

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC SAFETY & TRANSPORTATION COMMITTEE REPORT

WEDNESDAY, MARCH 4, 2009

Present: Ald. Linsky (Chair), Ciccone, Swiston, Harney, Coletti, Danberg, Vance and Fischman  
Also Present: Ald. Yates and Albright

City Staff: Marie Lawlor (Assistant City Solicitor), David Olson (Clerk of the Board),  
Chief Matthew Cummings (Newton Police Department), Lieutenant Hugh Downing (Newton  
Police Department), Sergeant James Norcross (Newton Police Department), Officer James  
O'Connell (Animal Control Newton Police Department), Chief Joseph LaCroix (Newton Fire  
Department), David Naparstek (Commissioner of Health and Human Services), Teresa Wood  
(Public Health Program Specialist Health and Human Services) and Leigh Mansberger, MD,  
MPH (Coordinator Public Health Emergency Preparedness Region 4B)

**REFERRED TO PUBLIC SAFETY & TRANS. AND PROG. & SERV COMMITTEES**

#346-05 ALD. JOHNSON AND ALBRIGHT requesting discussion with the Mayor,  
Police and Fire Chiefs and Health Commissioner regarding the City of Newton's  
city-wide emergency preparedness.

**PROGRAM & SERVICES NO ACTION NECESSARY 6-0 on 9-6-06**

**ACTION: HELD 8-0**

**NOTE:** David Naparstek, Commissioner of Health and Human Services, Teresa Wood,  
Public Health Program Specialist Health and Human Services, Leigh Mansberger, MD,  
MPH, Coordinator Public Health Emergency Preparedness Region 4B, Lieutenant Hugh  
Downing, Newton Police Department, Officer James O'Connell, Animal Control Newton  
Police Department and Ald. Albright joined the Committee for discussion on this item.

Mr. Naparstek stated the City of Newton is very well prepared for an emergency if one should  
arise. Local, State and Regional preparedness by Police, Fire, Health, and other City  
departments participate. Mr. Naparstek stated the City has received approximately \$24,000 from  
grants and different resources to continue funding the costs for emergency preparedness. He  
indicated the Newton Fire Department has a Local Emergency Planning Committee (LEPC).  
LEPC is the HazMat Response Committee, which includes private industries, Fire, Police,  
Health, School, and Executive Departments. The City of Newton share their resources and train  
with twenty-six other communities in the area.

Mr. Naparstek provided the Committee with a PowerPoint presentation on Emergency  
Preparedness Tools and Plans on Bioterrorism and Pandemic Flu. Attached to this report.

### Bioterrorism Preparedness Tools and Plans

- Regional Biowatch – Regional Biowatch monitors test positive for anthrax spores in the greater Boston area. Regional Biowatch monitors are airborne samplers for the agents for bioterrorism, which are advanced surveillances if an incident was to happen. Biowatch monitors are operated by the Massachusetts Department of Health and Environmental protection that will inform the City if something has happened. To date, there have not been any positive findings in the Newton area.
- Health and Homeland Alert Network (HHAN) – HHAN is used frequently by the Massachusetts Department of Public Health to alert the Commissioner of Health and Human Services indicating what has happened.
- Strategic National Stockpile (SNS) - Warehouses throughout the Country with medical supplies, antibiotics and other necessary supplies for these types of emergencies.
- Risk Communication Plan - Newton Department of Health and Human Services activates this plan by notifying the media, partners and experts based on the issue.
- Emergency Operations Center (EOC) – City Mayor opens the EOC and notifies all Department heads and emergency support people for the treatment on as many people as identified.
- Emergency Dispensing Site (EDS) Plan- Newton Department Health and Human Services activate this plan to vaccinate or medicate people exposed people at five pre-designated sites.
- Newton Medical Reserve Corps (MRC) is notified of the opening of the EDS by the Health and Homeland Alert Network (HHAN). Department and hospital staff are deployed to the five emergency dispensing sites under a unified command structure. Schools, public buildings, Post 440 and others are used as the emergency dispensing sites.
- MA Virtual Epidemiological Network (MAVEN) – used to track new cases, reports of anthrax by Region 4B who observes like symptoms in cases in Waltham, Watertown, Brookline and Cambridge.
- Locals Emergency Notification System (LENS) alerts all 4B communities of findings.

Ald. Fischman asked Mr. Naparstek in the scenario presented 48 hours passed to begin the treatment plan and the distribution of antibiotics to those affected. Dr. Mansberger stated they did not miss the 48 hours; once anthrax was identified medicines are dispersed at once usually within twelve hours. Mr. Naparstek stated the planning objective tool used is to begin treatment within 48 hours but in this scenario they did not have an early warning. Dr. Mansberger stated that airborne anthrax is the worst-case scenario because the City has to respond to the people identified within forty-eight hours from the time of exposure. Dr. Mansberger stated inhalation anthrax without treatment has a 100% mortality, being very serious but it is not contagious. Mr. Naparstek indicated the plan calls for the ability in some diseases to be able to immunize 80% of the population within 48 hours (sixty seven thousand people) in Newton, MA in two to three shifts depending on the disease. The City is not authorized by the federal government to use the post office to help distribute anthrax pills to people identified.

Teresa Wood, stated “Just in Time Training” is in place and available to all volunteers. “Just in Time Training” is a one-page chart that covers the individual’s responsibilities of non-clinical roles at one of the sites.

Mr. Naparstek stated the biggest obstacle in this City for the past five years is losing Connect CTY (Reverse 911) He asked the Committee to support re-instatement. Committee Chair Linsky indicated an interest in docketing such an item to be taken up by the Committee and indicated he would follow up with Jeremy Solomon whom the mayor had indicated was charges with investigating other reverse 911 options. Lt. Downing detailed a number of the features various reverse 911 system provide. Connect CTY included a number of features which, in turn, resulted in a relatively higher cost.

Ald. Albright asked Mr. Naparstek since losing Connect CTY how does the City communicate with the community. Mr. Naparstek stated the City makes contact by using names and numbers of all resources and the media to notify the public. He stated in 2000, the City of Newton had their first case of West Nile disease in birds and mosquitoes, therefore the City wanted to spray pesticides due to the high danger to people's health but without the Connect CTY the City notified the community by a staff of volunteers, Department of Health and Human Services and the Department of Public Works employees, who delivered a notification flyer to each home.

Ald. Vance asked Lt. Downing how they would apprehend the perpetrator. Lt. Downing stated they would secure the area, treat the area as a crime scene, obtain video tapes, reach out to the public for tips, and identify the object that contained the disease and where it came from. He also stated any anthrax threats are immediately reported to the FBI.

#### Pandemic Flu (Panflu) Preparedness Tools and Plans

Pandemic Flu Plans and Tools are already described above in the Bioterrorism Preparedness Tools and Plans.

Mr. Naparstek stated that currently there is no pandemic flu in the world. There are cases of the avian (bird flu) which is not a human disease. The bird flu disease is devastating to wild and domestic birds and has the potential in cultures where people live near or with their flock to contract humans. There is only one case confirmed from human to human case. Surprisingly, the Western hemisphere does not have any birds, wild or domestic with the virus.

#### When does the flu become a Pandemic?

- Panflu Phases - The World Health Organization (WHO) is constructed of six different levels.
  - (a) First and Second Level - Inter-Pandemic Phase
  - (b) Third, Fourth and Fifth Level - Pandemic Alert Period – ‘Affects human infection(s) with a new subtype, but no human to-human spread, or at most rare instances of spread to a close contact.’ Currently the World is at a level three. At level three, the local response actions begin. The Federal Government has their own standards stating the United States would have to be at a level four with a confirmed human case outbreak before they would respond. At a level five, acutely ill influenza patients overwhelm area hospitals.
  - (c) Sixth Level - Pandemic Period

Mr. Naparstek indicated he has worked exclusively with the Newton Wellesley Hospital working out the smallest details. He stated Newton Wellesley Hospital is very prepared if an outbreak

were to happen but anticipates they would be able to admit only the most acute patients. Newton Wellesley Hospital has prepared for the following in their City/Hospital Response Plan:

- Alternate Care Sites - Isolation rooms and communication rooms will be staffed by physicians, nurses, Medical Reserve Corps volunteers and other professionals. These sites are established and capable of loading medical supplies into each site. Traffic patterns and routes have been determined by the Police Department. Supplies, beds and equipment are pending funding from the State Legislature.
- Home Visiting Nurse Association support.
- Care for self at home.
- Triage and public education.

Mr. Naparstek stated he has also worked with the City of Newton Fire, Police and various City departments who are prepared for the following:

- Continuity of Operations Plan (COOP) – It is estimated 30-40% of staff will either be sick, caring for sick or grieving. These departments have practiced plans on how operations will continue for the six to eight week time-period of the flu.
- Social Distancing Protocols – Involves closing the schools, colleges and any public gatherings.
- Vaccine Priority Protocol – Vaccines would not be available from the Federal Government for several months. How will vaccines be prioritized?

Lt. Downing stated there are seven identified dispensing sites for the distribution of ice, food and water. The seven sites identified include four sites on the south side and three on north side of the City.

Officer O'Connell stated he has been working with Chief Cummings to develop an animal emergency response plan. In an emergency residents will be asked to take their animals with them. Officer O'Connell indicated he has not completed the possibilities of busing abandoned animals to a shelter. The following tasks have been completed:

- Six animal shelters have been designated; the primary site is the Gale Bath House at Crystal Lake.
- Decontamination material has been purchased in case an animal is covered in oil or other hazardous material
- Volunteers have been trained
- Pet stores have been notified – food, leashes and other supplies will be supplied
- Red Cross shelters will not take animals

Ald. Danberg made the motion to hold this item and the Committee voted in favor by a vote of 8-0 on the recommendation the item would be taken up periodically.

**REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES**

#57-09(2) **PUBLIC SAFETY & TRANSPORTATION COMMITTEE** requesting an amendment to the City of Newton's Ordinance Chapter 19, §19-9(4), **Penalty for parking violations**, to increase the fine per violation for vehicles parked in non-MBTA bus stops to \$25.00.

**ACTION:** NO ACTION NECESSARY 7-0 (Ald. Ciccone not present and voting)

**NOTE:** Marie Lawlor, Assistant City Solicitor and Ald. Yates joined the Committee for discussion on this item.

Ald. Linsky stated the Committee approved #57-09 on February 18, 2009 but were unclear if the new state law included bus stops and or MBTA bus stops. Consequently, the Committee created this item raising the fine in posted, non-MBTA stops, from \$15.00 to \$25.00, the maximum allowable under new state law effective April 7, 2009.

Ms. Lawlor, Assistant City Solicitor stated after researching the new act Chapter 465 of the acts of 2008 further the act is not limited to MBTA bus stops, but would apply to any posted bus stop. The MBTA, however, may enforce vehicles only in posted MBTA bus stops in cities and towns. Prior to this act, the MBTA did not have the authority to ticket vehicles in City streets even if parked in MBTA bus stops. If MBTA tickets an illegally parked vehicle, the revenue is split with the cities and towns where the violation occurred.

Ald. Danberg asked Ms. Lawlor if the additional bus stops in Newton Centre for Mt. Ida and Boston Colleges would be affected. Ms. Lawlor stated if those buses fit the definition of "bus" as defined in Chapter 90 (1) and the bus stops are posted may be applied to those stops as well. Ms. Lawlor indicated this act does not apply to school bus stops because there is a separate definition in Chapter 90 that defines school buses. Ald. Swiston asked Ms. Lawlor what is the definition of a school bus stop and if it includes college buses. Ms. Lawlor stated the definition of a "bus" and "school bus" would need further interpretation and indicated the bus would have to be for hire.

Ald. Yates expressed his concerns stating when the new state law passed authorizing the fine in posted bus stops to a maximum of \$100.00 concerns him because the posted signs are vague, unclear and need clarification. He cited the following:

- Each sign states it is a tow zone, points to the right but no sign closes the length of a bus stop at the other end.
- Signs are unclear on marking the violation area
- What is the length of a bus stop

Marie Lawlor indicated she did not know the length of a bus stop stating that perhaps the definition is described in the state laws.

Ald. Danberg stated many people contest their tickets based on the information Ald. Yates described indicating the signs must be clear marking a violation area. Committee members suggested painting the street and or color the curbs on bus routes.

Ald. Danberg made the motion No Action Necessary and the Committee voted in favor by a vote of 7-0.

#### **REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES**

#56-09      SGT. NORCROSS AND CHIEF CUMMINGS requesting that Chapter 19, §19-200, **Resident sticker and visitor permit; municipal parking lot program**, be amended by implementing a fee for a municipal lot sticker and that §19-201,

**Resident sticker and visitor parking permit**, be amended by increasing the fees for a resident parking sticker and replacement sticker. [02-04-09 @4:01 PM]

**ACTION:** **NO ACTION NECESSARY 6-0 (Ald. Ciccone and Fischman not present and voting)**

**NOTE:** Ald. Linsky stated this item was held on February 18, 2009 so the Committee could take action on both #56-09 and #56-09(2).

Committee members were comfortable in supporting a fee increase from \$10.00 to \$25.00 for each resident sticker permit issued but did not support the charging for municipal lot stickers.

Ald. Swiston made the motion No Action Necessary and the Committee voted in favor by a vote of 6-0.

**REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES**

#56-09(2) **PUBLIC SAFETY & TRANSPORTATION COMMITTEE** requesting that Chapter 19, §19-201, **Resident sticker and visitor parking permit**, be amended by increasing the fees to \$25.00 for each resident parking sticker. [02-18-09 @ 9:30 PM]

**ACTION:** **APPROVED 6-0 (Ald. Ciccone and Fischman not present and voting)**

**NOTE:** Per their deliberation of the proposed increase in its prior meeting, the Committee voted its support a fee increase from \$10.00 to \$25.00 for each resident sticker permit issued.

Ald. Swiston made the motion to approve this item and the Committee voted in favor by a vote of 6-0.

**REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES**

#250-01(7) **PUBLIC SAFETY & TRANSPORTATION COMMITTEE** proposing the sum of fifteen thousand four hundred seventy one dollars eighty five cents (\$15,471.85) be appropriated from the fund established through a special permit granted pursuant to the Board's approval #250-01 for the purpose of installing certain pedestrian access improvements in the Langley Road corridor at or near the Langley Path intersection. [02-18-09 @ 9:00 PM]

**ACTION:** **NO ACTION NECESSARY 6-0 (Ald. Ciccone and Fischman not present and voting)**

**NOTE:** Ald. Linsky stated Committee members created this item on February 18, 2009 in the event the proposed amendment to the main item #250-01(6) was not allowable to reflect its intent to make certain pedestrian access improvements in the Langley Road corridor at or near the Langley Path intersection within the allotted budget. In the interlude, the Law Department determined the amendment made to the main item was permissible and the item had been approved by the full Board, thereby rendering this item moot.

Ald. Danberg made the motion No Action Necessary and the Committee voted in favor by a vote of 6-0.

#66-09 ALD. HARNEY at the request of local residents, a discussion of Sec. 3-29, Removal and disposal of canine wastes, with recommendations on how the Ordinance can be enforced and whether or not the fines are appropriate. [02-24-09 @ 7:33 PM]

**ACTION:** HELD 6-0 (Ald. Ciccone and Fischman not present and voting)

**NOTE:** Officer James O'Connell, Animal Control Newton Police Department once again joined the Committee for discussion on this item.

Ald. Harney informed Committee members he was asked by residents in his ward to docket this item to solve the on-going problems with canine wastes. Ald. Harney indicated the complaints he has been receiving since last fall on canine wastes are mostly in residential neighborhoods. He stated some residents have expressed their desire to attend a meeting to provide their input and to ask how the Ordinance can be enforced. He stated the current Ordinance requires that animal owners must carry a tool or other device to remove the waste to a place suitable for disposal. Officer O'Connell and Ald. Swiston also know of residents wanting to attend this meeting.

Ald. Coletti made the suggestion of the City perhaps installing additional signs in troubled areas. Signs should be clear and indicate that a City Ordinance and penalties are in place. The current Ordinance reflects these fines:

- For the first offense in a calendar year.....\$25.00
- For the second offense in a calendar year.....\$35.00
- For each subsequent offense in a calendar year.....\$50.00

Ald. Linsky asked Committee members to hold this item until residents can attend a meeting.

Ald. Harney made the motion to hold this item and the Committee voted in favor by a vote of 6-0.

**REFERRED TO PS&T, FINANCE AND PROG & SERV. COMMITTEES**

#273-04(3) ALD. GENTILE requesting home rule legislation to reclassify the two "dedicated fire apparatus mechanic" positions from Group 1 to Group 2 in the State Retirement System. [02/13/09 @ 4:11 pm]

**ACTION:** HELD 6-0 (Ald. Ciccone and Fischman not present and voting)

**NOTE:** Ald. Gentile was not present this evening for this discussion. Therefore Ald. Vance moved to hold the item and the Committee voted in favor by a vote of 6-0.

At approximately, 8:55 pm Ald. Vance moved for adjournment, which was approved 6-0.

Respectfully Submitted,

Stephen M. Linsky, Chairman