



Medford City Council
Medford, Massachusetts

The Twenty-Third Regular Meeting, December 16, 2025

City Council

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

This meeting took 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.

Dec 16, 2025 07:00 PM

Zoom

Link:<https://us06web.zoom.us/j/83220180470?pwd=eIMRQMxmxy0l3E1tyX7aAscugss8O.1>

Meeting ID: 832 2018 0470

Passcode: 554590

Call-in Number: +16469313860,,83220180470#,,,*554590# US

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

CALL TO ORDER

President Isaac "Zac" Bears called the meeting to order at 7:13 P.M. on December 16, 2025 in the City Council Chamber on the second floor of Medford City Hall, 85 George P. Hassett Drive, Medford, Massachusetts, and via Zoom.

ROLL CALL

Present: Councillor Callahan; Vice President Collins; Councillor Lazzaro; Councillor Leming; Councillor Tseng; President Bears. Inside the Rail: Assistant City Clerk Richard Eliseo Jr. (Councilor Scarpelli Absent)

SALUTE TO THE FLAG

ANNOUNCEMENTS, ACCOLADES, REMEMBRANCES, REPORTS, AND RECORDS

Councilor Leming Motioned to take Resolution Under suspension (2nd by Councilor Lazzaro) – Approved on a voice vote of Six in favor, Zero opposed (Councilor Scarpelli absent)

Under Suspension

25-197 – Offered by Councilor Leming

Resolution to commend the crew of Ladder 2 for their heroic actions on November 7th, 2025 Offered by Councilor Leming

WHEREAS Lieutenant Daniel J. Marino, Firefighter Sean M. McFeeley, and Firefighter Tyrell T. Patton rescued two persons at a structure fire on November 7th 2025, as detailed in Chief Todd Evans' letter (enclosed);

WHEREAS their actions on reflect great credit on themselves, Ladder 2, the Medford Fire Department, and the City of Medford;

BE IT THEREFORE RESOLVED that the Medford City Council commend the crew of Ladder 2 for their bravery, professionalism, commitment to their position and their oath, and dedication to saving lives

Councilor Leming Motioned to Approve (seconded by Councilor Lazzaro) – Approved on a Voice vote of Six in favor, Zero opposed (Councilor Scarpelli Absent)

25-187 - Offered by Isaac Bears, Council President, Justin Tseng, City Councilor

December 16, 2025

Isaac Bears, Council President, Justin Tseng,

City Councilor AGENDA ITEM 25-187 - Resolution to Celebrate 90th Anniversary of the West Medford Community Center

Be it Resolved by the Medford City Council that we celebrate the West Medford Community Center on its 90th Anniversary and its role as a cornerstone of resilience, service, and community building for our city. The WMCC is at the heart of Medford's past, present, and future, and we honor and celebrate every person who has built this incredible legacy and history.

Councilor Tseng motioned to Approve (seconded by Councilor Lazzaro) – Approved on a Voice vote of Six in favor, Zero opposed (Councilor Scarpelli Absent)

25-188 - Offered by Isaac Bears, Council President, Justin Tseng, City Councilor

December 16, 2025

Isaac Bears, Council President, Justin Tseng, City Councilor

AGENDA ITEM 25-188 - Resolution to Commend Vice President Collins for Her Outstanding Service

Be it Resolved by the Medford City Council that we commend Vice President Collins for her outstanding service on the Medford City Council from 2022 to 2026.

Councilor Tseng Motioned to Approve (seconded by Councilor Callhan) – Approved on a Voice Vote of Six in favor, Zero opposed (Councilor Scarpelli Absent)

Addressing the Council:

Munir Jirmanus Summit Rd
Barry Burr 9 Draper St
Andrew Castignetti East Medford
Miccah Kessleman 499 Main St
Jenifer Yanko 16 Monument St
Steve Schnapp 26 Hillside Av
Ilene Lerner Medford

Records:

The Records of the Meeting of December 2nd, 2025 were passed to Vice President Collins

Vice President Collins motioned to Approve (seconded by Councilor Tseng) – Approved on a voice vote of Six in favor, Zero opposed (Councilor Scarpelli Absent)

Reports of Committees

25-186 - Offered by Isaac Bears, Council President

25-186
COMMITTEE OF THE WHOLE MEETING
REPORT TUESDAY, December 9, 2025 @ 6:00 P.M.

Attendees: Council President Isaac “Zac” Bears; Council Vice President Kit Collins; Councilor Emily Lazzaro; Councilor Matt Leming; Councilor George Scarpelli; Councilor Justin Tseng; Assistant City Clerk Rich Eliseo; other participants as noted in the body of this report. (Councilor Callhan Absent)

President Bears called the meeting to order at 6:03 p.m. on December 9, 2025, via Zoom. The purpose of the meeting was to discuss Authorization of Contract Period in Excess of Three Years - McGlynn School Solar Panels 20 Year Contract with Select Energy (Paper 25-186).

President Bears thanked participants for attending and opened the meeting at 6:03pm..

25-186 - Submitted by Mayor Breanna Lungo-Koehn

McGlynn Solar

- 731 panels totaling 360 kW DC (240 kW AC)
 - Power purchase agreement
 - \$0.0467/kWh (compared to current \$0.1311 supply rate)
 - 20 years (no rate escalator)
 - 434,000 kWh/year (48% of current McGlynn electricity usage)
 - Projected \$64,000 savings in year 1 (including avoided delivery costs)
 - Installation start fall 2026 (after HVAC replacement and roof refurbishment)
 - Signed contract by December 31, 2025 to meet federal tax credit requirements



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MEDFORD, MASSACHUSETTS
MAYOR BREANNA LUNGO-KOEHN

November 25, 2025

Via Electronic Delivery

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

Re: Twenty Year Contract Request

Dear President Bears and City Councilors:

I respectfully request and recommend that the City Council approves the following twenty-year contracts with Solect Energy. As the Council is aware, M.G.L. c. 30B §12 requires City Council approval for a contract that exceeds three (3) years.

Agreement

Authorize the City to enter into a twenty-year lease agreement to allow for installation of solar photovoltaic (PV) on the McGlynn school roof, as well as a power purchase agreement to purchase electricity produced by said installation. This is a type of financial agreement that was previously used on the Department of Public Works solar installation. It avoids any upfront capital cost to the City; instead, the installer owns the solar panels, and the city purchases the electricity produced by them. The contract is for 20 years, the anticipated useful lifespan of the solar panels. It stretches the cost of the panels over a length of time that reduces the per-kilowatt-hour cost of electricity from the current supply cost of \$0.1311/kWh to \$0.0467/kWh.

Respectfully submitted,

Breanna Lungo-Koch
Mayor

Addressing the Council: Brenda Pike Climate Planner

President Bears recognized Climate Planner Brenda Pike. Brenda started by saying thank You and sharing the attached slide. Brenda broke down the attached slide on the McGlynn school solar project and asked if there were any questions. President Bears recognized Councilor Scarpelli who started by disclosing he owns a solar company and that it has no direct impact with this negotiation. Councilor Scarpelli asked if Climate Planner Pike could share the reason why the upfront cost really doesn't make a difference if we have either PPA or ownership. The benefit I know of ownership after the 10 years is very high for us and may be more beneficial on our end, but why was it that we took the PPA over the ownership option. Climate Planner Pike responded by saying that she agreed the long-term benefits would be higher if we owned the

system, but that it would be a \$900,000 upfront cost and it would be a 5yr payback before we saw any savings. Also, one other benefit specific to the PPA model would be that we are not responsible for the maintenance of the system the installer would be. Councilor Scarpelli asked if we have done a cost analysis to show what the 5-year benefits are over the leasing option, because it would be interesting to see how much money we could save with ownership as opposed to leasing. As I said I love the fact we are going solar and it so important and just so you know Brenda and you can tell Alicia I made a resolution years ago to look at Hormel stadium parking lot to turn it into a solar parking lot to assist with funding the Hockey rink and Stadium. With this current situation we are looking at 731 panels, and I know the breakdown projected \$64,000 in savings and not to hold it up, but I would just like to know what the analysis would show between leasing and owning and where that ROI would be. Climate Planner Pike responded by saying I don't have that information on me, but I can certainly obtain it for you. The big difference here is the tax credits, so when we were looking at potentially delaying this to purchase it or to move forward with the PPA with the tax credits. That is one of the major reasons we chose to move forward with the PPA. Councilor Scarpelli stated that the Commercial tax credit is still in effect for commercial properties until the year 2027 which wouldn't affect us negatively until after 2027, correct? Climate planner Pike stated that if we sign the contract by the end of this year the installation could be before the end of 2027, but we would need to sign the contract. Councilor Scarpelli said the big, beautiful bill that is killing so many initiatives in our country is putting us in a terrible situation when we are looking at benefits for solar and wind, so I think it sad.

Councilor Scarpelli said the other piece that is really pressing is as we move forward with the new roof, who then take the liability of any leaking issues when it comes the longevity of the roof and the warranty? Do we know if they are going to be ballast mounted or penetrating the actual roof, so who would then take the responsibility once we jeopardize the seals. Climate Planner Pike said the solar company is discussing the warranty situation with the roofing company in the same way that the HVAC company did to make sure they didn't void any warranties. Councilor Scarpelli asked so that would give us clear definition of who has ownership, because I know that when you lease at least on the residential side there is a 10 yr penetration warranty for any leakage, but when your talking about a commercial flat roof and the issues we have had in the past and looking down the line 10-15 years from now this council may be gone but will we see the negative affects of solar on an aging roof. I would hate to be the council that they talk about in 10 yrs, that it is all their fault because they didn't ask the right questions, so if we can get some guidance or something in writing that would be great. Climate planner Pike stated that KP Law has been negotiating the contract with select on our behalf and that has been one of their main considerations is who has liability, and if it is an issue with or caused by the solar panels then the liability would be with select. Councilor Scarpelli said I appreciate all the hard work, but there are some questions that need to be addressed and if we had to vote tonight, I think without knowing those particulars of Liability, cost analysis of owning to leasing and have we looked at possibly carrying our own battery to store power to sell it with net metering through the utility company? Climate planner Pike stated we didn't look at the battery for this project, but we did for the Andrews solar project which wasn't something financially viable without a grant for the battery. Which is something the department of energy resources has come up with for batteries in particular that we could look into in the future, but it didn't line up with the timelines for this project. Councilor Scarpelli said he appreciated all the answers and the hard work, but with some of the outstanding questions with the warranty and maintenance, it is so important that before we move onto anything we have the understanding of the impact of that on the city.

President Bears thanked Councilor Scarpelli for his questions and recognized Councilor Lazzaro. Councilor Lazzaro asked for some clarification if this is the final negotiated deal and if there would be any other negotiations on this or is this the proposal? Climate Planner Pike responded, saying that the contract is still being negotiated at the moment, but we wanted to come to you now because with the timing would have made it more difficult to wait till after the contract was negotiated. Councilor Lazzaro responded by saying she does not feel comfortable moving forward with something that doesn't have a contract finalized, and the number being finalized. We have had some tricky stuff with contracts that we approved or we

didn't, but a former city council approved a longer contract and obviously we are never part of the negotiating process. So, I guess there isn't a guarantee that this will be exactly what the numbers will, the kilowatt per hr. will be, what the projected saving will be, I am just confused about how we can approve something we don't know what the final numbers are. President Bears relayed that technically we do not approve the contract, we just authorize the city to enter into a contract period that is greater than 3 years. Councilor Lazzaro stated, "ok so all we are voting on is if we would allow the city to enter into a contract for more than 3 years". President Bears stated yes, we can ask a lot of questions, but we don't, we didn't and we have never approved a contract, we only allow the city to be able to enter a contract of more than 3 years. Councilor Lazzaro then asked, if that is the case what is the point of showing us all this information, can you answer that? President Bears asked me or Brenda? Councilor Lazzaro said no I'm curious because, I mean it's great to have this presentation and do it in a public meeting and im glad we are doing the project and taking advantage of the tax break but if we do not have the capacity to approve any of the things that are being negotiated then sure we can do it for more than 3 years. President Bears recognized Climate Planner Pike. Brenda stated yeah it is possible that these numbers might change slightly with the final contract, but I wouldn't anticipate it not changing much and all of the contract negotiations are redlining to like the liability changes. Councilor Lazzaro stated Okay, I guess what I would like to be clear about is what we as a city council are approving here, is to authorize the mayor's administration to have a contract with a business that will supply the solar panels that is longer than 3 years. Which is required by state law that we approve the mayor's office to negotiate a contract that is longer than 3 years, correct that is the only thing we are approving? The response was a yes. President bears thanked Councilor Lazzaro and recognized Councilor Leming.

Councilor Leming asked how long would it take Climate Planner Pike to get the answers to Councilor Scarpelli's questions that were asked, particularly the cost benefits and downside of Owning vs leasing? Also, I would like to know, off the top of your head what kind of info you could get to us before this goes to a regular meeting? Climate Planner Pike said she would expect that the finalized by next week considering the timeline for this, especially the liability portion of that. Councilor Leming stated the bigger picture I would like to know if the City in the long term would benefit by taking the federal tax credits in the window we still can or if it would be better if we put up the upfront cost ourselves and hold off on this. That is basically what I want to know. Climate Planner Pike wanted to make note to everyone that the Federal Tax credits are about 30% the total cost. I can get you those numbers by next week. President Bears thanked Councilor Leming and recognized Councilor Scarpelli.

Councilor Scarpelli stated just for clarity the Federal tax credit will expire on December 31st for residential properties, but for commercial properties we have till December 2027 is that correct Brenda. Climate Planner Pike stated that we have to safe harbor this by signing a contract by the end of this year to obtain the tax credit but can install them by the end of 2027. Councilor Scarpelli stated that the company that will be taking advantage of this tax credit will be the leasing company because that who then take the benefit of the tax credit, and that is why they can negotiate with us at a lower rate because its give or take and that why when you look at ownership and look at the ROI and where and when that falls in we may not have the capital of what needs to be done at the beginning, but that would be just the monthly payment that would be cost incurred to this. Climate Planner Pike stated for Power and purchase, there would be no upfront cost but everything else would have an upfront cost. President Bears thanked Councilor Scarpelli and asked Brenda if she thinks she would be able to bring the answers to us Page 11 of 88 by next weeks regular meeting? Benda replied that she would be able to have answers by next week and if there is any other questions just to let her know and she can be prepared next week with answers. President Bears thanked Climate Planner Pike and if any other Councilors had questions and if Chris Stevens from "Gotta know Medford" had any questions or if any members of the public had any questions. President Bears said seeing none, are there any motions to refer and adjourn.

Councilor Leming Motioned to refer to the regular meeting and adjourn (seconded by Councilor Scarpelli) – Approved on a roll call vote of Six in favor, Zero opposed (Councilor Callhan Absent).

Meeting Adjourned at 6:30 pm

Respectfully Submitted
Richard Eliseo Jr
Assistant City Clerk

Vice President Collins motioned to Approve (seconded by Councilor Tseng) - Approved on a Voice vote of Six in favor, Zero opposed (Councilor Scarpelli Absent)

24-073 and 24-354 - Offered by Matt Leming, City Councilor

RESIDENT SERVICES AND PUBLIC ENGAGEMENT COMMITTEE

MEETING REPORT

TUESDAY, December 10, 2025 @ 6:00pm

Attendees: Councilor Matt Leming, Committee Chair; Councilor Anna Callahan; Councilor Tseng (zoom); (Councilor Scarpelli, Vice Chair and Councilor Lazzaro both Absent) Assistant City Clerk Richard Eliseo Jr; other participants as noted in the body of this report.

Chair Leming called the meeting to order at 6:03p.m. on December 10, 2025, in the City Council Chambers on the second floor of Medford City Hall, and via Zoom. The purpose of the meeting was to discuss Publishing city council newsletter, and to discuss City Council listening sessions (Paper 24-354, 24-073).

Chair Leming recognized Councilor Tseng. Councilor Tseng thanked the Chairman for putting the Newsletter together and stated that his main note is to add one more item to general business in regard to the trash resolution. Councilor Leming agreed and added in the verbiage "At the November 18th meeting, the City Council passed a resolution responding to the administration's plan to shift to biweekly trash collection. The Council formally requested clearer public communication, comprehensive reports on public health, operation and equity implications and a public forum to gather community input. The resolution also urged the Administration to evaluate alternative waste-reduction strategies once the \$200,000 grant expires". Councilor Leming stated it's a bit lengthy, but it not as lengthy as other ones there. Councilor Callhan and Councilor Tseng both stated it looked fine to them.

Councilor Leming also wanted to note that this was originally drafted by Vice President Collins, and I didn't realize that when I was adding items to it that had occurred and didn't go through the regular meetings to find it. Councilor Leming asked that when we do pass this you allow me to add any other commemorations or acknowledgements we had, that I may have failed to put into this draft. Councilor Leming asked if there were any other concerns, comments, questions or edits. Councilor Tseng asked if we should add a point about the COW meeting yesterday. Councilor Leming stated that is a good point and added din the following verbiage "At the December 9th committee of the whole, the council heard a presentation on a plan to put solar panels on the McGlynn School and review the power and purchase agreement 20-year lease". Councilor Leming acknowledges Councilor Tseng's comments but feels it gets too far into the weeds about this and that he could link to the documents. Councilor Tseng said if we could link to the documents that would be great. Councilor Tseng asked if we could add in that we did request more information for next week's Regular meeting. Councilor Leming asked if there were any other suggestions and asked if there were any motions on the floor.

Councilor Callhan motioned to approve with ability to amend with additional commemorations or acknowledgements (seconded by Councilor Tseng) – Approved on a roll call vote of Three in favor, zero opposed, Two absent (Scarpelli & Lazzaro).

Councilor Tseng motioned to adjourn (seconded by Councilor Callahan) – approved on a roll call vote of Three in favor, Zero opposed, Two Absent (Scarpelli & Lazzaro).

Chair Leming adjourned the meeting at 6:23 pm.

Respectfully submitted
Richard Eliseo Jr
Assistant City Clerk

Councilor Leming motioned to Approve (seconded by councilor Tseng) – Approved on a voice vote of Six in favor, Zero opposed (Councilor Scarpelli Absent)

24-036 and 24-461 - Offered by Emily Lazzaro, City Councilor

PUBLIC HEALTH and COMMUNITY SAFETY COMMITTEE MEETING REPORT WEDNESDAY DECEMBER 10, 2025 @ 7:00pm

Attendees: Councilor Lazzaro, Committee Chair; Councilor Tseng Vice Chair (zoom); Councilor Callahan; Councilor Collins; Councilor Leming; Assistant City Clerk Richard Eliseo Jr; other participants as noted in the body of this report.

Chair Lazzaro called the meeting to order at 7:03p.m. on December 10, 2025 in the City Council Chambers on the second floor of Medford City Hall, and via Zoom. The purpose of the meeting was to discuss a Resolution on an Overgrowth Ordinance and a Resolution to Meet and Discuss Updates to the Rodent Control Ordinance (Paper 24-036, 24-461).

24-036 - Offered by Kit Collins, Council Vice President

[Sec. 38-38 – Overgrowth.]

(a) Purpose and Intent.

1. The purpose of this section is to establish guidelines, rules and prohibitions to control and prevent plant overgrowth and other conditions that threaten public health, safety and welfare and that create conditions for attracting rodents or other potential public health hazards.
2. The City may intervene and take action in instances where overgrowth creates conditions where rodents are attracted or creates other public health hazards.
3. This ordinance should not be interpreted in any way to interfere with the authority of the Massachusetts Division of Fisheries and Wildlife, Massachusetts Department of Environmental Protection, the Massachusetts Department of Conservation and Recreation, nor any other state agency with jurisdiction over wildlife or environmental conditions.

Commented [KC1]: This places the ordinance within Nuisances section under Environment. Is this the correct place for this ordinance?

(b) Definitions.

(c) Overgrowth and Prohibited Conditions.

1. All property shall be maintained free of vegetation that is or may reasonably become infested with rodents, vermin, or other animals, conceal pools of stagnant water, or create a fire safety hazard.
2. All property shall be kept free of overgrown, decayed, dead, or hazardous trees, shrubs, or any other vegetation that poses a hazard to the health and safety of any person in the vicinity of the property, including any persons traveling on any portion of any public way, or any surrounding property.

Commented [KC2]: @Attorney Austin - at your discretion

(d) Exceptions.

- a. Nothing in this section shall be interpreted to prohibit regular routine maintenance, gardening, and landscaping. However, when overgrowth is determined to be the cause of a public safety threat or nuisance by the Health Director or designee and Building Commissioner or designee, the overgrowth or offending condition must be remedied timely in accordance with any order issued by the City enforcement officer.

(e) Enforcement and Penalties.

<p>1. [The Health Director or their designees acting as Code Enforcement Officers are authorized to administer and enforce this ordinance.]</p> <p>2. This ordinance shall be enforced in the manner provided in Sec. 1-13 of these Ordinances and G.L. c. 40, § 21D. Any property owner who violates any provision of this ordinance shall be subject to the following penalties:</p> <ul style="list-style-type: none"> i. First offense: Written warning ii. Second offense: \$50.00 iii. [Third (and each subsequent) offense: \$100.00. Each day constitutes a separate offense.] <p>B. Penalty fines collected from enforcement of this ordinance shall be deposited into the Rodent Control Account as established in Article IV, Sec. 6-[12X].</p> <p>(f) Effective Date</p> <p>This ordinance shall become effective immediately upon passage.</p>	<p>Commented [KC3]: Did I miss anyone?</p> <p>Commented [TM4]: The DPW should be the entity that enforces sidewalk obstructions, etc in the public ROW. Building/Zoning is applicable to private property and I do not believe they provide enforcement in the public ROW.</p> <p>Commented [KF6]: This is redundant and not needed to be included anyway.</p> <p>Commented [KF6]: At this point I do not believe the City follows the enforcement provisions required by the law even though its been cited in City ordinances for decades. We are working to address the enforcement issue.</p> <p>Commented [TM7]: I heard discussion of a revolving account. That is a good idea. The DPW could use a few revolving accounts. We also just use a flat penalty of \$300/day per violation after a warning. The fines and fees we collect don't go into a revolving account and I wish they did.</p> <p>Commented [KC8]: Add provision that these should be earmarked to Rodent Control Fund as established in Rodent Control Ordinance</p> <p>Commented [KF9]: Don't believe this necessarily needs to be included. Additionally, I need to research whether funds received from fines for violation of the overgrowth ordinance can be directed completely to a rodent control account. My sense is that it must be specifically directed to rodent control, but this could be altered for threat of overgrowth that impedes access to public ways and nothing to do with rodents. I'd like to review this further with input from Janette Austin at KP</p> <p>Commented [KC10]: Update section # based on edits to Rodent Control Ordinance.</p> <p>Commented [KC11]: Attorney Austin will confirm if it is feasible for fines to be deposited into the revolving account.</p>
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Chair Lazzaro opened the meeting by commanding Vice President Collins who has spear headed both of these exquisite ordinances from the beginning and we are so grateful to have her here to usher them through to completion. Chair Lazzaro recognized Vice President Collins.

Vice President Collins thank Chair Lazzaro for the extremely warm welcome into these topics that are both incredibly dear to our hearts. This is the fourth time I believe we have met in committee on this, Director O'Connor can tell me if that feels right. We have been workshopping these ordinances for over a year now and as I have said in past meetings the goal of these two ordinances is to give the board of health and our City Officials the latitude and authority to intervene in cases where on private property things are happening that are broadly creating threats to public health. Today I am hoping to entertain a motion to move these two ordinances out of committee, so they can be taken up for first reading this coming Tuesday. I want to thank my fellow Committee members, Director O'Connor, Director McGivern, former Solicitor Foley and Attorney Austin for weighing in and there are very few issues left to discuss with both of them. I will quickly run through the overgrowth ordinance and then just highlight the remaining items to fill in. Vice President Collins ran through the ordinance changes, and it is attached above. Vice President Collins was informed by Director O'Connor that per Attorney Austin KP Law the fines/fees associated with these ordinances could not be placed in the Rodent Control account because it goes against DOR. Vice President Collins expressed her frustration in regard to the only legal council for the city is this hard to get in touch with and unable to meet requested deadlines. So we can strike that line. Which we know is not ideal because we need more funding so we can do more mitigation, and we are working really hard with what we have but it is not enough, but since it is not legally possible the fines with instead go into the operating fund. After hearing from my fellow councilor, I would motion to move out of committee, and I would like to add definitions from other communities' overgrowth ordinances, and we can consider this on Tuesday. Chair Lazzaro thanked Vice Chair Collins for her very thorough presentation and asked if there were any thought or questions from other councilors. Chairman Lazzaro recognized Councilor Tseng.

Councilor Tseng thanked the chair and thanked Vice president Collins for her hard work and thinks it is extremely important for more rodent mitigation here is the city especially as we see more growth in the community and as the Administration is exploring changes to waste/trash removal policies. I this it is great that we are trying to make the ordinance clearer to those that are enforcing it and to those being it enforced upon. I

appreciate that attorney Austin responded to us today with that information, but I share in the frustration that it often times takes the council so long to get feedback on really important ordinances we need the feedback on but I would be happy to second the motion to refer this out. Chair Lazzaro thanked Councilor Tseng. Chair Lazzaro asked for a vote on the motion not seeing any other questions.

Vice President Collins motioned to move paper **24-036** out of Committee as amended for first reading (seconded by Councilor Tseng) – Approved on a roll call vote of Five in favor, Zero opposed.

24-461 - Offered by Kit Collins, Council Vice President

ARTICLE IV. - RODENT CONTROL

Sec. 6-112. Purpose and Intent.

The purpose of this section is to strengthen the City's ability to control the population growth of rats, mice, and other rodents ("rodents") and thereby prevent the potential spread of infectious and contagious diseases caused by rodents.

Commented [KC1]: We will be amending the existing ordinance.

Commented [KF2]: Note: The existing ordinance uses numbered Sec. 6-112 through Sec. 6-121 and must be replaced with the proposed numbered sections and then renumbered at the end

Sec. 6-113. Definitions.

As used herein, the following terms shall have the meanings ascribed to them below:

- (1) "Exterminate" shall mean to eliminate rodents through lawful methods utilized by a licensed pest control management company in the Commonwealth of Massachusetts.
- (2) "Exterminator" shall mean an individual worker duly licensed and in good standing in the Commonwealth of Massachusetts to provide extermination services.
- (3) "Infestation" shall mean recurrent, persistent presence of rodents as determined by observation of burrows, droppings, gnaw marks, tracks and other physical evidence that is determined by the City to be a threat to public health, safety and welfare.
- (4) "Private backyard composting" shall mean the natural process of recycling organic matter such as food scraps and yard waste, which decomposes into a nutrient rich soil amendment known as compost.
- (5) "Curbside composting" shall mean a way to handle private backyard composting through a curbside pick-up service rather than at home.

Commented [KC3]: Looking for advice from Legal on if these definitions are sufficient, and if there are other terms in the Ordinance that should be defined in this section.

Commented [KC4]: It was suggested that we add a definition of "private backyard composting" and "curbside composting." With rollout of city compost program, I think many laypeople would assume the curbside bins are private composting.

Sec. 6-114. General requirements on private property.

- (a) All properties within the City including private property must be maintained to reduce and eliminate the threat of infestation by rodents and property owners must take such reasonable preventive and remedial measures when ordered by the Board of Health.
- (b) All private properties must be maintained to prevent conditions that are conducive to attracting rodents and rodent activity, or conducive to rodent harborage.
- (c) Property owners may be required to implement rodent-proofing preventative measures and mitigation by order of the Board of Health.
 - a. Property owners shall, when ordered, implement rodent-proofing and extermination measures as specified to prevent rodents from gaining access to food and water, including human food, domestic animal food, and bird food.
 - b. All trash, waste and debris must be stored securely and disposed of properly in accordance with City ordinances so that excessive or accessible waste does not become an attractant or harborage for rodents.

- i. Property owners shall take reasonable measures to prevent the accumulation of materials stored in a manner capable of providing food, harborage or other attractants for rodents, including, but not limited to, household garbage, litter, excrement, filth, lumber, tree limbs, firewood, motor vehicle bodies or parts, construction and demolition debris, appliances, wood, scrap metal, overgrown vegetation, decaying animals or vegetable matter, animal waste, and any other articles that provide shelter and protection for rodents.
- ii. Trash barrels, compost bins, and all other waste receptacles must be kept well-maintained, undamaged and intact so as to avoid becoming a lure or attractant for rodents. Property owners should replace and may be ordered to replace trash barrels or other waste receptacles that have been damaged or compromised within 15 days of order by the Health Department.
- c. Property owners may be required to respond to infestation or rodent burrows when evidence of a rodent infestation occurs, including evidence of untreated rodent burrows. Property owners must take all measures required by the Board of Health, at the owner's sole cost and expense, in order to eradicate the infestation and prevent future infestation.

Sec. 6-115. Composting—Private, curbside and maintenance.

- (a) Private backyard composting is permissible under the following conditions:
 - (1) All compost bins must be constructed out of hardware cloth/welded wire, wood, plastic barrels, or other durable material;
 - (2) The entire bin must be lined with rodent proof hardware cloth/wire mesh one-fourth inches or smaller;
 - (3) The lid must be tight fitting, secure lid;
 - (4) There must be adequate drainage provided to the compost bin at all times;
 - (5) The compost pile must be located away from areas that may be attractive animal nest locations like wood piles, carports, sheds or brush piles; and
 - (6) The compost pile must be located away from attractive food sources like bird feeders, pet food bowls, garbage cans, fruit trees or berry bushes.
- (7) In accordance with Sec. 6-114(c)(b)(ii), compost bins that are damaged or otherwise compromised must be replaced within 15 days of order by the Health Department.
- (b) Curbside composting is permissible when the following conditions are met:
 - (1) All compost bins must have a tight-fitting, secure lid and must meet any and all rules, standards and policies associated with current City of Medford curbside composting.
 - (2) The bins must be lined with compostable plastic or paper bags to help keep the bins clean and odors to a minimum; and

Commented [KF5]: Discussed the arbitrary 15 day rule earlier

Commented [KC6]: Suggestion was made that first replacement fee be waived and \$60 replacement fee kicks in after that; and that replacement fees always be waived for seniors. Have to run this by DPW.

- (3) Compost bins must be maintained and rinsed or cleaned as needed.
- (4) In accordance with Sec. 6-114(c)(b)(ii), curbside compost bins that are damaged or otherwise compromised must be replaced within 15 days of order by the Health Department.

Sec. 6-116. Enforcement, penalties and violations.

- (a) All complaints about rodent activity should be directed in writing to the Health Department and may be referred to other appropriate City departments as necessary.
- (b) The Building Commissioner, Director of Public Works, Director of Health, and their designees as enforcement officers of the City are authorized to administer and enforce this ordinance.
- (c) Any property owner of a residential building with three or fewer units who violates any provision of this ordinance shall be subject to the following penalties:
 - i. First offense: Written warning
 - ii. Second offense: \$100.00
 - iii. Third (and each subsequent) offense: \$200.00 (per day until corrected)
- (d) Any property owner of a commercial building or residential building with more than three units who violates any provision of this ordinance shall be subject to the following penalties:
 - i. First offense: Written warning
 - ii. Second offense: \$200.00
 - iii. Third (and each subsequent) offense: \$300.00 (per day until corrected)
- (e) All fees and fines collected pursuant to this Ordinance or for violations thereof shall go into the designated Rodent Control Account.

Sec. 6-117. Permits for buildings, earthworks, street openings and utility installation.

- (a) *Buildings and earthworks.*
 - (1) All permits issued by the building commissioner for earth displacement and land clearing activities on residential and commercial property will be subject to a separate fee designated for rodent control. Such fees are to be set by the Medford City Council and reviewed at the request of the Board of Health.
 - (2) In addition to the fee required above, building permits issued for certain activities will require the implementation of an Integrated Pest Management (IPM) plan as a condition of the permit. IPM plans must be submitted to the Health Department and implemented a minimum of 14 days prior to the start of the project. IPM plans will be required for:
 - a. Demolition.
 - b. Renovation or construction work on abandoned properties.
 - c. Large-scale commercial projects valued at over \$1,000,000.
 - d. Construction of residential subdivisions.
 - (3) Responsibility for pest prevention and management remains with the permit holder, even when a commercial service is part of the permit holder's IPM program.
- (b) *Permits for street openings and utility installation.*
 - (1) All permits issued by the department of public works for the following activities will be subject to a separate fee designated for rodent control. Such fees are to be set by the Medford City Council and reviewed every three (3) years.
 - a. The disturbance of an existing underground utility within the paved right-of-way of a distance greater than 500 linear feet;
 - b. The installation of a new underground utility within the paved right-of-way greater than 500 linear feet;
 - c. The disturbance of an existing underground utility outside of the paved right-of-way greater than 250 feet;
 - d. The installation of a new underground utility outside of the paved right-of-way greater than 250 feet.
 - e. Street opening fees do not apply to emergency repair or maintenance work that is required for public safety.
 - (2) In addition to the fee required above, permits issued by the department of public works for the following activities will require the implementation of an Integrated Pest Management (IPM) plan as a condition of the permit. IPM plans must be submitted to the health department and implemented a minimum of 14 days prior to the start of the project. The 14-day advance period may be waived by the director of the department of public works in emergency situations. IPM plans will be required for:
 - a. The disturbance of an existing underground utility within the paved right-of-way of a distance greater than 1,500 linear feet;
 - b. The installation of a new underground utility within the paved right-of-way greater than 1,500 linear feet;
 - c. The disturbance of an existing underground utility outside of the paved right-of-way greater than 750 feet;
 - d. The installation of a new underground utility outside of the paved right-of-way greater than 750 feet;
 - (3) Disturbance shall be defined as excavating the earth immediately around an existing utility. The length of disturbance shall be measured by the overall linear length of excavation required to unearth the utility. Activities that do not require the excavation of soil shall not be considered disturbance for the purposes of this article.

Commented [TM7]: We now have a City curbside composting program. There are no lids that "lock". There are lids that "latch", and we have latching lids. This section should be checked against the current city service. For example, liners may not be required. It's possible that a requirement could exist to use Official City of Medford compost bins.

Commented [KC8R7]: Maybe language like this to replace (b)(1) and (b)(2)?

"All compost bins must comply with any and all rules and policies associated with current City of Medford curbside composting service."

Commented [TM9]: The only enforcement obligation I would have that is new to the Solid Waste section would be the section on curbside containers.

Commented [KF10]: I do not recommend having different levels of fines based solely upon the number of units at the property. If there are multiple violations for a property with more than 3 units each should be given a separate violation, but we should not charge more for the same violation to a property owner merely because they have more than three units. It hardly seems fair or reasonable and therefore arbitrary and capricious.

Commented [KC11R10]: Need rational basis/Emerson College Test basis for different fine approaches

Commented [KC12]: Per our discussion, I think there is a rational basis for having the fines for violations be lower for non-commercial/fewer-unit buildings and greater for many-unit residential buildings and commercial buildings.

Commented [KF13]: Believe this is handled later

Commented [KF14]: Looks like Secs. 6-121-127 come from existing ordinance so haven't made any edits at this point

Commented [KC15]: Legal is reviewing feasibility of fines going into the revolving account

- (4) Responsibility for pest prevention and management remains with the permit holder, even when a commercial service is part of the permit holder's IPM program.
- (5) Integrated Pest Management (IPM) permit fees shall be deposited into the Rodent Control Account.

Sec. 6-118. Permits for dumpsters.

- (a) All permits issued by the Health department for dumpsters on residential and commercial property will be subject to a separate fee designated for rodent control. Such fees are to be set by the Medford City Council and reviewed every three (3) years. Dumpsters associated with building projects for which the building permit rodent control fee has been assessed are exempt from this additional fee.
- (b) In addition to the fee required above, dumpster permits will require the implementation of an integrated pest management plan as a condition of the permit. IPM plans must be submitted to the health department and updated annually before a permit will be issued by the health department.
- (c) Responsibility for pest prevention and management remains with the permit holder, even when a commercial service is part of the permit holder's IPM program.

Sec. 6-119. Permits for food establishments.

- (a) All permits issued by the Health Department to operate a food establishment will be subject to a separate fee designated for rodent control. Such fees are to be set by the Medford City Council and reviewed every three (3) years.
- (b) All applicants to the health department for a permit to sell retail food or operate a food service establishment are required to develop and provide an integrated pest management plan as a condition of the permit. IPM plans must be submitted to the health department and updated annually.
- (c) Responsibility for pest prevention and management remains with the permit holder, even when a commercial service is part of the permit holder's IPM program.
- (d) Temporary food service applicants are exempt from these requirements.
- (e) Establishments not required to hold a local food establishment permit, but which serve, store, process, or distribute food on-site, including but not limited to food manufacturing facilities, food distribution facilities, breweries, and retail establishments exempted under the Federal Food Code, are also subject to the requirements for a rodent control fee and IPM plan.

Sec. 6-120. Permits for landfills, transfer stations, recycling facilities, and offal vehicles.

- (a) All permits issued by the health department to operate a landfill or transfer station will be subject to a separate fee designated for rodent control. Such fees are to be set by the Medford City Council and reviewed every three (3) years.
- (b) All applicants to the health department for a permit to operate a landfill or transfer station are required to develop and provide an integrated pest management plan as a condition of

Commented [KC16]: We don't currently allow transfer stations

the permit. IPM plans must be submitted to the health department along with the permit application and updated annually.

- (c) All applicants to the health department for a permit to remove, transport, or dispose of garbage, offal, or other offensive substances are required to provide a copy of an integrated pest management plan for the facility where the vehicles are garaged in Medford. Such IPM plan must include procedures for surveillance and control activities specific to the vehicles. IPM plans must be submitted to the health department and updated annually.
- (d) Facilities not required to hold a local health department permit, but which receive, store, sort, process, or transfer recyclable materials on-site are also subject to the requirements for a rodent control fee and IPM plan.
- (e) Responsibility for pest prevention and management remains with the permit holder, even when a commercial service is part of the permit holder's IPM program.

Sec. 6-121. Permits for keeping of animals.

All applicants to the health department for a new or renewal permit to keep certain animals (as defined within city ordinance or board of health regulation) are required to provide evidence that the lot and any structures thereon have been assessed by a licensed pest control operator and have been treated for, or are free from, rodents in accordance with State Sanitary Code, 105 CMR, Section 410.550.

Sec. 6-122. Requirements for public property.

- (a) Dumpsters on public properties are subject to the requirement for an IPM plan.
- (b) IPM plans shall be developed for all public buildings and parks and updated annually.

Sec. 6-123. Content of integrated pest management plans.

Integrated pest management plans required under this article must include, at minimum:

- (1) Names and certifications of licensed pest control operators. An Initial survey by a licensed pest control operator documenting presence or absence of rodent activity, burrows, and sanitation conditions that could support rodent activity on the site and accessible public areas adjacent to the site.
- (2) Details about rodent control measures to be implemented on the site, including locations of traps and bait stations, types and amounts of pesticides used, schedule for follow-up monitoring, cleanup of bait stations and rodent carcasses, staff training and notification procedures, and management of sources of food, water, and harborage on the site, including vegetation management.
- (3) Procedures for responding to rodent complaints associated with the site, including name and contact information for management-level individuals to respond to complaints.

Sec. 6-124. Establishment of Rodent Control Account.

- (a) This Section establishes a designated Rodent Control Account to be used for rodent control measures.
- (b) All fees and fines collected pursuant to this Ordinance or for violations thereof shall go into the designated Rodent Control Account.

Sec. 6-125. Fee schedule.

All fees and fines collected pursuant to this Ordinance or for violations thereof shall go into the designated Rodent Control Account.

Updates to Appendix A – Fee Schedule.

Article IV. Rodent Control	
(a) Health department annual rodent control fees:	6-121
(1) Food establishment	25.00
(2) Food processing or storage facility	50.00
(3) Landfill, transfer recycling facility	250.00
(4) Offal business	100.00
(5) Dumpster	100.00
(b) Public works department rodent control fees: \$250.00 plus \$1.00 per foot	6-121
(c) Building permit rodent control fees:	6-121
(1) Commercial projects, per permit	300.00
(2) Residential projects, per permit	250.00

Chair Lazzaro recognized Vice President Collins. Vice President Collins thanked Chair Lazzaro and gave an overview of the rodent control ordinance amendment attached above. Vice President Collins stated I did not capture chapters 1-4 of this ordinance because it is already established, we are just amending the ordinance to give it more teeth and to give the board of health more jurisdiction and be able to intervene if necessary. Vice President Collins also stated that we have made slight adjustments to the fee schedule and the current one is available online as well if anyone is interested.

Chair Lazzaro thanked Vice President Collins and the Health department for their work on updating and adding their input to the ordinances to make sure we are doing everything we can as a city to mitigate the rodent population in Medford. Chair Lazzaro asked for Public Comment.

Addressing the Committee:

Paulette Vardabittian Central Av

Paulette apologized if I missed the section on messy yards and what is the fee or penalty for private residence and how it will be enforced. Is this something that would be reported by a neighbor. Chair Lazzaro thanked Paulette and to her understanding any violation to the ordinance are reported to the code enforcement officer who checks the scene and assessed if it is necessary to administer a fine. Vice president Collins reiterated that this is not to hit everyone with fines, this is just to catch those offenders that have rodent harborage or excessive standing water for mosquitos to get them fixed immediately. You can contact see, click and fix to report any potential violation you see. Chair Lazzaro stated that seeing no other public comment is there a motion.

Vice President Collins Motioned to move paper 24-461 out of Committee as amended (seconded by Councilor Callhan) – Approved on a roll call vote of Five in favor, Zero opposed.

Councilor Leming motioned to Adjourn (seconded by Vice President Collins) – Approved on a roll call vote of Five in favor, Zero opposed.

Chair Lazzaro adjourned the meeting at 7:27 pm

Respectfully Submitted
Richard Eliseo Jr
Assistant City Clerk

Councilor Lazzaro Motioned to Approve (seconded by Councilor Tseng) – Approve on a Voice vote of Six in Favor, Zero opposed (Councilor Scarpelli Absent)

MOTIONS, ORDERS, AND RESOLUTIONS

President Bears asked Vice President Collins to Chair

25-189 - Offered by Isaac Bears, Council President

• Sec. 2-935 – Medford Standard Compensation Ordinance

This Chapter shall be known as the "Medford Standard Compensation Ordinance." The purpose of this Chapter is to assure that employees of the City of Medford building service contractors and subcontractors earn an hourly wage that is needed to support a family of four and to promote labor peace in building service work contracted by the City of Medford.

• Sec. 2-936 - Definitions.

For the purposes of this Chapter, the term:

(a) "Applicable Department" means the Procurement Department, with the advice and assistance of the appropriate department which receives the services, for Covered Building Service Employers who contract or subcontract with the City of Medford and includes the Medford Public Schools Department for Covered Building Service Employers who contract or subcontract with the Medford Public Schools Department.

(b) "Person" means one or more of the following or their agents, employees, servants, representatives, and legal representatives: individuals, corporations, partnerships, joint ventures, associations, labor organizations, educational institutions, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, fiduciaries, and all other entities recognized at law by the Commonwealth of Massachusetts.

(c) "Building Service Contract" means a contract let to a contractor by the City of Medford for the furnishing of security or janitorial building services, to or for the City, except contracts where services are incidental to the delivery of products, equipment or commodities. A contract for the purchase or lease of goods, products, equipment, supplies or other property is not a "building service contract" for the purposes of this definition.

(d) "Building Service Subcontract" means a subcontract primarily for the furnishing of security or janitorial building services, except where services are incidental to the delivery of products, equipment or commodities. A contract for the purchase or lease of goods, products, equipment, supplies or other property is not a "building service subcontract" for the purposes of this definition.

(e) "Covered Janitorial Service Employee" means any person performing janitorial building service work for a Covered Building Service Employer, either directly or through a contract or subcontract. Page 15 of 88

(f) "Covered Security Service Employee" means any person performing security building service work for a Covered Building Service Employer, either directly or through a contract or subcontract.

(g) "Janitorial Building Services" or " Janitorial Building Service Work" means janitorial duties such as, but not limited to: cleaning and restocking bathrooms; floor cleaning, servicing, and maintenance for attached carpeting, hard surfaces, and walk-off mats at all facility entrances

(e.g., vacuuming, washing, sweeping, stripping, waxing, buffing); cleaning of furniture, fixtures, and interior building surfaces (e.g., dusting, washing, and periodic steam cleaning); all related activities under the other Facilities Management and Maintenance Standards (FMMS), such as Solid Waste Management and Integrated Pest Services; use of green cleaning procedures and practices in compliance with all applicable standards.

(h) "Security Building Services" or " Security Building Service Work" means any duties such as, but not limited to: securing premises and personnel by patrolling property; inspecting buildings, equipment, and access points; monitoring of surveillance equipment; investigating disturbances and notifying tenant agency staff and/or police or fire departments in cases of emergency; monitoring and authorizing entrance and departure of employees, visitors, and other persons to guard against theft and maintain security of premises; incident reporting or maintaining a log of activities and irregularities, such as equipment or property damage, theft, presence of unauthorized persons, or unusual occurrences; vehicle patrols; inspection; responding to incidents requiring de-escalation and/or physical intervention.

(i) "Labor peace agreement" means an agreement between a covered employer and a labor organization that seeks to represent employees who perform one or more classes of work to be performed pursuant to a building service contract or subcontract, where such agreement: (1) requires that the Covered Building Services Employers and the labor organization and its members agree to the uninterrupted delivery of services to be rendered pursuant to this contract and to refrain from actions intended to or having the effect of interrupting such services; and (2) includes any other terms agreed to by the parties, which may relate to, but need not be limited to: (i) alternate procedures related to recognizing the labor organization for bargaining purposes, (ii) public statements, (iii) workplace access, and (iv) the provision of employee contact information. The term "labor peace agreement" may include a collective bargaining agreement that is in effect.

(j) "Labor organization" has the same meaning as set forth in subdivision (5) of section 152 of title 29 of the United States Code. Page 16 of 88

(k) "Covered Building Service Contractor" or "Covered Building Service Employer" means an entity providing Building Services on a Covered Building Service Contract or subcontract with the City or any of its departments or subdivisions.

(l) "Standard Compensation" has the meaning stated in Section 2-937.

• **Sec. 2-937 - Standard Compensation.**

(a) Applicability. Covered Building Services Employers shall pay no less than the standard compensation to covered janitorial and security service employees.

(b) Standard Compensation shall include the standard hourly rate of pay for the relevant classification.

(c) Amount.

(i) The "Standard Hourly Rate of Pay" for Covered Janitorial Service Employees shall be the following:

(1) The prescribed rate of wages as determined by the director of the department of labor standards pursuant to section 27H of chapter 149 of the General Laws of Massachusetts.

(ii) The "Standard Hourly Rate of Pay" for Covered Security Service Employees shall be the greatest of the following:

(1) The prescribed rate of wages as determined by the director of the department of labor standards pursuant to section 3 of chapter 195 of the Massachusetts Acts of 2014; or

(2) The hourly rate paid to workers in the relevant classification under a preceding building service contract; or

(3) The hourly rate paid to workers in the relevant classification under the active collective bargaining agreement covering the largest number of security guards in the Commonwealth of Massachusetts, so long as the agreement covers at least 500 workers.

(v) "Standard Benefits" for Covered Janitorial Service Employees shall be an hourly supplement furnished by a Covered Building Service Employer to a Covered Janitorial Service Employees in one of the following ways: (1) in the form of health and other benefits (not including paid leave) that cost the Covered Building Service Employer the entire required hourly supplemental amount; (2) by providing a portion of the required hourly supplement in the form of health and other benefits (not Page 17 of 88 including paid leave) and the balance in cash; or (3) by providing the entire supplement in cash. The required hourly supplemental rate shall be equal

to the greatest of the following: (1) the monetary value of the health and other benefits (not including paid leave) provided under the prescribed rate of wages as determined by the director of the department of labor standards pursuant to section 27H of chapter 149 of the General Laws of Massachusetts; or (2) twenty percent of the standard hourly rate of pay.

(vii) "Standard Benefits" for Covered Security Service Employees shall be an hourly supplement furnished by a Covered Building Service Employer to a Covered Building Service Employee in one of the following ways: (1) in the form of health and other benefits (not including paid leave) that cost the Covered Building Service Employer the entire required hourly supplemental amount; (2) by providing a portion of the required hourly supplement in the form of health and other benefits (not including paid leave) and the balance in cash; or (3) by providing the entire supplement in cash. The required hourly supplemental rate shall be equal to the greatest of the following: the monetary value of the health and other benefits (not including paid leave) provided under the prescribed rate of wages as determined by the director of the department of labor standards pursuant to section 3 of chapter 195 of the Massachusetts Acts of 2014; or (2) twenty percent of the standard hourly rate of pay.

(viii) For the purposes of this section, "benefits" shall not include workers compensation or other legally mandated insurance, or any other benefit the Covered Building Service Employer is required to provide under federal, state or local law, nor shall it include the value of any benefit for which the Covered Janitorial or Security Service Employee is eligible, but for which no payment is actually made by a Covered Building Service Employer to the Covered Janitorial or Security Service Employee or to any other party on the Covered Janitorial or Security Service Employee's behalf, because the Covered Janitorial or Security Service Employee either does not actually utilize or does not elect to receive the benefit for any reason.

• **Sec. 2-938 - Notification Requirements.**

All Applicable Departments shall provide in writing an explanation of the requirements of this Chapter in all requests for bids for building service contracts as defined by this Chapter. All persons who have signed a building service contract with the City of Medford shall forward a copy of such requirements to any person submitting a bid for a subcontract on the contract.

All Covered Building Service Contracts and all solicitations for Building Services issued by the City of Medford or any of its departments or subdivisions, shall contain a provision indicating the number of hours or work required and stating the Standard Compensation for the relevant classification that is applicable to the Covered Janitorial or Security Service Employees and shall contain a stipulation that the Covered Janitorial or Security Service employees shall be paid not less than the Standard Compensation for the relevant classifications.

All requests for proposals or other solicitations and all specifications for building service work, shall include specific reference to this chapter, shall state the required number of hours, and shall require prospective building service contractors to submit pricing on a standard worksheet furnished by the City that specifies the components of hourly pricing for the duration of the contract.

• **Sec. 2-939 - Duties of Covered Employers and Applicable Departments.**

(a) **Notification Requirements.** Covered employers and Covered Building Service Employers shall provide each Covered Employee with a fact sheet about this Chapter and shall post a notice about the Chapter in a conspicuous location visible to all employees. The fact sheet and poster shall be provided to the Covered Employer by the Applicable Department and shall include:

- (1) Notice of the Standard Compensation requirements;
- (2) A summary of the provisions of this Chapter;
- (3) A description of the enforcement provisions of the Chapter;
- (4) The name, address, and phone number of a person designated by the Procurement Office to whom complaints of noncompliance with this Chapter should be directed.

(b) **Building Service Contract.** At the time of signing a Covered Building Service Contract, the contract must include the following:

- (1) A local contact name, address, and phone number for the Covered Building Service Employer;

- (2) A written commitment by the Covered Building Service Employer to pay all Covered Employees not less than the Standard Wage if applicable, as subject to adjustment under this Chapter and to comply with the provisions of this Chapter;
- (3) A list of Covered Janitorial or Security Service Employees under the contract with the employees' job titles;
- (4) A list of all subcontracts either awarded or that will be awarded to the Covered Building Service Employer. Upon signing any subcontracts, the Covered Building Service Employer shall forward a copy of the subcontract to the Applicable Department.

(c) Maintenance of payroll records. Each Covered Building Service Employer shall maintain payrolls for all Covered Janitorial or Security Service Employees and basic records relating thereto and shall preserve them for a period of three years. The records shall contain the name and address of each employee, the job title and classification, the number of hours worked each day, the gross wages, deductions made, actual wages paid, and copies of social security wage and withholding reports, and evidence of payment thereof and such other data as may be required by the Procurement Department from time to time.

(d) Payroll reporting. Every six months, a Covered Building Service Employer, shall file with the City a complete certified payroll showing the Covered Building Service Employer's payroll records for each Covered Janitorial or Security Service Employee. Upon request, the Covered Building Service Employer shall produce for inspection and copying the payroll records for any or all applicable Covered Janitorial or Security Service Employees for the prior three-year period.

(e) Procurement Department duties. The Procurement Department shall cause investigations to be made as may be necessary to determine whether there has been compliance with this Chapter. The Procurement Department shall report the findings of all such investigations to the Applicable Department Website.

(f) Covered Building Service Employer to cooperate. The Covered Employer shall submit payroll records on request to the Applicable Department. The Covered Employer shall permit City representatives to observe work being performed upon the work site, to interview employees and to examine the books and records relating to the payrolls being investigated to determine payment of wages.

(g) Transitional Employment Period. The City shall give advance notice to a Covered Building Service Contractor and any collective bargaining representative of the Covered Building Service Contractor that a Covered Building Service Contract will be terminated, and the City shall also provide the name, address, and telephone number of the successor Covered Building Service Contractor or contractors where known. The terminated Covered Building Service Contractor shall, within five days after receipt of such notice, provide to the successor Covered Building Service Contractor, the name, address, date of hire, and employment occupation classification of each employee employed at the site or sites covered by the building service contract at the time of receiving said notice. If a successor Page 20 of 88 Covered Building Service Contractor has not been identified by the City be the end of the five-day pay period, the terminated Covered Building Service Contractor shall provide the information to the City, at the same time that the terminated contractor shall provide each affected employee with notice of his/her right to obtain employment with the successor Covered Building Service Contractor.

A successor Covered Building Service Contractor or subcontractor where applicable shall retain for a ninety-day transitional employment period all employees who were employed by the terminated Covered Building Service Contractor and its subcontractors at the building(s) covered by the terminated contract. If at any time the successor Covered Building Service Contractor determines that fewer employees are required to perform the new service contract than had been performing such services under the terminated contract, the successor Covered Building Service Contractor shall retain the employees by seniority within job classification. Except for such layoffs, during the ninety-day transition period, the successor Covered Building Service Contractor shall not discharge without cause an employee. During the ninety-day transition period, the successor Covered Building Service Contractor shall maintain a preferential hiring list of those employees not retained from which the successor contractor or its subcontractors shall hire additional employees. At the end of the transition period, the successor employer shall perform a written performance evaluation for each service employee retained under this section. If a service employee's performance during this transition period is

satisfactory, the successor employer shall offer the service employee continued employment under terms and conditions established by the successor employer.

(h) No later than 30 days after the effective date of this ordinance, all building service contracts, subcontracts or portions of contracts or subcontracts that fail to conform to the requirements of Secs. 2-935–40 shall be reopened for proposals that comply with the requirements of G.L.C. 30B and Secs. 2-935–40. No later than 30 days after the selection of a compliant bid, the City department or subdivision shall terminate the nonconforming contract by delivering to the Building Service Contractor or Subcontractor notice of termination specifying the extent of termination and the effective date.

(i) The Applicable Contracting Department shall not be required to provide a building service contractor or subcontractor with the option to renegotiate or cure the terms of the nonconforming contract or subcontract prior to the reopening for proposals or the subsequent termination.

• **Sec. 2-940 Labor Peace**

(a) No later than 90 days after the award or renewal of a building service contract or approval of a building service subcontractor, such Covered Building Service Contractor or Subcontractor, shall either:

- (1) submit an attestation to the Applicable Department, signed by one or more labor organizations, as applicable, stating that the covered employer has entered into one or more labor peace agreements with such labor organizations, and identify: (i) the classes of covered employees covered by the labor peace agreements, (ii) the classes of covered employees not currently represented by a labor organization and that no labor organization has sought to represent, and (iii) the classes of covered employees for which labor peace agreement negotiations have not yet concluded; or
- (2) submit an attestation to the Applicable Department stating that the covered employer's covered employees are not currently represented by a labor organization and that no labor organization has sought to represent such covered employees.

(b) Where a labor organization seeks to represent the Covered Employees of a Covered Building Service Contractor or Subcontractor after the expiration of the 90-day period following the award date of the building service contract or the approval of a building service subcontractor, and the labor organization has provided notice to the contracting agency and the Covered Building Service Contractor or Subcontractor regarding such interest, the Covered Building Service Contractor or Subcontractor shall then submit an attestation signed by the labor organization to the Applicable Department no later than 90 days after the date of notice stating that it has entered into a labor peace agreement with such labor organization or that labor peace agreement negotiations have not yet concluded.

• **Sec 2-941 - Enforcement.**

(a) Enforcement powers. In order to enforce this Chapter, the Applicable Department may, with the approval and assistance of the City Solicitor, issue subpoenas, compel the attendance and testimony of witnesses and production of books, papers, records, and documents relating to payroll records necessary for hearing, investigations, and proceedings. In case of failure to comply with a subpoena, the City may apply to a court of appropriate jurisdiction for an order requiring the attendance and testimony of witnesses and the productions of books, papers, records, and documents. Said court, in the case of a refusal to comply with any such subpoena, after notice to the person subpoenaed, and upon finding that the attendance or testimony of such witnesses or the production of such books, papers, records, and documents, as the case may be, is relevant or necessary for such hearings, investigation, or proceedings, may issue an order requiring the attendance or testimony of such witnesses or the production of such documents and any violation of the court's order may be punishable by the court as contempt thereof.

(b) Complaint procedures. An employee or former employee who believes that he or she is or has been a Covered Janitorial or Security Service Employee or an applicant for a position to be filled by a Covered Janitorial or Security Service Employee, or any organization representing such an employee, former employee, or applicant, who believes that an employer is not complying with requirements of this Chapter applicable to the employer may file a complaint with the Applicable Department or with the Community Advisory Board. Complaints of alleged

violations may also be filed by concerned citizens or by the City Council. Complaints of alleged violations may be made at any time, but in no event more than three years after the last date of alleged violation, and shall be investigated promptly by the Applicable Department. Statements written or oral, made by an employee, shall be treated as confidential and shall not be disclosed to the Covered Employer without the consent of the employee.

(c) Investigations and hearings. The Applicable Department shall investigate the complaint, and may, in conjunction with the City Solicitor, and in accordance with the powers herein granted, require the production by the employer of such evidence as required to determine compliance. Prior to ordering any penalty the applicable Department shall give notice to the employer and conduct a hearing. If at any time during these proceedings, the employer voluntarily makes restitution of the wages not paid to the employee making the complaint and to any similarly situated employees, by paying all back wages owed plus interest at the average prior year Massachusetts passbook savings bank rate, or otherwise remedies the violation alleged if the violation involves matters other than wages, then the Applicable Department shall thereafter dismiss the complaint against the employer.

(d) Remedies. In the event that the Applicable Department, after notice and hearing, determines that any Covered Employer has violated the provisions of this Chapter, the Applicable Department may order any or all of the following penalties and relief:

- (1) Fines up to the amount of five hundred dollars for each Covered Janitorial or Security Service Employee for each day that the Covered Building Service Employer is in violation of this Chapter, except if the violation was not knowing and willful, then the total fine shall not exceed the amount of double back wages plus interest owed;
- (2) Suspension of ongoing contract and subcontract payments;
- (3) Ineligibility for future City contracts for up to three years beginning when all penalties and restitution have been paid in full. In addition, all Covered Building Service Employers having any principal officers who were principal officers of a barred Covered Building Service Employer shall be ineligible under this section; and
- (4) Any other action deemed appropriate and within the discretion and authority of the city. Remedies in this section shall also apply to the party or parties aiding and abetting in any violation of this Chapter.

(e) Private right of action. Any Covered Janitorial or Security Service Employee, or any person who was formerly employed by a Covered Building Service Employer, or any organization representing such an employee or former employee, may bring an action to enforce the provisions of this Chapter to recover back pay and benefits, attorney's fees and costs, by filing suit against a Covered Building Service Employer in any court of competent jurisdiction.

(f) Remedies herein non-exclusive. No remedy set forth in this Chapter is intended to be exclusive or a prerequisite for asserting a claim for relief to enforce the right granted under this Chapter in a court of law. This Chapter shall not be construed to limit an employee's right to bring a common law cause of action for wrongful termination.

(g) Retaliation and discrimination barred. A Covered Building Service Employer shall not discharge, reduce the compensation or otherwise retaliate against any employee for making a complaint to the City, otherwise asserting his or her rights under this Chapter, participating in any of its proceedings or using any civil remedies to enforce his or her rights under the Chapter. The City shall investigate allegations of retaliation or discrimination and shall, if found to be true, after notice and a hearing, order appropriate relief as set out in paragraphs (c) and (d) herein.

• **Sec. 2-942 - Severability.**

In the event any provision of this Chapter shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provisions hereof.

Addressing The Council:

Romanavan Political Coordinator
Dina Landaverde

Councilor Callhan Motioned to Move to Committee of Whole & receive legal advice from Counsel (seconded by President Bears) – Approved non unanimously on a Voice vote Five in Favor, One opposed Councilor Lazzaro (Councilor Scarpelli absent)

25-190 - Offered by Isaac Bears, Council President

December 16, 2025

Isaac Bears, Council President

25-190 - Acceptance of MGL Chapter 40, Section 71 (Chapter 399 of Acts of 2024) - School Bus Safety Enforcement

Be it Order that the City of Medford hereby accepts MGL Chapter 40, Section 71 (Chapter 399 of the Acts of 2024) enabling the city to install, operate, and maintain school bus violation detection monitoring systems on school buses to enforce violations pursuant to sections 14 and 14C of Massachusetts General Law Chapter 90. Any system put in place shall be limited to monitoring and detecting violations of motor vehicle operators who fail to stop for a school bus.

ATTACHMENTS

1. 25-11-25 School Committee Request that Council Adopt Chapter 399 of the Acts of 2024

Medford School Committee - School Bus Cameras

From Joanne Allen

Date Tue 11/25/2025 1:53 PM

To Jenny Graham ; Isaac 'Zac' Bears

Good Afternoon

Please see the requested resolution below presented on September 8, 2025. I have also included the Agenda from September 8, 2025 along with the Agenda/Meeting Minutes from September 22, 2025, that include the votes. If you would like the recording of the meeting, please let me know.

2025-26 Offered by Member Graham

Medford School Committee Resolution Requesting City Council Adoption of Chapter 399 – School Bus Stop-Arm Camera Enforcement

WHEREAS, the Commonwealth of Massachusetts enacted Chapter 399 of the Acts of 2024, titled An Act Concerning the Safety of School Children Embarking and Disembarking School Buses, which authorizes municipalities to install and operate school bus violation detection monitoring systems; and

WHEREAS, this law allows cities and towns that formally accept its provisions to use bus-mounted cameras to detect and record motor vehicles that illegally pass a stopped school bus displaying flashing red lights and a deployed stop-arm, pursuant to Massachusetts General Laws Chapter 90, Sections 14 and 14C; and

WHEREAS, pilot programs in Peabody and Salem have demonstrated the effectiveness of these systems, with thousands of violations recorded in a single school year, highlighting the urgent need for enhanced enforcement tools to protect students; and

WHEREAS, the law includes strict privacy protections, requiring that non-violation recordings be destroyed within 30 days and violation-related recordings within one year of final disposition; and

WHEREAS, the safety of Medford's children is a top priority, and the implementation of stop-arm cameras has been shown to deter illegal passing and improve compliance with school bus safety laws;

NOW, THEREFORE, BE IT RESOLVED, that the Medford School Committee respectfully requests that the Medford City Council formally accept the provisions of Chapter 399 of the Acts of 2024, thereby enabling the City of Medford to install and operate school bus violation detection monitoring systems;

BE IT FURTHER RESOLVED, that the School Committee recommends the establishment of a joint committee—including one representative from the School Committee, one representative from the City Council, the Chief of Police, the Superintendent of Schools, and the Mayor, or designee—to evaluate and recommend policies regarding the use of revenue generated from citations;

BE IT FURTHER RESOLVED, that the School Committee respectfully requests that the Mayor agree to earmark citation revenue for exclusive use as directed by the recommendations of this committee, with priority given to student safety initiatives, transportation infrastructure improvements, and public awareness campaigns.

Date Submitted: September 3, 2025

Date Requested to be on Agenda: September 8, 2025

Motion to approve 2025-26

Unanimously approved

Intoppa (1) Branley (2)

Happy Thanksgiving!

Joanne Allen | Executive Assistant

Chief Operations Officer, Ken Lord

Director of Finance, Noel Velez

jallen@medford.k12.ma.us | 781-393-2216

Addressing The Council:

Michael Gorman Middleton

Ezra Orkin Medford

Miccah Kessleman 499 Main St

Barry E. 9 Draper St

President Bears Motioned to Approve as amended (seconded by Councilor Tseng) – Approved on a Roll call vote of Six in Favor, Zero opposed (Councilor Scarpelli Absent)

President Bears resumed the Chair from Vice President Collins.

President Bears recognized Councilor Tseng.

Councilor Tseng Motioned to suspend the rule and take 24-069 off the table (seconded by Councilor Leming) – Approved on a Voice vote of Six in favor, Zero opposed (Councilor Scarpelli Absent)

UNFINISHED BUSINESS

24-069 - Amendment to Human Rights Commission Ordinance, Chapter 50, Article II

IN CITY COUNCIL MAY 13, 2025 APPROVED FOR FIRST READING

ADVERTISED JUNE 12, 2025 MEDFORD TRANSCRIPT & SOMERVILLE JOURNAL IN CITY COUNCIL JUNE 24, 2025 ELIGIBLE FOR THIRD READING

DIVISION 2. HUMAN RIGHTS COMMISSION

Sec. 50-61. Establishment and Purpose

The purposes of this division are:

- 1) To define the purpose of the Medford Human Rights Commission (or "Commission"), an advisory Commission, as upholding and promoting the human rights and civil rights of all persons in the City of Medford; and
- 2) To define the composition, powers, and scope of responsibility of the Commission.
- 3) To establish a policy to uphold the human rights of all persons in the City of Medford, and the free exercise and enjoyment of any rights and privileges secured by the Constitution and laws of the United States and the Commonwealth of Massachusetts. This policy shall provide that each person, regardless of protected classes under state and federal law, including, race, color, religious creed, military status, national origin, citizenship, immigration status, sex, age, genetic information, disability, ancestry, marital status, family status, sexual orientation, veteran status, gender identity, gender expression, or economic status as a person who is a recipient of federal, state or local housing subsidies, shall have equal opportunity in or access to employment, housing, education, and public accommodations; to ensure each person has equal access to and benefit from all public services and licensing; to help protect each person in the enjoyment of individual civil rights; and encourage and bring about mutual understanding and respect among all people by striving to improve the quality of life in the City and by the elimination of unlawful discrimination under state and federal law.
- 4) Support and uphold state and federal anti-discrimination laws, such as Title VII of the Civil Rights Act of 1964, as amended, which remains in effect and prohibits discrimination, G.L. c. 151B, and human rights as outlined in the Universal Declaration of Human Rights. In instances where previous discriminatory practice or usage tends, on grounds set forth in paragraph (3) of this section, to exclude individuals from participation in, to deny them the benefits of, or to subject them to discrimination under any program or activity to which this policy applies, the Commission shall make good faith efforts to develop remedial measures to remove or overcome the consequences of the any prior discriminatory practice or usage, to accomplish the purposes of this policy. Even in the absence of such prior discrimination, the Commission shall, prospectively strive to ensure unbiased, fair and neutral treatment of all people in the City and the elimination of discrimination that has limited their access, opportunities and participation in employment, housing, education, and public accommodation based on protected classes under state or federal law.

Sec. 50-62. Membership; appointment; term; removal; organization.

- (a) The Medford Human Rights Commission shall consist of eleven members who reside in the city. Appointments should be made in accordance with the purpose stated in Sec. 50-61. Three members shall be appointed by the Mayor, and three members shall be appointed by the City Council. The City Council shall appoint the balance of the members upon recommendation from the MHRC, who shall create a list of recommended individuals from other appropriate City commissions and community-based organizations, such as but not limited to the Disabilities Commission and the Council on Aging. One of these individuals shall be a resident from the Medford Housing Authority.
- (b) The Commission shall be reflective of the demographic population of Medford. Such demographic backgrounds may include applicants' racial, gender, religious, socioeconomic, cultural, immigrant, and neighborhood backgrounds, as well as a range of professional and lived experiences—including those shaped by discrimination, marginalization, or systemic barriers.
- (c) All commissioners shall be appointed for a term of three years. Members may serve up to two consecutive terms and are not prohibited from serving additional terms provided they take a year off from serving. However, the initial appointments to the Commission shall serve for the following terms:
 - (i) Three members shall serve for a one-year term.
 - (ii) Four members shall serve for a two-year term.
 - (iii) Four members shall serve for a three-year term.
- (d) A vacancy occurring other than by expiration of a term shall be filled for the unexpired term in the same manner as the original appointment as defined by item (a) above.
- (e) All members of the Commission shall receive compensation of \$1250 each year. In addition, reasonable per diem and necessary expense reimbursement to MHRC commissioners and volunteers shall be paid out of the budget of the Commission.
- (f) MHRC members may be removed only for cause by a 2/3 vote of the Commission, including for unexcused absences that exceed 25 percent of the number of meetings of the committee held within a 12-month period. The City Council may request the removal of their own appointees for cause by a majority vote of the City Council, and the Mayor may request the removal of their own appointees for cause.
- (g) All MHRC members shall receive training on the purpose and obligations of the MHRC as stated in Sec. 50-61, meeting operations, parliamentary procedures, and legal obligations.

Sec. 50-63. Officers.

- (a) The Commission shall elect officers annually at the start of a new term. Officers shall consist of the chair, vice-chair, and clerk. Officers may be elected to serve for one additional consecutive term. The Commission may also adopt procedural rules and regulations, and establish any subcommittees it deems appropriate. Those appointed by the MHRC to serve on MHRC subcommittees need not be MHRC members.

- (b) The Chair shall preside at all meetings of the MHRC, regulate its proceedings and shall decide all questions of order. The MHRC may question the ruling of the Chair and vote to overrule their ruling. The Chair shall have the same powers to vote upon all measures coming before the city council as any other member of the MHRC.
- (c) The Chair shall set meeting agendas in consultation with the Vice Chair and the assigned City staff person or City Council liaison.
- (d) The Chair shall organize a meeting at the start of the term to set goals for the MHRC in line with the purposes and obligations as stated in Sec. 50-61.
- (e) The Vice Chair shall support the Chair in the performance of the Chair's duties and shall assume these duties in the Chair's absence.
- (f) The Clerk shall record or delegate the recording of minutes of MHRC meetings and work to make minutes other than from Executive Sessions available to the public in a timely fashion.
- (g) The Officers shall work jointly to oversee financial procedures; prepare and implement a responsible budget; keep and preserve accurate financial records; and ensure timely payment of financial obligations.
- (h) The Commission shall fill vacancies of officer positions as soon as possible. The Vice-Chair shall assume the responsibilities of the Chair if the chair is vacant until a new Chair is elected.

Sec. 50-64. Meetings; Quorum.

- (a) The commission shall schedule at least eight meetings per year at regular intervals. The chair may call additional meetings as needed to carry out the Commission's responsibilities.
- (b) A majority of sitting members shall constitute a quorum.

Sec. 50-65. Independence; Resources; Counsel.

- (a) The City Solicitor shall serve as counsel of the commission. The commission shall have adequate access to counsel through the City staff person.
- (b) The Mayor shall assign a qualified City employee to provide staffing support to the Commission. This person will ensure legal postings of meetings, carry out administrative and program tasks in support of decisions made by the Commission, organize training for members, facilitate the availability of necessary office and other resources to the Commission, and act as a liaison between the Commission and the Mayor.
- (c) The MHRC shall have a budget line in the City's annual budget, which shall be funded at a level adequate for the Commission to perform its duties.
- (d) The assigned City staff shall prepare and submit a proposed budget to the mayor to assist the commission in accomplishing its purpose herein upon the recommendation of the MHRC.

Sec. 50-66. Roles, Powers, and Duties.

The MHRC shall have four major essential roles in its efforts to protect and promote human rights in Medford:

- (a) Community Education/Engagement: The MHRC shall educate the community and engage residents in defending and promoting human rights in Medford, utilizing such tools as public forums, training, and community conversations.
- (b) Advisor to the City of Medford: The MHRC shall assist and advise the City on matters pertaining to the human rights of City residents and employees. To this end, the Commission shall, at the minimum:
 - (i) Review and discuss human and civil rights issues with the City administration and other City bodies and make recommendations necessary to protect the human rights of all City residents and employees.
 - (ii) Request periodic reports quarterly from the Office of Equity and Inclusion regarding data on human rights complaints in the City. Such information shall be anonymized and redacted where appropriate.
 - (iii) Request periodic annual reports from the City administration detailing employment diversity efforts and employees' self-reported race/ethnicity, disability status, gender identity, age, and length of employment, broken down by municipal departments based on data collected.
 - (iv) Request that the City administration and/or City Council collect demographic data needed for the MHRC to conduct its duties with tables or maps from available sources, showing, but not limited to, the following:
 - a. Population by age
 - b. City neighborhoods with median age
 - c. Population by race/ethnicity
 - d. Neighborhoods by race/ethnicity
 - e. Traffic stops by race/ethnicity
 - f. Profile of public school students
 - g. Voting Wards/Precincts
 - h. An analysis of access to public transportation by neighborhood
- (c) Policy Advocacy - The MHRC shall be empowered to advocate for laws, policies, and practices that support human rights and improve social equity in the name of the MHRC. They may also submit resolutions for City Council and mayoral approval which advocate for laws, policies, and practices that support human rights and improve social equity at the state and federal levels. Advocacy should address not only traditional forms of discrimination but also the cultural and systemic issues that put segments of our community at a

disadvantage, even at risk. The MHRC shall also be empowered to evaluate with a human rights lens the full range of laws, practices, and policies that might have an impact on human rights in Medford and beyond.

- (d) Research and Reporting - In order to have reliable and up-to-date data on human rights issues, the MHRC should gather and request the following information from city, state, and other sources, and compile, analyze, synthesize, and disseminate to the community in the form of reports, at minimum annually. The following list shall not be exhaustive and all requested information from the City shall be provided in a timely manner.

Data on human rights complaints filed with the City and their disposition

Data on police stops

Data on the percentage of affordable housing

Data regarding City hiring

While the MHRC is not herein given enforcement powers per se, it may at its discretion review discrimination allegations brought to its attention and consult with counsel to review.

Nothing in this Ordinance shall be read to conflict with state and federal law. All data requested or received shall comply with applicable local, state, and federal confidentiality and data privacy laws, and shall be aggregated or anonymized where necessary.

Sec. 50-67. Severability

The provisions in this ordinance are severable. If any part or provision of this ordinance, or the application of this ordinance to any person or circumstance, is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected by such holding and shall continue to have full force and effect.

Addressing the Council:

Jennifer Yanko 16 Monument St
Munir Jirmanus 3 Summit Rd
Miccah Kesselman 499 Main St
Barry Ebert 9 Draper Rd

Councilor Tseng Motion to Approve as amended for 3rd reading to be ordained (seconded by Councilor Collins) – Approved on a Roll call vote of Six in Favor, Zero opposed (Councilor Scarpelli Absent)

President Bears recognized Vice President Collins

Vice President Collins Motioned to suspend the rules and take communications from the mayors (seconded by Councilor Tseng) – Approve on a Voice vote of Six in favor, Zero opposed (Councilor Scarpelli Absent)

COMMUNICATIONS FROM THE MAYOR

25-186 - Submitted by Mayor Breanna Lungo-Koehn



MEDFORD, MASSACHUSETTS
MAYOR BREANNA LUNGO-KOEHN

November 25, 2025

Via Electronic Delivery

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

Re: Twenty Year Contract Request

Dear President Bears and City Councilors:

I respectfully request and recommend that the City Council approves the following twenty-year contracts with Solect Energy. As the Council is aware, M.G.L. c. 30B §12 requires City Council approval for a contract that exceeds three (3) years.

Agreement

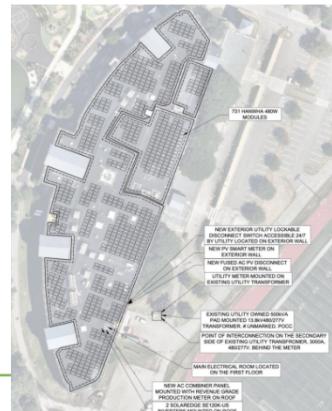
Authorize the City to enter into a twenty-year lease agreement to allow for installation of solar photovoltaic (PV) on the McGlynn school roof, as well as a power purchase agreement to purchase electricity produced by said installation. This is a type of financial agreement that was previously used on the Department of Public Works solar installation. It avoids any upfront capital cost to the City; instead, the installer owns the solar panels, and the city purchases the electricity produced by them. The contract is for 20 years, the anticipated useful lifespan of the solar panels. It stretches the cost of the panels over a length of time that reduces the per-kilowatt-hour cost of electricity from the current supply cost of \$0.1311/kWh to \$0.0467/kWh.

Respectfully submitted,

Breanna Lungo-Koehn
Mayor

McGlynn Solar

- 731 panels totaling 360 kW DC (240 kW AC)
- Power purchase agreement
 - \$0.0467/kWh (compared to current \$0.1311 supply rate)
 - 20 years (no rate escalator)
 - 434,000 kWh/year (48% of current McGlynn electricity usage)
 - Projected \$64,000 savings in year 1 (including avoided delivery costs)
- Installation start fall 2026 (after HVAC replacement and roof refurbishment)
- Signed contract by December 31, 2025 to meet federal tax credit requirements



Addressing the Council:

Brenda Pike City Planner

Vice President Collins Motioned to approve (seconded by Councilor Leming) – Approved on a Roll call vote of Six in favor, Zero opposed (Councilor Scarpelli Absent)

25-185 - Submitted by Mayor Breanna Lungo-Koehn



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

December 10, 2025

Via Electronic Delivery

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

Re: Proposed Wage Adjustment for 911 Dispatchers Union

I respectfully request and recommend that the City Council approve the following amendments to the Revised Ordinances Chapter 66, Article II.

**CITY OF MEDFORD
AMENDMENT TO REVISED ORDINANCES
CHAPTER 66, ARTICLE II**

BE IT ORDAINED by the City Council of the City of Medford in Chapter 66 entitled "Personnel," Article II entitled "Reserved" the city's classification and compensation plan, formerly included as Art. II, §§ 66-31—66-40, amend the figures as they presently appear next to the following title by adjusting each to reflect the following percentage wage increases and effective dates:

911 Dispatchers:

- Effective July 1, 2022: increase the base salary of all 911 Dispatchers union titles by 2.5%
- Effective July 1, 2023: increase the base salary of all 911 Dispatchers union titles by 2.75%
- Effective July 1, 2024: increase the base salary of all 911 Dispatchers union titles by 3%
- Effective July 1, 2025: increase the base salary of all 911 Dispatchers union titles by 2.5%
- Effective July 1, 2026: increase the base salary of all 911 Dispatchers union titles by 2.5%
- Effective July 1, 2027: increase the base salary of all 911 Dispatchers union titles by 2.5%

Human Resources Director Lisa Crowley will be available to answer any questions.

Thank you for your kind attention to this matter.

Respectfully submitted,


Breanna Lungo-Koehn
Mayor

Vice President Collins Motioned to waive the 3 reading and Approve (seconded by Councilor Callahan) – Approved on a roll call vote of Six in favor, Zero opposed (Councilor Scarpelli Absent)

25-193 - Submitted by Mayor Breanna Lungo-Koehn



MEDFORD, MASSACHUSETTS
MAYOR BREANNA LUNGO-KOEHN

December 10, 2025

Via Electronic Delivery

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

Re: CPA Appropriation Request – Riverside Plaza Shade Improvements Additional Contingency

Dear President Bears and City Councilors:

On behalf of the Community Preservation Committee, I respectfully request and recommend that your Honorable Body approve the following recommendation of the Community Preservation Committee:

Requesting the appropriation of \$40,000.00 from the CPA Open Space Reserve to the City of Medford's Office of Planning, Development, and Sustainability, to fund additional contingency needs for the Riverside Plaza Shade Improvements Project.

The project will be tracked in the Community Preservation Fund. The CPC recommendation letter is attached and incorporated. Community Preservation Act Manager Theresa Dupont will be in attendance to address the Council.

Thank you for your consideration.

Respectfully submitted,

Breanna Lungo-Koehn
Mayor

Enclosure



Funding Recommendation Decision

December 9, 2025

Applicant Name: City of Medford – Office of Planning, Development, and Sustainability

Applicant Address: 85 George P. Hassett Drive, Room 308, Medford MA 02155

Project: Riverside Plaza Shade Improvements Additional Contingency

On December 9, 2025 the City of Medford Community Preservation Committee ("CPC") voted 8-0 to recommend to City Council that the City of Medford's Office of Planning, Development, and Sustainability be awarded \$40,000 of Community Preservation Act ("CPA") funds for the Riverside Plaza Shade Improvements Project, to meet additional contingency funding needs. In reaching their decision, the CPC found that the project meets the CPA objective of improving Medford's open space amenities.

Conditions of Approval:

1. The project shall have public engagement opportunities on the final design choices, including any art installation(s).
2. This project is to result in no net reduction to tree canopy; PDS must ensure that all displaced trees are replanted in an appropriate location or replaced in-kind.

Signed by:

Roberta Cameron
F08445EDF984472...
Roberta Cameron, Chair
Community Preservation Committee

Addressing the Council:

Theresa Dupont CPC
Amanda Centrella City Planner

Vice President Collins motioned to Approve (seconded by Councilor Lazzaro) – Approved on a Roll call vote of Six in favor, Zero opposed (Councilor Scarpelli Absent)

25-194 - Submitted by Mayor Breanna Lungo-Koehn



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

December 10, 2025

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 Request

Dear President Bears and Members of the City Council:

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

- Innes Contract Extension, in the amount of Eighty-Five Thousand Three Hundred Thirty Dollars and Zero Cents (\$85,330.00).

The Capital Stabilization Fund currently has a balance of \$10,653,899.00.

Thank you for your kind attention to this matter.

Respectfully submitted,


Breanna Lungo-Koehn
Mayor

Addressing the Council:

Nick Gurileo 40 Robinson Rd

Vice President Collins Motioned to Approve (seconded by Councilor Leming) – Approved on a Roll call vote of Six in favor, Zero opposed (Councilor Scarpelli Absent)

MOTIONS, ORDERS, AND RESOLUTIONS

25-191 - Offered by Matt Leming, City Councilor

December 16, 2025

Matt Leming City Councilor

25-191 - Resolution to Withdraw Proposed Zoning Amendments for Residential Districts and ADUs from the Community Development Board for Future Development by the City Council

WHEREAS the Mayor and City Council agreed, as written in the press release unanimously endorsed the December 2nd City Council meeting, that we would use the version of the Zoning Amendment - Neighborhood Residential and Urban Residential Districts, as referred to the Community Development Board on March 25, 2025, as a starting point in future residential rezoning;

BE IT RESOLVED that the City Council withdraw this zoning amendment proposal;

BE IT FURTHER RESOLVED that we notify the Community Development Board that they do not need to consider it further until the City Council submits a draft in the future;

BE IT FURTHER RESOLVED that the residential rezoning draft approved by City Council on March 27th be referred back to the Planning and Permitting Committee;

BE IT FURTHER RESOLVED that Council also withdraw paper 25-086, "Accessory Dwelling Units", from the Community Development Board, for concurrent development within City Council's Planning and Permitting Committee.

Councilor Leming Motioned to approve (seconded by Vice President Collins) – Approved on a Voice vote of Six in favor, Zero opposed (Councilor Scarpelli Absent)

25-192 - Offered by Matt Leming, City Councilor

December 16, 2025

Matt Leming City Councilor

25-192 - Resolution to Withdraw Medford Square/West Medford Square Zoning Amendment and Resubmit as Separate Amendments to Community Development Board for Future Consideration

WHEREAS the Community Development Board expressed interest at a recent meeting to sever the joint Medford Square/West Medford Square papers that are currently under consideration by their bodies, but only Council is legally allowed to do so;

WHEREAS the recent agreement between the Council and the Mayor called for Medford Square to be considered by the CDB in January and West Medford Square to only be updated pending the ongoing SWOT study;

BE IT THEREFORE RESOLVED that the City Council withdraw its joint West Medford Square/Medford Square proposal;

BE IT FURTHER RESOLVED that the proposal be received and placed on file

BE IT FURTHER RESOLVED that the proposal be replaced by the two separate zoning proposals for Medford Square and West Medford Square;

BE IT FURTHER RESOLVED that the attached proposal for Medford Square be referred to the Community Development Board for a joint hearing in January;

BE IT FURTHER RESOLVED that the attached proposal for West Medford Square be referred to the City Council Planning and Permitting Committee for further development;

BE IT FURTHER RESOLVED that we further clarify that these are simply the same draft proposals previously under consideration, with the only change being that they are legally severed from each other.

Councilor Leming Motioned to approve (seconded by Councilor Callahan) – Approved on a Voice vote of Six in favor, Zero opposed (Councilor Scarpelli Absent)

25-195 - Submitted by Mayor Breanna Lungo-Koehn



MEDFORD, MASSACHUSETTS
MAYOR BREANNA LUNGO-KOEHN

December 10, 2025

Via Electronic Delivery

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

Re: Memorandum of Understanding with Mystic Valley Development Commission

Dear President Bears and Members of the City Council:

I respectfully request and recommend that your Honorable Body authorize a Memorandum of Understanding with the Mystic Valley Development Commission (MVDC) under M.G.L. c. 40, §4A for payments to the City of Malden covering FY26 through FY30, ranging from \$31,683 in FY26 to \$47,848 in FY30, in connection with the Rivers Edge Project.

As the Council knows, this agreement is the product of months of discussions and successful negotiations with the MVDC related to the properties at 100 and 200 Rivers Edge, which are no longer exempt from taxation by the City of Medford under Massachusetts General Law Chapter 59 for FY26 and subsequent years. Accordingly, those properties were “rolled off” the PILOT agreement and are being taxed. As part of the negotiations, in the interest of avoiding litigation between the parties, Medford agreed to mitigate the financial impact on Malden through these payments.

Chief Assessor Jared Yagjian will be present to provide the Council with an overview and answer questions.

Thank you for your kind attention to this matter.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Breanna Lungo-Koehn".
Breanna Lungo-Koehn
Mayor

Addressing the Council:

Jared Yagjian Chief Assessor

Vice President Collins motioned to Approve (seconded by Councilor Callhan) – Approved on a Roll call vote of Six in favor, Zero opposed (Councilor Scarpelli Absent)

25-196 - Submitted by Mayor Breanna Lungo-Koehn



MEDFORD, MASSACHUSETTS
MAYOR BREANNA LUNGO-KOEHN

December 11, 2025

Via Electronic Delivery

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

Re: Personnel Ordinance

Dear President Bears and City Councilors:

I respectfully request and recommend that the City Council approve the following amendment to the Revised Ordinances Chapter 66 entitled "Personnel," Article II entitled "Reserved" (the city's "Classification and Compensation Plan)," formerly included as Art. II §§, 66-31—66-40, by adopting the following change:

Amendment A

The language of "NPW-21" shall be amended to remove the following position and a new classification of "NPW-21.5" be created to include the following position, as per the below table:

"Assistant City Engineer"

step 1	step 2	step 3	step 4
2,036.09	2,124.80	2,200.54	2,278.61

Amendment B

A new classification of "NPW-16" be created to include the following position, as per the below table:

"Project Manager"

step 1	step 2	step 3	step 4
1,364.12	1,416.54	1,471.49	1,528.81

DPW Commissioner Tim McGivern and City Engineer Owen Wartella will be available to speak to this request.

Respectfully submitted,

Breanna Lungo-Koehn
Mayor

Addressing The Council:

Owen Wartella City Engineer
Tim McGivern Commissioner of Public Works

Vice President Collins Motioned to waive 3 reading and approve (seconded by Councilor Lazzaro) – Approved on a Roll call vote of Six in favor, Zero opposed (Councilor Scarpelli Absent)

24-036 - Offered by Kit Collins, Council Vice President

ARTICLE IV. - RODENT CONTROL

Sec. 6-112. Purpose and Intent.

The purpose of this section is to strengthen the City's ability to control the population growth of rats, mice, and other rodents ("rodents") and thereby prevent the potential spread of infectious and contagious diseases caused by rodents.

Sec. 6-113. Definitions.

As used herein, the following terms shall have the meanings ascribed to them below:

- (1) "Exterminate" shall mean to eliminate rodents through lawful methods utilized by a licensed pest control management company in the Commonwealth of Massachusetts.
- (2) "Exterminator" shall mean an individual worker duly licensed and in good standing in the Commonwealth of Massachusetts to provide extermination services.
- (3) "Infestation" shall mean recurrent, persistent presence of rodents as determined by observation of burrows, droppings, gnaw marks, tracks and other physical evidence that is determined by the City to be a threat to public health, safety and welfare.
- (4) "Private backyard composting" shall mean the natural process of recycling organic matter such as food scraps and yard waste, which decomposes into a nutrient rich soil amendment known as compost.
- (5) "Curbside composting" shall mean a way to handle private backyard composting through a curbside pick-up service rather than at home.

Sec. 6-114. General requirements on private property.

- (a) All properties within the City including private property must be maintained to reduce and eliminate the threat of infestation by rodents and property owners must take such reasonable preventive and remedial measures when ordered by the Board of Health.
- (b) All private properties must be maintained to prevent conditions that are conducive to attracting rodents and rodent activity, or conducive to rodent harborage.
- (c) Property owners may be required to implement rodent-proofing preventative measures and mitigation by order of the Board of Health.
 - a. Property owners shall, when ordered, implement rodent-proofing and extermination measures as specified to prevent rodents from gaining access to food and water, including human food, domestic animal food, and bird food.
 - b. All trash, waste and debris must be stored securely and disposed of properly in accordance with City ordinances so that excessive or accessible waste does not become an attractant or harborage for rodents.
 - i. Property owners shall take reasonable measures to prevent the accumulation of materials stored in a manner capable of providing food, harborage or other attractants for rodents, including, but not limited to, household garbage, litter, excrement, filth, lumber, tree limbs, firewood, motor vehicle bodies or parts, construction and demolition debris, appliances, wood, scrap metal, overgrown vegetation, decaying animals or vegetable matter, animal waste, and any other articles that provide shelter and protection for rodents.
 - ii. Trash barrels, compost bins, and all other waste receptacles must be kept well-maintained, undamaged and intact so as to avoid becoming a lure or attractant for rodents. Property owners should replace and may be ordered to replace trash barrels or other waste receptacles that have been damaged or compromised within 15 days of order by the Health Department.
 - c. Property owners may be required to respond to infestation or rodent burrows when evidence of a rodent infestation occurs, including evidence of untreated rodent burrows. Property owners must take all measures required by the Board of Health, at the owner's sole cost and expense, in order to eradicate the infestation and prevent future infestation.

Sec. 6-115. Composting—Private, curbside and maintenance.

- (a) Private backyard composting is permissible under the following conditions:
 - (1) All compost bins must be constructed out of hardware cloth/welded wire, wood, plastic barrels, or other durable material;
 - (2) The entire bin must be lined with rodent proof hardware cloth/wire mesh one-fourth inches or smaller;
 - (3) The lid must be tight fitting, secure lid;
 - (4) There must be adequate drainage provided to the compost bin at all times;
 - (5) The compost pile must be located away from areas that may be attractive animal nest locations like wood piles, carports, sheds or brush piles; and
 - (6) The compost pile must be located away from attractive food sources like bird feeders, pet food bowls, garbage cans, fruit trees or berry bushes.
 - (7) In accordance with Sec. 6-114(c)(b)(ii), compost bins that are damaged or otherwise compromised must be replaced within 15 days of order by the Health Department.
- (b) Curbside composting is permissible when the following conditions are met:
 - (1) All compost bins must have a tight-fitting, secure lid and must meet any and all rules, standards and policies associated with current City of Medford curbside composting.
 - (2) The bins must be lined with compostable plastic or paper bags to help keep the bins clean and odors to a minimum; and
 - (3) Compost bins must be maintained and rinsed or cleaned as needed.

- (4) In accordance with Sec. 6-114(c)(b)(ii), curbside compost bins that are damaged or otherwise compromised must be replaced within 15 days of order by the Health Department.

Sec. 6-116. Enforcement, penalties and violations.

- (a) All complaints about rodent activity should be directed in writing to the Health Department and may be referred to other appropriate City departments as necessary.
- (b) The Building Commissioner, Director of Public Works, Director of Health, and their designees as enforcement officers of the City are authorized to administer and enforce this ordinance.
- (c) Any property owner of a residential building with three or fewer units who violates any provision of this ordinance shall be subject to the following penalties:
 - i. First offense: Written warning
 - ii. Second offense: \$100.00
 - iii. Third (and each subsequent) offense: \$200.00 (per day until corrected)
- (d) Any property owner of a commercial building or residential building with more than three units who violates any provision of this ordinance shall be subject to the following penalties:
 - i. First offense: Written warning
 - ii. Second offense: \$200.00
 - iii. Third (and each subsequent) offense: \$300.00 (per day until corrected)
- (e) All eligible fees and receipts collected pursuant to this Ordinance or for violations thereof shall go into the designated Rodent Control Account.

Sec. 6-117. Permits for buildings, earthworks, street openings and utility installation.

- (a) *Buildings and earthworks.*
 - (1) All permits issued by the building commissioner for earth displacement and land clearing activities on residential and commercial property will be subject to a separate fee designated for rodent control. Such fees are to be set by the Medford City Council and reviewed at the request of the Board of Health.
 - (2) In addition to the fee required above, building permits issued for certain activities will require the implementation of an Integrated Pest Management (IPM) plan as a condition of the permit. IPM plans must be submitted to the Health Department and implemented a minimum of 14 days prior to the start of the project. IPM plans will be required for:
 - a. Demolition.
 - b. Renovation or construction work on abandoned properties.
 - c. Large-scale commercial projects valued at over \$1,000,000.
 - d. Construction of residential subdivisions.
 - (3) Responsibility for pest prevention and management remains with the permit holder, even when a commercial service is part of the permit holder's IPM program.
- (b) *Permits for street openings and utility installation.*
 - (1) All permits issued by the department of public works for the following activities will be subject to a separate fee designated for rodent control. Such fees are to be set by the Medford City Council and reviewed every three (3) years.
 - a. The disturbance of an existing underground utility within the paved right-of-way of a distance greater than 500 linear feet;
 - b. The installation of a new underground utility within the paved right-of-way greater than 500 linear feet;
 - c. The disturbance of an existing underground utility outside of the paved right-of-way greater than 250 feet;
 - d. The installation of a new underground utility outside of the paved right-of-way greater than 250 feet.
 - e. Street opening fees do not apply to emergency repair or maintenance work that is required for public safety.
 - (2) In addition to the fee required above, permits issued by the department of public works for the following activities will require the implementation of an Integrated Pest Management (IPM) plan as a condition of the permit. IPM plans must be submitted to the health department and implemented a minimum of 14 days prior to the start of the project. The 14-day advance period may be waived by the director of the department of public works in emergency situations. IPM plans will be required for:
 - a. The disturbance of an existing underground utility within the paved right-of-way of a distance greater than 1,500 linear feet;
 - b. The installation of a new underground utility within the paved right-of-way greater than 1,500 linear feet;
 - c. The disturbance of an existing underground utility outside of the paved right-of-way greater than 750 feet;
 - d. The installation of a new underground utility outside of the paved right-of-way greater than 750 feet;
 - (3) Disturbance shall be defined as excavating the earth immediately around an existing utility. The length of disturbance shall be measured by the overall linear length of excavation required to unearth the utility. Activities that do not require the excavation of soil shall not be considered disturbance for the purposes of this article.
 - (4) Responsibility for pest prevention and management remains with the permit holder, even when a commercial service is part of the permit holder's IPM program.

(5) Integrated Pest Management (IPM) permit fees shall be deposited into the Rodent Control Account.

Sec. 6-118. Permits for dumpsters.

- (a) All permits issued by the Health department for dumpsters on residential and commercial property will be subject to a separate fee designated for rodent control. Such fees are to be set by the Medford City Council and reviewed every three (3) years. Dumpsters associated with building projects for which the building permit rodent control fee has been assessed are exempt from this additional fee.
- (b) In addition to the fee required above, dumpster permits will require the implementation of an integrated pest management plan as a condition of the permit. IPM plans must be submitted to the health department and updated annually before a permit will be issued by the health department.
- (c) Responsibility for pest prevention and management remains with the permit holder, even when a commercial service is part of the permit holder's IPM program.

Sec. 6-119. Permits for food establishments.

- (a) All permits issued by the Health Department to operate a food establishment will be subject to a separate fee designated for rodent control. Such fees are to be set by the Medford City Council and reviewed every three (3) years.
- (b) All applicants to the health department for a permit to sell retail food or operate a food service establishment are required to develop and provide an integrated pest management plan as a condition of the permit. IPM plans must be submitted to the health department and updated annually.
- (c) Responsibility for pest prevention and management remains with the permit holder, even when a commercial service is part of the permit holder's IPM program.
- (d) Temporary food service applicants are exempt from these requirements.
- (e) Establishments not required to hold a local food establishment permit, but which serve, store, process, or distribute food on-site, including but not limited to food manufacturing facilities, food distribution facilities, breweries, and retail establishments exempted under the Federal Food Code, are also subject to the requirements for a rodent control fee and IPM plan.

Sec. 6-120. Permits for landfills, transfer stations, recycling facilities, and offal vehicles.

- (a) All permits issued by the health department to operate a landfill or transfer station will be subject to a separate fee designated for rodent control. Such fees are to be set by the Medford City Council and reviewed every three (3) years.
- (b) All applicants to the health department for a permit to operate a landfill or transfer station are required to develop and provide an integrated pest management plan as a condition of the permit. IPM plans must be submitted to the health department along with the permit application and updated annually.
- (c) All applicants to the health department for a permit to remove, transport, or dispose of garbage, offal, or other offensive substances are required to provide a copy of an integrated pest management plan for the facility where the vehicles are garaged in Medford. Such IPM plan must include procedures for surveillance and control activities specific to the vehicles. IPM plans must be submitted to the health department and updated annually.
- (d) Facilities not required to hold a local health department permit, but which receive, store, sort, process, or transfer recyclable materials on-site are also subject to the requirements for a rodent control fee and IPM plan.
- (e) Responsibility for pest prevention and management remains with the permit holder, even when a commercial service is part of the permit holder's IPM program.

Sec. 6-121. Permits for keeping of animals.

All applicants to the health department for a new or renewal permit to keep certain animals (as defined within city ordinance or board of health regulation) are required to provide evidence that the lot and any structures thereon have been assessed by a licensed pest control operator and have been treated for, or are free from, rodents in accordance with State Sanitary Code, 105 CMR, Section 410.550.

Sec. 6-122. Requirements for public property.

- (a) Dumpsters on public properties are subject to the requirement for an IPM plan.
- (b) IPM plans shall be developed for all public buildings and parks and updated annually.

Sec. 6-123. Content of integrated pest management plans.

Integrated pest management plans required under this article must include, at minimum:

- (1) Names and certifications of licensed pest control operators. An Initial survey by a licensed pest control operator documenting presence or absence of rodent activity, burrows, and sanitation conditions that could support rodent activity on the site and accessible public areas adjacent to the site.
- (2) Details about rodent control measures to be implemented on the site, including locations of traps and bait stations, types and amounts of pesticides used, schedule for follow-up monitoring, cleanup of bait stations and rodent carcasses, staff training and notification procedures, and management of sources of food, water, and harborage on the site, including vegetation management.
- (3) Procedures for responding to rodent complaints associated with the site, including name and contact information for management-level individuals to respond to complaints.

Sec. 6-124. Establishment of Rodent Control Account.

- (a) This Section establishes a designated Rodent Control Account to be used for rodent control measures.

- (b) All eligible fees and receipts collected pursuant to this Ordinance or for violations thereof shall go into the designated Rodent Control Account.

Sec. 6-125. Fee schedule.

All eligible fees and receipts collected pursuant to this Ordinance or for violations thereof shall go into the designated Rodent Control Account.

Updates to Appendix A – Fee Schedule.

<i>Article IV. Rodent Control</i>		
(a) Health department annual rodent control fees:		6-121
(1) Food establishment	25.00	
(2) Food processing or storage facility	50.00	
(3) Landfill, transfer recycling facility	250.00	
(4) Offal business	100.00	
(5) Dumpster	100.00	
(b) Public works department rodent control fees: \$250.00 plus \$1.00 per foot		6-121
(c) Building permit rodent control fees:		6-121
(1) Commercial projects, per permit	300.00	
(2) Residential projects, per permit	250.00	

Councilor Lazzaro Motioned to waive 3 readings and be ordained (seconded by Vice President Collins) – Approved on a Roll call vote of Six in Favor, Zero opposed (Councilor Scarpelli Absent)

24-461 - Offered by Kit Collins, Council Vice President

Sec. 38–38 – Overgrowth.

(a) Purpose and Intent.

1. The purpose of this section is to establish guidelines, rules and prohibitions to control and prevent plant overgrowth and other conditions that threaten public health, safety and welfare and that create conditions for attracting rodents or other potential public health hazards.
2. The City may intervene and take action in instances where overgrowth creates conditions where rodents are attracted or creates other public health hazards.
3. This ordinance should not be interpreted in any way to interfere with the authority of any state or local agency, including, but not limited to the Massachusetts Division of Fisheries and Wildlife, Massachusetts Department of Environmental Protection, the Massachusetts Department of Conservation and Recreation, nor any other state agency with jurisdiction over wildlife or environmental conditions.

(b) Definitions.

Overgrowth. Vegetation over twelve (12) inches high that is or may reasonably become infested with rodents, vermin, or other animals, conceal pools of stagnant water, or create a fire safety hazard.

Owner. Any person who owns, possesses, manages, or controls any property. For any property which is the subject of foreclosure proceedings, this article may be enforced against the mortgagee or its agents.

Property. Any land, building, structure or real property, including any fixtures attached thereto, or any personal property located within the City.

(c) Overgrowth and Prohibited Conditions.

1. All property shall be maintained free of vegetation that is or may reasonably become infested with rodents, vermin, or other animals, conceal pools of stagnant water, or create a fire safety hazard.
2. All property shall be kept free of overgrown, decayed, dead, or hazardous trees, shrubs, or any other vegetation that poses a hazard to the health and safety of any person in the vicinity of the property, including any persons traveling on any portion of any public way, or any surrounding property.

(d) Exceptions.

- a. Nothing in this section shall be interpreted to prohibit regular routine maintenance, gardening, and landscaping. However, when overgrowth is determined to be the cause of a public safety threat or nuisance by the Health Director or designee and Building Commissioner or designee, the overgrowth or offending condition must be remedied in a timely manner in accordance with any order issued by the City enforcement officer.

(e) Enforcement and Penalties.

1. The Health Director or their designees acting as Code Enforcement Officers are authorized to administer and enforce this ordinance by any lawful method, including criminal process or by non-criminal disposition as provided in G.L. c. 40, § 21D and the City's Ordinances. Each occasion on which a violation is identified will be considered a separate offense.
2. This ordinance shall be enforced in the manner provided in Sec. 1-13 of these Ordinances and G.L. c. 40, § 21D. Any property owner who violates any provision of this ordinance shall be subject to the following penalties:
 - i. First offense: Written warning
 - ii. Second offense: \$50.00
 - iii. Third (and each subsequent) offense: \$100.00.

(f) Effective Date

This ordinance shall become effective immediately upon passage.

Addressing the Council:

Paulette Vartabedian Central Av
Patrick Clerkin 14 Bennett Pl.
Miccah Kessleman 499 Main St
Simon Alcindor 44 Cambridge St

Vice President Collins Motioned to waive 3 readings and be ordained (seconded by Councilor Lazzaro) - Approved on a Roll call vote of Six in favor, Zero opposed (Councilor Scarpelli absent)

President Bears opened Public Participation at 10:35pm

Addressing the Council:

Miccah Kessleman 499 Main St
Andrew Castignetti East Medford
Simon Alcindor 44 Tainter St

Public Participation Closed at 10:40pm

Adjournment

Councilor Callhan Motioned to Adjourn (seconded by Councilor Tseng) Approved on a Voice vote of Six in favor, Zero opposed (Councilor Scarpelli Absent)

Meeting Adjourned 10:41pm

Respectfully Submitted
Richard Eliseo Jr
Assistant City Clerk

