



Medford City Council
Medford, Massachusetts

The Twenty-First Regular Meeting, November 12, 2024

City Council

Isaac B. "Zac" Bears
Anna Callahan
Kit Collins
Emily Lazzaro
Matt Leming
George A. Scarpelli
Justin Tseng

This meeting will take place at 7:00 P.M. in the City Council Chamber, 2nd Floor, Medford City Hall, 85 George P. Hassett Drive, Medford, MA and via Zoom.

Zoom Link: <https://us06web.zoom.us/j/85428371341>

Call-in Number: +19292056099,,85428371341# US

Live: Channel 22 (Comcast), Channel 43 (Verizon), [YouTube](#), and medfordtv.org.

To submit written comments, please email AHurtubise@medford-ma.gov.

CALL TO ORDER & ROLL CALL

SALUTE TO THE FLAG

ANNOUNCEMENTS, ACCOLADES, REMEMBRANCES, REPORTS, AND RECORDS

Records

The Records of the Meeting of October 29, 2024 were passed to Councillor Callahan

Refer to Committee for Further Discussion

24-491 - Offered by Anna Callahan, City Councilor

Resolution to Discuss Compensation Ordinance for Elected Officials

24-492 - Offered by Anna Callahan, City Councilor

Resolution to Receive Update on Roads

24-493 - Offered by Anna Callahan, City Councilor

Resolution to Establish Volunteer Tree Planting Program

MOTIONS, ORDERS, AND RESOLUTIONS

24-484 - Offered by Matt Leming, City Councilor

Resolution to Adopt Local Options of HERO Act

COMMUNICATIONS FROM THE MAYOR

24-487

Offered by Mayor Breanna Lungo-Koehn

Capital Stabilization Fund Appropriation Requests

PUBLIC PARTICIPATION

To participate outside of Zoom, please e-mail AHurtubise@medford-ma.gov.

UNFINISHED BUSINESS

| | |
|----------------------|---|
| <u>23-412</u> | Petition to Amend Deed Restriction - 12 Dell Avenue |
| IN CITY COUNCIL | SEPTEMBER 19, 2023 |
| TABLED | |
| <u>24-031</u> | Request a Representative from BJ's Wholesale Club Meet to Discuss Construction and Neighborhood Concerns |
| IN CITY COUNCIL | FEBRUARY 6, 2024 |
| TABLED | |
| <u>24-352</u> | Petition For a Class II Auto Body License - Finest Auto Body, Inc |
| IN CITY COUNCIL | MAY 14, 2024 |
| TABLED | |

Reports Due/Deadlines

| | |
|----------------------|--|
| <u>16-574</u> | University Accountability Report (Next Report Due in March 2025) |
| <u>22-026</u> | Quarterly Presentation on City's Financial Health by Chief Financial Officer/Auditor |
| <u>22-027</u> | Monthly Copy of Warrant Articles from Chief Financial Officer/Auditor |

Adjournment



Medford City Council
Medford, Massachusetts

MEETING DATE

November 12, 2024

SPONSORED BY

Anna Callahan, City Councilor

AGENDA ITEM

24-491 - Resolution to Discuss Compensation Ordinance for Elected Officials

FULL TEXT AND DESCRIPTION

Whereas only the City Council can change the salaries of Medford's elected officials (Mayor, City Council, and School Committee); and

Whereas there is no way for elected officials to adjust elected officials' salaries for inflation or general cost of living increases without the City Council voting to change elected officials' salaries; and

Whereas there is personal incentive for city councilors to increase their own salaries; and

Whereas the City Council increasing their own salaries or increasing the salaries of other sitting elected officials is often viewed as a form of impropriety/corruption; and

Whereas the Medford School Committee recently went 24 years without a cost of living adjustment (COLA); now therefore:

Be it Resolved that the Governance Committee take up an ordinance to disallow the City Council from passing any salary changes that affect sitting elected officials and to encourage the City Council to consider regular COLA adjustments for elected officials in the next cycle.

Potential language:

No change in the salary of any elected official (Mayor, City Council, or School Committee) shall be effective unless it shall have been adopted during the first 18 months after the biennial election of the City Council members and unless it provides that the salary change is to take effect upon the organization of the city government following the next biennial election.

After the budget has been approved, the City Council shall put on the agenda of an upcoming meeting scheduled to occur before the end of the first 18 months of the City Council term a motion

considering any changes to the salaries of any elected officials (Mayor, City Council, or School Committee).

Language from other cities:

Everett

Section 4-4, School Committee, Compensation; Expenses.

The members of the school committee shall receive such salary for their services as may from time to time be set by ordinance. No ordinance increasing the salary of school committee members shall be effective unless it shall have been adopted by a 2/3 vote of the full city council during the first 18 months of the term for which the school committee is elected and unless it provides that the salary increase is to take effect upon the organization of the city government following the next municipal election. No member of the school committee shall be eligible to participate in the city's group health or life insurance programs. Subject to appropriation, school committee members shall be entitled to reimbursement of their actual and necessary expenses incurred in the performance of their duties. Actual and necessary expense shall be defined in the school committee's rules and regulations.

Watertown

Article 4, Other Elected Offices, School Committee

4-1, School Committee, d.4

Salary - The school committee may provide an annual salary for its members within the annual school department appropriation. No increase in such salary shall be effective, however, unless it shall have been adopted during the first eighteen months after the biennial election of members, and it provides that such salary is to take effect with the organization of the city government following the next biennial election.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Medford City Council
Medford, Massachusetts

MEETING DATE

November 12, 2024

SPONSORED BY

Anna Callahan, City Councilor

AGENDA ITEM

24-492 - Resolution to Receive Update on Roads

FULL TEXT AND DESCRIPTION

Whereas it has been more than six months since the City Council was last updated on our roads; and

Whereas during the election of November 5th the voters of Medford considered a budget override provision in Question 7 providing funds for, among other purposes, "FY 2025 general operations of the Department of Public Works (\$500,000), including but not limited to additional staff for road and sidewalk infrastructure repair" and that ballot question was successful/unsuccessful; now therefore

Be it Resolved that the Public Works and Facilities Committee invite Engineer Owen Wartella and DPW Commissioner Tim McGivern to attend an upcoming meeting to talk about the state of the roads and the plan moving forward given the outcome of the election.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Medford City Council
Medford, Massachusetts

MEETING DATE

November 12, 2024

SPONSORED BY

Anna Callahan, City Councilor

AGENDA ITEM

24-493 - Resolution to Establish Volunteer Tree Planting Program

FULL TEXT AND DESCRIPTION

Whereas Medford loses an estimated 500 or more trees each year, and plants less than 250 trees each year; and

Whereas the cost of planting city trees is primarily in the labor to plant the trees (rather than the cost of the sapling); and

Whereas Medford only has one full time staff member dedicated to our trees (Tree Warden); and

Whereas Medford currently contracts out for tree planting, which is more expensive than planting with an in-house crew; and

Whereas trees are a vital part of fighting climate change, help cool buildings and streets in summer, and add to the beauty of our city; and

Whereas Medford has many residents who want to volunteer to plant city trees; therefore

Be it Resolved that the Public Works and Facilities Committee invite DPW Commissioner Tim McGivern to attend an upcoming meeting to begin discussing the possibility of allowing Medford residents to volunteer to help plant city trees.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Medford City Council
Medford, Massachusetts

MEETING DATE

November 12, 2024

SPONSORED BY

Matt Leming, City Councilor

AGENDA ITEM

24-484 - Resolution to Adopt Local Options of HERO Act

FULL TEXT AND DESCRIPTION

Whereas Governor Healey recently signed in law An Act Honoring, Empowering, and Recognizing Our Servicemembers and Veterans, also known as the HERO Act (Chapter 178 of the Acts of 2024), to increase benefits, modernize services and promote inclusivity for veterans in Massachusetts; and

Whereas the HERO Act allows a local option in which cities may tie property tax exemptions and veteran-specific exemptions to the Consumer Price Index, allowing for automatic year-to-year increases in these exemptions; now, therefore:

Be it Resolved by the Medford City Council that the City of Medford accept General Laws Chapter 59, Section 5, Clause 22I, which authorizes an annual increase in the amount of the exemption granted under General Laws Chapter 59, Section 5, Clause 22, Clause 22A, Clause 22B, Clause 22C, Clause 22E, and Clause 22F by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index (CPI) for the previous year as determined by The Department of Revenue, to be effective for applicable exemptions granted for any fiscal year beginning on or after July 1, 2025; and

Be it Further Resolved that the City of Medford accept General Laws Chapter 59, Section 5, Clause 22J, which authorizes an annual increase in the amount of the exemption granted under General Laws Chapter 59, Section 5, Clause 22, Clause 22A, Clause 22B, Clause 22C, Clause 22E, and Clause 22F by up to 100% of the personal exemption amount, subject to the conditions in Clause 22J, to be effective for applicable exemptions granted for any fiscal year beginning on or after July 1, 2025.

Action at October 29, 2024 City Council Regular Meeting:

- a) Councillor Leming offered an amendment requesting that the Paper be sent to counsel for Legal review.
- b) Councillor Tseng offered an amendment requesting that the Finance Department or Assessor review the paper as well.

Councillor Leming moved to table the paper until the next meeting to allow for the reviews requested in the amendments (Councillor Tseng second)—tabled until the next meeting.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. State DOR HERO Act Tax Bulletin



Bulletin

BUL-2024-5

RECENT LEGISLATION

TO: Local Officials

FROM: Kenneth Woodland, Chief, Municipal Finance Law Bureau

DATE: August 2024

SUBJECT: An Act Honoring, Empowering and Recognizing Our Servicemembers and Veterans ("HERO" Act) Chapter 178 of the Acts 2024.

To keep you informed of legislative developments, the Division of Local Services ("Division") periodically publishes a **BULLETIN** summarizing new laws that affect municipal budgets and local tax assessment, administration and collection. Each issue usually contains a cumulative summary of session laws enacted to that time and indicates whether the Division has issued any further implementation guidelines. This edition of the **BULLETIN** instead focuses on a recent legislative change affecting municipal finance found in Chapter 178 of the Acts 2024 (hereinafter "Act"), entitled An Act Honoring, Empowering and Recognizing Our Servicemembers and Veterans ("HERO" Act).

These changes provide two new local options that increase certain veteran exemption amounts and changes how to determine eligibility for the motor vehicle exemption for a veteran with a 100% disability rating or is unemployable due to their service-connected disability.

1. Generally, what are the municipal finance related provisions in the "HERO" Act?

Section 23 adds two new veteran property tax exemption clauses, Clauses 22I and 22J, to General Laws, c. 59, §5, which is the statute that establishes local property tax exemptions for individuals and organizations. Additionally, Section 24 changes how eligibility for the motor vehicle exemption for a veteran with a service-connected disability is established under G.L. c. 60A, § 1.

2. When do these provisions go into effect?

As the Act contained a preamble, the Act's effective date is the date it was signed by the Governor – August 8, 2024. However, for exemptions allowed under G.L. c. 59, § 5, the exemption qualifying date is generally July 1. Changes in property tax exemption laws will generally apply prospectively as of the next qualification date after the effective date of the amendments. As such, municipalities will be able to adopt Clauses 22I and 22J, as described herein, for Fiscal Year 2026.

Conversely, the change under G.L. c. 60A, § 1 is effective presently for calendar year 2024 excises.

3. How does a municipality implement these changes?

Clauses 22I and 22J are local options that must be accepted by a city or town to apply in that municipality. Acceptance requires a vote of the legislative body (town meeting, town council or city council) subject to the municipality's charter. G.L. c. 4, § 4. No local action is needed for the change under G.L. c. 60A, § 1 to go into effect.

4. What would be the impact of Clause 22I?

Clause 22I, if accepted, would increase the amount of the tax exemption granted to veterans on their domiciles under Clause 22, Clause 22A, Clause 22B, Clause 22C, Clause 22E and Clause 22F annually by a cost-of-living adjustment (COLA) determined by the Department of Revenue (DOR) based on the consumer price index (CPI). This would work like the annual COLA adjustment determined by DOR that is already a local option for certain senior exemption amounts and financial means standards. See G.L. c. 59, § 5, Clauses 17E, 17F and 41D.

For example, if a Clause 22 recipient will receive a \$400 exemption and the community accepts this option, and the CPI increases by 5%, the total exemption amount would increase to \$420.

5. What would be the impact of Clause 22J?

Clause 22J, if accepted, provides an additional exemption up to 100% of the amount of the tax exemption granted to veterans on their domiciles under Clause 22, Clause 22A, Clause 22B, Clause 22C, Clause 22E and Clause 22F. This would work like the optional additional exemption that is already a local option under G.L. c. 59, § 5C½ for all persons granted exemptions on their domiciles as veterans, seniors, blind persons, and surviving spouses. Clause 22J will not apply in a year in which the city or town already uses G.L. c. 59, § 5C½ to grant an additional exemption to all persons granted exemptions. It is an option for cities and towns that do not use that general additional exemption to be able to just grant one for persons granted veteran exemptions. As with the general additional exemption, the application of the Clause 22J additional exemption cannot reduce the tax owed below what the taxpayer would owe on 10% of the current assessed valuation of the domicile. However, unlike the general additional exemption, the exemption granted to veterans can result in the taxpayer paying less than the taxes paid in the preceding fiscal year. To implement, the city or town must vote to accept the statute and establish the additional exemption percentage before the July 1 beginning of the fiscal year in which that percentage will first apply. The voted percentage will continue to apply in subsequent years unless and until another percentage is voted before the July 1 beginning of a later fiscal year.

6. How does the change to G.L. c. 60A, § 1 effect the veteran motor vehicle excise process?

This section changes how eligibility for the motor vehicle exemption for a veteran with a service-connected disability is established under G.L. c. 60A, § 1. Currently, the Medical Advisory Board (MAB) within the Registry of Motor Vehicles (RMV) determines that the veteran has the qualifying disability. Under the amendment, eligibility will be based on a disability determination by the U.S. Department of Veteran Affairs (VA), as is the case with other motor vehicle and property tax exemptions available to veterans. Now, a veteran will qualify for a motor vehicle exemption if the VA determines they have a 100% disability rating or deems them unemployable due to their service-connected disability.

7. What is the impact in a community that adopts both Clause 22I and 22J?

Both Clauses would operate together. For example, if a Clause 22 recipient will receive a \$400 exemption and the community accepts Clause 22I, and the CPI increases by 5%, the total exemption amount would increase to \$420. If the community further accepts Clause 22J (or G.L. c. 59, § 5C½) and increases by the maximum 100% the amount of the tax exemption granted to veterans, in this example, the total exemption will increase to \$840.

8. Do any of these provisions effect the state reimbursement?

As Clauses 22I and 22J are local options that must be accepted by a city or town to apply in that municipality, there is no additional state reimbursement for the cost of the additional exemptions.

Conversely, the veteran exemptions granted pursuant to the new provisions in G.L. c. 60A, § 1 will be fully reimbursed by the Commonwealth.

**SAMPLE ACCEPTANCE VOTES
(Consult with municipal counsel)**

ADJUSTED EXEMPTION AMOUNT CLAUSE 22I

VOTED: That the city/town accept General Laws Chapter 59, Section 5, Clause 22I, which authorizes an annual increase in the amount of the exemption granted under General Laws Chapter 59, Section 5, Clause 22, Clause 22A, Clause 22B, Clause 22C, Clause 22E and Clause 22F by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index (CPI) for the previous year as determined by the Commissioner of Revenue, to be effective for applicable exemptions granted for any fiscal year beginning on or after July 1, _____.

OPTIONAL ADDITIONAL VETERAN EXEMPTION CLAUSE 22J

VOTED: That the city/town accept General Laws Chapter 59, Section 5, Clause 22J, which authorizes an annual increase in the amount of the exemption granted under General Laws Chapter 59, Section 5, Clause 22, Clause 22A, Clause 22B, Clause 22C, Clause 22E and Clause 22F by [insert percentage increase up to 100% e.g., 50%, 70%, 100%] of the personal exemption amount, subject to the conditions in Clause 22J, to be effective for applicable exemptions granted for any fiscal year beginning on or after July 1, _____.



Medford City Council
Medford, Massachusetts

MEETING DATE

November 12, 2024

SPONSORED BY

AGENDA ITEM

24-487 - Capital Stabilization Fund Appropriation Requests

FULL TEXT AND DESCRIPTION

Actions taken at October 29, 2024 City Council Regular Meeting:

a) Councillor Scarpelli offered a B-Paper amendment requesting an update on the Mayor's Capital Plan, particularly as it relates to additional fire apparatus.

Councillor Scarpelli invoked Rule 21, tabling this paper until the next meeting.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 2024-10-29_CapitalStabilizationFundAppropriationRequests



**MEDFORD, MASSACHUSETTS
MAYOR BREANNA LUNGO-KOEHN**

October 23, 2024

Via Electronic Delivery

To the Honorable President and
Members of the Medford City Council
Medford City Hall
Medford, MA 02155

Re: Capital Stabilization Fund Appropriation Requests

Dear President Bears and Members of the City Council:

I respectfully request and recommend that your Honorable Body approves the following appropriations from the Capital Stabilization Fund:

- Engine 3 Truck Pump Replacement, in the amount of Fifty-One Thousand Six Hundred Forty-Three Dollars and Twenty-Four Cents (\$51,643.24);
- Cemetery Soil Removal, in the amount of One Hundred Twenty Thousand Dollars and Zero Cents (\$120,000.00);
- Grant Match for Municipal Vulnerability Preparedness Action Grant for updating the 2019 Climate Change Vulnerability Assessment and developing an Urban Forest Master Plan, in the amount of Twenty-Four Thousand Six Hundred Dollars and Zero Cents (\$24,600); and
- City Hall Howard Alden Memorial Chambers Window Restoration, in the amount of Three Hundred Twenty-Two Thousand Five Hundred Dollars and Zero Cents (\$322,500.00).

As your Honorable Body knows, any appropriation from a stabilization account requires a 2/3rds majority vote of the City Council. The Capital Stabilization Fund currently has a balance of \$3,923,737.00, given the appropriations made by this Council to date. If all the above are approved, the capital stabilization fund would have \$3,404,993.76 that remains.

Fire Chief Todd Evans will be available to answer questions on the pump replacement request, DPW Commissioner Tim McGivern will be in available to answer questions on the cemetery soil removal and grant match requests, and Facilities Director Paul Righi will be available to answer questions on the chambers window restoration.

Thank you for your kind attention to this matter.

Respectfully submitted,


Breanna Lungo-Koehn
Mayor