Council has scheduled a public hearing for Monday, November 26, 1990 at 7:00 P. M. in the Sullivan Chamber, 795 Massachusetts Avenue, Cambridge relative to the on going problem with mail delivery throughtout Cambridge.

You are requested to attend at this time and be heard.

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,

Joseph E. Connarton  
City Clerk

JEC/dl



**United States  
Postal Service**

March 16, 1990

Honorable Joseph P. Kennedy II  
Member of Congress  
Federal Building, Room 1111  
10 Causeway Street  
Boston, MA 02222

Dear Congressman Kennedy:

It was a pleasure to meet you on March 5, 1990 to further discuss the concerns of the Cambridge City Council regarding mail delivery problems. I appreciate your concern and want to assure you that our objective is to provide consistent and efficient service to the postal customers of Cambridge.

I have reviewed the Cambridge "A" operation and have directed that changes be made that will result in better service. Adequate staffing will be maintained at Cambridge "A". Any vacancies will be covered so that service is not adversely effected.

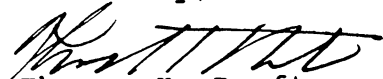
Negotiations are in process for additional parking in Watertown which would enable us to move the parcel post carriers there (25 motorized carriers). We are also considering moving some foot carriers into the financial units in the Cambridge area (6 months).

Part of the problem is the perception that the Postal Service as an organization does not care. To address this concern, we are taking measures to make it easier for customers to reach us. We are installing a telephone system that is similiar to the one in place in our Consumer Affairs Office. It will be installed within 60 days. We are also monitoring calls to determine the extent of the need for additional lines and personnel to answer calls. A Consumer Advocate will be working at Cambridge "A" beginning March 23, 1990.

We are sponsoring the Cambridge Postal Customer Advisory Group. Applications are going to be made available throughout the City of Cambridge in the next few days. I have attached a copy of the guidelines and purposes.

I have been invited to attend the April 2, 1990 meeting of the Cambridge City Council at which I will discuss the postal needs of the Cambridge community and the action we are taking to meet their needs. Thank you again for your interest.

Sincerely,



Thomas K. Ranft  
Postmaster/Division Manager  
Boston Division  
Boston, MA 02205-9998

Attachment



## United States Postal Service

### CAMBRIDGE CUSTOMER ADVISORY COUNCIL

#### A. Introduction:

We want to increase the opportunity the average postal customer has to meet with postal managers to obtain general information or assistance. The council will help by involving individual customers in a forum where ideas, concerns and suggestions can be discussed. The result should be more satisfied customers and improved, more efficient service.

#### B. Purpose:

The council will be organized to provide an open forum for a broad base of individual customers, with each member representing a different segment of the population. Postal officials will be active participants answering questions, discussing and resolving service problems and informing council members of new or changing programs, products and services.

#### C. Objectives:

1. Developing a sense of community partnership in resolving postal issues.
2. Opening lines of communications between United States Postal Service and the community we serve.
3. Creating a better understanding of the United States Postal Service and provide a "sounding board" to measure reactions to proposed procedure, policy or product changes.
4. Establishing an additional mechanism for ensuring that we are being responsive to customers' concerns.
5. Improving the quality of the service we provide by increasing our understanding of customers' expectations.

REMARKS BY  
THOMAS K. RANFT  
POSTMASTER OF BOSTON  
before the  
CITY COUNCIL  
of  
CAMBRIDGE, MASSACHUSETTS  
APRIL 2, 1990

GOOD EVENING. WE APPRECIATE VERY MUCH, THIS OPPORTUNITY TO VISIT WITH YOU ABOUT THE DELIVERY PROBLEMS THAT YOU ARE EXPERIENCING HERE IN CAMBRIDGE, AS WELL AS SOME OF THE THINGS WE IN THE POSTAL SERVICE ARE DOING TO CORRECT THEM.

MR. MAYOR - MEMBERS OF THE COUNCIL - LADIES AND GENTLEMEN. OUR PURPOSE IN COMING IS TWOFOLD; MOST IMPORTANTLY, OF COURSE, IS TO LISTEN. BUT ALSO, WE WANT TO EXPLAIN BRIEFLY SOME OF THE THINGS WE ARE DOING, PLAN TO DO, AND HAVE ALREADY DONE TO IMPROVE DELIVERY SERVICE IN THE CITY OF CAMBRIDGE. SIMPLY PUT, WE'RE TRYING TO IDENTIFY THE PROBLEMS, AND DO WHATEVER WE CAN TO CORRECT THEM.

AT THE SAME TIME, WE FEEL THE BEST AND MOST RESPONSIBLE WAY TO ACCOMPLISH THIS IS THROUGH A SINCERE AND COOPERATIVE EFFORT AIMED AT GETTING AT THE SOURCE OF THE PROBLEMS, RATHER THAN THROUGH ANY ATTEMPTS AT PUBLIC REDICULE. THOSE OF US IN PUBLIC SERVICE - THOSE OF YOU WHO SIT ON THE CITY COUNCIL OR IN THE MAYOR'S CHAIR - AND THOSE OF US IN THE POSTAL SERVICE - RECEIVE ENOUGH RIDICULE WITHOUT DOING IT TO EACH OTHER.

YOU HAVE MY PERSONAL ASSURANCE THAT WE ARE, AND WILL CONTINUE DOING EVERYTHING IN OUR POWER TO SOLVE YOUR DELIVERY PROBLEMS, AND PROVIDE THE RESIDENTS OF CAMBRIDGE WITH CONSISTENT, ACCURATE, ON-TIME DELIVERY OF YOUR MAIL. THAT'S WHAT WE WANT FOR YOU, AND THAT'S WHY WE'RE HERE TONIGHT. YOU DESERVE QUALITY MAIL SERVICE, AND WE'RE GOING TO SEE TO IT THAT YOU GET IT.

WE REALLY ARE NOT THE FACELESS BUREAUCRACY WE'RE SOMETIMES ACCUSED OF BEING. WE DO CARE WE CARE VERY DEEPLY! RIGHT NOW THE PROBLEMS YOU'RE EXPERIENCING HERE IN CAMBRIDGE ARE BEING GIVEN OUR HIGHEST PRIORITY. AND OUR EFFORTS ARE, INDEED, PAYING OFF. THERE IS STILL, HOWEVER, MUCH TO BE DONE. WE KNOW THAT.

CAMBRIDGE IS UNIQUE IN MANY WAYS. THERE IS A CONSTANT INFLUX OF PEOPLE MOVING IN AND OUT OF YOUR CITY - COLLEGE STUDENTS IN PARTICULAR. THEY ARRIVE EACH SEPTEMBER AND DEPART THE FOLLOWING JUNE. AND, I AM TOLD BY OUR LETTER CARRIERS THAT THEY FREQUENTLY MOVE DURING THE SCHOOL YEAR.

VERY FRANKLY, IT IS A MAJOR ADMINISTRATIVE UNDERTAKING JUST TRYING TO KEEP TRACK OF WHERE THEY ALL COME FROM, WHERE THEY'RE LIVING NOW, AND WHERE THEY ALL MOVE TO. MANY OF THEM FAIL TO LEAVE A FORWARDING ADDRESS WHEN THEY MOVE. YET WE DO OUR VERY BEST TO DISTRIBUTE AND DELIVER THEIR MAIL TIMELY AND ACCURATELY.

THERE HAS ALSO BEEN CONSIDERABLE GROWTH IN CAMBRIDGE IN RECENT YEARS - FROM ALL THE NEW OFFICE BUILDINGS IN THE KENDALL SQUARE AREA, TO THE HOMES AND NEW CONDOMINIUM DEVELOPMENTS THROUGHOUT NORTH AND EAST CAMBRIDGE, AND IN THE LECHMERE AREA. WE'VE HAD TO MAKE MAJOR CHANGES IN OUR DELIVERY ROUTES IN ORDER TO KEEP UP WITH THE CHANGING VOLUMES AND DELIVERY STOPS.

WE MOST SINCERELY REGRET AND APOLOGIZE FOR ANY INCONVENIENCE AND DIFFICULTIES OUR CUSTOMERS HAVE EXPERIENCED DURING THESE ROUTE

ADJUSTMENTS. WE SHOULD HAVE DONE BETTER. BUT THE PAST IS GONE. THERE ISN'T MUCH WE CAN DO ABOUT THAT BUT TO LEARN FROM IT. AND BELIEVE ME, WE HAVE LEARNED FROM IT.

ONE AREA WE'RE VERY CONCERNED ABOUT RIGHT NOW IS CENTRAL SQUARE. WE ARE CURRENTLY IN THE PROCESS OF ANALYZING OUR DELIVERY OPERATION IN THAT AREA, AND DOING EVERYTHING POSSIBLE TO SOLVE ANY AND ALL EXISTING PROBLEMS.

WE SERVE OVER 51,000 DELIVERY POINTS EVERY DAY IN CAMBRIDGE. BECAUSE OF THE ELEMENT OF HUMAN ERROR, WE DO MAKE MISTAKES. AND WHEN WE DO, IN ONE WAY OR ANOTHER, WE REALIZE IT CAN HAVE A PROFOUND EFFECT ON ONE OR MORE OF OUR CUSTOMERS. WE KNOW THAT. WE CARE VERY DEEPLY ABOUT THAT.

THAT'S WHY WE'RE HERE TONIGHT - TO LISTEN TO YOUR CONCERNS - AND TO CONTINUE SEARCHING FOR SOLUTIONS TO OUR PROBLEMS

WE WANT TO ASSURE YOU WE ARE GIVING OUR FULL SUPPORT AND COMMITMENT TO THE 300 PLUS DEDICATED EMPLOYEES AT THE CAMBRIDGE POST OFFICE. WE HAVE ALREADY EXPANDED OUR CONSUMER AFFAIRS OPERATION, AND HAVE STATIONED A CONSUMER ADVOCATE AT THE CENTRAL SQUARE POST OFFICE.

THE CUSTOMER HOT LINE WE'VE INSTALLED AT CENTRAL SQUARE IS MAKING IT MUCH EASIER FOR CAMBRIDGE CUSTOMERS TO REACH US. WE ARE TRYING TO ACKNOWLEDGE EVERY INQUIRY WE RECEIVE WITHIN 48 HOURS, AND PROVIDE

FOLLOW UP TO OUR CUSTOMERS WITHIN SEVEN DAYS OF RECEIPT OF THEIR CONCERN. THE HOT LINE NUMBER IS 654-5800.

WE ARE ALSO INSTALLING A NEW TELEPHONE SYSTEM AT CENTRAL SQUARE WHICH WILL GREATLY REDUCE THE PROBLEMS MANY OF YOU HAVE HAD IN GETTING THROUGH TO US. AGAIN, WE MOST SINCERELY APOLOGIZE FOR THESE PAST INCONVENIENCES.

ANOTHER MAJOR STEP WE'VE TAKEN IS TO INITIATE A COMPUTERIZED TRACKING SYSTEM FOR CUSTOMER INQUIRIES IN ORDER TO IDENTIFY DELIVERY PROBLEMS, GET AT THEIR SOURCE, AND GET THEM CORRECTED SO THEY DO NOT REOCCUR.

BUT, PERHAPS AS IMPORTANT AS ANY OF THESE, WE ARE IN THE PROCESS OF ESTABLISHING A CAMBRIDGE POSTAL CUSTOMER'S ADVISORY COUNCIL. TO DO THIS, WE ARE CANVASSING THE ENTIRE CAMBRIDGE COMMUNITY FOR PEOPLE WHO WILL JOIN US PERIODICALLY FOR AN EXCHANGE OF IDEAS AS TO HOW WE CAN BETTER SERVE THE CITIZENS OF CAMBRIDGE. WE WANT YOU TO DO THE TALKING, AND WE WILL DO THE LISTENING.

IF POSSIBLE, WE WOULD LIKE TO HAVE A REPRESENTATIVE FROM EACH OF THE DIVERSE SEGMENTS OF CAMBRIDGE REPRESENTED ON THE ADVISORY COUNCIL. FOR THOSE OF YOU WHO ARE INTERESTED, APPLICATIONS WILL BE AVAILABLE UNTIL APRIL 30, AT EACH OF THE CAMBRIDGE POST OFFICES, HERE AT CITY HALL, AND AT EACH OF THE PUBLIC LIBRARIES THROUGHOUT THE CITY.

WE IN THE POSTAL SERVICE WANT TO FURTHER DEVELOPE A COMMUNITY PARTNERSHIP WITH THE CITIZENS OF CAMBRIDGE. ALL OF US HERE TONIGHT

REALIZE THE IMPORTANCE OF COMMUNICATING SPECIFIC PROBLEMS IN ORDER THAT WE CAN, IN TURN, TAILOR SPECIFIC SOLUTIONS. THE CAMBRIDGE POSTAL CUSTOMER'S ADVISORY COUNCIL WILL CONTRIBUTE A GREAT DEAL TOWARD THAT OBJECTIVE.

IN ADDITION, WE HAVE DISTRIBUTED CONSUMER SERVICE CARDS THROUGHOUT THE ROOM HERE TONIGHT. THESE CARDS ARE ALSO AVAILABLE IN ALL POST OFFICE LOBBIES. IF YOU HAVE QUESTIONS OR CONCERNS, PLEASE TAKE A MOMENT TO PROVIDE THE SPECIFICS ON ONE OF THESE CARDS. THEY PROVIDE US WITH A VITAL MEASUREMENT OF THE SERVICE WE PROVIDE. WE WILL COLLECT THEM AT THE CONCLUSION OF THE MEETING, OR THEY MAY BE MAILED POSTAGE FREE. WE WILL BE IN TOUCH WITH YOU WITHIN A WEEK TO PROVIDE INFORMATION AND ASSISTANCE.

IN CLOSING, JUST LET ME SAY THAT WE ARE COMMITTED TO PROVIDING THE CAMBRIDGE COMMUNITY WITH THE BEST POSTAL SERVICE WE CAN OFFER -- TO BE RESPONSIVE TO YOUR NEEDS -- TO SERVE AS THE VITAL LINK BETWEEN THE PEOPLE OF CAMBRIDGE AND THE REST OF THE NATION AND THE WORLD. WE COMMIT TO YOU TONIGHT, ALL THE RESOURCES WE HAVE AVAILABLE TO RESTORE YOUR CONFIDENCE IN OUR ABILITY TO DELIVER YOUR MAIL CONSISTENTLY, ACCURATELY, AND ON TIME.

WHILE I MAY NOT BE ABLE TO ADDRESS EACH INDIVIDUAL QUESTION HERE TONIGHT, I CERTAINLY DO WELCOME THE OPPORTUNITY TO ANSWER AS MANY OF THEM AS POSSIBLE. THANK YOU FOR YOUR KIND AND PATIENT ATTENTION, AND I WILL NOW BE HAPPY TO ADDRESS ANY CONCERNS YOU MAY HAVE.



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

**JOSEPH E. CONNARTON**  
CITY CLERK

**JOHN E. FLYNN**  
DEPUTY CITY CLERK

March 1, 1990

Ms. Lois A. Murphy  
Director, Marketing and Communications  
General Mail Facility  
25 Dorchester Avenue  
Room 4009  
Boston, MA 02205-9996

Dear Ms. Murphy:

It was a pleasure meeting with you and Ms. Joann Killackey on February 26, 1990 in the City Manager's Office to discuss the on going concerns of the City Council relative to mail delivery in Cambridge.

As I indicated at this meeting I referred your communication to the City Council later in the day and they have agreed to schedule a public hearing on Monday, April 2, 1990 at 7:30 P. M.

The City Council has asked that you, the Regional Postmaster for the Boston area and all other appropriate senior staff familiar with the Cambridge problem attend this hearing.

The hearing will be held in the Sullivan Chamber, Second Floor, City Hall, 795 Massachusetts Avenue, Cambridge, MA.

Thank you for your continued cooperation in this matter.

Sincerely yours,

A handwritten signature in cursive script that reads "Joseph E. Connarton".

Joseph E. Connarton  
City Clerk

JEC/d1

**Lois A. Murphy**

**Field Director**

**Marketing & Communications**



U.S. Postal Service

Boston Field Division - General Mail Facility

25 Dorchester Avenue Room 4009

Boston, MA 02205-9996

(617)/ PEN 654-5700



February 23, 1990

**United States  
Postal Service**

4/2/90  
7 P.M.

Joseph E. Connarton  
Office of the City Clerk  
City of Cambridge  
City Hall  
Cambridge, MA 02139-3219

Dear Mr. Connarton:

Thank you for providing a copy of your letter of February 21, 1990 to Frank Hastings of our Office of Consumer Affairs, in Washington, DC.

I wanted to immediately address your concerns and let you know that we are working closely with postal officials at the Cambridge "A" Post Office to resolve service problems. We are sensitive to the postal needs of the Cambridge community and have a strong commitment to provide consistent and efficient delivery service to each resident of the city.

At the same time, we are working to strengthen our ties within the community. Towards that end, we are establishing a postal customer advisory council in Cambridge.

The council will help foster a sense of community partnership to resolve issues involving postal concerns and open up a dialogue between the United States Postal Service and Cambridge residents. A statement of the council's purpose and guidelines is attached.

As soon as your office can make the arrangements, I would also like to meet with Cambridge residents at City Hall. The Postal Service wants people to know that we care, that we are listening to the problems brought to our attention and that they are investigated and acted upon.

I look forward to meeting you on February 26, 1990.

Sincerely,

Lois A. Murphy  
Director, Marketing and Communications  
General Mail Facility  
25 Dorchester Avenue, Room 4009  
Boston, MA 02205-9996



## United States Postal Service

### CAMBRIDGE CUSTOMER ADVISORY COUNCIL

#### A. Introduction:

We want to increase the opportunity the average postal customer has to meet with postal managers to obtain general information or assistance. The council will help by involving individual customers in a forum where ideas, concerns and suggestions can be discussed. The result should be more satisfied customers and improved, more efficient service.

#### B. Purpose:

The council will be organized to provide an open forum for a broad base of individual customers, with each member representing a different segment of the population. Postal officials will be active participants answering questions, discussing and resolving service problems and informing council members of new or changing programs, products and services.

#### C. Objectives:

1. Developing a sense of community partnership in resolving postal issues.
2. Opening lines of communications between United States Postal Service and the community we serve.
3. Creating a better understanding of the United States Postal Service and provide a "sounding board" to measure reactions to proposed procedure, policy or product changes.
4. Establishing an additional mechanism for ensuring that we are being responsive to customers' concerns.
5. Improving the quality of the service we provide by increasing our understanding of customers' expectations.



CONSUMER ADVOCATE  
Washington, DC 20260-2200

February 28, 1990

MR JOSEPH E CONNARTON  
OFFICE OF THE CITY CLERK  
CITY OF CAMBRIDGE  
CITY HALL  
CAMBRIDGE, MA 02139-3219

Dear Mr. Connarton:

This is in response to your February 22 letter requesting an appointment with Postmaster General Anthony Frank on either March 5 or 6.

Unfortunately, Postmaster General Frank will be unavailable on those dates because of prior commitments. However, I think it is fair for me to speculate that had you been able to meet with Mr. Frank, that he would have suggested you deal directly with Boston officials.

In researching this matter, I was informed by Lois Murphy, Field Director, Marketing and Communications of the Boston Division, that she met with you just last Monday. Ms. Murphy characterized the meeting as being very positive and she has initiated several projects to improve postal services in your area.

Ms. Murphy also told us that the Cambridge City Council is planning to invite her and several other Boston Division officials to a meeting in the near future. She will keep us informed of her progress in resolving the issues you have brought to our attention.

I regret it was not possible for you to meet with Mr. Frank. However, because Ms. Murphy is on the scene, she can react more quickly to the issues the Council has raised.

Sincerely,

Frank Hastings  
Senior Consumer Affairs Associate  
Consumer Affairs Department  
(202) 268-2284



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON  
CITY CLERK

JOHN E. FLYNN  
DEPUTY CITY CLERK

March 28, 1990

TO: PAUL SCHLAVER, EXECUTIVE DIRECTOR  
CONSUMER ADVISORY COUNCIL

FROM: JOSEPH E. CONNARTON *JEC*  
CITY CLERK

SUBJECT: CITY COUNCIL HEARING FOR APRIL 2, 1990 AT 7:30 PM

Pursuant to the request of the City Council on March 26, 1990 you are requested to attend a public hearing before the City Council on Monday, April 2, 1990 at 7:30 p. m. in the Sullivan Chamber, City Hall at which time a discuss will be held with representatives of the United States Postal Service relative to poor mail delivery throughout the city.

The City Council requested that you attend the hearing with any file of complaints received by your office relative to this matter.

Your kind attention in this matter will be greatly appreciated.

HARVARD UNIVERSITY

OFFICE OF GOVERNMENT, COMMUNITY  
AND PUBLIC AFFAIRS

RECEIVED BY  
OFFICE OF CITY CLERK

1990 APR -5 AM 11: 24

CAMBRIDGE MA.

2 GARDEN STREET  
CAMBRIDGE, MASSACHUSETTS 02138  
617-495-4955

April 4, 1990

The Honorable Alice Wolf  
Mayor  
Cambridge City Hall  
Cambridge, Massachusetts 02139

Dear Alice:

I am writing in response to the recent city council order dealing with the Executive Office of Environmental Affairs naming Harvard "polluter of the month" due to a problem with the asbestos removal at the faculty club. I understand Councillor Myers and perhaps others received a number of inquiries about Friday's Globe story. In anticipation of some questions by the council at Monday night's meeting, I had written to the city manager with the same information contained in this letter, but at the time the late order was introduced he was not in the chamber. I offer the following information to you, and also am writing to each councillor, enclosing a copy of a letter sent today to the Globe by Harvard's Director of Environmental Health and Safety.

The Department of Environmental Protection (DEP) proceeding dates back to a single occurrence in June of 1989, when, due to a lack of communication, a demolition subcontractor working on the faculty club removed a portion of the second floor ceiling after samples had been taken from the ceiling to test for asbestos, but before the test results were in.

In anticipation of the faculty club renovations, Harvard's Department of Environmental Health and Safety began in June, 1987 to survey the building for asbestos. Three surveys identified asbestos-containing items -- pipe insulation, radiator shields, etc. But because the faculty club was in operation, it was not possible at the time of the surveys to look behind walls or above ceiling plaster. Harvard anticipated that once demolition began, further asbestos would be discovered in these inaccessible areas. Harvard hired a licensed asbestos contractor, Bay Insulation, in April, 1989, who proceeded to file required notices with the state and obtain a building permit from the city for the asbestos removal.

Once the faculty club closed, Harvard was able to do additional sampling from areas suspected to contain asbestos which could not be reached while the club was in operation. As workers, or the asbestos contractor, pointed out these areas, Harvard tested them for asbestos. One such location,

identified by a demolition worker, was the area above the second floor ceiling, where test samples were taken on June 14th by Harvard's Department of Environmental Health and Safety, with results returned within 24 hours.

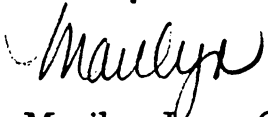
As you may recall, there were two shifts working on the club renovation. Late on the evening of June 14th, the demolition subcontractor proceeded to remove portions of the second floor ceiling, apparently unaware that testing was underway for that area. The debris was placed in a tubed-shaped chute running from a second-story window to a dumpster behind the building, near the Prescott Street side, but not directly on the street. The next morning, June 15th, from 7:30 to 9:30 a.m., the subcontractor concluded the demolition begun the night before. At approximately 11:00 a.m. that morning Harvard received the test results which revealed asbestos in the material behind the ceiling. The site was secured immediately, contaminated areas sealed and workers notified. By 2:00 p.m. a DEP inspector was on the site. Harvard's Department of Environmental Health and Safety believes that this situation presented no health and safety risk to the neighborhood.

On June 20th Harvard amended its building permit to include the further asbestos removal, and all remaining asbestos was removed in compliance with the law.

The DEP proceeding referenced in the article is pending. DEP issued a notice of intent to assess a \$21,000 fine in February, to which Harvard responded on March 5th, asking for a hearing on the merits and a reduction or elimination of the fine.

Please give me a call if you would like any additional information.

Sincerely,



Marilyn Lyng O'Connell  
Director of Community Relations

enclosure

cc: Robert Healy  
Joseph Connarton

HARVARD UNIVERSITY

JAMES H. STEWART  
Director  
Environmental Health and Safety



46 Oxford Street  
Cambridge, Massachusetts 02138  
(617) 495-2370  
Fax 495-0593

April 4, 1990

Martin F. Nolan, Editor  
Editorial Page  
*The Boston Globe*  
135 Morrissey Boulevard  
Boston, MA 02125

Dear Mr. Nolan:

A March 30 *Globe* article may have left the impression that Harvard is unconcerned about the health risks associated with asbestos. Nothing could be further from the truth.

Harvard has a long-term commitment to asbestos management. Since 1985, the University has employed a full-time asbestos program manager. Four support staff provide in-house technical assistance. This staff oversees the planning and execution of all asbestos abatement projects to ensure compliance with government regulations and has successfully managed projects involving buildings with significant amounts of asbestos.

The *Globe* article correctly reported that Harvard has been the subject of a complaint filed by the state Department of Environmental Protection (DEP) because of an incident which occurred last summer during renovation of the Faculty Club. Not included in the article, however, was information from the University explaining that incident.

To set the record straight, let me briefly describe the precautions taken by the University as part of the Faculty Club renovation. Before construction began, industrial hygienists from Harvard's Department of Environmental Health and Safety conducted extensive

testing for asbestos, obtained the necessary permits for asbestos removal and hired a licensed asbestos contractor to remove all asbestos that had been detected. The asbestos contractor filed all required notices with the state regarding this work.

As work proceeded, new areas were opened requiring further testing. One such location was the area above the second-floor ceiling, where test samples were taken on June 14 by Harvard's Department of Environmental Health and Safety.


Late on the evening of June 14, the demolition subcontractor proceeded to remove portions of the second-floor ceiling, apparently unaware that testing was underway for that area. The debris was placed in a tube-shaped chute running from a second-story window to a dumpster behind the building. The next morning, June 15, from 7:30 to 9:30 a.m., the subcontractor concluded the demolition begun the night before.

At approximately 11 a.m. that morning, Harvard received the test results which revealed asbestos in the material behind the ceiling. The site was secured immediately, contaminated areas sealed and workers notified. By 2 p.m. a DEP inspector was on the site. Harvard's Department of Environmental Health and Safety believes that this situation presented no health and safety risk to the neighborhood.

On June 20, Harvard amended its building permit to include the further asbestos removal, and all remaining asbestos was removed in compliance with the law.

The DEP proceeding referenced in the March 30 article is pending. DEP issued a notice of intent to assess a \$21,000 fine in February, to which Harvard responded on March 5, asking for a hearing on the merits and a reduction or elimination of the fine.

Sincerely,

  
James H. Stewart, Director  
Department of  
Environmental Health  
and Safety  
Harvard University



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON  
CITY CLERK

JOHN E. FLYNN  
DEPUTY CITY CLERK

April 2, 1990

TO: THE HONORABLE, THE CITY COUNCIL

FROM: JOSEPH E. CONNARTON, CITY CLERK *JEC*

SUBJECT: POSTAL HEARING FOR APRIL 2, 1990

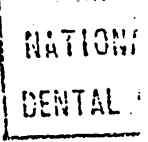
Pursuant to the various complaints received regarding the mail delivery in Cambridge several communications have been submitted to you regarding this issue.

I have made copies of these communications as well as the opinion of the City Solicitor relative to the issue of litigation.

Your kind attention in this matter will be greatly appreciated.

*Key*  
**Architects  
Four**

Professional Association  
99 Middle Street  
Manchester, NH 03101



*Under Laws  
326 Harvard  
Cambridge, MA - 02141*

AFTER FIVE DAYS RETURN TO  
**DISTRICT ATTORNEY**  
DISTRICT COURT DIVISION  
OLD COURT HOUSE RM. 273  
BOSTON, MASSACHUSETTS 02108



Mr George Webb  
326 Harvard Street  
Boston, MA 02139

Dear Mr Webb:

758078

117910  
Mr. Thomas W. Lampi  
326 Broadway  
Cambridge MA 02139

JOSEPH P. KENNEDY II  
8TH DISTRICT, MASSACHUSETTS

COMMITTEE ON BANKING,  
FINANCE AND URBAN AFFAIRS

**SUBCOMMITTEES:**

HOUSING AND COMMUNITY DEVELOPMENT  
FINANCIAL INSTITUTIONS SUPERVISION,  
REGULATION AND INSURANCE  
INTERNATIONAL DEVELOPMENT  
INSTITUTIONS AND FINANCE

COMMITTEE ON VETERANS' AFFAIRS

**SUBCOMMITTEES:**

HOSPITALS AND HEALTH CARE  
EDUCATION, TRAINING AND EMPLOYMENT

SELECT COMMITTEE ON AGING

SUBCOMMITTEE ON HUMAN SERVICES



RECEIVED BY  
OFFICE OF CITY CLERK

1990 FEB 27 PM 12:13

**Congress of the United States**  
CAMBRIDGE, MA.  
**House of Representatives**  
**Washington, DC 20515**

1208 LONGWORTH BUILDING  
WASHINGTON, DC 20515  
(202) 225-5111

ROOM 1111, FEDERAL BLDG.  
10 CAUSEWAY STREET  
BOSTON, MA 02222  
(617) 565-8686

February 20, 1990

Thomas K. Ranft  
Postmaster and Division General Manager  
U.S. Postal Service  
General Mail Facility, Room 4006  
25 Dorchester Avenue  
Boston, Massachusetts 02205-9998

Dear Mr. Ranft:

I am writing to you on behalf of the Cambridge City Council who contacted my office about mail delivery problems being experienced throughout the City of Cambridge. The Cambridge City Council passed a resolution concerning this problem. Enclosed please find a copy of the resolution.

For the past three years, my office has received numerous complaints from constituents concerning their postal delivery service. In many of these cases, whether it involved late or damaged mail delivery, my office worked with the U.S. Postal Service's Consumer Affairs office. The office was always ready to assist my staff in trying to resolve many of these problems. However, there are still some areas in Cambridge that continue to experience problems with their mail delivery.

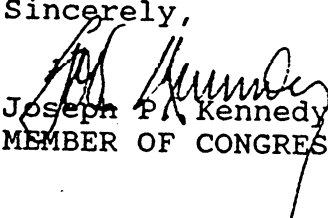
The Cambridge City Council feels that one of the problems is because of the lack of consistent service throughout the city. They respectfully request that these inconsistencies be addressed immediately so the citizens of Cambridge can receive their mail on a regular basis.

Thomas K. Ranft  
Postmaster and Division General Manager  
U.S. Postal Service  
February 20, 1990  
page two

Any assistance you are able to provide in this matter would be greatly appreciated. I look forward to hearing from you at your earliest convenience.

Thank you for your time and attention.

Sincerely,



Joseph P. Kennedy II  
MEMBER OF CONGRESS

JPK:da

Enclosure

RECEIVED BY  
OFFICE OF CITY CLERK

1990 MAR -1 PM 3: 58

CAMBRIDGE MA.

15 Sacramento Street  
Cambridge, MA 02138  
February 27, 1990

Postmaster  
Cambridge, MA 02139

Dear Sir:

A number of neighbors, residing between 5a and 19 Sacramento Street, and including 14 and 16 Sacramento, would like to commend and compliment Peter Messuri, our mail carrier, for his excellent service. He is pleasant, courteous, timely, and accurate. It is a delight to have him as our mail carrier.

In his absence, such as during a recent vacation, the quality of our mail service deteriorates significantly. In the words of one neighbor, "when he is not here, it is disastrous." We have all found examples of mail not being delivered, or being misdelivered. This was particularly the case during the winter and spring of 1989, when Mr. Messuri was recovering from a fall. How we missed him, and how we welcomed his return.

While we therefore acknowledge there are serious problems with mail delivery in Cambridge, we certainly wish to thank Mr. Messuri for a job well done.

Yours truly,



Helen M. Kukuk

cc: Cambridge City Council  
Cambridge Chronicle  
Cambridge Tab

269 Harvard Street # 16  
Cambridge, MA 02139

March 7, 1990

City Council Office  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, MA 02139

Dear Councillors,

I understand that there is a City Council contest going on relating to mail delivery.

A couple months before I got my Master's Degree in 1983, I began to wonder why I had received nothing from Harvard's Extension Office relating to the upcoming graduation, so I called the office to ask. They told me that I should have gotten a letter informing me of a meeting, of the dates for ordering caps and gowns, of ticket request procedure, etc. At that point I had already missed the meeting and just barely had time to order a cap and gown. The deadline for ticket requests was fast approaching, so they said that they would mail me a ticket request form. I waited for awhile, but no ticket request form arrived. I called again, and they assured me that the form had been mailed. They double checked my address and said that they would mail me another form. The second form also did not arrive, and they tried mailing it a third time, still with no luck. I finally went over to the office and filled out the form in person. Incidentally, none of these four things has arrived in the seven years since then.

We also seem to have particularly bad luck with appointment reminders from our dentist. Over the past couple years, one reminder arrived about a month late looking as if it had been chewed on; another came not terribly late, but postmarked Phoenix, Arizona; and a third (addressed absolutely correctly) was returned to the dentist with a yellow sticker on it saying that we had moved and left no forwarding address.

I hope you enjoy this account of my various postal escapades. At least no real harm came out of any of them.

Sincerely,

  
Jackie Reardon

15 Sacramento Street  
Cambridge, MA 02138  
March 19, 1990

Mr. Frank Duehay  
Cambridge City Council  
City Hall  
Massachusetts Avenue  
Cambridge MA 02139

Dear Mr. Duehay:

In contrast to my February 27, 1990 letter of personal commendation for mail carrier Peter Messuri, a copy of which you have on file, I should like to cite a different example of mail service in Cambridge.

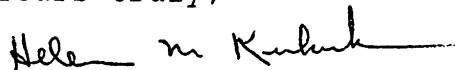
ON March 16, 1990, I received via "Priority Mail" a packet which had been postmarked: Cambridge MA, March 5, 1990.

Appropriate comment for such ineffective, inefficient service eludes me.

Yet another example: a letter mailed at corner of JFK and Winthrop Street Sunday, October 29, 1989, reached its Somerville 02144 destination on Thursday, November 2, 1989.

I am sorry that I am unable to be present at your meeting on April 2, 1990. Thank you for whatever investigative and remedial action is possible.

Yours truly,



Helen M. Kukuk

March 21, 1990

Dear Councillor Durelay,

In case I cannot attend the City Council meeting on April 2nd regarding the Postal Service in Cambridge, I wish to put in writing that our postal service the past few years certainly has been less than desirable. As I write this, there is a piece of MIS-delivered 1<sup>st</sup> class mail in my mail slot waiting to be picked up to be delivered to the proper address.

It is things like this, late deliveries, sometimes days skipped etc, etc., that has disenchanting many Cambridge residents with our Postal service. I spoke with you at length on the phone some time ago on this subject so you have heard my rather detailed report, and I appreciate the time you took listening to me.

Our problem here began when our excellent regular letter carrier was assigned to another route a few years ago. -- We have not had a regular letter carrier since. (although possibly there has been a little improvement lately) -- but still <sup>much</sup> room for improvement.

I certainly hope the Council meeting with Postal Service representatives will be a fruitful one.

Thank you for your efforts and interest in this inexcusable neglect.

Sincerely yours,  
Virginia D. Diggdon

Virginia Diggdon  
128 Chestnut Street  
Cambridge, Mass. 02139



United States  
Postal Service

March 15, 1990

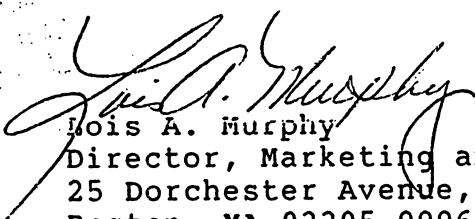
Joseph E. Connarton  
City Clerk  
Office of the City Clerk  
City of Cambridge, City Hall  
Cambridge, MA 02139-3219

Dear Mr. Connarton:

This is in response to your letter of March 1, 1990. I want to thank you for giving us the opportunity to further discuss the concerns of the City Council regarding mail delivery service.

Thomas K. Ranft, Postmaster/Division General Manager and members of his staff will be attending the meeting of April 2, 1990.

Sincerely,

  
Lois A. Murphy  
Director, Marketing and Communications  
25 Dorchester Avenue, Room 4009  
Boston, MA 02205-9996

61 Winter, St.  
Cambridge, Ma. 02141  
March 26, 1990

Dear Francis,

I am writing in regards to our mail delivery.

My husband who had to retire at the age of 55 on November 10, 1989 due to lung disease & is on oxygen 20 hours a day receives a check the 2nd of each month.

On February 2nd we did not receive the above mentioned. I called the main post office & spoke with the supervisor & was told no check was there for delivery.

To make the story short, on February 28th an envelope addressed to my husband was delivered by our mail carrier. Returned address was "Probation Dept., Middlesex Family Court".

I opened the envelope & there was  
the check. This govt check had  
been removed from its original  
envelope which states if found  
return to sender.

I am enclosing a copy of such  
envelope.

Do you realize in what we went  
through with no income for one  
whole month?

Sincerely yours  
Gene B. Young



RECEIVED BY  
OFFICE OF CITY CLERK

1990 MAR 30 PM CITY OF CAMBRIDGE

Russell B. Higley  
City Solicitor

Donald A. Drisdell  
Deputy City Solicitor

Michael C. Costello  
Assistant City Solicitor

Birge Albright  
Legal Counsel

CAMBRIDGE MA.

Office of the City Solicitor  
City Hall  
795 Massachusetts Avenue  
Cambridge, Massachusetts 02139  

---

(617) 498-9020

Gail S. Gabriel  
Legal Counsel

Joseph M. Kaigler  
Legal Counsel

Diane Wynshaw-Boris  
Legal Counsel

Edward J. O'Connell  
Legal Counsel

March 29, 1990

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

Re: Citizen request to take legal action  
against the U.S. Postal Service

Dear Mr. Healy:

This is in response to City Council order no. 6, dated January 22, 1990, which essentially asks whether the City can take legal action against the U.S. Postal Service for failure to deliver the mail to Cambridge residents. A copy of the order is enclosed.

In this letter, I will examine first the tort liability of the U.S. Postal Service for negligence in the delivery of mail. See, generally, Note, "Failure to meet their appointed rounds - Tort liability of Postal Service supervisory personnel for lost or mishandled mail," 18 Santa Clara Law Review 241 (1978); Shelby Resources, Inc. v. U.S. Postal Service, 619 F. Supp. 1546 (1985, SDNY); 72 C.J.S., Postal Service, s. 9 (1987).

I note, at the outset, that the Federal Tort Claims Act, 28 U.S.C., s. 1346(b), excludes from its operation "Any claim arising out of the loss, miscarriage, or negligent transmission of letters

or postal matter." 28 U.S.C., s. 2680(b). See 35 Am. Jur. 2d, Federal Tort Claims Act, s. 37 (1967) (and cases cited in 1989 pocket part). Thus, "...Congress has not waived its sovereign immunity with respect to an action for damages for late delivery or non-delivery of mail...." 72 C.J.S., Postal Service, s. 9, p. 83 (1987). See Sportique Fashions, Inc. v. Sullivan, 597 F.2d 664 (1979, 9th Cir.).

The only legal remedy for negligent mail delivery would seem to be provided by 39 U.S.C., s. 3662 (Rate and service complaints), which states:

Interested parties who believe...that they are not receiving postal service in accordance with the policies of this title may lodge a complaint with the Postal Rate Commission in such form and in such manner as it may prescribe....

There is no judicial review, however, if the complaint is not acted on favorably. See Tedesco v. U.S. Postal Service, 553 F. Supp. 1387 (1983, W.D. Pa.), which held that the provisions of the Postal Reorganization Act, 39 U.S.C. ss. 101-5605 (1976), that the Postal Service shall be operated as a fundamental service provided to the people by the government, and setting forth the basic functions and responsibilities of the Postal Service do not create a private cause of action in the district courts for a complaint of inadequate postal service. To the same effect, see also Shelby Resources, Inc. v. U.S. Postal Service, 619 F. Supp. 1546 (1985, SDNY).

I conclude that private citizens and businesses who may be injured through the negligent delivery or non-delivery of mail cannot sue the U.S. Postal Service, and, a fortiori, that the City cannot sue the Postal Service as their representative. An "interested party" can file a complaint under 39 U.S.C., s. 3662 with the Postal Rate Commission.

In my opinion the City would not be an "interested party" within the meaning of 39 U.S.C., s. 3662. As a general rule,

A municipal corporation cannot maintain an action in a matter which does not affect it in its corporate capacity, or in which it has no interest as a unit of local government. Hence, although intervention in proceedings before a public utility commission is sometimes allowed a city cannot intervene in the suit of an individual against a public utility to enjoin the collection of illegal rates....

17 McQuillin, Municipal Corporations, s. 49.02 (1982).

These principles are illustrated by the case of Slama v. Attorney General, 384 Mass. 620 (1981), where the plaintiff Slama and eleven other qualified voters (first signers) signed an initiative petition which would have required the Commonwealth to share its sales, use, storage, consumption and income tax revenues with the cities and towns which generate these revenues. When the Attorney General refused to certify the Initiative, the first signers and the City of Boston sought an injunction from a single justice to compel the Attorney General to certify it. The Court held that Boston lacked standing, either in its own right or in a representative capacity, to join the suit as a plaintiff.

The City argued that it had standing as a representative of

its citizens. In making this argument, the City relied on Wilmington v. Dept. of Public Utilities, 340 Mass. 432 (1960), in which the Boston and Maine Railroad filed a petition with the Department of Public Utilities (DPU) for the discontinuance of certain passenger stations and passenger service in Wilmington. The town was allowed to intervene in the proceedings before the DPU, and, when the DPU decided in favor of the Railroad, the town sought to appeal as "an aggrieved party in interest" pursuant to G.L. c. 25, s. 5.

In holding that the town was "an aggrieved party in interest," the Court in Wilmington noted that "(i)ndividual customers of the utilities as a rule do not have the time or the means to come in as parties and defend their interests or those of the public generally." 340 Mass. at 439.

In Slama, the Court distinguishes Wilmington as follows:

... Representative standing is generally limited to cases in which it is difficult or impossible for the actual rightholders to assert their claims. See Wilmington..., 340 Mass. 432, 437-439.... However, in election cases, it is neither difficult nor impossible for qualified voters to assert their claims.

384 Mass. at 624.

It does not seem to me that it would be difficult or impossible for Cambridge residents or businesses to file a complaint with the Postal Rate Commission under 39 U.S.C., s. 3662. It would certainly be much easier than participating in the full-fledged administrative proceeding which took place in Wilmington.

As an additional reason for denying standing to Boston in the

Slama case, the Court stated that, "To have standing in any capacity, a litigant must show that the challenged action has caused the litigant injury. See Schlesinger v. Reservists Comm. to Stop the War, 418 U.S. 208 (1974)...." 384 Mass. at 624. The Court then held that Boston's allegation of injury was insufficient. Likewise, here I am not aware that the City of Cambridge claims that it is being injured through actions of the U.S. Postal Service.

For the reasons stated above, I conclude that

1. Nobody, including the City, may bring suit against the U.S. Postal Service for "Any claim arising out of the loss, miscarriage, or negligent transmission of letters or postal matter." 28 U.S.C., s. 2680(b).

2. The City does not have standing as an "interested party" to file a claim under 39 U.S.C., s. 3662.

Very truly yours,

  
Russell B. Higley

RBH/jml  
Enclosure

cc: Mayor Alice Wolf  
Joseph E. Connarton

OPS#2



# City of Cambridge

6.

IN CITY COUNCIL

January 22, 1990

COUNCILLOR DUEHAY

ORDERED: That the City Manager be and hereby is requested to evaluate the attached citizen request to take legal action against the U.S. Postal Service for failure to deliver the mail to Cambridge residents and report his recommendation back to the City Council in two weeks.

In City Council January 22, 1990.  
Adopted by the affirmative vote of nine members.  
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton, City Clerk.

JOSEPH P. KENNEDY II  
8TH DISTRICT, MASSACHUSETTS

COMMITTEE ON BANKING,  
FINANCE AND URBAN AFFAIRS

SUBCOMMITTEES:

HOUSING AND COMMUNITY DEVELOPMENT  
FINANCIAL INSTITUTIONS SUPERVISION,  
REGULATION AND INSURANCE  
INTERNATIONAL DEVELOPMENT  
INSTITUTIONS AND FINANCE

COMMITTEE ON VETERANS' AFFAIRS

SUBCOMMITTEES:

HOSPITALS AND HEALTH CARE  
EDUCATION, TRAINING AND EMPLOYMENT

SELECT COMMITTEE ON AGING

SUBCOMMITTEE ON HUMAN SERVICES



RECEIVED BY  
OFFICE OF CITY CLERK

1990 FEB 27 PM 12: 13

Congress of the United States  
House of Representatives  
Washington, DC 20515

1208 LONGWORTH BUILDING  
WASHINGTON, DC 20515  
(202) 225-5111

ROOM 1111, FEDERAL BLDG.  
10 CAUSEWAY STREET  
BOSTON, MA 02222  
(617) 565-8688

February 20, 1990

Thomas K. Ranft  
Postmaster and Division General Manager  
U.S. Postal Service  
General Mail Facility, Room 4006  
25 Dorchester Avenue  
Boston, Massachusetts 02205-9998

Dear Mr. Ranft:

I am writing to you on behalf of the Cambridge City Council who contacted my office about mail delivery problems being experienced throughout the City of Cambridge. The Cambridge City Council passed a resolution concerning this problem. Enclosed please find a copy of the resolution.

For the past three years, my office has received numerous complaints from constituents concerning their postal delivery service. In many of these cases, whether it involved late or damaged mail delivery, my office worked with the U.S. Postal Service's Consumer Affairs office. The office was always ready to assist my staff in trying to resolve many of these problems. However, there are still some areas in Cambridge that continue to experience problems with their mail delivery.

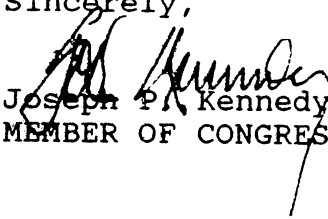
The Cambridge City Council feels that one of the problems is because of the lack of consistent service throughout the city. They respectfully request that these inconsistencies be addressed immediately so the citizens of Cambridge can receive their mail on a regular basis.

Thomas K. Ranft  
Postmaster and Division General Manager  
U.S. Postal Service  
February 20, 1990  
page two

Any assistance you are able to provide in this matter would be greatly appreciated. I look forward to hearing from you at your earliest convenience.

Thank you for your time and attention.

Sincerely,



Joseph P. Kennedy II  
MEMBER OF CONGRESS

JPK:da

Enclosure

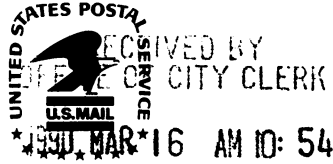
8.

Comm. from Congressman Joseph P. Kennedy, II  
transmitting a copy of a letter he sent to  
the Postmaster regarding a communication he  
received from the City Council regarding  
poor mail delivery.

In City Council,

March 12, 1990

*Placed on file*



**United States** CAMBRIDGE MA.  
**Postal Service**

March 15, 1990

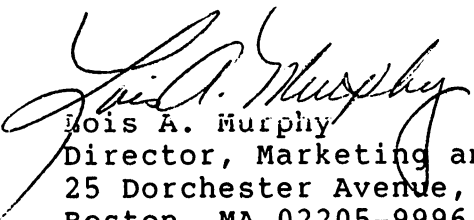
Joseph E. Connarton  
City Clerk  
Office of the City Clerk  
City of Cambridge, City Hall  
Cambridge, MA 02139-3219

Dear Mr. Connarton:

This is in response to your letter of March 1, 1990. I want to thank you for giving us the opportunity to further discuss the concerns of the City Council regarding mail delivery service.

Thomas K. Ranft, Postmaster/Division General Manager and members of his staff will be attending the meeting of April 2, 1990.

Sincerely,

  
Lois A. Murphy  
Director, Marketing and Communications  
25 Dorchester Avenue, Room 4009  
Boston, MA 02205-9996

1.

Comm. from Lois A. Murphy, United States Postal Service, transmitting notification that Thomas K. Ranft and members of his staff will be in attendance at the City Council meeting of April 2, 1990 to discuss the mail delivery issue.

In City Council,

March 26, 1990

*Referred to hearing  
on April 2, 1990*

*Per*  
**Architects  
Four**

Professional Association  
99 Middle Street  
Manchester, NH 03101



UNITED STATES  
NATIONAL  
DENTAL

*Under Laws  
326 Harvard  
Cambridge, MA - 02141*

AFTER FIVE DAYS RETURN TO  
DISTRICT ATTORNEY  
DISTRICT COURT DIVISION  
OLD COURT HOUSE RM. 273  
BOSTON, MASSACHUSETTS 02108



Mr George Webb  
326 Harvard Street  
Boston, MA 02139

Dear Mr Webb:

758078

117910  
Mr. Thomas W. Lampi  
326 Broadway  
Cambridge MA 02139

RECEIVED BY  
OFFICE OF CITY CLERK  
1990 MAR -1 PM 3:58

15 Sacramento Street  
Cambridge, MA 02138  
February 27, 1990

CAMBRIDGE MA.

Postmaster  
Cambridge, MA 02139

Dear Sir:

A number of neighbors, residing between 5a and 19 Sacramento Street, and including 14 and 16 Sacramento, would like to commend and compliment Peter Messuri, our mail carrier, for his excellent service. He is pleasant, courteous, timely, and accurate. It is a delight to have him as our mail carrier.

In his absence, such as during a recent vacation, the quality of our mail service deteriorates significantly. In the words of one neighbor, "when he is not here, it is disastrous." We have all found examples of mail not being delivered, or being misdelivered. This was particularly the case during the winter and spring of 1989, when Mr. Messuri was recovering from a fall. How we missed him, and how we welcomed his return.

While we therefore acknowledge there are serious problems with mail delivery in Cambridge, we certainly wish to thank Mr. Messuri for a job well done.

Yours truly,



Helen M. Kukuk

cc: Cambridge City Council  
Cambridge Chronicle  
Cambridge Tab

7.

Comm. from Helen M. Kukuk, 15 Sacramento St.,  
regarding mail delivery in Cambridge.

In City Council,

March 12, 1990

*Placed on file*



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON  
CITY CLERK

JOHN E. FLYNN  
DEPUTY CITY CLERK

March 21, 1990

Ms. Jackie Reardon  
269 Harvard Street # 16  
Cambridge, MA 02139

Dear Ms. Reardon:

The City Council was in receipt of your recent communication at the City Council meeting held on March 19, 1990.

Please be advised that the City Council has scheduled a public hearing with the Regional Postmaster for the Boston Area relative to the poor mail delivery for Monday, April 2, 1990 at 7:30 p. m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts.

Your presence is requested at this hearing.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

*Joseph E. Connarton*  
Joseph E. Connarton  
City Clerk.

JEC/d1

269 Harvard Street # 16  
Cambridge, MA 02139

March 7, 1990

City Council Office  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, MA 02139

Dear Councillors,

I understand that there is a City Council contest going on relating to mail delivery.

A couple months before I got my Master's Degree in 1983, I began to wonder why I had received nothing from Harvard's Extension Office relating to the upcoming graduation, so I called the office to ask. They told me that I should have gotten a letter informing me of a meeting, of the dates for ordering caps and gowns, of ticket request procedure, etc. At that point I had already missed the meeting and just barely had time to order a cap and gown. The deadline for ticket requests was fast approaching, so they said that they would mail me a ticket request form. I waited for awhile, but no ticket request form arrived. I called again, and they assured me that the form had been mailed. They double checked my address and said that they would mail me another form. The second form also did not arrive, and they tried mailing it a third time, still with no luck. I finally went over to the office and filled out the form in person. Incidentally, none of these four things has arrived in the seven years since then.

We also seem to have particularly bad luck with appointment reminders from our dentist. Over the past couple years, one reminder arrived about a month late looking as if it had been chewed on; another came not terribly late, but postmarked Phoenix, Arizona; and a third (addressed absolutely correctly) was returned to the dentist with a yellow sticker on it saying that we had moved and left no forwarding address.

I hope you enjoy this account of my various postal escapades. At least no real harm came out of any of them.

Sincerely,

  
Jackie Reardon

2.

Comm. from Jackie Reardon, 269 Harvard Street, regarding his experiences with poor mail delivery.

In City Council,

March 19, 1990

*Placed on file  
notified of postal  
hearing 3/21/90 @dw*

RECEIVED BY  
OFFICE OF CITY CLERK  
1990 MAR 12 AM 10:32  
CAMBRIDGE MA.

15 Sacramento Street  
Cambridge, MA 02138  
March 19, 1990

Mr. Frank Duehay  
Cambridge City Council  
City Hall  
Massachusetts Avenue  
Cambridge MA 02139

Dear Mr. Duehay:

In contrast to my February 27, 1990 letter of personal commendation for mail carrier Peter Messuri, a copy of which you have on file, I should like to cite a different example of mail service in Cambridge.

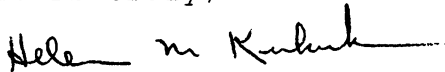
ON March 16, 1990, I received via "Priority Mail" a packet which had been postmarked: Cambridge MA, March 5, 1990.

Appropriate comment for such ineffective, inefficient service eludes me.

Yet another example: a letter mailed at corner of JFK and Winthrop Street Sunday, October 29, 1989, reached its Somerville 02144 destination on Thursday, November 2, 1989.

I am sorry that I am unable to be present at your meeting on April 2, 1990. Thank you for whatever investigative and remedial action is possible.

Yours truly,



Helen M. Kukuk

March 21, 1990

Dear Councillor Diehney,

In case I cannot attend the City Council meeting on April 2nd regarding the Postal Service in Cambridge, I wish to put in writing that our postal service the past few years certainly has been less than desirable. As I write this, there is a piece of MIS-delivered 1st class mail in my mail slot waiting to be picked up to be delivered to the proper address.

It is things like this, late deliveries, sometimes days skipped etc, etc., that has disenchanting many Cambridge residents with our Postal service. I spoke with you at length on the phone some time ago on this subject so you have heard my rather detailed report, and I appreciate the time you took listening to me.

Our problem here began when our excellent regular letter carrier was assigned to another route a few years ago. - We have not had a regular letter carrier since. (although possibly there has been a little improvement lately) - but still <sup>much</sup> room for improvement.

I certainly hope the Council meeting with Postal Service representatives will be a fruitful one.

Thank you for your efforts and interest in this inexcusable neglect.

Sincerely yours,  
Virginia D. Wigdson

61 Winter St.  
Cambridge, Ma. 02141  
March 26, 1990

Dear Francis,

I am writing in regards to our mail delivery.

My husband who had to retire at the age of 55 on November 10, 1989 due to lung disease & is on oxygen 20 hours a day receives a check the 2nd of each month.

On February 2nd we did not receive the above mentioned. I called the main post office & spoke with the supervisor & was told no check was there for delivery.

To make the story short, on February 28th an envelope addressed to my husband was delivered by our mail carrier. Returned address, was "Probation Dept., Middlesex Family Court".

I opened the envelope & there was the check. This govt check had been removed from its original envelope which states if found return to sender.

I am enclosing a copy of such envelope.

Do you realize in what we went through with no income for one whole month?

Sincerely yours  
Gene B. Young

Probation Department  
Middlesex Family Court  
E. Cambridge, Mass. 02141



Clarence G Young Jr.  
61 Winter St.  
Cambridge, MA 02141



RECEIVED BY  
OFFICE OF CITY CLERK

1990 MAR 30 PM 6 CITY OF CAMBRIDGE

Russell B. Higley  
City Solicitor

Donald A. Drisdell  
Deputy City Solicitor

Michael C. Costello  
Assistant City Solicitor

Birge Albright  
Legal Counsel

CAMBRIDGE MA.

Office of the City Solicitor  
City Hall  
795 Massachusetts Avenue  
Cambridge, Massachusetts 02139  

---

  
(617) 498-9020

Gail S. Gabriel  
Legal Counsel

Joseph M. Kaigler  
Legal Counsel

Diane Wynshaw-Boris  
Legal Counsel

Edward J. O'Connell  
Legal Counsel

March 29, 1990

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

Re: Citizen request to take legal action  
against the U.S. Postal Service

Dear Mr. Healy:

This is in response to City Council order no. 6, dated January 22, 1990, which essentially asks whether the City can take legal action against the U.S. Postal Service for failure to deliver the mail to Cambridge residents. A copy of the order is enclosed.

In this letter, I will examine first the tort liability of the U.S. Postal Service for negligence in the delivery of mail. See, generally, Note, "Failure to meet their appointed rounds - Tort liability of Postal Service supervisory personnel for lost or mishandled mail," 18 Santa Clara Law Review 241 (1978); Shelby Resources, Inc. v. U.S. Postal Service, 619 F. Supp. 1546 (1985, SDNY); 72 C.J.S., Postal Service, s. 9 (1987).

I note, at the outset, that the Federal Tort Claims Act, 28 U.S.C., s. 1346(b), excludes from its operation "Any claim arising out of the loss, miscarriage, or negligent transmission of letters

or postal matter." 28 U.S.C., s. 2680(b). See 35 Am. Jur. 2d, Federal Tort Claims Act, s. 37 (1967) (and cases cited in 1989 pocket part). Thus, "...Congress has not waived its sovereign immunity with respect to an action for damages for late delivery or non-delivery of mail...." 72 C.J.S., Postal Service, s. 9, p. 83 (1987). See Sportique Fashions, Inc. v. Sullivan, 597 F.2d 664 (1979, 9th Cir.).

The only legal remedy for negligent mail delivery would seem to be provided by 39 U.S.C., s. 3662 (Rate and service complaints), which states:

Interested parties who believe...that they are not receiving postal service in accordance with the policies of this title may lodge a complaint with the Postal Rate Commission in such form and in such manner as it may prescribe....

There is no judicial review, however, if the complaint is not acted on favorably. See Tedesco v. U.S. Postal Service, 553 F. Supp. 1387 (1983, W.D. Pa.), which held that the provisions of the Postal Reorganization Act, 39 U.S.C. ss. 101-5605 (1976), that the Postal Service shall be operated as a fundamental service provided to the people by the government, and setting forth the basic functions and responsibilities of the Postal Service do not create a private cause of action in the district courts for a complaint of inadequate postal service. To the same effect, see also Shelby Resources, Inc. v. U.S. Postal Service, 619 F. Supp. 1546 (1985, SDNY).

I conclude that private citizens and businesses who may be injured through the negligent delivery or non-delivery of mail cannot sue the U.S. Postal Service, and, a fortiori, that the City cannot sue the Postal Service as their representative. An "interested party" can file a complaint under 39 U.S.C., s. 3662 with the Postal Rate Commission.

In my opinion the City would not be an "interested party" within the meaning of 39 U.S.C., s. 3662. As a general rule,

A municipal corporation cannot maintain an action in a matter which does not affect it in its corporate capacity, or in which it has no interest as a unit of local government. Hence, although intervention in proceedings before a public utility commission is sometimes allowed a city cannot intervene in the suit of an individual against a public utility to enjoin the collection of illegal rates....

17 McQuillin, Municipal Corporations, s. 49.02 (1982).

These principles are illustrated by the case of Slama v. Attorney General, 384 Mass. 620 (1981), where the plaintiff Slama and eleven other qualified voters (first signers) signed an initiative petition which would have required the Commonwealth to share its sales, use, storage, consumption and income tax revenues with the cities and towns which generate these revenues. When the Attorney General refused to certify the Initiative, the first signers and the City of Boston sought an injunction from a single justice to compel the Attorney General to certify it. The Court held that Boston lacked standing, either in its own right or in a representative capacity, to join the suit as a plaintiff.

The City argued that it had standing as a representative of

its citizens. In making this argument, the City relied on Wilmington v. Dept. of Public Utilities, 340 Mass. 432 (1960), in which the Boston and Maine Railroad filed a petition with the Department of Public Utilities (DPU) for the discontinuance of certain passenger stations and passenger service in Wilmington. The town was allowed to intervene in the proceedings before the DPU, and, when the DPU decided in favor of the Railroad, the town sought to appeal as "an aggrieved party in interest" pursuant to G.L. c. 25, s. 5.

In holding that the town was "an aggrieved party in interest," the Court in Wilmington noted that "(i)ndividual customers of the utilities as a rule do not have the time or the means to come in as parties and defend their interests or those of the public generally." 340 Mass. at 439.

In Slama, the Court distinguishes Wilmington as follows:

... Representative standing is generally limited to cases in which it is difficult or impossible for the actual rightholders to assert their claims. See Wilmington..., 340 Mass. 432, 437-439.... However, in election cases, it is neither difficult nor impossible for qualified voters to assert their claims.

384 Mass. at 624.

It does not seem to me that it would be difficult or impossible for Cambridge residents or businesses to file a complaint with the Postal Rate Commission under 39 U.S.C., s. 3662. It would certainly be much easier than participating in the full-fledged administrative proceeding which took place in Wilmington.

As an additional reason for denying standing to Boston in the


Slama case, the Court stated that, "To have standing in any capacity, a litigant must show that the challenged action has caused the litigant injury. See Schlesinger v. Reservists Comm. to Stop the War, 418 U.S. 208 (1974)...." 384 Mass. at 624. The Court then held that Boston's allegation of injury was insufficient. Likewise, here I am not aware that the City of Cambridge claims that it is being injured through actions of the U.S. Postal Service.

For the reasons stated above, I conclude that

1. Nobody, including the City, may bring suit against the U.S. Postal Service for "Any claim arising out of the loss, miscarriage, or negligent transmission of letters or postal matter." 28 U.S.C., s. 2680(b).

2. The City does not have standing as an "interested party" to file a claim under 39 U.S.C., s. 3662.

Very truly yours,

  
Russell B. Higley

RBH/jm1  
Enclosure

cc: Mayor Alice Wolf  
Joseph E. Connar-ton

OPS#2



# City of Cambridge

6.

IN CITY COUNCIL

January 22, 1990

COUNCILLOR DUEHAY

ORDERED: That the City Manager be and hereby is requested to evaluate the attached citizen request to take legal action against the U.S. Postal Service for failure to deliver the mail to Cambridge residents and report his recommendation back to the City Council in two weeks.

In City Council January 22, 1990.  
Adopted by the affirmative vote of nine members.  
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

A handwritten signature in dark ink, appearing to read "Joseph E. Connarton".

ATTEST:-

Joseph E. Connarton, City Clerk.



# CAMBRIDGE CITY COUNCIL

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9094

Ed Cyr  
City Councillor

March 30, 1990

The Honorable, The City Council:

Please be advised that I will be submitting this piece of Home Rule Petition for your review and action in the upcoming weeks.

I would request that if you have any suggestions or comments, I would be most grateful if you would inform me so as we could reach a consensus on this very important matter.

I look forward to hearing from you.

Thank you for your cooperation in this matter.

Sincerely yours,

Ed Cyr  
City Councillor

s

enclosure

**A PETITION TO PROVIDE TAX RELIEF FOR LOW-INCOME PERSONS IN THE  
CITY OF CAMBRIDGE**

Ordered: That a petition to the General Court, accompanied by a bill for a special law relating to the City of Cambridge to be filed with an attested copy of this order be, and hereby is, approved under Claus (1) of Section eight of Article two, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted providing precisely as follows, except for clerical or editorial changes of form only:-

**SECTION ONE** - Notwithstanding any general or special laws to the contrary, the provisions of this Act shall apply to the City of Cambridge.

**SECTION TWO - TAX EXEMPTION PROGRAM.**

**DEFINITIONS:** The following terms as used in this section, shall have the meaning as specifically defined herein, unless content demands otherwise:

**ELIGIBLE TAXPAYER** shall mean a person who owns and occupies real property as his/her domicile and whose total income in the preceding year did not exceed sixty percent (60%) of the median income for the Cambridge area as determined by the Department of Housing and Urban Development pursuant to 42 U.S.C. 1437f, or a person who owns real property jointly with his/her spouse or as a tenant in common with a person not his/her spouse whose total income in the preceding year, together, does not exceed sixty percent (60%) of the median income for the area as determined by the United State Secretary of Housing and Urban Development pursuant to 42 U.S.C. 1437f, provided however, that the value of the whole estate, both real and personal, excluding the value of the property to be exempted under this section and its contents, shall not exceed \$28,000.

**TOTAL INCOME** shall mean gross receipts from all sources, excluding ordinary business expenses or losses but not excluding personal and family expenses.

The Assessor of the City of Cambridge shall, upon application by any eligible taxpayer, exempt from taxation a portion of the taxpayer's property value, so that no eligible taxpayer shall pay more than seven percent (7%) of his/her total income on property taxes; provided however that in no instance shall the taxable value of such property, after all applicable exemptions, be reduced below ten percent (10%) of its full and fair cash value except through the application of MGLA C. 58 s. 8A or MGLA c. 59 s. 5 clause 18. The exemption allowed under this Act shall be in addition to any other exemptions to which the applicant may be entitled.

The Assessor of the City of Cambridge shall notify all eligible taxpayers, of the existence of this exemption program.

10 CALSEWAY STREET  
BOSTON, MASSACHUSETTS  
02109-1000

SEN. EDWARD M. KENNEDY II  
MASSACHUSETTS  
COMMITTEE ON BANKING  
AND URBAN AFFAIRS  
SUBCOMMITTEES  
AND COMMUNITY DEVELOPMENT  
INSTITUTIONS SUPERVISION  
REGULATION AND INSURANCE  
INTERNATIONAL DEVELOPMENT  
TECHNOLOGY AND FINANCE  
COMMITTEE ON VETERANS AFFAIRS  
SUBCOMMITTEES  
HOSPITALS AND HEALTH CARE  
EDUCATION, TRAINING AND EMPLOYMENT  
SELECT COMMITTEE ON AGING  
COMMITTEE ON HUMAN SERVICES



# Congress of the United States

## House of Representatives

Washington, DC 20515

February 20, 1990

Thomas K. Ranft  
Postmaster and Division General Manager  
U.S. Postal Service  
General Mail Facility, Room 4006  
25 Dorchester Avenue  
Boston, Massachusetts 02205-9998

Dear Mr. Ranft:

I am writing to you on behalf of the Cambridge City Council who contacted my office about mail delivery problems being experienced throughout the City of Cambridge. The Cambridge City Council passed a resolution concerning this problem. Enclosed please find a copy of the resolution.

For the past three years, my office has received numerous complaints from constituents concerning their postal delivery service. In many of these cases, whether it involved late or damaged mail delivery, my office worked with the U.S. Postal Service's Consumer Affairs office. The office was always ready to assist my staff in trying to resolve many of these problems. However, there are still some areas in Cambridge that continue to experience problems with their mail delivery.


The Cambridge City Council feels that one of the problems is because of the lack of consistent service throughout the city. They respectfully request that these inconsistencies be addressed immediately so the citizens of Cambridge can receive their mail on a regular basis.

Thomas K. Ranft  
Postmaster and Division General Manager  
U.S. Postal Service  
February 20, 1990  
page two

Any assistance you are able to provide in this matter would be greatly appreciated. I look forward to hearing from you at your earliest convenience.

Thank you for your time and attention.

Sincerely,

  
Joseph P. Kennedy II  
MEMBER OF CONGRESS

JPK:da

Enclosure



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON  
CITY CLERK

JOHN E. FLYNN  
DEPUTY CITY CLERK

April 2, 1990

TO: THE HONORABLE, THE CITY COUNCIL

FROM: JOSEPH E. CONNARTON, CITY CLERK *JEC*

SUBJECT: POSTAL HEARING FOR APRIL 2, 1990

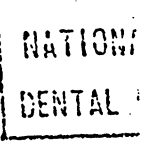
Pursuant to the various complaints received regarding the mail delivery in Cambridge several communications have been submitted to you regarding this issue.

I have made copies of these communications as well as the opinion of the City Solicitor relative to the issue of litigation.

Your kind attention in this matter will be greatly appreciated.

*Koy*  
**Architects  
Four**

Professional Association  
99 Middle Street  
Manchester, NH 03101



*Unda Law's  
326 Harvard  
Cambridge, MA - 02141*

AFTER FIVE DAYS RETURN TO  
**DISTRICT ATTORNEY**  
DISTRICT COURT DIVISION  
OLD COURT HOUSE RM. 273  
BOSTON, MASSACHUSETTS 02108



Mr George Webb  
326 Harvard Street  
Boston, MA 02139

Dear Mr Webb:

758078

117910  
Mr. Thomas W. Lampi  
326 Broadway  
Cambridge MA 02139

JOSEPH P. KENNEDY II  
8TH DISTRICT, MASSACHUSETTS

COMMITTEE ON BANKING,  
FINANCE AND URBAN AFFAIRS

SUBCOMMITTEES:

HOUSING AND COMMUNITY DEVELOPMENT  
FINANCIAL INSTITUTIONS SUPERVISION,  
REGULATION AND INSURANCE  
INTERNATIONAL DEVELOPMENT  
INSTITUTIONS AND FINANCE

COMMITTEE ON VETERANS' AFFAIRS

SUBCOMMITTEES:

HOSPITALS AND HEALTH CARE  
EDUCATION, TRAINING AND EMPLOYMENT

SELECT COMMITTEE ON AGING

SUBCOMMITTEE ON HUMAN SERVICES



RECEIVED BY  
OFFICE OF CITY CLERK

1990 FEB 27 PM 12:13

Congress of the United States  
House of Representatives  
Washington, DC 20515

1208 LONGWORTH BUILDING  
WASHINGTON, DC 20515  
(202) 225-5111

ROOM 1111, FEDERAL BLDG.  
10 CAUSEWAY STREET  
BOSTON, MA 02222  
(617) 565-8688

February 20, 1990

Thomas K. Ranft  
Postmaster and Division General Manager  
U.S. Postal Service  
General Mail Facility, Room 4006  
25 Dorchester Avenue  
Boston, Massachusetts 02205-9998

Dear Mr. Ranft:

I am writing to you on behalf of the Cambridge City Council who contacted my office about mail delivery problems being experienced throughout the City of Cambridge. The Cambridge City Council passed a resolution concerning this problem. Enclosed please find a copy of the resolution.

For the past three years, my office has received numerous complaints from constituents concerning their postal delivery service. In many of these cases, whether it involved late or damaged mail delivery, my office worked with the U.S. Postal Service's Consumer Affairs office. The office was always ready to assist my staff in trying to resolve many of these problems. However, there are still some areas in Cambridge that continue to experience problems with their mail delivery.

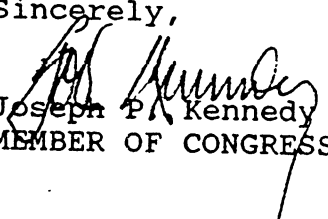
The Cambridge City Council feels that one of the problems is because of the lack of consistent service throughout the city. They respectfully request that these inconsistencies be addressed immediately so the citizens of Cambridge can receive their mail on a regular basis.

Thomas K. Ranft  
Postmaster and Division General Manager  
U.S. Postal Service  
February 20, 1990  
page two

Any assistance you are able to provide in this matter would be greatly appreciated. I look forward to hearing from you at your earliest convenience.

Thank you for your time and attention.

Sincerely,



Joseph P. Kennedy II  
MEMBER OF CONGRESS

JPK:da

Enclosure

RECEIVED BY  
OFFICE OF CITY CLERK

1990 MAR -1 PM 3:58

CAMBRIDGE MA.

15 Sacramento Street  
Cambridge, MA 02138  
February 27, 1990

Postmaster  
Cambridge, MA 02139

Dear Sir:

A number of neighbors, residing between 5a and 19 Sacramento Street, and including 14 and 16 Sacramento, would like to commend and compliment Peter Messuri, our mail carrier, for his excellent service. He is pleasant, courteous, timely, and accurate. It is a delight to have him as our mail carrier.

In his absence, such as during a recent vacation, the quality of our mail service deteriorates significantly. In the words of one neighbor, "when he is not here, it is disastrous." We have all found examples of mail not being delivered, or being misdelivered. This was particularly the case during the winter and spring of 1989, when Mr. Messuri was recovering from a fall. How we missed him, and how we welcomed his return.

While we therefore acknowledge there are serious problems with mail delivery in Cambridge, we certainly wish to thank Mr. Messuri for a job well done.

Yours truly,



Helen M. Kukuk

cc: Cambridge City Council  
Cambridge Chronicle  
Cambridge Tab

269 Harvard Street # 16  
Cambridge, MA 02139

March 7, 1990

City Council Office  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, MA 02139

Dear Councillors,

I understand that there is a City Council contest going on relating to mail delivery.

A couple months before I got my Master's Degree in 1983, I began to wonder why I had received nothing from Harvard's Extension Office relating to the upcoming graduation, so I called the office to ask. They told me that I should have gotten a letter informing me of a meeting, of the dates for ordering caps and gowns, of ticket request procedure, etc. At that point I had already missed the meeting and just barely had time to order a cap and gown. The deadline for ticket requests was fast approaching, so they said that they would mail me a ticket request form. I waited for awhile, but no ticket request form arrived. I called again, and they assured me that the form had been mailed. They double checked my address and said that they would mail me another form. The second form also did not arrive, and they tried mailing it a third time, still with no luck. I finally went over to the office and filled out the form in person. Incidentally, none of these four things has arrived in the seven years since then.

We also seem to have particularly bad luck with appointment reminders from our dentist. Over the past couple years, one reminder arrived about a month late looking as if it had been chewed on; another came not terribly late, but postmarked Phoenix, Arizona; and a third (addressed absolutely correctly) was returned to the dentist with a yellow sticker on it saying that we had moved and left no forwarding address.

I hope you enjoy this account of my various postal escapades. At least no real harm came out of any of them.

Sincerely,

  
Jackie Reardon

02139 MA

MAR 10 1990

100

DO NOT WRITE IN THESE SPACES  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 08-11-2001 BY 60322 JRS/STP

15 Sacramento Street  
Cambridge, MA 02138  
March 19, 1990

Mr. Frank Duehay  
Cambridge City Council  
City Hall  
Massachusetts Avenue  
Cambridge MA 02139

Dear Mr. Duehay:

In contrast to my February 27, 1990 letter of personal commendation for mail carrier Peter Messuri, a copy of which you have on file, I should like to cite a different example of mail service in Cambridge.

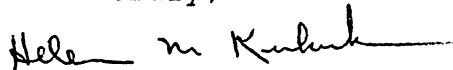
ON March 16, 1990, I received via "Priority Mail" a packet which had been postmarked: Cambridge MA, March 5, 1990.

Appropriate comment for such ineffective, inefficient service eludes me.

Yet another example: a letter mailed at corner of JFK and Winthrop Street Sunday, October 29, 1989, reached its Somerville 02144 destination on Thursday, November 2, 1989.

I am sorry that I am unable to be present at your meeting on April 2, 1990. Thank you for whatever investigative and remedial action is possible.

Yours truly,



Helen M. Kukuk

March 21, 1990

Dear Councillor Duchay,

In case I cannot attend the City Council meeting on April 2nd regarding the Postal Service in Cambridge, I wish to put in writing that our postal service the past few years certainly has been less than desirable. As I write this, there is a piece of Mis-delivered 1<sup>st</sup> class mail in my mail slot waiting to be picked up to be delivered to the proper address.

It is things like this, late deliveries, sometimes days skipped etc, etc., that has disenchanted many Cambridge residents with our Postal service. I spoke with you at length on the phone some time ago on this subject so you have heard my rather detailed report, and I appreciate the time you took listening to me.

Our problem here began when our excellent regular letter carrier was assigned to another route a few years ago. -- We have not had a regular letter carrier since. (although <sup>possibly</sup> there has been a little improvement lately) -- but still <sup>much</sup> room for improvement.

I certainly hope the Council meeting with Postal Service representatives will be a fruitful one.

Thank you for your efforts and interest in this inexcusable neglect.

Sincerely yours,  
Virginia D. Diggdon

Virginia Diggdon  
128 Chestnut Street  
Cambridge, Mass. 02139



United States  
Postal Service

March 15, 1990

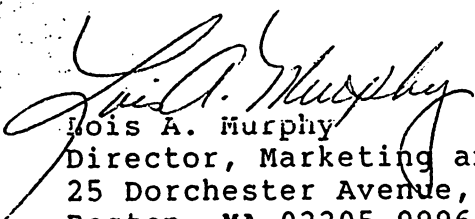
Joseph E. Connarton  
City Clerk  
Office of the City Clerk  
City of Cambridge, City Hall  
Cambridge, MA 02139-3219

Dear Mr. Connarton:

This is in response to your letter of March 1, 1990. I want to thank you for giving us the opportunity to further discuss the concerns of the City Council regarding mail delivery service.

Thomas K. Ranft, Postmaster/Division General Manager and members of his staff will be attending the meeting of April 2, 1990.

Sincerely,

  
Lois A. Murphy  
Director, Marketing and Communications  
25 Dorchester Avenue, Room 4009  
Boston, MA 02205-9996

61 Winter, St.  
Cambridge, Ma. 02141  
March 26, 1990

Dear Francis,

I am writing in regards to our mail delivery.

My husband who had to retire at the age of 55 on November 10, 1989 due to lung disease & is on oxygen 20 hours a day receives a check the 2nd of each month.

On February 2nd we did not receive the above mentioned. I called the main post office & spoke with the supervisor & was told no check was their for delivery.

To make the story short, on February 28th an envelope addressed to my husband was delivered by our mail carrier. Returned address was "Probation Dept., Middlesex Family Court".

I opened the envelope & there was the check. This govt check had been removed from its original envelope which states if found return to sender.

I am enclosing a copy of such envelope.

Do you realize in what we went through with no income for one whole month?

Sincerely yours  
Gene B. Young



RECEIVED BY  
OFFICE OF CITY CLERK

1990 MAR 30 PM CITY OF CAMBRIDGE

Russell B. Higley  
City Solicitor

Donald A. Drisdell  
Deputy City Solicitor

Michael C. Costello  
Assistant City Solicitor

Birge Albright  
Legal Counsel

CAMBRIDGE MA.

Office of the City Solicitor  
City Hall  
795 Massachusetts Avenue  
Cambridge, Massachusetts 02139

(617) 498-9020

Gail S. Gabriel  
Legal Counsel

Joseph M. Kaigler  
Legal Counsel

Diane Wynshaw-Boris  
Legal Counsel

Edward J. O'Connell  
Legal Counsel

March 29, 1990

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

Re: Citizen request to take legal action  
against the U.S. Postal Service

Dear Mr. Healy:

This is in response to City Council order no. 6, dated January 22, 1990, which essentially asks whether the City can take legal action against the U.S. Postal Service for failure to deliver the mail to Cambridge residents. A copy of the order is enclosed.

In this letter, I will examine first the tort liability of the U.S. Postal Service for negligence in the delivery of mail. See, generally, Note, "Failure to meet their appointed rounds - Tort liability of Postal Service supervisory personnel for lost or mishandled mail," 18 Santa Clara Law Review 241 (1978); Shelby Resources, Inc. v. U.S. Postal Service, 619 F. Supp. 1546 (1985, SDNY); 72 C.J.S., Postal Service, s. 9 (1987).

I note, at the outset, that the Federal Tort Claims Act, 28 U.S.C., s. 1346(b), excludes from its operation "Any claim arising out of the loss, miscarriage, or negligent transmission of letters

or postal matter." 28 U.S.C., s. 2680(b). See 35 Am. Jur. 2d, Federal Tort Claims Act, s. 37 (1967) (and cases cited in 1989 pocket part). Thus, "...Congress has not waived its sovereign immunity with respect to an action for damages for late delivery or non-delivery of mail...." 72 C.J.S., Postal Service, s. 9, p. 83 (1987). See Sportique Fashions, Inc. v. Sullivan, 597 F.2d 664 (1979, 9th Cir.).

The only legal remedy for negligent mail delivery would seem to be provided by 39 U.S.C., s. 3662 (Rate and service complaints), which states:

Interested parties who believe...that they are not receiving postal service in accordance with the policies of this title may lodge a complaint with the Postal Rate Commission in such form and in such manner as it may prescribe....

There is no judicial review, however, if the complaint is not acted on favorably. See Tedesco v. U.S. Postal Service, 553 F. Supp. 1387 (1983, W.D. Pa.), which held that the provisions of the Postal Reorganization Act, 39 U.S.C. ss. 101-5605 (1976), that the Postal Service shall be operated as a fundamental service provided to the people by the government, and setting forth the basic functions and responsibilities of the Postal Service do not create a private cause of action in the district courts for a complaint of inadequate postal service. To the same effect, see also Shelby Resources, Inc. v. U.S. Postal Service, 619 F. Supp. 1546 (1985, SDNY).

I conclude that private citizens and businesses who may be injured through the negligent delivery or non-delivery of mail cannot sue the U.S. Postal Service, and, a fortiori, that the City cannot sue the Postal Service as their representative. An "interested party" can file a complaint under 39 U.S.C., s. 3662 with the Postal Rate Commission.

In my opinion the City would not be an "interested party" within the meaning of 39 U.S.C., s. 3662. As a general rule,

A municipal corporation cannot maintain an action in a matter which does not affect it in its corporate capacity, or in which it has no interest as a unit of local government. Hence, although intervention in proceedings before a public utility commission is sometimes allowed a city cannot intervene in the suit of an individual against a public utility to enjoin the collection of illegal rates....

17 McQuillin, Municipal Corporations, s. 49.02 (1982).

These principles are illustrated by the case of Slama v. Attorney General, 384 Mass. 620 (1981), where the plaintiff Slama and eleven other qualified voters (first signers) signed an initiative petition which would have required the Commonwealth to share its sales, use, storage, consumption and income tax revenues with the cities and towns which generate these revenues. When the Attorney General refused to certify the Initiative, the first signers and the City of Boston sought an injunction from a single justice to compel the Attorney General to certify it. The Court held that Boston lacked standing, either in its own right or in a representative capacity, to join the suit as a plaintiff.

The City argued that it had standing as a representative of

its citizens. In making this argument, the City relied on Wilmington v. Dept. of Public Utilities, 340 Mass. 432 (1960), in which the Boston and Maine Railroad filed a petition with the Department of Public Utilities (DPU) for the discontinuance of certain passenger stations and passenger service in Wilmington. The town was allowed to intervene in the proceedings before the DPU, and, when the DPU decided in favor of the Railroad, the town sought to appeal as "an aggrieved party in interest" pursuant to G.L. c. 25, s. 5.

In holding that the town was "an aggrieved party in interest," the Court in Wilmington noted that "(i)ndividual customers of the utilities as a rule do not have the time or the means to come in as parties and defend their interests or those of the public generally." 340 Mass. at 439.

In Slama, the Court distinguishes Wilmington as follows:

... Representative standing is generally limited to cases in which it is difficult or impossible for the actual rightholders to assert their claims. See Wilmington..., 340 Mass. 432, 437-439.... However, in election cases, it is neither difficult nor impossible for qualified voters to assert their claims.

384 Mass. at 624.

It does not seem to me that it would be difficult or impossible for Cambridge residents or businesses to file a complaint with the Postal Rate Commission under 39 U.S.C., s. 3662. It would certainly be much easier than participating in the full-fledged administrative proceeding which took place in Wilmington.

As an additional reason for denying standing to Boston in the

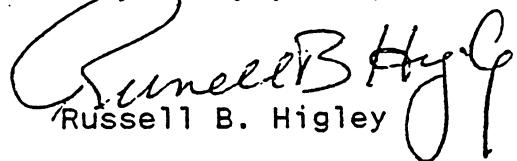
Slama case, the Court stated that, "To have standing in any capacity, a litigant must show that the challenged action has caused the litigant injury. See Schlesinger v. Reservists Comm. to Stop the War, 418 U.S. 208 (1974)...." 384 Mass. at 624. The Court then held that Boston's allegation of injury was insufficient. Likewise, here I am not aware that the City of Cambridge claims that it is being injured through actions of the U.S. Postal Service.

For the reasons stated above, I conclude that

1. Nobody, including the City, may bring suit against the U.S. Postal Service for "Any claim arising out of the loss, miscarriage, or negligent transmission of letters or postal matter." 28 U.S.C., s. 2680(b).

2. The City does not have standing as an "interested party" to file a claim under 39 U.S.C., s. 3662.

Very truly yours,

  
Russell B. Higley

RBH/jm1  
Enclosure

cc: Mayor Alice Wolf  
Joseph E. Connarton

OPS#2



# City of Cambridge

6.

IN CITY COUNCIL

January 22, 1990

COUNCILLOR DUEHAY

ORDERED: That the City Manager be and hereby is requested to evaluate the attached citizen request to take legal action against the U.S. Postal Service for failure to deliver the mail to Cambridge residents and report his recommendation back to the City Council in two weeks.

In City Council January 22, 1990.  
Adopted by the affirmative vote of nine members.  
Attest:- Joseph E. Connarton, City Clerk.

A true copy: *Joseph E. Connarton*  
ATTEST:-

Joseph E. Connarton, City Clerk.

RE: POSTAL HEARING REGARDING POOR MAIL  
DELIVERY - CENTRAL SQUARE BRANCH

S-317A