

The Committee on Public Safety met on Thursday, September 16, 2010 at 6pm.

The meeting was audio and video taped for the record.

Members present were Aldermen Michael Marchese, presiding, Alderman Joseph McGonagle, Councilors John McKinnon, William Cardello, Peter Napolitano and Eloy Sierra. Non member present was Alderman Robert Van Campen.

Members absent were Alderman Sal Sachetta and Councilor Adam Ragucci.

Communications received from Alderman Sal Sachetta and Councilor Adam Ragucci that they would be unable to attend due to prior commitments.

The Committee considered a Resolution offered by Councilor Peter Napolitano: That the Owner or a Representative of Wood waste appear at the Public Safety Committee to explain source of the smells emanating from the site on Boston Street throughout the summer, as well as, provide a detailed update on the status of building an enclosed facility.

Mayors Chief of Staff Melissa Murphy, City Solicitor Colleen Mejia, Sanitary Inspector Joe Devito, Building Inspector John Field, Community Development Director Marzie Galazka and representatives of Woodwaste Attorney Anthony Rossi and Attorney Richard Nyland were also present.

Mr. Devito provided the Committee with a copy of a communication from Director of Public Health Heidi Porter on the subject matter since she was on vacation and unable to attend. In the communication Ms. Porter noted that the current structure on the site was not in compliance with previous established agreements and DEP requirements for enclosure, but explained that the Attorney General's office has been working on behalf of DEP to bring resolution to enclosing the current on site structure while plans are submitted for local approval. She continued that she had spoken with Andy Goldberg of the Attorney Generals' Environmental Protection Division regarding the status of the resolution and he indicated confidence that a resolution would be achieved in the short term. She explained that although details of the proposed resolution had not been released, she had previously been informed that the resolution would likely include 1) full enclosure of the current structure with 75 days of execution of the resolution 2) negotiation of an operations plan that is appropriate and enforceable and 3) once the current building enclosed, Woodwaste will have 24 months to file a modified Authorization to Construct with DEP. Mr. Devito informed the Committee that he had conducted weekly inspections and acknowledged that Woodwaste was cooperating with the City and that things had improved. He did state that there were still some odors from the site but not like the previous year.

Councilor Napolitano informed all that he had received a number of complaints from Ward One constituents regarding the odors from the Woodwaste facility and asked the representatives of the facility why this had been occurring. Attorney Rossi explained that Woodwaste has been in compliance and that due to paving of the property they needed to move some of the debris during the past several months that may have caused some of the problem. Councilor Napolitano asked for an update on constructing an enclosed facility. Attorney Rossi explained that Attorney Nyland was working on the agreement but he told the Committee that once the agreement was signed nothing could be left outside. Attorney Nyland announced that the Commonwealth had requested that he not disclose any discussion on the agreement at this time. Councilor Napolitano questioned if Mr. Thibeault had any ownership or involvement with the Route 99 property. Attorney Rossi responded that Mr. Thibeault did not own that property. Mr. Nyland provided an overview of the process once the agreement was signed similar to what Ms. Porter provided.

the City and Woodwaste were with concluding the agreement. Attorney Rossi stated that he hoped to have a signed agreement within a few weeks. Attorney Nyland, however noted that there were several tiers to the plan for a permanent structure which would take time. Alderman Marchese expressed his dismay with the whole process and remarked that in 10 years we haven't seen a structure nor did he expect to see when as indicated by the Woodwaste representatives. Attorney Rossi responded that Woodwaste was not in violation and reminded the Committee that the City originally did not want them to build a permanent facility at that location. Councilor Napolitano countered that it was becoming an issue of creditability for woodwaste and that the City needed to see something getting built. He asked Ms. Mejia if there was anything the City could do to expedite and questioned why the City was ordered to perform sewer line work in South Everett within tight timeframes but not so for Woodwaste. Ms. Mejia explained that the City has no authority over DEP, but agreed to look into the conflicting appearance of the cleanup orders. Councilor Napolitano remarked that the Commonwealth is holding the City of Everett's feet to the fire on the Behan Street order and felt that they should do the same with Woodwaste. Attorney Nyland explained that the City was under an Administrative Consent Order for the Behan Street cleanup and that Woodwaste was not under the same order. Attorney Rossi stated that everyone was in agreement that they wanted it done and acknowledged that they had done what they said that they would do to date. He noted that once the agreement was signed there would be strict timelines otherwise they would lose license.

Councilor Napolitano requested that the matter be laid over one month so that the Committee could obtain and update on the progress of the agreement with a request that all attendees be invited to that meeting with an additional request that the City Solicitor invite a representative of the Attorney Generals office on the matter.

Accordingly, the Committee voted: To report back to the Common Council with a recommendation that matter be granted further time for one month so that the Committee could obtain and update on the progress of the agreement with a request that all attendees be invited to that meeting with an additional request that the City Solicitor invite a representative of the Attorney Generals office on the matter.

Respectfully Submitted,

John W. Burley  
Clerk of Committees

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Members absent were Alderman Sal Sachetta and Councilor Adam Ragucci.

Communications received from Alderman Sal Sachetta and Councilor Adam Ragucci that they would be unable to attend due to prior commitments.

The Committee considered a Resolution offered by Alderman Michael Marchese: That the City consider enforcing a curfew for months of June, July and August throughout the City.

Mayors Chief of Staff Melissa Murphy and City Solicitor Colleen Mejia, were also present.

Alderman Marchese requested that the matter be referred back to sponsor.

Accordingly, the Committee voted: To report back to the Board of Alderman with a recommendation to refer back to sponsor.

Respectfully Submitted,

John W. Burley  
Clerk of Committees