

A.R. #15



CITY OF CAMBRIDGE
DEPARTMENT OF HEALTH AND HOSPITALS
1493 CAMBRIDGE STREET
CAMBRIDGE, MASSACHUSETTS 02139
498-1349

MELVIN H. CHALFEN, M.D.
COMMISSIONER

January 20, 1983

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

Dear Mr. Healy:

The attached report is in answer to the City Council inquiry on the Collymore consent decree.

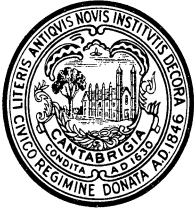
The Health Department has carried out both the necessary activities detecting sites of lead paint problems and activities in compliance with the consent decree.

As a department we will continue to have a concern in this area until the environment is sufficiently clear of lead so that none of our citizens are at risk. Among the efforts to that end is a current proposal to the Massachusetts Department of Health for a grant to investigate and correct conditions in the most difficult areas namely the housing of the immigrant population.

Yours sincerely,

Melvin H. Chalfen, M.D.
Commissioner

MHC:vls



CITY OF CAMBRIDGE

DEPARTMENT OF HEALTH AND HOSPITALS
CODE COMPLIANCE DIVISION
16 Camelia Avenue
Cambridge, Massachusetts 02139
498-1463 498-1464

MELVIN H. CHALFEN, M.D.
COMMISSIONER

December 29, 1982

Melvin H. Chalfen, M.D.,
Commissioner, Department of
Health and Hospitals
1493 Cambridge Street
Cambridge, MA 02139

Dear Dr. Chalfen:

RE: Council Order No. 3-
12/6/82 re: Report on
compliance with law
lead poisoning

The implementation of the Collymore consent decree began before its signing, with the hiring of a Staff Assistant to the Commissioner to oversee the operations of the Code Compliance Division and to participate with counsel for the plaintiffs' in the discussions leading to the signing of the document in April, 1978. The Staff Assistant position was required by the decree. In late May, 1978 an experienced lead paint inspector from another municipality was hired to initiate the inspection program required by law and the decree. An assistant inspector was employed shortly thereafter to complete the team. The decree initially called for the establishment of two inspection teams. After discussions covering several factors and concerns, the parties agreed to operate with one team which would insure orderly progress.

The consent decree identified 264 dwelling units inspected for lead paint between January 1, 1973 and June 30, 1977. Beginning in June, 1978 program staff developed and began mailing notifications on a priority basis of the substance and purpose of the decree to affected owners and occupants in batches to facilitate responses upon their return. Simultaneously, meetings were held with representatives of the Childhood Lead Poisoning Prevention Program (CLPPP) of the Massachusetts Department of Public Health to effect monitoring of our efforts. Agreement was made for a CLPPP inspector to monitor inspections and another staff member to assist in training personnel on a regular basis. Also, the inspectors attended workshops on "deleading" conducted by the Director of CLPPP.

Priorities for notification and inspection centered on medical considerations and the status of dwelling units as found in departmental records as well as inspecting units on an ongoing basis as they presented themselves. These procedures and activities continued through the summer of 1979 with a minimum of support promised from the CLPPP. This problem was recognized both by the Department and plaintiffs' counsel and in August, 1979, a mutually agreed upon person was hired to monitor the inspections conducted by

our staff. Reports were filed with counsel for the plaintiffs but were not received by this Department. No inquiry was made to nor action taken against this Department based on those reports. A legal issue which has not been resolved through discussion with the plaintiffs nor through the courts is the status of those units where there is no longer a child under six in residence or where the occupants have refused inspection.

In December, 1979, the original inspector resigned unexpectedly for personal and family reasons. At the same time the attorney assigned by the Law Department to assist the Department and prosecute cases also left the City's employ. These unexpected events left the Health Department without an inspection process or legal assistance for a period of three (3) months, while candidates were being screened and interviewed for the position. During that time the Department suffered a backlog of fifteen (15) cases and prompted plaintiffs' counsel to file an affidavit in support of a motion for contempt against the Department in March, 1980. This motion was continued in April, 1980 as two inspectors had been hired to fulfill the conditions of the decree and the statute. To date, this event marks the only criticism of the decree implementation by the plaintiffs. The case backlog was cleared by June, 1980.

In May, 1980, the original inspector was able to assist the Department on a consultant monitoring basis and he provided reports to both parties. Personnel levels have remained relatively constant since 1980.

Inspection procedures and enforcement activities have followed the guidelines established by the decree and the state regulations. Where possible, owners have been referred to community agencies for technical and financial assistance. The Department continues to receive requests for inspections and routinely inspects on reports of elevated blood lead levels. In recent years the number of children referred from the neighborhood health centers has been declining due in part to the efforts of the Department and educational efforts.

A summary of lead paint activities since the implementation of the decree is attached.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Kevin Doherty".

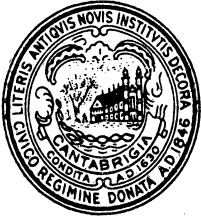
Kevin Doherty,
Public Health Coordinator

Attachment

Attachment

Dwelling units June, 1978-December, 1982

<u>Consent Decree</u>		<u>Non-Decree</u>	
"Deleaded"	70	Inspections	243
No child in residence	66	-Day Care	39
Moved from residence	40	-Parent Request	51
Unfit for habitation	3	-Medical referral	30
Parents Refusal	85	-Rehab, Community agencies	123
		Court Action	35
		"Deleaded"	53
		Reinspections	1228



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

January 24, 1983

To the Honorable, the City Council:

With respect to Awaiting Report Item No. 15 relative to compliance with the lead paint poisoning prevention law and the Collymore consent decree, enclosed please find copy of a report from Melvin H. Chalfen, M. D., Commissioner of Health and Hospitals.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf
Enc.

Agenda Item Number One S -56

Re: response to Awaiting Report Item No. 15
regarding the lead paint poisoning prevention
law & the Collymore consent decree.

In City Council,

January 24, 1983

*Referred to the
Ordinance Committee*

*copy sent to Councilman Walter Sullivan
Chairman, Comm. on Ordinances 1/25/83*