Medford City Council Newsletter

Isaac B. "Zac" Bears, Council President | Emily Lazzaro, Council Vice President
Anna Callahan | Matt Leming | Liz Mullane | George A. Scarpelli | Justin Tseng

Welcome to our fall City Council newsletter! This edition covers our meetings from mid-September through the beginning of November, and it was a busy stretch. The Council ordained the Boston Avenue Neighborhood Corridor District zoning, passed the long-awaited Public Tree Ordinance, launched our Neighborhood Ward Meetings in Wards 1 and 5, and authorized the request for proposals for the next phase of the citywide zoning update. Read on for the details.

Note that the underlined words in this newsletter indicate links to meeting agendas, live recordings, and other relevant resources in the digital version of this document. Full recordings of every meeting are on the City's YouTube channel, and agendas, papers, and minutes are on the CivicClerk portal. To subscribe to future newsletters, go to bit.ly/medfordcitycouncilnewsletter.

Commemorations and Acknowledgements

- We passed a resolution in memory of Lorraine Marie Miles, a devoted Medford resident and educator and the mother of former School Committee member Kathy Kreatz (9/15).
- We acknowledged and celebrated National Recovery Month, hearing from Social Services Coordinator Jason Stone and Recovery Coach Chris Summa about the Health Department's work to support residents in recovery (9/15).
- We sent our condolences to the Medford Police Department, Lieutenant Harold MacGilvray, and the MacGilvray family on the passing of their K-9, Seamus (9/29).
- We passed a resolution celebrating and honoring the transition and closure of the Congregational Church of West Medford, Sanctuary United Church of Christ, which served Medford for 154 years, and thanking Reverend Wendy Miller Olapade and the Sanctuary UCC legacy team (10/27).
- Councilor Scarpelli thanked Councilor Leming and welcomed him back to Medford following five months of military service (10/13).
- We invited residents to our Ward 1 Neighborhood Meeting on September 23rd (9/15) and our Ward 5 Neighborhood Meeting on October 20th (9/29, 10/13); see the Resident Services & Public Engagement update below for how they went.
- We also invited residents to the Medford Fire Department's Fire Prevention Day at City Hall on October 10th (9/29), and to the Harvest Your Energy Festival at Riverbend Park and Sarah Bradlee Fulton Day at the Salem Street Burying Ground, both on October 17th (10/13).

General Business

- After months of work in the Planning & Permitting Committee and in joint meetings with the Community Development Board, on 9/15 we gave final approval (7-0) to the amendments to the Zoning Ordinance creating the Boston Avenue Neighborhood Corridor District in the Hillside area, adopting the majority of the CDB's recommendations, removing the North Street stepback footnote that proposed 60-foot instead of 10-foot setbacks, allowing any student to live there instead of just students attending school in Medford, and, on a 4-3 vote, allowing purpose-built student housing by right rather than by special permit in the BA-3 subdistrict. Questions about the student-housing residency language and the by-right question were referred to legal counsel for the clean-up zoning. On September 23rd the Mayor vetoed the ordinance, objecting to the definition changes and by-right student housing use. On 10/13, after hearing from the Senior Planner and more than a dozen residents, we voted 7-0 to override the veto and ordain the district as adopted (a motion to return student housing to special permit failed 3-4).

- We waived three readings (5-2) and approved and ordained (7-0) the Public Tree Ordinance, sponsored by Councilor Callahan, which replaces Section 86-91 of the City ordinances with new rules for preserving, protecting, and replacing public shade trees and trees on public property, including replacement requirements and fines based on the canopy lost (9/15). Medford's tree ordinances were first proposed in 2019.

- We held the public hearing on, and approved (7-0), the amendment to Section 94-8.1 of the Zoning Ordinance to allow fractional payments under the inclusionary housing requirement (9/29). Under the previous ordinance, when Medford's housing policies required that 10% of units in housing developments with 10 or more units be affordable, we required that developers round the final number up. So, with nine units, no affordable units were required; with 10 units, one had to be affordable; and with 11 units, two had to be affordable, since 10% of 11 is 1.1, which rounds up to 2. This led to many nine-unit developments; fractional incentives allow developers to donate an equal amount of money to the affordable housing trust instead of rounding up (so, 11-unit developments now require one affordable unit and a donation equal to 10% of the value of an affordable unit).

- We referred Councilor Leming's update to the linkage fee ordinance to the Community Development Board (10/27). The update adds a fifth linkage category for affordable housing, with amounts drawn from the City's recent linkage nexus study, and aligns the ordinance with the home rule petition that lets the amounts increase automatically each year.

- At Councilor Scarpelli's request, we clarified the status of the change to the zoning definition of "building height". Planning Director Alicia Hunt responded in writing that the new definition, which measures from finished or average grade rather than from the curb, was adopted citywide as part of the Medford Square zoning vote on April 28th; we attached her response to the record (9/15).

- The Mayor's request to restore $340,061 cut from the FY27 Law Department budget was before us at every meeting this fall. The Council reduced that budget in June because the Administration had not provided the litigation report and independent review of legal costs that we first requested in February, and has been funding the department month to month since. On 9/29 we funded one more month ($42,507.63), then asked the Mayor whether she would post and hire a City Solicitor if the Council funded the position. On 10/13 we sent the Administration further questions, including whether it would agree to an outside audit of the City's legal practices with a public report. On 10/27, with no one from the Administration present, we funded only one month of salaries for the legal clerk and requested the engagement letter and timeline for the independent review the Mayor had agreed to in August. Following a meeting between the Mayor, the Chief of Staff, President Bears, Vice President Lazzaro, and Councilor Mullane, we approved at a special meeting on 11/2 (6-0, one absent) a revised request of $52,507.63 to cover the department's ordinary expenses for November and $10,000 for legal services related to the November 3rd election. The Administration committed to seek quotes from five organizations that have audited municipal legal spending and to report back with a progress update before December 1st, and the posting of the City Solicitor position was also raised. The goal is to fund the department through the completion of the review once that engagement is in place.

- We adopted (6-1) a Council declaration concerning Chertok v. City of Medford, the lawsuit challenging an ordinance enacted by the Council, supporting intervention by residents or the Attorney General to ensure an effective defense of the ordinance, and authorized its submission to the Court. State Senator Pat Jehlen and more than two dozen residents addressed the Council (9/15).

- We approved litigation settlements submitted by the Mayor with Sentry Ford (9/15) and in two additional cases (10/27), and approved a further settlement in executive session (see Committee of the Whole below).

- We appointed Vice President Lazzaro as the Council's representative on the Police Chief hiring committee and asked the Administration and its consultants to outline the hiring process and priorities publicly in a Committee of the Whole (9/15). The Mayor's request for $35,000 from the General Stabilization Fund for an executive search firm has been tabled three times (9/29, 10/13, 10/27), most recently because no rep-

resentative of the Administration was present to speak on it.

- We passed (7-0) a resolution calling for the immediate release of Medford resident Vijay D'Souza, a longtime member of the First Baptist Church of Medford, who was detained by ICE at the Atlanta airport on August 29th while returning to Boston and while actively working on a green card application (9/15). Following this, the judge released him on a $10,000 bond, asking at the hearing "Why was this man arrested?"

- We passed (7-0) a resolution supporting the more than 1,400 UNITE HERE Local 26 and Teamsters Local 25 workers on strike at Encore Boston Harbor (9/29). We also passed (7-0) a resolution supporting the United Labor of Tufts Resident Assistants in their negotiations for a fair contract (10/27).

- We passed (7-0) a resolution objecting to the Mayor's refusal to advertise the Council's Neighborhood Ward Meetings. After the Administration said it lacked the staff to help publicize the meetings and then removed the listings from the City calendar, the resolution affirms that the meetings are official, nonpartisan public meetings open to every resident, calls on the Mayor to restore the listings to the City website and calendar, and invites the Mayor, City staff, and department heads to attend (9/29).

- We referred to a Committee of the Whole a resolution from President Bears and Councilor Tseng to develop a comprehensive PILOT (payment in lieu of taxes) and community benefits framework, including revisiting the draft PILOT Commission ordinance. Medford's last written PILOT agreement with Tufts University expired in 2018, and residents spoke in support of a more transparent process (10/13).

- We voted (7-0) to send to the Mayor and to the Department of Elections a resolution urgently requesting that the Administration submit the new City Charter, approved by voters in November 2025, and its certification to the City Clerk for codification, meet with the Council and School Committee to finalize an implementation plan, and report on its submission to the relevant state agencies (10/27).

- We referred to a Committee of the Whole an order to declare two vacant City-owned parcels on McCormick Avenue surplus and authorize their sale, with the proceeds to support affordable housing. The committee will invite the Assessor, the Affordable Housing Trust, and the Planning, Development and Sustainability office, and will take a comprehensive look at all City-owned parcels rather than these two alone (10/27).

- We requested a cost analysis from the Finance and Human Resources Departments, due by the end of December, of increasing vacation time for new City employees from two weeks to three or four, and referred it to the Administration & Finance Committee alongside Councilor Leming's earlier resolution on vacation time (10/27).

- We voted 6-1 to send a comment letter to the MWRA, Cambridge, and Somerville Combined Sewer Overflow project team asking for a long-term control plan that would end sewage discharges into the Mystic River, Alewife Brook, and Charles River, rather than the recommended plan that would allow some discharges to continue. DPW Commissioner McGivern said that the recommended plan is real, if incremental, progress (10/27).

- We asked the Medford Energy and Environment Committee to draft an ordinance phasing out black plastic takeout containers, which contain flame retardants that can leach into food and cannot be recycled, with input from the Chamber of Commerce and local businesses on enforcement. The committee has already surveyed about 32 restaurants and several have switched to clear containers. The paper was referred to the Public Health & Community Safety Committee for discussion once a draft comes back (10/27).

- Under suspension, we asked the Administration for an update on the recent vacancy in the Veterans' Services Department following the departure of Director Veronica Shaw; the matter returns at our next regular meeting (10/27).

- We referred to a Committee of the Whole Councilor Scarpelli's resolution to draft an ordinance accepting M.G.L. Chapter 40U, which would establish a municipal fine enforcement and tax roll collection process, and referred to the Public Health & Community Safety Committee his resolution to develop a communication plan for residents on the City's authority and responsibilities for private ways (9/15). On 9/29 we referred to the Public Works & Facilities Committee his order to put acceptance of M.G.L. Chapter 40, Section 6C, which would protect the City from liability when it plows or sweeps private ways (39% of Medford's roadways), before voters at the November 2027 election.

- We approved the following funding requests from the Mayor's office:
  - An $8,500 Community Preservation Committee appropriation for TreesMedford for plantings at Barry Park and along College Ave (9/15).
  - From the Capital Stabilization Fund, $1,300,000 for road resurfacing on roughly two dozen streets across the city and $1,000,000 to replace the turf at Hormel Stadium, and from the General Stabilization Fund $40,000 for the Health Department's Medford Connects program, which reached more than 7,000 residents last year with benefits navigation, food deliveries, and community events and lost its state MVP grant funding this cycle (9/29).
  - Reappropriations of Capital Stabilization funds previously approved for Medford Public Schools: $210,000 to replace the intercom systems at

the Brooks, Roberts, and Missituk schools, and $209,302 from the Roberts hot water tank project to the Brooks chiller and turf repairs, the McGlynn fridge/freezer condenser, and Roberts drainage and fire pump repairs (10/13).

  - From the Capital Stabilization Fund, $45,470 for a second set of turnout gear for the Fire Department's ten newest firefighters, so contaminated gear can be properly cleaned after a fire, and $200,000 to carry the soil remediation at the 448 High Street parking lot in West Medford through its expected closure in 2028; and a reappropriation of $57,870 from the Roberts accelerated repair project to complete the Brooks and Missituk feasibility studies (10/27). The Capital Stabilization Fund balance stood at $11,428,450 before these votes.

- We approved the Mayor's appointments of Meghan Kelly to the Affordable Housing Trust, Perry Band to the Civic Auditorium and Convention Center Commission, Dina Caloggero to the Council on Aging, and Jennie Vital to the Board of Health (9/15), and the reappointment of Stacie Clayton to the Cemetery Trustees along with the appointments of James Mackey to the Civic Auditorium and Convention Center Commission and Dina Caloggero to the Board of Health (10/27).

- We approved Common Victualler's licenses for Ebisuya (Nippon Unlimited), Muzii & Co, and Raso's Grille (9/15) and for Pavement Coffeehouse at 177 College Ave (10/27), as well as a food truck permit for Trolley Dogs at the Brooks Elementary School Fall Fest (9/29).

- We approved, with the City Engineer's conditions, grants of location for National Grid and Verizon at North Street and Walkling Court (9/29) and for Comcast to install underground conduit on Riverside Ave (10/27). The Comcast petition came to us on short notice because the demolition of 65 Riverside Ave threatened service to roughly 23 commercial customers in Medford Square; at a special meeting on 10/21 we heard from Comcast, the City Engineer, the DPW Commissioner, and the Interim Building Commissioner about keeping service running during the demolition.

- We approved the Call for Election and Election Warrant for the November 3rd election submitted by the Election Commission (9/29).

Committee of the Whole

- On 9/30, we reviewed the draft request for proposals for a zoning consultant for the next phase of the citywide zoning update, presented by Planning Director Alicia Hunt. The RFP builds on lessons from the first phase: a working group of Councilors, Community Development Board members, and staff will direct the work; a public check-in will happen after proposals are received and before a finalist is chosen; each new zoning draft will come with a summary of what changed; and design standards or guidelines will be developed with both the Council and the CDB, with an eye to their effect on the feasibility of future projects. The contract is expected to run about three years. Proposals would be scored in January with the consultant starting in February, and a separate communications consultant, for which five proposals have been received, will help residents understand the technical material. We voted 4-0 to authorize the Planning Director to move forward with the RFP, while incorporating the Council's feedback.

- On 10/13, ahead of the regular meeting, we met in executive session on a litigation settlement submitted by the Mayor, which was approved 6-1.

Public Health & Community Safety Committee

- We sent to this committee Vice President Lazzaro's resolution on safety improvements at the West Medford train station, which the MBTA has recognized as one of the most dangerous in the state and where John Westwater was struck by a train on July 20th and later died of his injuries. The committee will meet with the MBTA and our state delegation to discuss the timeline for the planned safety upgrades to the at-grade crossing (9/15).

- Also referred to this committee this fall: Councilor Scarpelli's resolution on private ways (9/15) and the black plastic takeout container ordinance, once the Energy and Environment Committee returns a draft (10/27).

Public Works & Facilities Committee

- On 10/21, the committee took up Councilor Scarpelli's order to put acceptance of M.G.L. Chapter 40, Section 6C (liability on private ways) before voters in November 2027, and his resolution on routine maintenance and upkeep of private ways. Councilor Tseng walked through what Section 6C would do: 39% of Medford's streets are private ways, the City already plows them, but outside of emergencies it has no clear legal authority to do so, and accepting 6C would let the City plow a Council-approved list of private ways without that work counting as a "repair" that exposes the City to liability. DPW Commissioner McGivern supported putting the question to voters, while cautioning that if voters said no, the City would likely have to phase out plowing on private ways. The committee voted to send the order back to the full Council, with a request for a legal analysis of how the City's liability would change under 6C. It kept the maintenance resolution in committee (5-0): because state Chapter 90 road aid can be spent only on public ways, the resolution asks whether City tax revenue could fund a dedicated line item for private-way repairs, and the committee will seek legal input on that

question and use its next meeting to work out what the City website should tell residents about private ways, including who owns them, what the City can and cannot do, and how to ask for help.

Resident Services & Public Engagement

- On 9/16, the committee approved the release of the June and July/August newsletters, set newsletter assignments for the rest of the year, and finalized the first three Neighborhood Ward Meetings, each with an open agenda, a Zoom option hosted by Medford Community Media, and an RSVP form where residents can submit concerns in advance.
- The committee has begun work on updating Medford's Noise Ordinance, which dates to 1974 and lacks the clear, enforceable standards found in neighboring communities. On 9/16 Councilor Tseng walked through how Somerville, Cambridge, and Brookline regulate noise, and on 10/7 he presented a draft modeled on Somerville's ordinance: a general "noise disturbance" standard judged by a reasonable-person test, a list of seventeen specific disturbances with time-of-day rules, two alternative decibel tables for the committee to choose between, and a penalty schedule of a warning, then $100, then $300. The committee is keeping the paper in committee while it talks with the Police Department, Building Commissioner, and the City's Community Liaisons about enforcement, and plans a community survey.
- On 10/7, Councilor Tseng also presented his review of medfordma.org, with more than 35 recommendations ranging from quick fixes (stale content, broken links, confusing labels) to a redesigned "For Residents" page, a searchable department directory, better search and mobile layouts, and a more visible multilingual option. The committee will invite the City's Communications team to its next meeting and is keeping the paper in committee.
- Our first Ward 1 Neighborhood Meeting on September 23rd at the Andrews Middle School, hosted by Councilors Mullane and Tseng, drew about 30 residents in person and seven on Zoom. The top issues raised were noise (especially on Otis Street), pedestrian and bicycle safety, traffic calming on specific streets, navigating the City website, and the Wellington Transformation Study. On 10/7 the committee reviewed what worked and what to improve, from microphones for Zoom participants to childcare.
- The Ward 5 Neighborhood Meeting on October 20th at the Missituk Elementary School, hosted by Councilors Callahan and Tseng, drew a couple dozen residents in person plus more on Zoom. Traffic calming on Main, Winchester, and Harvard Streets and on cut-through streets like Willis Ave was far and away the top concern, followed by pedestrian and bike safety and crosswalks, trees and the tree canopy, snow and ice removal on sidewalks and in Tufts and Columbus Parks, affordability, late-night noise, the Boston Ave zoning, communication about changes at Tufts Park, vacant storefronts, and places for teenagers to gather. Residents signed up for follow-up working groups on the most popular topics.
- Next up is the Ward 2 Neighborhood Meeting on Wednesday, December 2nd, from 7:00 to 8:00 pm at the Roberts Elementary School, hosted by Councilors Mullane and Scarpelli. Meetings in Wards 4, 7, 6, 3, and 8 are planned for January through May.

Thanks for reading!

Matt Leming
Chair, Planning & Permitting Committee