



Medford City Council
Medford, Massachusetts

Records

The Regular Meeting of October 30, 2018

City Council

Richard F. Caraviello, President
Frederick N. Dello Russo, Jr., Vice President
John C. Falco, Jr.
Adam Knight
Breanna Lungo-Koehn
Michael J. Marks
George A. Scarpelli

President Caraviello called the Regular meeting of October 30, 2018 of the Medford City Council to order at 7:00 P.M at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

Present: Vice President Dello Russo; Councillor Falco; Councillor Knight; Councillor Lungo-Koehn; Councillor Marks; Councillor Scarpelli; President Caraviello. Inside the Rail: City Clerk Adam Hurtubise; City Messenger Lawrence Lepore; Miranda Willson, Medford Transcript.

Televised Live and Recorded on
The Government Channel

SALUTE TO THE FLAG

RECORDS

The Tabled Records of the Meeting of October 9, 2018 were passed to Vice President Dello Russo. The Records of the Meeting of October 23, 2018 were passed to Councillor Lungo-Koehn.

At 7:01 p.m., Councillor Knight moved to suspend the rules (Vice President Dello Russo second)—passed.

COMMUNICATIONS FROM BOARDS, COMMISSIONS & CITY OFFICES

18-658-

October 24, 2018

To: President Richard Caraviello and members of the Honorable Medford City Council

From: John W. Anderson, President, Medford Historical Society

Re: Petition for Approval of an Amended and Restated Preservation Restriction

Dear Mr. President:

The Medford Historical Society is the owner of the property located at 350 Riverside Avenue, Medford commonly known as the "Peter Tufts House".

The property was made subject to historic preservation restrictions by way of deed restrictions that were approved by the City of Medford on August 21, 1986 and by the Massachusetts Historical Commission on September 11, 1986.

Recognizing the historic, architectural, cultural, scenic and aesthetic significance of the property and with the purpose of conserving and preserving the premises, the Medford Historical Society and the Society for the Preservation of New England Antiquities desire to carry forth the intent of the existing historic preservation restriction and to improve on them by the acceptance of the Amended and Restated Preservation Restriction. A synopsis of the Restriction is provided. The City Clerk has the complete 104 page Amended and Restated Preservation Restriction which is available for you if you desire.

G.L. c 184 sections 31-33 authorize the creation and enforcement of preservation restrictions and section 32 specifically requires the approval of the Mayor and the City Council.

I have conferred with Mayor Burke who has advised me that she will endorse these enhanced restrictions.

Finally, I have conferred with City Solicitor Mark Rumley who has approved the format of the certifications indicating approval.

Of course, I will be happy to address any question or concerns of the Council.

Respectfully Submitted,

John W. Anderson
Enc
JWA/mr
See Attachment

Addressing the Council:

City Solicitor Mark Rumley
John W. Anderson, Medford Historical Society

Vice President Dello Russo requested a brief synopsis from Mr. Anderson for records purposes (Councillor Knight second)—passed.

Councillor Marks moved to accept and approve the paper (Councillor Knight second)—passed on a roll call vote of 7 in the affirmative and zero in the negative.

At 7:23 p.m., Councillor Knight moved to revert to regular business (Councillor Scarpelli second)—passed.

MOTIONS, ORDERS AND RESOLUTIONS

18-625-Offered by Councillor Knight
Update on Lawrence Memorial Hospital

Addressing the Council:
Lori Howley, Lawrence Memorial Hospital
City Solicitor Mark Rumley
Cathy Liu, 187 Lawrence Road
Former Councillor Robert Penta, Zero Summit Road
Eileen Kennedy, Governors Avenue
Andrew P. Castagnetti, 23 Cushing Street
Marcia Keirson, 11 Upton Terrace
Beverley O'Reilly, 16 Joyce Road

Tara Miner, 29 Hutchins Road

- a) Councillor Knight offered an amendment that representatives of Lawrence Memorial Hospital reconvene for an update at the City Council meeting of November 27, 2018.
- b) Councillor Knight and Councillor Marks offered an amendment that representatives of Lawrence Memorial Hospital provide a presentation with designs, schematics, options and any other updates at the November 27, 2018 meeting.
- c) Councillor Knight and Councillor Scarpelli offered an amendment requesting that the November 27, 2018 Lawrence Memorial Hospital presentation be broadcast on the City of Medford's community media outlets on the following schedule: three times per day, 7 days per week, for a period of 30 days.
- d) Councillor Knight and Councillor Lungo-Koehn offered an amendment requesting that the scope of the traffic study be expanded to include Roosevelt Circle.
- e) Councillor Knight offered an amendment requesting that a Reverse 911 call be issued for all public meetings of the Council related to the Lawrence Memorial Hospital expansion.
- f) Councillor Knight offered an amendment requesting that the City Clerk maintain an e-mail distribution list related to all public meetings of the Council regarding the Lawrence Memorial Hospital expansion.
- g) Councillor Falco offered an amendment requesting that Lawrence Memorial Hospital hold standing meetings with residents.
- h) Councillor Falco offered an amendment requesting that Lawrence Memorial Hospital clarify the \$733,000 amount that the Ambulatory Surgical Center will contribute toward community health initiatives, including answers to the questions: How did Lawrence Memorial arrive at this dollar figure; and what will the funds be used for?

Councillor Knight moved for approval (Councillor Falco second)—passed as amended.

18-657—Offered by Councillor Knight

Be it Resolved that the City Administration provide the Council with a breakdown of contractual COLA's negotiated with School Department Employees for the period of time beginning January 1, 2016 through the current date, and

Be it further Resolved that the City Administration provide the number of employees covered under the School Department's 13 collective bargaining agreements.

Councillor Knight moved for approval (Vice President Dello Russo second)—passed.

At 8:52 p.m., Councillor Knight moved to take papers in the hands of the Clerk (Vice President Dello Russo second)—passed.

18-659—Offered by Councillor Knight

Be it Resolved that the City Council request that the A.D.A. Coordinator inspect the crosswalk in the area of 100 High Street and Hillside Avenue for compliance purposes.

- a) Councillor Marks offered an amendment requesting that all crosswalks be inspected for compliance purposes.
- b) Councillor Knight offered an amendment supporting Councillor Marks's amendment, provided that the crosswalk in the area of 100 High Street and Hillside Avenue be inspected first.

Councillor Knight moved for approval (Councillor Falco second)—passed as amended.

18-660—Offered by Councillor Knight

Be it Resolved that representatives from Lesley College be invited to appear before the City Council to discuss ways to strengthen and expand upon our public-private partnership.

Councillor Knight moved for approval (Councillor Falco second)—passed.

18-661—Offered by Councillor Knight

Be it Resolved that the Medford City Council wish Henry Milorin a very happy 70th Birthday.

Councillor Knight moved for approval (Councillor Lungo-Koehn second)—passed.

18-662—Offered by Councillor Knight

Be it Resolved that the Medford City Council congratulate Janice and Frank DePace on the momentous occasion of their 30th wedding anniversary.

Councillor Knight moved for approval (Councillor Falco second)—passed.

At 8:56 p.m., Councillor Knight moved to suspend the rules (Councillor Lungo-Koehn second)—passed.

18-458

Councillor Knight requested that the City provide the Council with a copy of the Draft Bike Share Agreement discussed in the October 16, 2018 Committee of the Whole meeting.

Councillor Knight moved for approval (Councillor Lungo-Koehn second)—passed.

REPORTS OF COMMITTEES
18-643
COMMITTEE OF THE WHOLE
MEETING REPORT
TUESDAY, OCTOBER 30, 2018
IN ROOM 207, COUNCIL OFFICE
MEDFORD CITY HALL

Attendees: Richard Caraviello, Council President; John Falco, Councillor; Frederick Dello Russo, Council Vice President; Adam Knight, Councillor; Breanna Lungo-Koehn, Councillor; Michael Marks, Councillor; George Scarpelli, Councillor; Adam Hurtubise, City Clerk; Mark Rumley, City Solicitor; Curtis Tuden; Andrew P. Castagnetti. Dennis Detland-Kalthofer.

President Caraviello called the meeting to order at 6:00 p.m. to discuss and implement an ordinance to alleviate gas leaks in our community.

Councillor Knight and President Caraviello noted that much of a similar ordinance in the City of Boston was overturned by a Court.

The City Solicitor said that there was a pre-emption component that made the City of Boston ordinance invalid. He also noted that the frequency of reporting is important.

Vice President Dello Russo sought details on the proposed draft ordinance, including differences between various types of gas leaks, and their classification.

Councillor Knight noted that there is an environmental component to gas leaks, in addition to the dangers posed by the leaks.

Councillor Lungo-Koehn expressed concerns that contractors and National Grid fix the streets after any street work, to prevent leaks.

Mr. Tuden said that most reporting of leaks and locations is done by third parties. He also said that leaks lag in time from occurrence to report. He further noted that the Boston ordinance requires real-time reporting. He advocated that the City include some form of reimbursement to the City in any ordinance on gas leaks.

The City Solicitor suggested that the Council could pass an ordinance that codifies negligence law regarding damage to City property.

Councillor Knight sought language on potential mitigation requirements.

Councillor Lungo-Koehn said that real-time reporting requirements would give a proposed ordinance more enforcement potential. She said that the City should get the same information that the DPU gets.

Councillor Marks said that the Council has required curb to curb restoration in all permitted work, and said that the City Engineer should require repair of any gas leaks in the area of permitted work while the ground is open; making this a permit requirement even if an ordinance does not result.

After a question from Councillor Marks about whether it might be prudent to wait until resolution of the litigation in Boston, the City Solicitor said that waiting is prudent, as long as it is balanced against the needs of the community which has concerns about gas leaks.

Mr. Tuden that the City investigate procurement of portable leak detectors.

Recommendations:

Councillor Lungo-Koehn, Marks, and Knight recommended that the City Engineer provide criteria for repairs when streets are opened, and that National Grid be called in to review any open construction areas for leaks, and to report any leaks that National Grid discovers.

Vice President Dello Russo and Councillor Falco recommended quarterly reporting (more stringent than the Boston ordinance).

Councillor Lungo-Koehn recommended that reports go to the Department of Public Works, and specifically to the City Engineer.

Vice President Dello Russo also recommended that reports go to the Fire Department and Police Department in the interests of public safety.

Councillor Marks recommended that copies of the reports also go to the City Clerk.

The Council further recommended that the report originally go to the Clerk's office, with copies to the Mayor's Office, DPW, City Engineer, Police and Fire Departments.

Councillor Knight moved to report the Committee report favorably (Councillor Falco second)—passed.

Councillor Knight moved to adjourn at 6:46 p.m. (Councillor Falco second)—passed.

- a) Councillor Knight offered an amendment to the Committee report that the City Solicitor be directed to authorize a draft ordinance to bring the draft ordinance to first reading.

Councillor Marks moved to accept the report as amended (Councillor Falco second)—passed as amended.

UNFINISHED BUSINESS

<u>16-759-</u>	Update on expenditures for property		
	IN CITY COUNCIL	NOVEMBER 15, 2016	TABLED
<u>18-417-</u>	Petition on Access TV Management		
	IN CITY COUNCIL	MAY 8, 2018	TABLED
<u>18-457</u>	Solicitor Draft Debt Exclusion Referendum Question		
	IN CITY COUNCIL	MAY 22, 2018	TABLED
<u>18-470</u>	National Grid (gas) mains Mass Ave, Westwood, Circuit		
	IN CITY COUNCIL	JUNE 12, 2018	TABLED
<u>18-512</u>	Dockless Bicycle 6 -month moratorium		
	IN CITY COUNCIL	JULY 17, 2018	TABLED
<u>18-513</u>	Congratulate Julie Phelan Brady Gov. Baker Appointment		
	IN CITY COUNCIL	JULY 17, 2018	TABLED
<u>18-517</u>	Ch 66 Non-Union Personnel compensation plan		
	IN CITY COUNCIL	JULY 17, 2018	TABLED
<u>18-518</u>	Transfer Special Budgetary \$157,177.72		
	IN CITY COUNCIL	JULY 17, 2018	TABLED

COUNCIL PAPERS IN COMMITTEE

Reports Due/ Deadlines

16-574- University Accountability Spring 2017-Report (in March 6, 2017) (next Report In November 2017) (Report in March 2018) (Next Report due November 2018)

17-606-Evangelical Haitian Church 400 High St. 90 Day Review on Illumination-January 9, 2018 (Tabled)

Records:

The Tabled Records of the Meeting of October 9, 2018 were passed to Vice President Dello Russo. Vice President Dello Russo moved that the records remain tabled for one more week so that he can complete his review (Councillor Knight second)—passed.

The Records of the Meeting of October 23, 2018 were passed to Councillor Lungo-Koehn. Councillor Lungo-Koehn moved for approval of the records as amended by Councillor Knight to clarify his position on resolution 18-644 (Councillor Falco second)—passed (The Records of the October 23, 2018 meeting have been amended).

Adjournment:

Councillor Knight moved to adjourn at 9:07 p.m. (Councillor Falco second)—passed.

President Caraviello adjourned the meeting at 9:07 p.m.

A true copy, Attest

Adam L. Hurtubise, City Clerk