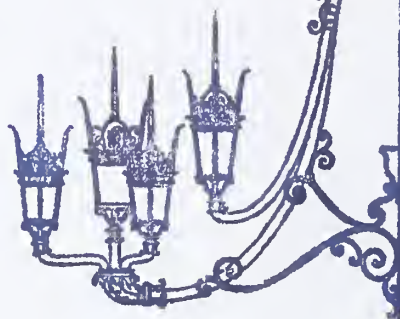


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REPORT OF PROCEEDINGS
OF THE
CITY COUNCIL OF BOSTON
FOR THE YEAR

COMMENCING JANUARY 3, 2000, AND ENDING DECEMBER 13, 2000



CITY OF BOSTON
ADMINISTRATIVE SERVICES DEPARTMENT
GRAPHIC ARTS DEPARTMENT

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CITY OF BOSTON

INAUGURAL EXERCISES

Faneuil Hall
Boston, Massachusetts

January 3, 2000

The ceremonies attending the administration of the oath of office to the members of the Boston City Council of the City of Boston were held in Faneuil Hall, Boston, Massachusetts at 9:25 a.m. when Mayor Menino and the Members-elect of the Council entered the hall in a procession headed by City Clerk Rosaria Salerno and City Messenger Ron Cobb to the strains of music by the Commonwealth Brass Quintet accompanied by a color guard of the Boston Police and Fire Departments.

The National Anthem was played.

City Clerk Salerno then presented the Reverend Gregory G. Groover, Sr. for the invocation.

Reverend Groover delivered the invocation.

City Clerk Salerno read a communication from the Board of Election Commissioners certifying the election of the Members of the City Council as follows:

City Council at Large:

Francis M. Roache, 29 Beaufield Street.
Stephen J. Murphy, 933 Metropolitan Avenue.
Peggy Davis-Mullen, 508 East Broadway.
Michael F. Flaherty, Jr., 861 East Broadway.

City Council by District:

Paul Scapicchio, 480 Commercial Street, District 1.
James M. (Jim) Kelly, 5A Bantry Way, District 2.
Maureen E. Feeney, 160 Milton Street, District 3.
Charles Calvin Yancey, 3 Hooper Street, District 4.
Daniel F. Conley, 55 Badger Road, District 5.
Maura A. Hennigan, 56 Woodland Road, District 6.
Chuck Turner, 63 Beech Glen Street, District 7.
Michael P. Ross, 45 Garden Street, District 8.
Brian Honan, 6 Mapleton Street, District 9.

The oath of office was administered to the Members-elect of the Boston City Council by His Honor, Mayor Thomas M. Menino.

City Clerk Salerno recognized members of Congress and State Government and former Council member Albert "Dapper" O'Neil.

City Clerk Salerno then presented Father Thomas Fleming for the Intercession.

Father Fleming delivered the Intercession.

The Commonwealth Brass Quintet played a musical selection for the assemblage.

City Clerk Salerno introduced Rabbi Daniel L. Lehmann.

Rabbi Lehmann delivered the Benediction.

The exercises closed with the playing of the recessional by the Commonwealth Brass Quintet.

While the recessional was played, the Mayor and his suite left the stage at 9:45 a.m.

CITY OF BOSTON

Proceedings of City Council

January 3, 2000

First meeting of the City Council of the year 2000 held in the Christopher A. Iannella Council Chamber, City Hall, at 11:00 a.m., Councillor Francis "Mickey" Roache, senior member presiding, and all the members present.

INVOCATION

Councillor ROACHE introduced Councillor KELLY who introduced Sister Marie Hill, St. Brigid's School, South Boston, who delivered the invocation, and the meeting opened with the pledge of allegiance to the flag.

STATEMENT OF COUNCILLOR ROACHE

Councillor Roache spoke about the dedication one must have to live in the public life and commended the members of the City Council.

ELECTION OF A PRESIDENT

On motion of Councillor SCAPICCHIO the Council voted to suspend the regular order of business and proceed to the election of a President.

For James M. Kelly — Councillors Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Scapicchio — 9.

For Daniel F. Conley — Councillors Conley, Ross, Turner, Yancey — 4.

Councillor KELLY, having received 9 votes, was declared elected President for the municipal year 2000.

Councillor DAVIS-MULLEN moved that the vote for President be made unanimous.

The motion did not prevail; yeas 11, nays 2:

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross, Scapicchio — 11.

Nays — Councillors Turner, Yancey — 2.

At this point President KELLY assumed the Chair and expressed his thanks to the members of the Council for his selection as President for the municipal year 2000 and pledged to work closely with the members of the Council and thanked many people including his office staff, family, friends and constituents who participated in the day's events.

STATEMENT OF COUNCILLOR YANCEY

Having unanimous consent to do so, Councillor YANCEY congratulated Councillor KELLY on his unprecedented seventh term as President of this body. He introduced his bride of 30 years come this January 24, 2000 and introduced some of his family members who were in attendance today. He also acknowledged the presence of former Councillor Gareth Saunders. He spoke of looking forward to an exciting new year in 2000.

STATEMENT OF MAYOR
THOMAS M. MENINO

Mayor Menino congratulated the new councillors for

joining the City Government encouraging each to really work on the issues he heard in their campaigns, such as affordable housing, education, reduced crime rate. He encouraged each member to be focused on improving the quality of life of all of Boston realizing the City is going through an economic boom that it has never seen before, stating the '90s was the best decade this City has ever seen. He stated that he looked at the Council members as his partners and all the people in the audience and neighborhood activists as partners thanking them for being there as we move the City of Boston forward.

STATEMENT OF COUNCILLOR MURPHY

Having unanimous consent to do so, Councillor MURPHY wanted to extend his well wishes to former Councillor Albert "Dapper" O'Neil stating how much he will be missed and that for 28 years "Dapper" literally lived this job and how he taught a lot of the Councillors who came in in the last few years what it is to be a full-time City Councillor and how Dapper was a full-time advocate and put people first. He said how very proud he is to call "Dapper" his friend, his mentor and hopefully that will remain so for a very long time.

STATEMENT OF COUNCILLOR HONAN

Having unanimous consent to do so, Councillor HONAN congratulated President KELLY for his victory as President.

He then recognized his family in the audience thanking them for being here.

He wanted, also, to thank former Councillor Albert "Dapper" O'Neil for his lifetime of dedicated service on behalf of all the citizens of Boston calling "Dapper" a legend we will all miss and how he is one-of-a-kind.

MESSAGE DISAPPROVING ORDINANCE FOR SURPLUS LAND AND FACILITIES COMMUNITY REVIEW ACT PASSED BY CITY COUNCIL DECEMBER 1, 1999 (DOCKET NO. 0139)

The following was received:

City of Boston
Office of the Mayor

December 13, 1999

To The City Council
Dear Councillors:

I return herewith, unsigned and disapproved, an Ordinance passed by your Honorable Body on December 1, 1999, Docket Number 0130, a surplus land and facilities community review act.

I feel this veto is appropriate because the City of Boston acting through its Department of Neighborhood Development, already has a very detailed policy regarding community participation in City property disposition. These policies and procedures are designed to ensure that community residents and local leaders can effectively participate in the decisions regarding the sale of real estate sold by the Department of Neighborhood Development. A formal policy was also created to establish a uniform and time-limited structure for this process so that developers and residents alike have a clear understanding of how the process works, enabling both to more effectively plan for, and participate in, the decision-making process.

Finally, the Department of Neighborhood Development already has the ultimate legal responsibility to ensure that all property disposition is done in conformance with all Federal, State and Local governing laws. It also has the responsibility of public trust, to ensure that all property disposition is conducted with the goal of providing the greatest public benefits to all of the City's residents. DND is therefore obligated to retain the final authority to make decisions about property disposition

in order to faithfully execute these legal and public trust responsibilities.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

(Annexed hereto are the documents within.)

Assigned for further action.

ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$92,555 FROM MASSACHUSETTS STATE POLICE FOR PURPOSE OF ENHANCING POLICE DEPARTMENT'S CRIME LABORATORY FOR DNA RESEARCH (DOCKET NO. 0140)

The following was received:

City of Boston
Office of the Mayor

December 1, 1999

To the City Council.

Dear Councillors:

I hereby transmit for your approval an order authorizing the City of Boston to accept and expend a grant in the amount of \$92,555 from the Massachusetts State Police. This award is made for the purpose of enhancing the Boston Police Department's Crime Laboratory for the purpose of DNA research.

I urge your Honorable Body to adopt this order as soon as possible so that the City of Boston may accept the funds expeditiously and expend them for the purposes for which they were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Whereas, The Massachusetts State Police has authorized the issuance of funds to the Boston Police Department; and

Whereas, The funds in the amount of \$92,555 will be utilized by the Boston Police Department to enhance the Department's crime lab for the purpose of DNA research; now, therefore be it

Ordered, That the Police Commissioner, acting on behalf of the City of Boston be, and hereby is authorized to accept and expend the Massachusetts State Police Award not to exceed the amount of \$92,555.

Referred to the Committee on Public Safety.

ORDER AUTHORIZING TRANSPORTATION COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$15,000 FROM MASSACHUSETTS BAY TRANSPORTATION AUTHORITY (MBTA) FOR PURPOSE OF FUNDING TRAFFIC SIGNAL CONTROL IMPROVEMENTS IN AREA ADJACENT TO FOREST HILLS MBTA STATION IN JAMAICA PLAIN (DOCKET NO. 0141)

The following was received.

City of Boston
Office of the Mayor

December 16, 1999

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order that authorizes the City of Boston to accept and expend a grant from the Massachusetts Bay Transportation Authority (MBTA) in the amount not to exceed fifteen thousand dollars (\$15,000), for the purpose of funding traffic signal control improvements in the area adjacent to the Forest Hills MBTA Station in Jamaica Plain.

I urge your Honorable Body to pass this order as soon as possible so that the City can receive the funds and implement the program expeditiously.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Placed on file.

Ordered, That the City of Boston, acting by and through its Transportation Commissioner, be, and hereby is, authorized, in accordance with Section 53A of Chapter 44 of the Massachusetts General Laws, to accept and expend a grant from the Massachusetts Bay Transportation Authority (MBTA) in the amount not to exceed \$15,000, for the purpose of funding traffic signal control improvements in the area adjacent to the Forest Hills MBTA Station in Jamaica Plain.

Referred to the Committee on Economic Development and Transportation.

ORDER AUTHORIZING GRANT OF \$289,000 FROM U.S. DEPARTMENT OF JUSTICE FOR PURPOSE OF MONITORING AND ENFORCING DOMESTIC VIOLENCE OFFENDERS (DOCKET NO. 0142)

The following was received:

City of Boston
Office of the Mayor

December 20, 1999

To the City Council,
Dear Councillors:

I hereby transmit for your approval an order authorizing the City of Boston to accept and expend a grant in the amount of \$289,000 from the U.S. Department of Justice. This award is made for the purpose of monitoring and enforcing domestic violence offenders.

I urge your Honorable Body to adopt this order as soon as possible so that the City of Boston may accept the funds expeditiously and expend them for the purposes for which they were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Whereas, The U. S. Department of Justice has authorized the issuance of funds to the Boston Police Department; and

Whereas, The funds in the amount of \$289,000 will be utilized by the Boston Police Department to monitor and enforce domestic violence offenders who have active restraining orders, are on probation, have outstanding warrants, have access to firearms, violent criminal histories, and/or a history of past domestic abuse, be it

Ordered, That the Police Commissioner, acting on behalf of the City of Boston be, and hereby is authorized to accept and expend the U.S. Department of Justice funds not to exceed the amount of \$289,000.

Referred to the Committee on Public Safety.

JITNEY APPLICATION (DOCKET NO. 0143)

Petition was received from Boston Beats Limo for license to operate motor vehicles for the carriage of passengers for hire over certain streets in Boston.

Referred to the Committee on Economic Development and Transportation.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF GEORGE S. ALEX AS ACTING DIRECTOR OF MAYOR'S OFFICE OF CONSUMER AFFAIRS AND LICENSING (DOCKET NO. 0144)

Notice was received from the Mayor of the appointment of George S. Alex as Acting Director of the Mayor's Office of Consumer Affairs and Licensing.

COMMUNICATION RECEIVED FROM SALLY D. GLORA, CITY AUDITOR RE: CITY OF BOSTON'S FISCAL 1999 GENERAL PURPOSE FINANCIAL STATEMENTS (DOCKET NO. 0145)

Communication was received from Sally D. Glora, City Auditor re: the City of Boston's Fiscal 1999 General Purpose Financial Statements.

Referred to the Committee on Ways and Means.

NOTICE RECEIVED FROM CITY CLERK OF FILING BY BOSTON REDEVELOPMENT AUTHORITY ON DECEMBER 27, 1999 OF "NINTH AMENDMENT TO THE REPORT AND DECISION ON THE APPLICATION OF AL-JORDAN REALTY CORPORATION CHAPTER 121A PROJECT" (DOCKET NO. 0146)

Notice was received from the City Clerk of the filing by the Boston Redevelopment Authority on December 27, 1999 of the "Ninth Amendment to the Report and Decision on the Application of the Al-Jordan Realty Corporation Chapter 121A Project."

Referred to the Committee on Economic Development and Transportation.

NOTICE RECEIVED FROM CITY CLERK OF FILING BY BOSTON REDEVELOPMENT AUTHORITY ON DECEMBER 27, 1999 OF "FIFTH AMENDMENT TO THE REPORT AND DECISION ON THE SUMMER STREET REALTY CORPORATION CHAPTER 121A PROJECT" (DOCKET NO. 0147)

Notice was received from the City Clerk of the filing by the Boston Redevelopment Authority on December 27, 1999 of the "Fifth Amendment to the Report and Decision on the Summer Street Realty Corporation Chapter 121A Project."

Referred to the Committee on Economic Development and Transportation.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF ELLEN RODNEY AS MEMBER OF BACK BAY ARCHITECTURAL COMMISSION FOR TERM EXPIRING DECEMBER 31, 2004 (DOCKET NO. 0148)

Notice was received from the Mayor of the appointment of Ellen Rooney as a member of the Back Bay Architectural Commission for a term expiring December 31, 2004.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF REAPPOINTMENT OF JOHN CHRISTIANSEN AS MEMBER OF BACK BAY ARCHITECTURAL COMMISSION FOR TERM EXPIRING DECEMBER 31, 2003 (DOCKET NO. 0149)

Notice was received from the Mayor of the reappointment of John Christiansen as a member of the Back Bay Architectural Commission for a term expiring December 31, 2003.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF REAPPOINTMENT OF RICHARD BRAYLEY AS

**MEMBER OF BACK BAY ARCHITECTURAL
COMMISSION FOR TERM EXPIRING
DECEMBER 31, 2003 (DOCKET NO. 0150)**

Notice was received from the Mayor of the reappointment of Richard Brayley as a member of the Back Bay Architectural Commission for a term expiring December 31, 2003.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF FRANCES DUFFLY AS MEMBER OF BACK BAY ARCHITECTURAL COMMISSION FOR TERM EXPIRING DECEMBER 31, 2003 (DOCKET NO. 0151)

Notice was received from the Mayor of the appointment of Frances Duffly as a member of the Back Bay Architectural Commission for a term expiring December 31, 2003.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF ANTHONY CASENDINO AS MEMBER OF BACK BAY ARCHITECTURAL COMMISSION FOR TERM EXPIRING DECEMBER 31, 2001 (DOCKET NO. 0152)

Notice was received from the Mayor of the appointment of Anthony Casendino as a member of the Back Bay Architectural Commission for a term expiring December 31, 2001.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF BARRY HOFFMAN AS MEMBER OF BACK BAY ARCHITECTURAL COMMISSION FOR TERM EXPIRING DECEMBER 31, 2001 (DOCKET NO. 0153)

Notice was received from the Mayor of the appointment of Barry Hoffman as a member of the Back Bay Architectural Commission for a term expiring December 31, 2001.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF DONNA PRINCE AS MEMBER OF BACK BAY ARCHITECTURAL COMMISSION FOR TERM EXPIRING DECEMBER 31, 2001 (DOCKET NO. 0154)

Notice was received from the Mayor of the appointment of Donna Prince as a member of the Back Bay Architectural Commission for a term expiring December 31, 2001.

Placed on file.

NOTICE RECEIVED FROM CITY CLERK OF FILING BY BOSTON REDEVELOPMENT AUTHORITY ON DECEMBER 27, 1999 OF "SECOND SUPPLEMENT TO APPLICATION TO THE BOSTON REDEVELOPMENT AUTHORITY FOR THE FORMATION OF A 121A CORPORATION TO DEVELOP THE PALMER STREET PROJECT" (DOCKET NO. 0155)

Notice was received from the City Clerk of the filing by the Boston Redevelopment Authority on December 27, 1999 of the "Second Supplement to Application to the Boston Redevelopment Authority for the Formation of a 121A Corporation to develop the Palmer Street

Project."

Referred to the Committee on Economic Development and Transportation.

**CERTIFICATE OF ELECTION
(DOCKET NO. 0169)**

The following was received:

City of Boston
Election Department

Rosaria Salerno, City Clerk.

Dear Ms. Salerno:

We certify that for the four (4) members of the City Council at Large and nine (9) members of the City Council by district for the term of two (2) years, the following were duly elected to said offices on November 2, 1999:

City Council at Large

Mickey Roache, 9 Beaufield Street, District 3.
Stephen J. Murphy, 933 Metropolitan Avenue District 5.

Peggy Davis-Mullen, 508 East Broadway District 2.
Michael F. Flaherty Jr., 861 East Broadway, District 2.

City Council by District

Paul Scapicchio, 480 Commercial Street, District 1.
James M. (Jim) Kelly, 5A Bantry Way, District 2.
Maureen E. Feeney, 160 Milton Street District 3.
Charles Calvin Yancey, 3 Hooper Street, District 4.
Daniel F. Conley, 55 Badger Road, District 5.
Maura A. Hennigan, 56 Woodland Road, District 6.
Chuck Turner, 63 Beech Glen Street, District 7.
Michael P. Ross, 45 Garden Street, District 8.
Brian Honan, 6 Mapleton Street, District 9.

Respectfully yours,
Board of Election Commissioners.

Placed on file.

**APPROVAL OF CONSTABLES' BONDS
(DOCKET NO. 0156)**

The Constables' Bonds of the following, having been duly approved by the Collector-Treasurer, were received and approved:

Harrison Lee Allen T. Major

**APPOINTMENT OF TEMPORARY EMPLOYEES
(DOCKET NO. 0157)**

Councillor ROACHE offered the following:

Ordered, That effective Saturday, January 1, 2000, the following-named persons be, and hereby are, appointed to the position set against their name until Friday, March 31, 2000:

Felix G. Arroyo-Montano, administrative assistant, \$536.50, full time.

Paul Simmons, secretary, \$187.25, full time.

Jonathan M. Marsh, secretary, \$90, part time.

Passed under suspension of the rules.

**APPOINTMENT OF TEMPORARY EMPLOYEES
(DOCKET NO. 0158)**

Councillor ROACHE offered the following:

Ordered, That effective Saturday, January 1, 2000, the following-named persons be, and hereby are, appointed to the position set against their name until Friday, March 31, 2000: .

Marta Rivera, administrative assistant, \$708.82, full time.

Richard Armstrong, administrative assistant, \$957.86, full time.

Patricia Flaherty, secretary, \$670.50, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 0159)

Councillor ROACHE offered the following:

Ordered, That effective Saturday, January 1, 2000, the following-named persons be, and hereby are, appointed to the position set against their name until Friday, March 31, 2000:

George Morancy, administrative assistant, \$996.17, full time

Laura O'Brien secretary, \$574.72, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 0160)

Councillor ROACHE, offered the following:

Ordered, That effective Saturday, January 1, 2000, the following-named person be, and hereby are, appointed to the position set against their name until Friday, March 31, 2000:

Elizabeth Schallmo-Carbone, administrative assistant, \$670.50, full time.

Ann S. McGough, administrative assistant, \$766.29, full time

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 0161)

Councillor ROACHE, offered the following:

Ordered, That effective Saturday, January 1, 2000, the following-named persons be, and hereby are, appointed to the position set against their name until Friday, March 31, 2000:

Lee A. Grifoni, secretary, \$210, part time.

Nicole Leo, secretary, \$120, part time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0162)

Councillor ROACHE offered the following:

Ordered, That effective Saturday, January 1, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, March 31, 2000:

Jamila D. Sisco, administrative assistant, \$360, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0163)

Councillor ROACHE offered the following:

Ordered, That effective Saturday, January 1, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, March 31, 2000:

Brian P. Wallace, administrative assistant, \$301.84, part time.

Passed under suspension of the rules.

ADOPTED AS TEMPORARY RULES OF CITY COUNCIL UNTIL PERMANENT RULES ARE ADOPTED (DOCKET NO. 0164)

Councillor ROACHE offered the following:

Ordered, That the rules of the Boston City Council for 1999, except for Rule 34, be adopted as temporary rules of the City Council until permanent rules are adopted.

The rules were suspended; **the order was passed.**

STATEMENT OF COUNCILLOR YANCEY

Having unanimous consent to do so, Councillor YANCEY asked that when we adjourn today, we do so in memory of Dr. Bishop Joe L. Smith who died suddenly over the weekend.

LATE-FILED MATTERS

The Chair stated that, in absence of objection, four late-filed matters would be added to the Agenda.

No objection being heard, the following matters were added:

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 0170)

Councillor ROACHE offered the following:

Ordered, That effective Saturday, January 1, 2000, the following-named persons be, and hereby are, appointed to the position set against their name until Friday, January 7, 2000:

Maria S. Bunuan, secretary, \$800, full time.

Mary Mulvey Jacobson, secretary, \$1,354.60, full time.

Thomas M. McDonough, administrative assistant, \$1,074.72, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO 0171)

Councillor ROACHE offered the following:

Ordered, That effective Saturday, January 8, 2000, the following-named persons are, and hereby are, appointed to the position set against their name until Friday, March 31, 2000:

Maria S. Bunuan, secretary, \$300, full time.

Mary Mulvey Jacobson, secretary, \$854.60, full time.

Thomas M. McDonough, administrative assistant, \$574.72, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0172)

Councillor ROACHE offered the following:

Ordered, That effective Saturday, January 1, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, March 31, 2000:

Cora F. Montrond, legislative assistant, \$766.28, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0173)

Councillor ROACHE offered the following:

Ordered, That effective Saturday, January 8, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, March 31, 2000:

Sean P. Flaherty, secretary, \$574.72, full time.

Passed under suspension of the rules.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Scapicchio: Congratulating Joseph P. Logrippo, Sr. (Docket No. 0165); congratulating Angelo A. Logrippo, Sr. (Docket No. 0166); congratulating Florence and Joseph Foti (Docket No. 0167).

Councillor Honan: Congratulating Mildred Riley (Docket No. 0168).

The matters contained within the Consent Agenda were severally adopted.

Adjourned at 12:40 p.m. on motion of Council President KELLY and in memory of Dr. Bishop Joe L. Smith, to meet on Wednesday, January 12, 2000, 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, January 12, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 12:20 p.m., President KELLY in the Chair and all members present.

INVOCATION

Former City Councillor Gareth Saunders delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

PRESENTATION BY COUNCILLOR FEENEY

Councillor FEENEY presented a resolution to Elizabeth Bonnie and Leah Murphy in recognition of their receiving the Silver Award from the Girl Scouts of America.

ORDER FOR CONFIRMATION OF REAPPOINTMENT OF DENNIS DIMARZIO AS CHAIRMAN OF BOSTON WATER AND SEWER COMMISSION FOR TERM EXPIRING FIRST MONDAY IN JANUARY 2004 (DOCKET NO. 0175)

The following was received:

City of Boston
Office of the Mayor

January 6, 2000

To the City Council.

Dear Councillors:

Pursuant to St. 1977, c. 436, § 3, I transmit herewith for your approval an Order confirming the reappointment of Dennis DiMarzio of 96 Danny Road, Readville, MA 02136, as Chairman of the Boston Water and Sewer Commission for a term expiring on the first Monday in January 2004.

I urge your Honorable Body to approve this Order at the earliest possible date so that Mr. DiMarzio may begin serving his reappointment without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1977, c. 436, § 3, the reappointment of Dennis DiMarzio of 96 Danny Road, Readville, MA 02136, as Chairman of the Boston Water and Sewer Commission for a term expiring on the first Monday in January 2004, be, and hereby is, approved.

Referred to the Committee on Government Operations.

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO ACCEPT AND EXPEND FEDERAL FY99 SHELTER PLUS CARE GRANT OF \$3,570,600 FROM U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DOCKET NO. 0176)

The following was received:

City of Boston
Office of the Mayor

January 11, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval, an Order authorizing the City of Boston to accept and expend a Federal Fiscal Year 1999 Shelter Plus Care grant in an amount not to exceed \$3,570,600 awarded to the City by the U.S. Department of Housing and Urban Development (HUD).

I urge you to adopt this order as soon as possible so that the City may encumber its funds expeditiously.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Whereas, Title IV, Subtitle F of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C.11403), as amended, contains provisions authorizing the U.S. Department of Housing and Urban Development (HUD) to make grants to units of general local government under the Shelter Plus Care Program for provision of rental housing assistance to homeless persons with disabilities and their families; and

Whereas, On February 26, 1999, HUD issued a Notice of Funding Availability in the Federal Register announcing the availability of \$750 million for the Continuum of Care Homeless Assistance programs, including the Shelter Plus Care Program; and

Whereas, On May 26, 1999, the City Council authorized the City to submit a FY99 Shelter Plus Care application in an amount not to exceed \$10,000,000; and

Whereas, On December 22, 1999 HUD awarded the City a FY99 Shelter Plus Care grant in the amount of \$3,570,600; and

Whereas, The Department of Neighborhood Development (Public Facilities Department) will administer the Shelter Plus Care Grant; now, therefore be it

Ordered, That the City of Boston, acting by and through its Department of Neighborhood Development, be, and hereby is, authorized to accept a FY99 Shelter Plus Care grant in an amount not to exceed \$3,570,600 awarded to the City by the U. S. Department of Housing and Urban Development and, to expend said funds in accordance with M.G.L. c.44s. 53A for the purposes for which the funds were granted, and, in connection therewith, to execute and deliver such documents as may be required by the federal government.

Referred to the Committee on Housing.

ORDER ACCEPTING PROVISIONS OF SECTION 51 OF CHAPTER 127 OF ACTS OF 1999 WHICH GRANTS BY LOCAL OPTION COST OF LIVING ADJUSTMENT (COLA) IN EXCESS OF PERCENTAGE INCREASE ALLOWED BY G.L. C.32 S.103(C) UP TO MAXIMUM OF 3% ON FIRST \$12,000 OF RETIREMENT ALLOWANCE (DOCKET NO. 0177)

The following was received:

City of Boston
Office of the Mayor

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order approving the acceptance of Section 51 of Chapter 127 of the Acts of 1999 which grants by local option a cost of living adjustment (COLA) in excess of the percentage increase allowed by G.L. c. 32 § 103(c), up to a maximum of 3% on the first \$12,000 of the retirement allowance.

In December 1997, this City accepted the provisions of Section 288 of Chapter 194 of the Acts of 1997, which authorized COLA payments payable by the Boston Retirement Board. However, Section 288 limited the COLA payments to less than 3% in those years

in which the percentage recommended by the report filed with the state legislature was less than 3%. Section 51 of Chapter 127 of the Acts of 1999 authorizes the Boston Retirement Board to pay a COLA in excess of that allowed by Section 288, up to the maximum of 3% on the first \$12,000 of the retirement allowance.

Prior to awarding an increased COLA, the Boston Retirement Board must provide the City Council with 30 days advance notice of the public meeting at which the Board will consider the increased COLA. Any increased COLA under Section 51 for Fiscal Year 2000 must be approved in Fiscal Year 2000 and will be retroactive to July 1, 1999.

The provision of Section 51 takes effect upon acceptance by the Boston Retirement Board and upon acceptance of the City Council and the Mayor. The Boston Retirement Board accepted Section 51 on December 15, 1999. I urge your Honorable Body to approve the acceptance so that the amendment to the COLA provisions can take effect in the City without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the acceptance of Section 51 of Chapter 127 of the Acts of 1999, be and the same hereby is approved.

On motion of Councillor SCAPICCHIO, the rules were suspended; **the order was passed.**

MESSAGE DISAPPROVING ORDINANCE
REGARDING CITY COUNCIL PERSONNEL;
SALARIES PASSED DECEMBER 15, 1999
(DOCKET NO. 991276) (DOCKET NO. 0178)

The following was received:

City of Boston
Office of the Mayor

January 3, 2000

To the City Council.

Dear Councillors:

I return herewith, unsigned and disapproved, the apparently un-docketed "Ordinance Regarding City Council Personnel; Salaries," passed by your Honorable Body on December 15, 1999.

This measure would make a number of changes to City Council offices, including the addition of the office of Television/Video Operator and the deletion of Staff Assistant, and small increases in the salary ranges for the Research Director, Legislative Assistant, City Messenger and Receptionist, to which I do not object.

This veto is required nevertheless, because of the inclusion of the office of "counsel" which I believe will cause significant confusion and conflict in the direction and management of the City's litigation and other legal matters.

Further, the legal activities of the City, including representation of your Honorable Body, are centered in the Corporation Counsel by virtue of City of Boston Code, Ordinances, §5-8.1.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

City of Boston

Nineteen Hundred and Ninety-eight

An Ordinance Regarding

City Council Personnel; Salaries

Be it ordained by the City Council of Boston, as follows:

City of Boston Code - Ordinances Chapter 2-8.3 is hereby amended by deleting the entire current language and replacing it with the following:

For the conduct of the affairs of the City Council there shall be, in addition to the City Clerk, a Staff Director and other such subordinate officers as may be appointed by a majority of the City Council from time

to time. Such Staff Director and subordinate officers shall perform such duties as the Council may provide by order from time to time, and they shall receive an annual salary determined by Council order from within the salary ranges below:

Staff Director	.....\$45,000 - \$60,000
Counsel	.....\$55,000 - \$68,000
Budget Director	.....\$45,000 - \$60,000
Research Director	.....\$40,000 - \$55,000
Assistant Research Director	.....\$30,000 - \$45,000
Business Manager	.....\$30,000 - \$45,000
Legislative Assistant	.....\$30,000 - \$45,000
City Messenger	.....\$30,000 - \$45,000
Receptionist	.....\$20,000 - \$35,000
Legislative Secretary	.....\$18,000 - \$26,000
Television/Video Operator	.....\$30,000 - \$45,000

For the Conduct of the affairs of the City Council, in addition to the Staff Director and subordinate officers provided for, there shall be administrative assistants and secretaries to be appointed from time to time by the City Council. Each Councillor's office shall receive one hundred twenty-five thousand (\$125,000) dollars per year and the President's office shall receive one hundred fifty-five thousand (\$155,000) dollars per year to pay such salaries according to the rules of the City Council.

This ordinance shall take effect as of December 15, 1999.

Assigned for further action.

MESSAGE DISAPPROVING ORDER FOR PETITION FOR SPECIAL LAW RE: ACT AUTHORIZING STATE-BOSTON RETIREMENT BOARD TO GRANT CREDITABLE SERVICES TO MARGOT H. HILL, PASSED DECEMBER 15, 1999 ~ DOCKET NO. 990977) (DOCKET NO. 0179)

The following was received:

City of Boston
Office of the Mayor

December 28, 1999

To the City Council.

Dear Councillors:

I return herewith, unsigned and disapproved, a Home Rule Petition for An Act Authorizing the State-Boston Retirement Board to Grant Creditable Service to Margot H. Hill, Docket No. 0977, passed by your Honorable Body on December 15, 1999.

As reason for not approving the same, I have not been advised of any circumstance that would warrant such an extraordinary exemption from the statutes, specifically General Laws c.32, governing the State-Boston Retirement Board.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Assigned for further action.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF MARCHELLE RAYNOR TO BOSTON SCHOOL COMMITTEE FOR TERM EXPIRING JANUARY 1, 2004 (DOCKET NO. 0180)

Notice was received from the Mayor of the appointment of Marchelle Raynor to the Boston School Committee for a term expiring January 1, 2004.

Referred to the Committee on Education and School Matters.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF ANGEL AMY MORENO TO BOSTON SCHOOL COMMITTEE FOR TERM EXPIRING JANUARY 1, 2004 (DOCKET NO. 0181)

Notice was received from the Mayor of the appointment of Angel Army Moreno to the Boston School Committee for a term expiring January 1, 2004.

Referred to the Committee on Education and School Matters.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF VIRGINIA M. TISEI AS MEMBER OF AIR POLLUTION CONTROL COMMISSION FOR TERM EXPIRING FIRST MONDAY OF JANUARY 2001 (DOCKET NO. 0182)

Notice was received from the Mayor of the appointment of Virginia M. Tisei as a member of the Air Pollution Control Commission for a term expiring on the first Monday of January 2001.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF REAPPOINTMENT OF BART MITCHELL AS MEMBER OF AIR POLLUTION CONTROL COMMISSION FOR TERM EXPIRING FIRST MONDAY OF JANUARY 2001 (DOCKET NO. 0183)

Notice was received from the Mayor of the reappointment of Bart Mitchell as a member of the Air Pollution Control Commission for a term expiring on the first Monday of January 2001.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF GEORGE R. GREENIDGE, JR. TO BOSTON SCHOLARSHIP COMMITTEE FOR TERM OF THREE YEARS (DOCKET NO. 0184)

Notice received from the Mayor of the appointment of George R. Greenidge, Jr. to the Boston Scholarship Committee for a term of three years.

Placed on file.

COMMUNICATION RECEIVED FROM LISA S. SERAFIN, PROJECT MANAGER, RE: DRAFT ENVIRONMENTAL IMPACT REPORT/PROJECT IMPACT REPORT PARCEL F-1 OFFICE BUILDING, SOUTH BOSTON, EOE A #11882 (DOCKET NO. 0185)

Communication was received from Lisa S. Serafin, Project Manager, re: Draft Environmental Impact Report/Project Impact Report Parcel F-1 Office Building, South Boston, EOE A #11882.

Placed on file.

APPOINTMENT OF TEMPORARY EMPLOYEE
(DOCKET NO. 0186)

Councillor KELLY offered the following:

Ordered, That effective Saturday, January 8, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, March 31, 2000:

Ann S. McGough administrative assistant, \$718.39, full time

Passed under suspension of the rules.

ORDER THAT COMMITTEE ON PUBLIC SAFETY HOLD HEARING TO REVIEW AND DISCUSS METHOD AND PROCEDURES OF COMMISSION APPOINTED TO STUDY POLICIES, PRACTICES AND ORGANIZATION OF FIRE

DEPARTMENT (DOCKET NO. 0187)

Councillor MURPHY offered the following:

Whereas, Last fall Mayor Menino appointed a commission chaired by former Massachusetts Secretary of Public Safety Kathleen O'Toole to study the policies, practices and organization of the Boston Fire Department; and

Whereas, The O'Toole commission has finished its study and is planning to release the results of the study shortly; and

Whereas, It has been reported that in this study the Commission will recommend far reaching changes in the organizational structure, policies and in-house practices of the Boston Fire Department; therefore be it

Ordered, That the Committee on Public Safety hold a hearing to review and discuss the method and procedures of this committee, and its findings; and be it further

Ordered, That members of this commission be invited to give testimony as well as members of the Boston Fire Department and interested members of the public.

Referred to the Committee on Public Safety.

ORDER THAT COMMITTEE ON ECONOMIC DEVELOPMENT AND TRANSPORTATION HOLD HEARING REGARDING FEASIBILITY OFFERING TAX ABATEMENT ON COMMERCIAL PROPERTIES RENTED TO SMALL BUSINESSES OR WHOSE OWNERS OPERATE SMALL BUSINESSES AND TO EXPLORE FEASIBILITY OF CREATING NEW CLASSIFICATION THAT WOULD RESULT IN LOWER ASSESSED VALUES FOR SUCH PROPERTIES (DOCKET NO. 0188)

Councillors MURPHY, HENNIGAN, CONLEY, ROACHE, SCAPICCHIO, FEENEY, HONAN, YANCEY, ROSS and TURNER offered the following:

Whereas, Small businesses are an integral component of the economic vitality and neighborhood character of Boston; and

Whereas, Small businesses, in order to meet increased property taxes or increased rents have had to raise prices on their goods; and

Whereas, Increased prices can be detrimental to such businesses and their customers; and

Whereas, As a result of increased taxes, neighborhood storefronts are being vacated and remain empty; and

Whereas, The diminution of small, family-owned businesses is a socioeconomic threat to livelihoods and neighborhoods, therefore be it

Ordered, That the Committee on Economic Development & Transportation hold a prompt hearing regarding the feasibility of offering a tax abatement on commercial properties that are rented to small businesses or whose owners operate small businesses from; and be it further

Ordered, That in the alternative, the committee explores the feasibility of creating a new classification that would result in lower assessed values for such properties.

Referred to the Committee on Economic Development and Transportation.

ORDER THAT COMMITTEE ON PUBLIC SAFETY HOLD HEARING TO INVESTIGATE WHAT EFFECT RELEVANT STATUTES HAVE ON TAXPAYERS IN CONNECTION WITH THEIR ELECTED OFFICIALS RESPONSIBILITY OF BUDGETARY OVERSIGHT (DOCKET NO. 0189)

Councillors MURPHY, KELLY and SCAPICCHIO offered the following:

Whereas, The Corporation Counsel has determined that collective bargaining agreements of the Suffolk County Sheriff's Department no longer require approval from the city council, but rather require approval from the Governor of the Commonwealth; and

Whereas, The City of Boston still implements the economic provisions, among others, of said contracts; and

Whereas, The City of Boston must expend resources for such implementation; and

Whereas, Human Resources, the Corporation Counsel, Office of Budget Management and other city departments still perform various administrative functions for the Suffolk County Sheriff's Department; and

Whereas, The Boston City Council still appropriates monies for the Suffolk County Sheriff's Department through the city's budget and approves grants; therefore be it

Ordered, That the Committee on Public Safety hold a prompt hearing to investigate what effect the relevant statutes have on the taxpayers of Boston in connection with their elected officials responsibility of budgetary oversight; and be it further

Ordered, That officials from the administration, the Corporation Counsel, the Sheriff of Suffolk County, and representatives from the governor's office be invited to attend.

Referred to the Committee on Public Safety.

ORDER FOR LOAN OF \$4,700,000 FOR SCHOOL DEPARTMENT (DOCKET NO. 0134)

Councillor YANCEY called Docket No. 0134, message and order for loan of \$4,700,000 for the School Department, from the Committee on Ways and Means.

Hearing no objection, the order was before the body.

Councillor KELLY moved that the order be taken up at the end of the meeting.

The motion was carried.

Later in the session, the order was rejected without prejudice, yeas 1, nays 12.

Yeas — Councillor Murphy — 1.

Nays — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Roache, Ross, Scapicchio, Turner, Yancey — 12.

ORDINANCE INCREASING SAFETY OF STUDENTS ON SCHOOL BUSES RE: CROSSING GATES (DOCKET NO. 0190)

Councillors YANCEY and TURNER offered the following:

AN ORDINANCE INCREASING THE SAFETY OF STUDENTS ON SCHOOL BUSES RE: CROSSING GATES

Be it ordained by the City Council of Boston, as follows:

SECTION 1

City of Boston Code, Ordinances, Chapter Nineteen, as amended, is hereby further amended by inserting the following:

19-1.3 SCHOOL BUS SAFETY

19-1.31 Crossing Gates.

Every school bus regularly employed in the transportation of children to schools in the City of Boston shall be equipped with and use when accepting and discharging passengers a crossing gate, so called, which shall extend out in front of the school bus. This section, shall not apply to those vehicles owned or leased by the Massachusetts Bay Transportation Authority.

SECTION 2

This ordinance shall apply to all school buses purchased on or after July 1, 1999.

Referred to the Committee on Education and School Matters.

ORDINANCE INCREASING SAFETY OF STUDENTS ON SCHOOL BUSES: RE: SCHOOL BUS MONITORS (DOCKET NO. 0191)

Councillors YANCEY and TURNER offered the following:

AN ORDINANCE INCREASING THE SAFETY OF STUDENTS ON SCHOOL BUSES RE: SCHOOL BUS MONITORS

Be it ordained by the City Council of Boston, as follows:

SECTION 1

City of Boston Code, Ordinances, Chapter Nineteen, as amended, is hereby further amended by inserting the following:

19-1.3 SCHOOL BUS SAFETY

19-1.32 Bus Monitors.

Every school bus, with a capacity of 35 or more passengers, employed regularly for the transportation of children to schools in the City of Boston shall, in addition to the driver, operate with an employee known as a bus monitor, so called, during each trip to ensure the safety and orderly conduct of the riders and driver. This section shall not apply to those vehicles owned or leased by the Massachusetts Bay Transportation Authority.

SECTION 2

This ordinance shall take effect on July 1, 2000

Referred to the Committee on Education and School Matters.

ORDINANCE INCREASING SAFETY OF STUDENTS ON SCHOOL BUSES RE: SEAT BELTS (DOCKET NO. 0192)

Councillors YANCEY and TURNER offered the following:

AN ORDINANCE INCREASING THE SAFETY OF STUDENTS ON SCHOOL BUSES RE: SEAT BELTS

Be it ordained by the City Council of Boston, as follows:

SECTION 1

City of Boston Code, Ordinances, Chapter 19, as amended, is hereby further amended by inserting the following:

19-1.3 SCHOOL BUS SAFETY

19-1.33 Safety Belts.

Every school bus regularly employed for the transportation of children to schools in the City of Boston, shall be equipped with seat belts, complying with the provisions of Section 7B of Chapter 90 of the General Laws. This section shall not apply to those vehicles owned or leased by the Massachusetts Bay Transportation Authority.

SECTION 2.

This ordinance shall apply to school buses purchased on or after July 1, 2000

Referred to the Committee on Education and School Matters.

ORDER APPROVING PETITION FOR SPECIAL LAW RE: FIREFIGHTER ISRAEL AMOS (DOCKET NO. 0193)

Councillor YANCEY offered the following:

Ordered, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this Order, be, and hereby is approved under Clause 1 of Section 8 of Article 2, as amended, of the amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted providing precisely

as follows, except for clerical or editorial changes of form only:

Be it enacted as follows:

Section 1. Notwithstanding the provisions of any law to the contrary, and in order to promote the public good, the State-Boston Retirement Board is hereby authorized and directed to retire ISRAEL AMOS, a firefighter of the City of Boston, who as the result of serious injuries sustained in the performance of his job, specifically a severely sprained left ankle, while fighting a fire at 271 Centre Street in Dorchester on July 12, 1989, is totally and permanently incapacitated for further service as a firefighter. The annual amount of pension payable to ISRAEL AMOS under this act shall be fixed in an amount equal to the regular rate of compensation which would have been paid had he continued in service as a firefighter in said city at the grade held by him at the time of his retirement.

Such retirement shall become effective as of the date following the last day on which he is entitled to receive regular compensation.

Upon the retirement of ISRAEL AMOS, the retirement board of said city shall forthwith pay to him all amounts standing to his credit in the annuity savings fund of the retirement system of said city.

Section 2. The provisions of section one hundred of chapter forty-one of the General Laws shall continue to apply to ISRAEL AMOS relative to his indemnification by the City of Boston for any hospital, medical and related expenses which may be incurred by him after the date of his retirement as a result of the aforementioned incapacity.

Section 3. Upon the death of ISRAEL AMOS, if his wife at the time of the accident survives him, and as long as she remains unmarried, the City shall pay to his wife an annual annuity equal to the sum of three-fourths of the amount of the pension payable to him at the time of his death and three hundred and twelve dollars (\$312) for each child of ISRAEL AMOS for such time as such child is either under eighteen years of age or totally physically or mentally incapacitated from working. If the spouse of ISRAEL AMOS remarries, the city shall pay to his wife at the time of the accident, in lieu of the aforesaid annuity, an annual annuity of five-hundred and twenty dollars (\$520) for each child of ISRAEL AMOS for such time as such child is residing with her and is either under eighteen years of age on January first of the year in question or totally or mentally incapacitated from working.

Section 4. This act shall take effect upon its passage.

Referred to the Committee on Public Safety.

ORDER THAT COMMITTEE ON EQUITY HOLD HEARING TO DETERMINE EFFECTIVENESS OF CITY'S ENFORCEMENT OF BOSTON JOBS ORDINANCE AND OFFICE OF MINORITY AND WOMEN'S ENTERPRISE PROGRAM (DOCKET NO. 0194)

Councillors YANCEY, TURNER and HONAN offered the following:

Ordered, That the Committee on Equity hold a hearing to determine the effectiveness of the City of Boston's enforcement of the Boston Jobs Ordinance and the Office of Minority and Women's Enterprise Program (MWBE); and be it further

Ordered, That the Director of the MWBE Program and the public be invited to testify.

Referred to the Committee on Equity.

ORDER THAT TRANSPORTATION DEPARTMENT, BOSTON HOUSING AUTHORITY, EMERGENCY MEDICAL SERVICES, POLICE, FIRE AND PUBLIC WORKS DEPARTMENTS WORK TOGETHER TO PLAN AND ESTABLISH "SPEED BUMPS" IN APPROPRIATE

AREAS WITHIN EACH HOUSING DEVELOPMENT (DOCKET NO. 0195)

Councillors YANCEY, CONLEY, DAVIS-MULLEN, ROACHE, ROSS, TURNER, FEENEY and HENNIGAN offered the following:

Whereas, The City of Boston is committed to providing the safest streets possible for our children; and

Whereas, The Boston Housing Authority houses approximately ten percent of Boston's residents; and

Whereas, A significant proportion of BHA residents are children and elderly; and

Whereas, "Speed bumps" have the effect of reducing the speed of vehicles where they are used in heavily congested areas, thereby reducing the probability of fatal accidents; and

Whereas, A two-year-old infant was killed in an automobile accident at the Gallivan Housing Development where the residents have requested speed bumps as a strategy to reduce the likelihood of a recurrence of this tragedy; and

Whereas, "Speed bumps" have been installed on some private rights of way, private housing developments and in some Boston Housing Developments in Boston, be it therefore

Ordered, That the Transportation Department, the Boston Housing Authority, Emergency Medical Services, Police, Fire and Public Works Departments work together to plan and establish "speed bumps" in appropriate areas within each Boston housing development.

Referred to the Committee on Economic Development and Transportation and the Committee on Housing.

ORDER THAT CITY COUNCIL HOLD HEARING TO ASCERTAIN WHAT EFFECTS ESTABLISHMENT OF ORDINANCE AND/OR EXECUTIVE ORDER PERTAINING TO "INCLUSIONARY ZONING" AND OTHER MATTERS ON MODERATE AND AFFORDABLE HOUSING WILL HAVE ON CITY AND ITS RESIDENTS (DOCKET NO. 0196)

Councillors ROSS, SCAPICCHIO, FLAHERTY, HONAN, MURPHY, ROACHE, DAVIS-MULLEN, FEENEY and YANCEY offered the following:

Whereas, The City of Boston has been increasingly challenged to provide moderate and affordable priced housing for its residents, many of whom have lived within their neighborhood for their entire life; and

Whereas, Community based organizations have called for the City of Boston to adopt legislation that will require the provision of moderate and affordable priced housing units in new development within the city, or "inclusionary zoning"; and

Whereas, The City's administration has made great strides toward addressing the need for new housing through initiatives that called for the creation of over 2,000 units of housing, and more recently through the implementation of an executive order to ensure the implementation of "inclusionary zoning" for new development; and

Whereas, The solution to ending Boston's burgeoning housing crisis and maintaining communities of inclusiveness will require the sustained efforts of a united front of all those in government, community based organizations and private developers; and

Whereas, The Boston City Council, based on the testimony of these parties will be in a position to address the challenges of today's housing market through enacting legislation that makes a difference to the residents of this city, therefore be it

Ordered, That the Boston City Council convene a public hearing to ascertain what effects the establishment of an ordinance and/or executive order pertaining to "inclusionary zoning", and other matters on moderate

and affordable housing, will have on the City of Boston and its residents; and be it further

Ordered, That certain officials and others be invited to attend, including the Department of Neighborhood Development, the Boston Redevelopment Authority, the Mayor's Housing Advisor, the Elderly Commission, the City's Corporation Counsel and various community based organizations, residents and commercial real estate entities.

Referred to the Committee on Housing.

ORDER THAT FIRE DEPARTMENT BEGIN RE-DRAFTING BLASTING ORDINANCE IMMEDIATELY SO IT CAN BE RESUBMITTED TO STATE BOARD OF FIRE PREVENTION IN ORDER FOR BOARD TO ACT ON IT IN TIMELY MANNER CREATING NEW REGULATIONS IN PREPARATION FOR BEGINNING OF SPRING'S BLASTING SEASON (DOCKET NO. 0197)

Councillors HENNIGAN, MURPHY, ROACHE, CONLEY, FLAHERTY and DAVIS-MULLEN offered the following:

Whereas, The Blasting Ordinance passed by the Boston City Council and approved by the Mayor, was recently reviewed by the State Board of Fire Prevention; and

Whereas, The ordinance addresses the main concern of the neighbors on blasting levels; and

Whereas, Technical issues need to be addressed in the ordinance in order to make it consistent with the provisions of 527 CMRs. 13.00 et. seq.; now, therefore be it

Ordered, That the Fire Department for the City of Boston begin re-drafting the Blasting Ordinance immediately so it can be resubmitted to the State Board of Fire Prevention in order for the board to act on it in a timely manner, creating new regulations in preparation for the beginning of this spring's blasting season.

On motion of Councillor HENNIGAN, the rules were suspended; the order was passed.

ORDER TO HOLD HEARING TO REVIEW DEVELOPMENTS AT HACKNEY DIVISION OF POLICE DEPARTMENT (DOCKET NO. 0198)

Councillors SCAPICCHIO and MURPHY offered the following:

Whereas, The Committee on Economic Development and Transportation Development in 1999 held hearings on matters concerning the Hackney Division of the Boston Police Department including the addition of 260 new taxi medallions to the total of 1,565 previously issued by the City of Boston; and

Whereas, The Director of the Hackney Division of the Boston Police Department at the request of the Chair of the Committee on Economic Development and Transportation attended the hearings and agreed to timely provide any pertinent information to the Committee and to periodically attend hearings to inform and update the Boston City Council on these matters; and

Whereas, The Committee on Economic Development and Transportation Development will be conducting a comprehensive review of existing legislation and relations pertaining to various transportation services available in Boston including Hackney; now therefore be it

Ordered, That the Boston City Council's Committee on Economic Development and Transportation hold a hearing to review developments at the Hackney Division of the Boston Police Department and that the appropriate officials and interested parties be invited to attend and testify.

Referred to the Committee on Public Safety.

ORDER THAT COMMITTEE ON ECONOMIC DEVELOPMENT AND TRANSPORTATION HOLD HEARING TO INITIATE PROCESS OF CONDUCTING COMPREHENSIVE REVIEW OF EXISTING LEGISLATION AND REGULATIONS PERTAINING TO TRANSPORTATION SERVICES (DOCKET NO. 0199)

Councillor SCAPICCHIO offered the following:

Whereas, The City of Boston continues to expand its reputation as one of the most popular tourist destinations in America; and

Whereas, The City of Boston has enjoyed significant growth in economic development which continues to make this area an even more attractive place to live and work; and

Whereas, The transportation industry and various transportation services offered throughout the city are endeavoring to expand and innovate the services they offer in order to meet the needs of residents, visitors and tourists in the City of Boston; and

Whereas, An ever increasing number of applications for permits and licenses to provide existing and innovative transportation services are being proposed and filed; and

Whereas, There has already been a significant increase in the applications for Jitney Licenses and Sightseeing Licenses; and

Whereas, The City of Boston has recently issued 75 taxi medallions and will soon issue 195 taxi medallions for a total of 260 additional taxi medallions; and

Whereas, These transportation related activities create a need to review existing legislation presently in place to regulate these transportation services; therefore be it

Ordered, That the Boston City Council's Committee on Economic Development and Transportation hold a hearing to initiate the process of conducting a comprehensive review of existing legislation and regulations pertaining to these transportation services and that the appropriate officials be invited to attend.

Referred to the Committee on Economic Development and Transportation.

LATE FILED MATTERS

The Chair stated that, in absence of objection, three late-filed matters would be added to the Agenda.

No objection being heard, the following matters were added:

ORDER THAT COMMITTEE ON HOUSING HOLD HEARING TO DETERMINE ACTUAL NUMBER OF UNOCCUPIED BHA HOUSING UNITS, REASONS THAT THESE UNITS ARE EMPTY AND TIME FRAME IN WHICH THEY MAY BE AVAILABLE FOR OCCUPATION (DOCKET NO. 0207)

Councillors ROACHE, KELLY, DAVIS-MULLEN, FEENEY, FLAHERTY, MURPHY, SCAPICCHIO, ROSS, TURNER, YANCEY and HENNIGAN offered the following:

Whereas, The City of Boston is currently facing a major housing crisis; and

Whereas, A disproportionate number of those people impacted by the housing crisis are in the lower bracket of the population and rely greatly on Public Housing; and

Whereas, The waiting list to get into Boston Housing Authority units is stated to be greater than the number of currently inhabited units; and

Whereas, It has been reported that there are as many as several thousand unoccupied BHA units throughout the City; therefore be it

Ordered, That the Boston City Council Committee on Housing hold a hearing to determine the actual number of unoccupied BHA housing units, the reasons that these

units are empty, and the time frame in which they may be available for occupation; be it further

Ordered, The administrator of the Boston Housing Authority, as well as the local director of HUD and other relevant organizations be invited to testify.

Referred to the Committee on Housing.

ELECTION OF COMMITTEE ON PERAMBULATION

By agreement of the members of the City Council, Councillors ROSS and TURNER were elected to serve as the Committee on Perambulation.

ORDER FOR LOAN OF \$4,700,000 FOR PLANNING, DESIGNING, ACQUIRING LAND FOR, CONSTRUCTING AND ORIGINALLY EQUIPPING STRUCTURES AND FACILITIES AND FOR REMODELING, RECONSTRUCTING OR MAKING MAJOR ALTERATIONS, ADDITIONS AND MAJOR REPAIRS TO EXISTING FACILITIES INCLUDING ORIGINAL EQUIPMENT AND LANDSCAPING, INCLUDING PLANTING OF SHADE TREES, PAVING AND OTHER SITE IMPROVEMENTS INCIDENTAL OR DIRECTLY RELATED TO SUCH REMODELING, RECONSTRUCTION OR REPAIR FOR PURPOSES OF SCHOOL DEPARTMENT (DOCKET NO. 0208)

The following was received:

City of Boston
Office of the Mayor

January 12, 2000

To the City Council.
Dear Councillors

I transmit herewith for your approval an appropriation order in the amount of \$4,700,000 for the planning, designing, acquiring land for, constructing and originally equipping structures and facilities and for remodeling, reconstructing, or making major alterations, additions and major repairs to existing facilities including original equipment and landscaping, including the planting of shade trees, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair for the purposes of the School Department.

I urge your Honorable Body to pass this order

Sincerely,

Thomas M Menino,
Mayor of Boston.

Ordered, That the sum of \$4,700,000 be, and hereby is, appropriated for projects which may become approved school projects within the meaning of Chapter 645 of the Acts of 1948, as amended, including the planning, designing, acquiring land for, constructing and originally equipping structures and facilities and for remodeling, reconstructing, or making major alterations, additions and major repairs to existing facilities including original equipment and landscaping, including the planting of shade trees, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair for the purposes of the School Department; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Section 8 of Chapter 645 of the Acts of 1948, as amended, or under the provisions of Chapter 642 of the Acts of 1966, as amended, or under the provisions of Clauses (3) and/or (3A) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized be expended only on those projects as described by name attached herein.

Attachment

School Department

1. Mildred Avenue

2. Roof Repairs and Masonry Repairs at Various Schools

The order was given its first reading and assigned for further action; yeas, 9, nays 4:

Yeas — Councillors Conley, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Ross, Scapicchio — 9

Nays — Councillors Davis-Mullen, Roache, Turner, Yancey — 4.

ORDER THAT COMMITTEE ON ECONOMIC DEVELOPMENT AND TRANSPORTATION HOLD HEARING RE COMMERCIAL VEHICLES (DOCKET NO. 0209)

Councillors DAVIS-MULLEN, CONLEY, FEENEY, SCAPICCHIO, ROACHE, MURPHY, HONAN, KELLY, TURNER and YANCEY offered the following:

Whereas, Any vehicle registered for commercial purposes must display permanently painted sealed/adhered and plainly marked on both sides of the vehicle's body (exclusive of windows), the name of the business entity owning or utilizing the vehicle, the full business address and telephone number on a least three separate lines; and

Whereas, It has recently been proposed that all types of passenger vehicles including conventional passenger vehicles, passenger vans, and sports utility vehicles must be permanently altered by way of removal of all seats, except the front seat(s); and

Whereas, This provision as to the seat shall become enforced 12 months following the effective date of this regulation; and

Whereas, Many small business operators use their vehicles to transport products to customers throughout the city; and

Whereas, Those small business operators may also be required to transport supervisors and other passengers as well, often requiring use of their backseat; therefore be it

Ordered, That the City Council's Committee on Economic Development & Transportation hold a public hearing to address this proposal and the implications it will have for small business operators and that the City's Transportation Commissioner and other interested parties be invited to attend.

Referred to the Committee on Economic Development and Transportation.

ORDER FOR CONFIRMATION OF REAPPOINTMENT OF STEPHEN SCHRAM AS MEMBER OF BAY VILLAGE HISTORIC DISTRICT COMMISSION FOR TERM EXPIRING APRIL 1, 2002 (DOCKET NO. 0174)

Councillor HONAN called Docket No. 0174 from the Committee on Environment and Historic Preservation.

No objection being heard, the order was before the body.

On motion of Councilor HONAN, the rules were suspended; the order was passed.

STATEMENT OF COUNCILLOR ROSS

Having unanimous consent to do so, Councillor ROSS asked that when we adjourn today we do so in memory of Stanley Z. Koplik.

STATEMENT OF COUNCILLOR ROACHE

Having unanimous consent to do so, Councillor

Roache wanted to commend the new Councillors at the job they have done at their first council meeting.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Feeney: Congratulating Mary Keaney and her family (Docket No. 0200); congratulating Christine Shea (Docket No. 0201).

Councillors Scapicchio and Flaherty: Congratulating Roseanne Casper (Docket No. 0202); congratulating Martin H. Mullen (Docket No. 0203).

Councillors Yancey and Turner: Congratulating twenty persons on being honored by the Caribbean Foundation of Boston, Inc. (Docket No. 0204); extending sympathy on the death of Bishop Dr. Joe L. Smith (Docket No. 0205).

Councillor Ross: Recognizing City Year's sixth annual Martin Luther King, Jr. Young Heroes Celebration (Docket No. 0206).

The Chair stated that in the absence of objection, one late-filed matter would be added to the Consent Agenda.

No objection being heard, the following matter was added:

Councillor Yancey: Declaring January 17, 2000 be recognized as "Martin Luther King, Jr. Day" (Docket No. 0210).

The matters contained within the Consent Agenda were severally adopted.

STATEMENT BY COUNCILLOR CONLEY

Having unanimous consent to do so, Councillor Conley stated that when we adjourn today, we do so in memory of Paul Casey.

NEXT MEETING

Adjourned at 3:50 p.m. on motion of Council President KELLY and in memory of Stanley Koplik and Paul Casey to meet on Wednesday, January 26, 2000 at 12 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, January 26, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 12:15 p.m. President KELLY in the Chair. Absent, Councillors HONAN and MURPHY.

INVOCATION

Former City Councillor Saunders delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

VISITORS TO CITY COUNCIL

Councillor YANCEY acknowledged the presence of a member of the Great and General Court, State Representative Shirley Owens.

ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$5,000 FROM GOVERNOR'S HIGHWAY SAFETY BUREAU FOR CONDUCTING TRAFFIC SAFETY BELT ENFORCEMENT (DOCKET NO. 0211)

The following was received:

City of Boston
Office of the Mayor

November 30, 1999

To the City Council.

Dear Councillors:

I hereby transmit for your approval an order authorizing the City of Boston to accept and expend a grant in the amount of \$5,000 from the Governor's Highway Safety Bureau. This award is made for conducting a traffic and safety belt enforcement program.

I urge your Honorable Body to adopt this order as soon as possible so that the City of Boston may accept the funds expeditiously and expend them for the purposes for which they were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Whereas, The Governor's Highway Safety Bureau has authorized the issuance of funds to the Boston Police Department; and

Whereas, The funds in the amount of \$5,000 will be utilized by the Boston Police Department to conduct a traffic enforcement program as well as a child safety seat program, now, therefore be it

Ordered, That the Police Commissioner, acting on behalf of the City of Boston be, and hereby is authorized to accept the Governor's Highway Safety Bureau Award not to exceed the amount of \$5,000.

The rules were suspended; the order was passed.

ORDER FOR CONFIRMATION OF REAPPOINTMENT OF WILLIAM MARCHIONE AS ALTERNATE MEMBER OF BOSTON LANDMARKS COMMISSION FOR TERM EXPIRING JUNE 30, 2001 (DOCKET NO. 0212)

The following was received:

City of Boston
Office of the Mayor

January 20, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an order regarding the reappointment of William Marchione, 30 Kendrick Street, as an alternate member, at large, of the Boston Landmarks Commission for a term expiring June 30, 2001.

I urge your Honorable Body to pass this order.

Respectfully,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the reappointment of William Marchione, 30 Kendrick Street, as an alternate member, at large, of the Boston Landmarks Commission for a term expiring June 30, 2001 be, and the same hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF REAPPOINTMENT OF DAVID H. MULLIGAN AS MEMBER OF BOSTON PUBLIC HEALTH COMMISSION FOR TERM EXPIRING JANUARY 7, 2002 (DOCKET NO. 0213)

The following was received:

City of Boston
Office of the Mayor

January 10, 2000

To the City Council.

Dear Councillors:

Pursuant to the authority vested in me by Section 3 of Chapter 147 of the Acts of 1995, I transmit herewith for your confirmation an Order regarding the reappointment of David H. Mulligan of 20 Kimberly Drive, Whitman, Massachusetts 02382, as a member of the Boston Public Health Commission for a term expiring on the first Monday in January 2002.

I urge your Honorable Body to pass this Order at the earliest possible time.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1995 c. 147, §3, the reappointment of David H. Mulligan of 20 Kimberly Drive, Whitman, Massachusetts 02382, as a member of the Boston Public Health Commission for a term expiring on the first Monday in January 2002 be, and hereby is, approved.

Referred to the Committee on Government Operations.

ORDER FOR CONFIRMATION OF REAPPOINTMENT OF JUDY ANN BIGBY AS MEMBER OF BOSTON PUBLIC HEALTH COMMISSION FOR TERM EXPIRING JANUARY 7, 2002 (DOCKET NO. 0214)

The following was received:

City of Boston
Office of the Mayor

January 10, 2000

To the City Council.

Dear Councillors:

Pursuant to the authority vested in me by Section 3 of Chapter 147 of the Acts of 1995, I transmit herewith for your confirmation an Order regarding the reappointment of Judy Ann Bigby of 60 Burroughs Street, Unit 35, Jamaica Plain, Massachusetts 02130, as a member of the Boston Public Health Commission for a term expiring on the first Monday in January 2002.

I urge your Honorable Body to pass this Order at the earliest possible time.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1995 c. 147, § 3, the reappointment of Judy Ann Bigby of 60 Burroughs Street, Unit 35, Jamaica Plain, Massachusetts 02130, as a member of the Boston Public Health Commission for a term expiring on the first Monday in January 2002 be, and hereby is, approved.

Referred to the Committee on Government Operations.

ORDER FOR CONFIRMATION OF RUTH KNOPF AS ALTERNATE MEMBER OF BAY VILLAGE HISTORIC DISTRICT COMMISSION FOR TERM EXPIRING APRIL 1, 2001 (DOCKET NO. 0215)

The following was received:
City of Boston
Office of the Mayor
January 20, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an order regarding the reappointment of Ruth Knopf, 14 Fayette Street, as an alternate member, of the Bay Village Historic District Commission for a term expiring April 1, 2001. This appointment shall become effective April 1, 2000.

I urge your Honorable Body to pass this order.
Respectfully,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the reappointment of Ruth Knopf, 14 Fayette Street, as an alternate member, of the Bay Village Historic District Commission for a term expiring April 1, 2001 and effective April 1, 2000 be, and the same hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF REAPPOINTMENT OF ANTHONY GORDON AS MEMBER OF BACK BAY ARCHITECTURAL COMMISSION FOR TERM EXPIRING DECEMBER 31, 2002 (DOCKET NO. 0216)

The following was received:
City of Boston
Office of the Mayor
January 20, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an order regarding the reappointment of Anthony Gordon of 35 Stanhope Street, Boston, as a member at large, of the Back Bay Architectural Commission for a term expiring December 31, 2002.

I urge your Honorable Body to pass this order.
Respectfully,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the reappointment of Anthony Gordon of 35 Stanhope Street, Boston, as a member at large, of the Back Bay Architectural Commission for a term expiring December 31, 2002 be, and the same hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF APPOINT-

MENTS OF JAMES E. WHITE, JOHN E. RYAN, DERICK D. JOYNER, WILLIE J. WILLIAM AND ROBERT E. LEE AS CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING OF BOND FOR TERM EXPIRING APRIL 30, 2000 (DOCKET NO. 0217)

The following was received:
City of Boston
Office of the Mayor
January 11, 2000

To The City Council,

Dear City Councillors:

Subject to confirmation by your Honorable Body, I hereby appoint the following named people on the attached order as Constables of the City of Boston, authorized to serve civil process upon filing of bond, for the period commencing May 1, 1999 and ending April 30, 2000.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That the appointment of the following-named people as Constables of the City of Boston authorized to serve civil process upon filing of bond for the period commencing May 1, 1999 and ending April 30, 2000 be and the same hereby is approved.

1999-2000
New Constable Application List
Recommended Approval

The following recommendations for approval are new applicants.

White, James E., 112 Norfolk Street, Dorchester 02124

Ryan, John E., 42 Norton Street, Hyde Park 02136

Joyner, Derick D., 565 River Street, Mattapan 02126

William, Willie J., 309 Huntington Avenue, Hyde Park 02136

Lee, Robert E., 470 East Eighth Street, South Boston 02127

Referred to the Committee on Government Operations.

ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND \$3,372,000 FROM EXECUTIVE OFFICE OF PUBLIC SAFETY TO BE UTILIZED BY DEPARTMENT TO EXPAND ITS NEIGHBORHOOD POLICING SERVICES PROGRAM WHICH INCLUDES DESIGNATION OF \$350,000 FOR BOWDOIN-STREET-GENEVA AVENUE AND UPHAMS CORNER AREAS AND \$100,000 FOR MISSION HILL SECTION (DOCKET NO. 0218)

The following was received:
City of Boston
Office of the Mayor
January 24, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Police Commissioner, on behalf of the City of Boston, to accept and expend an award in the amount of \$3,372,000, which includes a designation of \$350,000 for the Bowdoin Street-Geneva Avenue and Uphams Corner areas, and \$100,000 for the Mission Hill section of Boston, from the Commonwealth of Massachusetts Executive Office of Public Safety to the Boston Police Department. This award is made for the purpose of expanding its Neighborhood Policing Services program in Boston.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may accept

and expend these funds expeditiously for the purposes for which they were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Police Commissioner, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend from the Commonwealth of Massachusetts Executive Office of Public Safety funds not to exceed the amount of \$3,372,000 to be utilized by the Boston Police Department to expand its Neighborhood Policing Services program, which includes a designation of \$350,000 for the Bowdoin Street-Geneva Avenue and Uphams Corner areas, and \$100,000 for the Mission Hill section of Boston.

Referred to the Committee on Public Safety.

ABSENCE OF THE MAYOR
(DOCKET NO. 0219)

Notice was received from the Mayor of his absence from the City on January 12, 2000 until January 16, 2000.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF REAPPOINTMENT OF LINDA LEARNER AS MEMBER OF BOSTON COMPENSATION ADVISORY BOARD FOR TERM EXPIRING JUNE 30, 2001 (DOCKET NO. 0220)

Notice was received from the Mayor of the reappointment of Linda Learner as a member of the Boston Compensation Advisory Board for a term expiring June 30, 2000.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF REAPPOINTMENT OF JOHN HIGGINS AS MEMBER OF BOSTON COMPENSATION ADVISORY BOARD FOR TERM EXPIRING JUNE 30, 2001 (DOCKET NO. 0221)

Notice was received from the Mayor of the reappointment of John Higgins as a member of the Boston Compensation Advisory Board for a term expiring June 30, 2001.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF DAVID A. HALEY AS MEMBER OF BOSTON COMPENSATION ADVISORY BOARD FOR TERM EXPIRING JUNE 30, 2002 (DOCKET NO. 0222)

Notice was received from the Mayor of the appointment of David A. Haley as a member of the Boston Compensation Advisory Board for a term expiring June 30, 2002.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF REAPPOINTMENT OF LAWRENCE S. DICARA AS MEMBER AND CHAIRMAN OF BOSTON COMPENSATION ADVISORY BOARD FOR TERM EXPIRING JUNE 30, 2003 (DOCKET NO. 0223)

Notice was received from the Mayor of the reappointment of Lawrence S. DiCara as a member and Chairman of the Boston Compensation Advisory Board

for a term expiring June 30, 2003.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF REAPPOINTMENT OF CHRISTINE DUNN AS MEMBER OF BOSTON COMPENSATION ADVISORY BOARD FOR TERM EXPIRING JUNE 30, 2004 (DOCKET NO. 0224)

Notice was received from the Mayor of the reappointment of Christine Dunn as a member of the Boston Compensation Advisory Board for a term expiring June 30, 2004.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF ANGELO M. SCACCIA AS TRUSTEE OF BOSTON PUBLIC LIBRARY FOR TERM EXPIRING MAY 1, 2001 (DOCKET NO. 0225)

Notice received from the Mayor of the appointment of Angelo M. Scaccia as a Trustee of the Boston Public Library for a term expiring May 1, 2001.

Placed on file.

COMMUNICATION RECEIVED FROM DONNA M. MUELLER, EXECUTIVE OFFICER, BOSTON RETIREMENT BOARD, RE: CONSIDERATION OF FY00 COLA INCREASE (DOCKET NO. 0226)

Communication was received from Donna M. Mueller, Executive Officer, Boston Retirement Board, re: consideration of FY00 COLA increase.

Placed on file.

COMMUNICATION RECEIVED FROM LAWRENCE S. DICARA, CHAIRMAN OF THE AUDIT COMMITTEE RE: ANNUAL REPORT FOR YEAR ENDING DECEMBER 31, 1999 (DOCKET NO. 0227)

City of Boston
Audit Committee

January 20, 2000

The Members of the Boston City Council:

We are writing to update you on our activities as members of the Audit Committee of the City of Boston for the year ended December 31, 1999. During this period, we had four meetings with the City's independent auditors, KPMG LLP ("KPMG"), and City Management to discuss various aspects of the City's audit as follows:

February 4, 1999

The meeting centered on a discussion of the management letters issued by KPMG for the City and the Public Health Commission ("PHC") as a result of their audits for the fiscal year 1998 financial statements.

KPMG's report on the City's internal controls contained no material weaknesses.

KPMG's report on the PHC's internal controls contained material weaknesses.

Ed Collins, CFO, updated the Board on the City's year 2000 readiness.

June 3, 1999

Representatives from the PHC, John Auerbach,

Executive Director and Walter Ramos, Director of Administration, provided a presentation of their responses to its material weakness management letter. We are pleased to report that the PHC is diligently working towards resolving the issues.

September 30, 1999

The meeting was devoted to a discussion of the status of the City, PHC and Single audits, any significant issues raised to date and the timetables for completion. No significant issues were presented to us at this time.

Sally Glora, City Auditor, provided an overview of the City's conversion to PeopleSoft. The conversion of the general ledger took place on July 1, 1999, as planned.

December 23, 1999

An overview of the City's financial condition and results of the audit of the City's fiscal 1999 financial statements was presented to the Committee.

KPMG informed us that there were no disagreements with City Management and all audit issues relating to the financial statements were resolved to their satisfaction. KPMG issued an unqualified opinion on the City's financial statements for the fiscal year 1999.

In 1996 we reported about the disturbing trend and deficit position of the City's Blue Cross/Blue Shield health claims fund. We are pleased to see that the deficit had been reduced from \$20 million in 1996 to \$5 million in 1999.

The results of the PHC audit for fiscal 1999 were discussed. We are pleased to report that KPMG and City representatives experienced great improvements with PHC and Boston Medical Center operations during the fiscal year. Accordingly, KPMG has issued a report on internal controls containing no material weaknesses.

The City's audit reports discussed above are on file in the City Clerk's office.

During the past year, the Committee members have received the full cooperation of the Chief Financial Officer and the City Auditor in dealing with the issues presented to us. If any member of the City Council has further questions about our activities, please contact me at 345-1210.

Very truly yours,
Lawrence S. DiCara,
Chairman.

Placed on file.

COMMUNICATION RECEIVED FROM MASS. PORT AUTHORITY RE: COMMONWEALTH FLATS DEVELOPMENT AREA DRAFT ENVIRONMENTAL IMPACT REPORT (DOCKET NO. 0228)

Communication was received from Mass. Port Authority re: Commonwealth Flats Development Area Draft Environmental Impact Report.

Placed on file.

ORDER THAT COMMITTEE ON GOVERNMENT OPERATIONS HOLD HEARING TO DISCUSS POSSIBILITY OF AMENDING G.L. CHAPTER 59, SECTION 5, CLAUSE 41A, TAX DEFERRAL FOR HOMEOWNERS OVER AGE OF 65 (DOCKET NO. 0229)

Councillor MURPHY offered the following:

Whereas, Property tax rates have increased in recent years; and

Whereas, Such increases have been particularly difficult for elderly homeowners; and

Whereas, State law and the City of Boston allow for

a tax deferral for homeowners over the age of 65 who meet certain other conditions; and

Whereas, Such a deferment carries with it an eight percent interest charge on the deferred taxes; and

Whereas, A deferral may become more expensive over time than regular payment of the tax; and

Whereas, The elderly who opt to defer the tax and thus alleviate a difficult situation may in fact create a worse situation because of the interest burden applied to deferment, therefore be it

Ordered, That the Committee on Government Operations hold a hearing to discuss the possibility of amending Chapter 59, Section 5, Clause 41A of the General Laws, the governing statute, in hopes of easing this burden on elderly homeowners; and be it further

Ordered, That representatives from the Treasury Department, Assessing and the Law Department as well as interested members of the public be invited to attend.

Referred to the Committee on Government Operations.

ORDER THAT COMMITTEE ON PUBLIC HEALTH HOLD HEARING TO DISCUSS IMPACT THAT COMMUNITY HEALTH CENTERS HAVE UPON NEIGHBORHOODS AND TO CONSIDER DEVELOPMENT OF TASK FORCE TO IDENTIFY FUTURE FUNDING OPPORTUNITIES TO SUPPORT WORK OF COMMUNITY CENTERS (DOCKET NO. 0230)

Councillor MURPHY offered the following:

Whereas, The 27 community health centers located within the City of Boston provide the essential primary and preventive health care to over 350,000 Boston residents; and

Whereas, Community health centers serve as the major public health delivery system for the residents of the City of Boston; and

Whereas, The current financial environment in which community health centers operate is affected by increased cost pressures while these centers are experiencing a growing demand for services within the City of Boston; therefore be it

Ordered, That the Boston City Council's Committee on Public Health hold a public hearing to discuss the impact that community health centers have upon the neighborhoods of Boston and to consider the development of a task force to identify future funding opportunities to support the work of community centers; and be it further

Ordered, That the members of the Boston Conference of Community Health Centers be encouraged to attend and testify in addition to other interested parties and members of the public.

Referred to the Committee on Public Health.

ORDER THAT COMMITTEE ON ECONOMIC DEVELOPMENT AND TRANSPORTATION HOLD HEARING TO GAIN BETTER UNDERSTANDING OF INSPECTIONAL SERVICES DEPARTMENT ENFORCEMENT PROCEDURES CONCERNING ADHERENCE TO PROPERTY OWNERS' INITIAL BUILDING PERMITS (DOCKET NO. 0231)

Councillors SCAPICCHIO, KELLY, CONLEY, TURNER, YANCEY, ROSS, DAVIS-MULLEN, FEENEY, ROACHE, HENNIGAN and FLAHERTY offered the following:

Whereas, A permit application to the Commissioner of Inspectional Services for building alterations, repairs or change of occupancy is signed by the licensed builder; and

Whereas, Denied applications generally appeal the

decision before the Zoning Board of Appeal who may grant appeals for conditional uses, exceptions and variances; and

Whereas, Neighborhoods depend on the Inspectional Services Department and the Zoning Board of Appeal processes to maintain, enhance and promote their residential character in terms of density, housing type and design with implicit understanding that building contracts will be performed in accordance with permit applications on file with the building department; and

Whereas, Contractors and developers have in the past built structures larger than approved; and

Whereas, These contractors are subsequently able to submit new plans ratifying their non-complying construction; and

Whereas, Although construction may be stopped when proceeding contrary to approved construction documents submitted, it is unclear what recourse is taken against builders who do not proceed in good faith and what restrictions are placed on them in future applications; therefore be it

Ordered, That the City Council's Committee on Economic Development & Transportation hold a public hearing to gain a better understanding of the Inspectional Services Department enforcement procedures concerning the adherence to property owners initial building permits and that the Inspectional Services Department and other interested parties be invited to testify.

Referred to the Committee on Economic Development and Transportation.

ORDER REQUESTING MAYOR'S OFFICE TO WORK WITH POLICE DEPARTMENT, SCHOOL DEPARTMENT, CHILD PROTECTIVE SERVICES AND OTHER APPROPRIATE AGENCIES TO EFFECT OUTREACH TO COMMUNITY TO IDENTIFY CHILD THAT WAS ABUSED ON #36 BUS AND BRING URGENT SERVICES TO HIM AND HIS FAMILY (DOCKET NO. 0232)

Councillors HENNIGAN, CONLEY, ROACHE, TURNER, YANCEY and DAVIS-MULLEN offered the following:

Whereas, A report in the *Boston Globe* dated January 25, 2000 recounted the horrendous account of a young child being physically abused by an adult on the #36 bus; and

Whereas, The alleged assault culminated in the adult hitting the child at least twice, drawing blood from the child; and

Whereas, Regrettably, it was reported that the young boy was not assisted by any riders or the driver of the bus, leaving this frightened and abused human being in the most dangerous of situations; and

Whereas, A child suffering such abuse would show signs of the abuse and should be able to be identified; and

Whereas, A plea is sent to school principals, teachers or any other adult or young person who has come into contact this child so the plan to offer protection to this innocent child can be implemented; and

Whereas, This child, who appeared to be about 8 years old needs to be found, needs to be helped by the appropriate parties and needs to be protected from this outrageous physical and mental abuse; now, therefore be it

Ordered, That Mayor's Office work with the Boston Police Department, the Boston School Department, Child Protective Services and other appropriate agencies to effect outreach to the community to identify this child and bring urgent services to him and his family.

The rules were suspended; the order was passed.

ORDER THAT COMMITTEE ON PUBLIC SAFETY

HOLD HEARING TO DETERMINE STATUS OF VACANT SCHOOL CROSSING GUARD POSITIONS AND PLANS IN PLACE TO FILL THESE POSITIONS VITAL TO SAFETY OF OUR CHILDREN (DOCKET NO. 0233)

Councillors HENNIGAN, MURPHY ROSS, ROACHE, FEENEY, SCAPICCHIO, DAVIS-MULLEN, CONLEY, TURNER and YANCEY offered the following:

Whereas, There is a shortage of approximately five school crossing guards due to failure to replace employees who have left the employ of the city as well as illness; and

Whereas, The presence of crossing guards is essential to the safety of our children; now, therefore be it

Ordered, That the Boston City Council Committee on Public Safety hold a hearing, inviting representatives from the Boston Police Department and Boston School Department, to determine the status of vacant school crossing guard positions and the plans in place to fill these positions vital to the safety of our children.

Referred to the Committee on Public Safety.

ORDINANCE RE: AFFORDABLE HOUSING TRUST ACT (DOCKET NO. 0236)

Councillors TURNER, ROSS, ROACHE, HENNIGAN, DAVIS-MULLEN and YANCEY offered the following:

City of Boston

In the year nineteen hundred and

AN ORDINANCE

AFFORDABLE HOUSING TRUST ACT

Be it ordained by the City Council of Boston, as follows:

Whereas, The City of Boston real estate market is cyclical in nature; and

Whereas, The City is currently in the midst of a "hot" real estate market in which average rents have escalated significantly since the mid-1990s; and

Whereas, The City's response to the need to create additional housing has not met the need for affordable housing; therefore be it ordained:

Section 1. The following terms all have the following meanings:

"Aggregate installment payment", shall mean the sum of all property tax payments due for real property at each installment payment period.

"Collector-Treasurer", shall mean the Collector-Treasurer of the City of Boston, who amongst other duties, is authorized to collect tax revenues on behalf of the City of Boston.

"Installment payment", shall have the same meaning as the term is used in Section 57C of Chapter 59 of the Massachusetts General Laws.

"Neighborhood Housing Trust", shall have the same meaning as the trust created pursuant to City of Boston Ordinance 1986 c.7 Section 1.

"Property taxes", shall mean the sum of taxes on real property to be collected by the collector-treasurer pursuant to the provisions of Section 2 of Chapter 60 of the Massachusetts General Laws.

"Real property", shall have the same meaning as the term is used in Section 2A of Chapter 59 of the Massachusetts General Laws.

Section 2. Affordable Housing Funds:

For each taxable year, the collector-treasurer is hereby authorized and directed to deposit two and one-half percent of the aggregate installment payment due into the Neighborhood Housing Trust.

Section 3. Annual Report.

The Collector-Treasurer shall prepare and submit, annually, a report on the Neighborhood Housing Trust to the City Council. Said report shall include, but not be limited to the following, a financial statement, which provides a list of project support by funding, the amount

of funding each project received, and the neighborhood of each project. Said report shall be submitted to the Council on or before June 30 of each year.

Section 4. Effective Date.

This act shall take effect June 1, 2000.

Referred to the Committee on Housing.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Feeney: Congratulating Leah Murphy (Docket No. 0239); congratulating Elizabeth Bonnice (Docket No. 0240).

Councillor Conley: Congratulating 54 persons on their work and commitment to Youth of Roslindale and Rossie Reps Youth Council (Docket No. 0241).

Councillor Murphy: Congratulating Jacqueline H. Liu (Docket No. 0242).

Councillor Davis-Mullen: Congratulating the Academy of the Pacific Rim Charter School (Docket No. 0243); congratulating five persons for their dedication to the Chinatown Resident Association (Docket No. 0244).

Councillors Flaherty and Scapicchio: Congratulating Matthew J. Mallen (Docket No. 0245); congratulating Eric Jeveli (Docket No. 0246); congratulating Michael Dasaro (Docket No. 0247).

Councillor Flaherty: Congratulating Nancy Goldric (Docket No. 0248).

Councillor Ross: Congratulating Todd Simms (Docket No. 0249).

Councillor Honan Congratulating Bill Hill (Docket No. 0250).

Councillor Hennigan: Congratulating Santos B. Jones (Docket No. 0251).

Councillors Flaherty and Feeney: Congratulating James T. Norton (Docket No. 0252).

Councillor Feeney: Congratulating Alice V. Kelly O'Brien (Docket No. 0253).

Councillor Scapicchio: Congratulating the Chinese Merchant Association (Docket No. 0254).

Councillors Yancey and Turner: Congratulating Illustrious Potentate Charles M. Johnson, Jr. (Docket; No. 0255).

The matters contained within the Consent Agenda were severally adopted.

ORDER FOR CONFIRMATION OF APPOINTMENT OF MICHAEL J. FLAHERTY, SR., AS MEMBER OF ZONING COMMISSION FOR TERM EXPIRING MAY 1, 2001 (DOCKET NO. 0104)

Councillor SCAPICCHIO called Docket No. 0104 from the Committee on Economic Development and Transportation.

No objection being heard, the matter was before the body.

On motion of Councillor SCAPICCHIO, the rules were suspended; **the order was passed.**

(The Chair noted that Councillor FLAHERTY did not vote on this matter because the candidate is his father.)

ORDER AUTHORIZING TRANSPORTATION DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$25,000 FROM MASSACHUSETTS GOVERNOR'S HIGHWAY SAFETY BUREAU FOR PROJECTS DEALING WITH TRAFFIC SAFETY ISSUES SUCH AS IMPAIRED DRIVING, UNDERAGE DRINKING AND DRIVING, SEAT BELT USAGE AND SPEEDING (DOCKET NO. 0106)

Councillor SCAPICCHIO called Docket No. 0106 from the Committee on Economic Development and Transportation.

No objection being heard, the matter was before the body.

On motion of Councillor SCAPICCHIO, the rules were suspended; **the order was passed.**

ORDER AUTHORIZING TRANSPORTATION COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$15,000 FROM MASSACHUSETTS BAY TRANSPORTATION AUTHORITY (MBTA) FOR PURPOSE OF FUNDING TRAFFIC SIGNAL CONTROL IMPROVEMENTS IN AREA ADJACENT TO FOREST HILLS MBTA STATION (DOCKET NO. 0141)

Councillor SCAPICCHIO called Docket No. 0141 from the Committee on Economic Development and Transportation.

No objection being heard, the matter was before the body.

On motion of Councillor SCAPICCHIO, the rules were suspended; **the order was passed.**

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO ACCEPT AND EXPEND FEDERAL FY99 SHELTER PLUS CARE GRANT OF \$3,570,600 FROM DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DOCKET NO. 0176)

Councillor HENNIGAN called Docket No. 0176 from the Committee on Housing.

No objection being heard, the matter was before the body.

On motion of Councillor HENNIGAN, the rules were suspended; **the order was passed.**

STATEMENT OF COUNCILLOR YANCEY

Having unanimous consent to do so, Councillor YANCEY asked that when we adjourn today we do so in memory of former City Assessor William Coughlin who died suddenly this week at age 46.

Adjourned at 1:15 p.m. on motion of Council President KELLY and in memory of William Coughlin to meet on Wednesday, February 2, 2000, 12 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.



CITY OF BOSTON

Proceedings of City Council

Wednesday, February 2, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 1:15 p.m., President KELLY in the Chair and All members present.

INVOCATION

Rabbi Greenberg, Brighton, delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

VISITOR TO CITY COUNCIL

The Chair recognized the presence of Representative Shirley Owens-Hicks.

VISITOR TO CITY COUNCIL

Councillor ROSS had seated with him today a young woman from Bogota, Colombia, Yaneth Solano, who only one year ago could not speak any English and is now attending Brighton High School.

PRESENTATION BY COUNCILLOR ROACHE

Councillor ROACHE presented Matthew Bergin with a resolution for running marathons in seven continents; Matt being one of 43 people in the world to do so. Matt runs these marathons to raise money for the Dana Farber Cancer Institute.

PRESENTATION BY COUNCILLOR DAVIS-MULLEN

Councillor Davis-Mullen presented the Academy of the Pacific Rim Charter School in recognition of the outstanding performance of its students.

ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$13,000 FROM GOVERNOR'S ALLIANCE AGAINST DRUGS FOR PURPOSE OF EDUCATING YOUTH ON HAZARDS OF DRUG USE (DOCKET NO. 0234)

The following was received:

City of Boston
Office of the Mayor

January 10, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Police Commissioner, on behalf of the City of Boston, to accept and expend a grant in the amount of \$13,000 awarded by the Governor's Alliance Against Drugs to the Boston Police Department. This award is made for the purpose of educating youth on the hazards of drug use.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may accept and expend these funds expeditiously for the purposes for which they were granted.

Sincerely,

Thomas M. Menino,

Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Police Commissioner, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend from the Governor's Alliance Against Drugs funds not to exceed the amount of \$13,000 to be utilized by the Boston Police Department to prevent drug abuse in elementary schools through a basic education program.

Referred to the Committee on Public Safety.

ORDER TO DECLARE SURPLUS VACANT LAND AT ROXBURY STREET, ROXBURY, FORMER SITE OF OLD ROXBURY MUNICIPAL COURTHOUSE AND TO TRANSFER CARE, CUSTODY, MANAGEMENT AND CONTROL OF SAID PROPERTY TO PUBLIC FACILITIES COMMISSION (DOCKET NO. 0235)

The following was received:

City of Boston
Office of the Mayor

January 31, 2000

To the City Council.

Dear Councillors:

I submit herewith and recommend that you approve an Order to declare surplus the following City owned property and to transfer the care, custody, management and control of said property to the Public Facilities Commission, for sale or lease under terms and conditions deemed by the Commission to be most appropriate for the City of Boston:

The vacant parcel of land located at Roxbury Street, Roxbury, (Ward 9, Parcel 03270020), the former site of the old Roxbury Municipal Courthouse.

I recommend the adoption of this Order by your Honorable Body.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Whereas, The old Roxbury Municipal Courthouse has been demolished and the land upon which that courthouse sat has been vacant for some twenty-five years and is no longer needed as such; it is hereby

Ordered, That said land, located at Roxbury Street (Ward 9, Parcel 03270020), Roxbury, is hereby found to be surplus within the meaning of St. 1909, c. 486, s. 31B (as appearing in St. 1966, c. 642, s. 12) and the care, custody, management and control thereof is hereby transferred to the Public Facilities Commission.

Referred to the Committee on Economic Development and Transportation.

ORDER FOR CONFIRMATION OF APPOINTMENT OF HELEN R. PILLSBURY AS MEMBER OF ABERDEEN STUDY COMMITTEE FOR PURPOSE OF CREATING NEW ARCHITECTURAL DISTRICT IN THE ABERDEEN NEIGHBORHOOD IN BRIGHTON (DOCKET NO. 0237)

The following was received:

City of Boston
Office of the Mayor

February 1, 2000

To the City Council.

Dear Councillors:

Pursuant to the authority vested in me by Section 4 of Chapter 772 of the Acts of 1975, I transmit herewith for your confirmation an Order regarding the appointment of Helen R. Pillsbury of 1875 Commonwealth Avenue, # 3, Brighton, MA 02135, as a member of the Aberdeen Study Committee for the purpose of creating a new

Architectural District in the Aberdeen neighborhood in Brighton.

I urge your Honorable Body to pass this Order at the earliest possible date so that Ms. Pillsbury may begin serving her appointment without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 4, the appointment of Helen R. Pillsbury of 1875 Commonwealth Avenue, # 3, Brighton, MA 02135, as a member of the Aberdeen Study Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF APPOINTMENT OF PHILIP TACKEL AS MEMBER OF ABERDEEN STUDY COMMITTEE FOR PURPOSE OF CREATING NEW ARCHITECTURAL DISTRICT IN THE ABERDEEN NEIGHBORHOOD IN BRIGHTON (DOCKET NO. 0238)

The following was received:

City of Boston
Office of the Mayor
February 1, 2000

To the City Council.

Dear Councillors:

Pursuant to the authority vested in me by Section 4 of Chapter 772 of the Acts of 1975, I transmit herewith for your confirmation an Order regarding the appointment of Philip Tackel of 8 Kilsyth Terrace, Brighton, MA 02135, as a member of the Aberdeen Study Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton.

I urge your Honorable Body to pass this Order at the earliest possible date so that Mr. Tackel may begin serving his appointment without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 4, the appointment of Philip Tackel of 8 Kilsyth Terrace, Brighton, MA 02135, as a member of the Aberdeen Study Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF APPOINTMENT OF JOSEPH S. TELLER AS MEMBER OF ABERDEEN STUDY COMMITTEE FOR PURPOSE OF CREATING NEW ARCHITECTURAL DISTRICT IN ABERDEEN NEIGHBORHOOD IN BRIGHTON (DOCKET NO. 0256)

The following was received:

City of Boston
Office of the Mayor
February 1, 2000

To the City Council.

Dear Councillors:

Pursuant to the authority vested in me by Section 4 of Chapter 772 of the Acts of 1975, I transmit herewith for your confirmation an Order regarding the appointment of Joseph S. Teller of 8 Kilsyth Terrace, #21, Brighton, MA 02135, as a member of the Aberdeen Study Committee for the purpose of creating a new

Architectural District in the Aberdeen neighborhood in Brighton.

I urge your Honorable Body to pass this Order at the earliest possible date so that Mr. Teller may begin serving his appointment without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 4, the appointment of Joseph S. Teller of 8 Kilsyth Terrace, #21, Brighton, MA 02135, as a member of the Aberdeen Study Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF APPOINTMENT OF ARTURO VASQUEZ AS MEMBER OF ABERDEEN STUDY COMMITTEE FOR PURPOSE OF CREATING NEW ARCHITECTURAL DISTRICT IN ABERDEEN NEIGHBORHOOD BRIGHTON (DOCKET 0. 0257)

The following was received:

City of Boston
Office of the Mayor
February 1, 2000

To the City Council.

Dear Councillors:

Pursuant to the authority vested in me by Section 4 of Chapter 772 of the Acts of 1975, I transmit herewith for your confirmation an Order regarding the appointment of Arturo Vasquez of 2045 Commonwealth Avenue, #24, Brighton, MA 02135, as a member of the Aberdeen Study Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton.

I urge your Honorable Body to pass this Order at the earliest possible date so that Mr. Vasquez may begin serving his appointment without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 4, the appointment of Arturo Vasquez of 2045 Commonwealth Avenue, #24, Brighton, MA 02135, as a member of the Aberdeen Study Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton be, and hereby is, approved.

Referred to the Committee on Environment and Preservation.

ORDER FOR CONFIRMATION OF APPOINTMENT OF EVA WEBSTER AS MEMBER OF ABERDEEN STUDY COMMITTEE FOR PURPOSE OF CREATING NEW ARCHITECTURAL DISTRICT IN ABERDEEN NEIGHBORHOOD IN BRIGHTON (DOCKET NO. 0258)

The following was received:

City of Boston
Office of the Mayor
February 1, 2000

To the City Council.

Dear Councillors:

Pursuant to the authority vested in me by Section 4 of Chapter 772 of the Acts of 1975, I transmit herewith for your confirmation an Order regarding the appointment of Eva Webster of 15 Orkney Road, Brighton, MA 02135, as a member of the Aberdeen Study Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton.

I urge your Honorable Body to pass this Order at the earliest possible date so that Ms. Webster may begin serving her appointment without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 4, the appointment of Eva Webster of 15 Orkney Road, Brighton, MA 02135, as a member of the Aberdeen Study Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ABSENCE OF THE MAYOR
(DOCKET NO. 0259)

Notice was received from the Mayor of his absence from the City on January 26, 2000 until January 28, 2000.

Placed on file.

NOTICE FROM CITY CLERK RE ACTIONS TAKEN
BY MAYOR ON PAPERS ACTED UPON BY
CITY COUNCIL AT ITS DECEMBER 1, 1999
MEETING (DOCKET NO. 0260)

The following was received:

City of Boston

Office of the City Clerk

January 25, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of December 1, 1999, viz:

0130 — Ordinance re: surplus land disposition and facilities/community review act.
Message disapproving filed December 17, 1999.

1161 — Order authorizing the Police Commissioner to accept and expend a grant of \$78,625 from the Bureau of Alcohol, Tobacco and Firearms for the purpose of educating youth concerning gang activity and the tools needed to resist gang pressure.

Approved by the Mayor December 8, 1999.

1243 — Order approving the issuance of tax-exempt bonds in a principal amount of \$8,000,000 from the Boston Industrial Development Financing Authority (BIDFA) for an Industrial Development Project for Roundhouse Hospitality, LLC, d/b/a Best Western Roundhouse Hotel.

Approved by the Mayor December 8, 1999.

1244 — Order approving the issuance of tax-exempt bonds in a principal amount of \$10,000,000 from the Boston Industrial Development Financing Authority (BIDFA) for an Industrial Development Project for Pilot Seafood Properties, LLC.

Approved by the Mayor December 8, 1999.

1265 — Order adopting the minimum residential factor for property tax classification and the maximum residential exemption for FY00.

Approved by the Mayor December 8, 1999.

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CLERK RE ACTIONS TAKEN BY
MAYOR ON PAPERS ACTED UPON BY CITY
COUNCIL AT ITS DECEMBER 8, 1999 MEET-

ING (DOCKET NO. 0261)

The following was received:

City of Boston

Office of the City Clerk

January 25, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of December 8, 1999, viz:

0980 — Order that pursuant to the provisions of M.G.L. C. 41 S. 100B the City Council directs the State-Boston Retirement Board to pay the attached medical bill of retired Police Officer David Driscoll.

Approved by the Mayor December 15, 1999.

1166 — Order authorizing the City to accept and expend monies collected by donations made to the Can Share Food Drive from FY2000 through FY2010.

Approved by the Mayor December 15, 1999.

1167 — Order authorizing the City to accept and expend grant money from Project Bread, a private non-profit entity from FY2000 through FY2010.

Approved by the Mayor December 15, 1999.

1340 — Order authorizing the City to accept and expend a grant of \$54,313.19 in the form of an Attorney General's Office award to the Police Department for the purpose of restoring a sense of safety to the neighborhood of Dorchester SNI by increased police surveillance activities and collaboration worth all agencies in order to reduce crime and fear in the Safe Neighborhood Initiative area.

Approved by the Mayor December 15, 1999.

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE ACTIONS TAKEN
BY MAYOR ON PAPERS ACTED UPON BY
CITY COUNCIL AT ITS DECEMBER 15, 1999
MEETING (DOCKET NO. 0262)

The following was received:

City of Boston

Office of the City Clerk

January 25, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of December 15, 1999, viz:

0862 — Order authorizing the Fire Commissioner to establish a revolving fund for the acceptance and expenditure of donations to the Community Fire Education Program.

Approved by the Mayor December 30, 1999.

0977 — Order approving a petition for a special law re: an act authorizing the State-Boston Retirement Board to grant creditable service to Margot H. Hill.

Message disapproving filed January 3, 2000.

1036 — Order authorizing the Public Works Department to accept and expend \$10,000 for safety programs in conjunction with operation of snow equipment.

Approved by the Mayor December 30, 1999.

1079 — Order authorizing the Office of Community Partnerships to accept and expend a grant of \$585,000 from the Massachusetts Executive

Office of Health and Human Services to promote the development of strategies to address the needs of at-risk youth through the FY2000 Targeted Cities Initiative.

Approved by the Mayor December 30, 1999.

- 1138 — Order authorizing the Environment Department to accept and expend a grant of \$20,000 from the U.S. Environmental Protection Agency, to establish a pilot project to audit and train residents and employees of the Boston Housing Authority in integrated pest management techniques.

Approved by the Mayor December 30, 1999.

- 1162 — Order authorizing the Police Commissioner to accept and expend a grant of \$22,000 from the Massachusetts Executive Office of Public Safety under the Violence Against Women Act, for the purpose of training police of officers in dealing with victims of stalking and sexual assault.

Approved by the Mayor December 30, 1999.

- 1163 — Order authorizing the Environment Department to accept and expend a grant of \$28,000 from the Massachusetts Historical Commission for the preparation of a National Register Nomination for the Dorchester Heights Neighborhood and the professional technical and architectural graphics support for the establishment of an Aberdeen Architectural Conservation District.

Approved by the Mayor December 30, 1999.

- 1206 — Order authorizing the Police Commissioner to accept and expend a Juvenile Accountability Incentive Block Grant (JAIBG) of \$346,835 from the Massachusetts Executive Office of Public Safety, for the purpose of preventing youth violence and reducing crime and the fear of crime in our neighborhoods.

Approved by the Mayor December 30, 1999.

- 1242 — Order authorizing the Police Commissioner to accept and expend a grant of \$1,996,899 from the U.S. Department of Justice, for the purpose of creating a coordinated community response to domestic violence by enhancing judicial oversight in domestic violence cases.

Approved by the Mayor December 30, 1999.

- 1276 — Ordinance amending Chapter 2, section 8.3 regarding City Council Personnel Salaries. Message disapproving filed January 3, 2000.

- 1307 — Order authorizing the Police Commissioner to accept and expend a grant of \$50,000 from the Massachusetts Executive Office of Public Safety, for the purpose of identifying, arresting and prosecuting persons engaged in violent and drug-related crime.

Approved by the Mayor December 30, 1999.

- 1308 — Order authorizing the Police Commissioner to accept and expend a grant of \$314,500 from the Bureau of Alcohol, Tobacco and Firearms (AFT), for the purpose of educating students on the concerns of gang activity and the tools needed to resist gang pressure.

Approved by the Mayor December 30, 1999.

- 1374 — Constable's Bonds of Charles V. Grillo Jr., Douglas D. Hansen and Ralph Salerno.

Approved by the Mayor January 6, 2000.

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE ACTIONS TAKEN BY MAYOR ON PAPERS ACTED UPON BY CITY COUNCIL AT ITS JANUARY 3, 2000 MEETING (DOCKET NO. 0263)

The following was received:

City of Boston
Office of the City Clerk

February 1, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of January 3, 2000, viz: 0156 — Constable's Bonds of Harrison Lee and Allen T.

Mayor

Approved by the Mayor January 7, 2000

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE ACTIONS TAKEN BY MAYOR ON PAPERS ACTED UPON BY CITY COUNCIL AT ITS JANUARY 12, 2000 MEETING (DOCKET NO. 0264)

The following was received:

City of Boston
Office of the City Clerk

February 1, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of January 12, 2000, viz:

- 0177 — Order accepting the provisions of Section 51 of Chapter 127 of the Acts of 1999, which grants by local option a cost of living adjustment (COLA) in excess of the percentage increase allowed by G.L. c. 32 § 103 (c), up to a maximum of 3% on the first of \$12,000 of the retirement allowance.

Approved by the Mayor January 27, 2000

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

COMMUNICATION FROM DONNA MUELLER, EXECUTIVE OFFICER, BOSTON RETIREMENT BOARD, OF REAPPOINTMENT OF JOHN J. PERKINS AS MEMBER OF THE RETIREMENT BOARD FOR TERM OF THREE YEARS (DOCKET NO. 0265)

Communication was received from Donna Mueller, Executive Officer, Boston Retirement Board, of the reappointment of John J. Perkins as a member of the Retirement Board for a term of three years.

Placed on file.

COMMUNICATION RECEIVED BY CITY CLERK FROM ASSESSING DEPARTMENT RE: WORLD TRADE CENTER OFFICE WEST (COMMONWEALTH FLATS DEVELOPMENT) C. 121A, SEC. 6A CONTRACT FILING (DOCKET NO. 0266)

Communication was received by the City Clerk from the Assessing Department re: World Trade Center Office West (Commonwealth Flats Development) c. 121A, sec. 6A Contract Filing.

Placed on file.

COMMUNICATION RECEIVED BY CITY CLERK FROM ASSESSING DEPARTMENT RE: MSP ONE SUMMER STREET, L.P. C. 121A, SEC. 6A CONTRACT FILING (DOCKET NO. 0267)

Communication was received by the City Clerk from

the Assessing Department re: MSP One Summer Street, L.P. c. 121A, sec. 6A Contract Filing.

Placed on file.

COMMUNICATION RECEIVED BY CITY CLERK FROM ASSESSING DEPARTMENT RE: ROXBURY TENANTS OF HARVARD ASSOCIATION, INC., MISSION PARK GARAGE PROJECT, MISSION PARK HOUSING PROJECT C. 121A, SEC. 6A CONTRACT FILINGS (DOCKET NO. 0268)

Communication was received by the City Clerk from the Assessing Department re: Roxbury Tenants of Harvard Association, Inc., Mission Park Garage Project, Mission Park Housing Project c. 121A, sec. 6A Contract Filings.

Placed on file.

APPOINTMENT BY THE MAYOR
(DOCKET NO. 0269)

Notice was received from the mayor of the reappointment of Watchen Barker to the Neighborhood Housing Trust for a term expiring January 11, 2002.

Placed on file.

APPOINTMENT BY THE MAYOR
(DOCKET NO. 0270)

Notice was received from the mayor of the reappointment of Reverend Craig McMullen to the Neighborhood Housing Trust for a term expiring January 11, 2002.

Placed on file.

APPOINTMENT BY THE MAYOR
(DOCKET NO. 0271)

Notice was received from the mayor of the reappointment of Mary Soo Hoo to the Neighborhood Housing Trust for a term expiring January 11, 2002.

Placed on file.

APPOINTMENT BY THE MAYOR
(DOCKET NO. 0272)

Notice was received from the mayor of the reappointment of Clayton Turnbull to the Neighborhood Housing Trust for a term expiring January 11, 2002.

Placed on file.

APPOINTMENT BY THE MAYOR
(DOCKET NO. 0273)

Notice was received from the mayor of the reappointment of Jose Vincenty to the Neighborhood Housing Trust for a term expiring January 11, 2002.

Placed on file.

ORDER APPROVING PETITION FOR SPECIAL
LAW RE: ACT TO STABILIZE RENT IN THE
CITY (DOCKET NO. 0274)

Councillors TURNER, ROSS, HENNIGAN, ROACHE, YANCEY, HONAN and SCAPICCHIO offered the following:

Ordered, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under clause (1) of Section eight of Article two, as amended, of the Amendments to

the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

Whereas, The voters of the Commonwealth through the initiative process voted to eliminate rent control in the Commonwealth of Massachusetts in the 1994 General Election; and

Whereas, The General Court subsequently codified the vote of the electorate in 1995; and

Whereas, A majority of voters of the City of Boston voted on the initiative to uphold the protections to vulnerable citizens via rent control; and

Whereas, Since the end of rent control in the City of Boston, the cost of rental housing has increased faster than the increase in inflation or the consumer price index; and

Whereas, There is a need on the part of City government to offer programs and/or solutions to the affordable rent problem in the City of Boston, therefore be it Ordained,

Section 1. Notwithstanding any general or special laws to the contrary.

Section 2. The title of this act shall be the "Boston Rent Stabilization Act".

Section 3. When used in this act, unless a different meaning clearly appears from the context, the following terms shall have the following meanings:

"Base rent", shall mean the rent charged a tenant as of December 31, 2000.

"Collector-Treasurer", shall mean the collector-treasurer of the City of Boston.

"Department", shall mean the Treasury Department of the City of Boston.

"Dwelling unit", shall mean a residential unit of an eligible housing accommodation.

"Eligible housing accommodation", shall mean any building or structure containing six (6) or fewer residential units, except those units which are governmentally assisted.

"Governmentally assisted", shall mean any unit that is owned, operated, leased or otherwise assisted through a subsidy, under any federal, state or local program, whether the subsidy is attached to the unit or to the inhabitant of the unit.

"Landlord", shall mean the individual who holds title to any eligible housing accommodation in any manner, including without limitation, a partnership, corporation or trust.

"Rent", shall mean the consideration, including without limitation, all bonuses, gratuities, or charges contingent or otherwise demanded or received for, or in connection with, the use of occupancy of an eligible housing accommodation.

"Rent rate", shall mean the rent charged a tenant pursuant to the provisions of this act.

"Rental housing agreement", shall mean an agreement, oral, written or implied, between a landlord and a tenant for the use and occupancy of an eligible housing accommodation.

"Tenant", shall mean a tenant, subtenant, lessee, sublessee or other person entitled under the terms of a rental housing agreement to the use and occupancy of an eligible housing accommodation.

"Vacancy rate", shall mean the percentage of vacant residential dwelling units as determined by comparing the number of vacant residential units which shall be in the numerator, to the number of residential units, which shall be the denominator.

Section 4. Voluntary Rent Control.

There shall be a program to achieve voluntary rent control within eligible housing accommodations in the City of Boston. Said program shall remain in effect when the citywide vacancy rate for any calendar year is five percent or less.

When the citywide vacancy rate for any calendar year is five percent or less, a landlord of an eligible housing accommodation shall be entitled to claim an exemption

equal to not more than twenty percent of the assessed value of said eligible housing accommodations, provided, that the change in the base rent or rent rate does not exceed the maximum allowable adjustment in rent pursuant to Section 7; provided further, that no such exemption shall be allowed for a landlord of a governmentally assisted unit.

Section 5. Collector-Treasurer.

The Collector-Treasurer shall be responsible for carrying out the provisions of this act. The Collector-Treasurer shall promulgate such policies, rules, rulings and regulations, and shall issue such orders that are necessary to carry out the provisions of this act. The Collector-Treasurer shall, as provided in Section 7, allow for an adjustment to the maximum rent for a dwelling unit in an eligible housing accommodation.

Section 6. Registration.

The Collector-Treasurer shall require that a landlord seeking to claim the exemption pursuant to Section 3 register the eligible housing accommodation on a form(s) approved by the Collector-Treasurer; provided, that said forms shall include, but not necessarily be limited to, the following information:

- (a) the address of the eligible housing accommodation;
- (b) the name of the tenants residing in dwelling units of the eligible housing accommodation;
- (c) the rent charged each tenant as of December 31 of the year for which the exemption is being claimed; and
- (d) the number of rooms of each dwelling unit of the eligible housing accommodation.

One copy of each Apartment Registration Form, which pertains to the tenant's dwelling unit of the eligible housing accommodation, shall be sent by the owner to the tenant by certified mail.

For each year that a landlord seeks to claim the exemption pursuant to Section 4 of this act, he shall file an Apartment Registration Form.

A landlord shall not be entitled to claim the exemption pursuant to Section 4 of this act if he has failed to file the Apartment Registration Form in the manner prescribed by this act and/or by rules and regulations promulgated by the Collector-Treasurer.

Section 7. Maximum Allowable Adjustment in Rent.

The Collector-Treasurer, commencing January 1, 2001, shall allow for an annual adjustment in the base rent charged a tenant of a dwelling unit of an eligible housing accommodation, the resulting rent shall be known as the rent rate. Said allowance shall be equal to an amount equal to the percentage increase in the consumer price index during the prior calendar year added to the base rent or the rent rate, whichever is applicable.

Section 8. Vacancy Prior to the End of the Year.

Where a tenant vacates a dwelling unit prior to the end of a year in which the landlord has taken the exemption pursuant to Section 4, and the eligible housing accommodation is rented to a new tenant, the rent rate provided in the new lease shall be no greater than the rent rate charged the vacating tenant.

Section 9. Penalties.

It shall be unlawful for a landlord to claim an exemption pursuant to Section 3 for which he is not entitled to take pursuant to the provisions of this act. Any landlord receiving the exemption pursuant to Section 4 who is otherwise not entitled to receive said exemption shall pay any monies subsequently owed and shall be subject to a fine of five thousand dollars.

Section 10. Effective Date.

This act shall take effect October 1, 2000.

Referred to the Committee on Housing.

Councillors TURNER, ROSS, ROACHE, HENNINGAN, YANCEY, DAVIS-MULLEN, HONAN and FEENEY offered the following:

Ordered, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under clause (1) of Section eight of Article two, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

Whereas, The Boston Redevelopment Authority (BRA) holds title to many vacant parcels in the City; and

Whereas, The BRA has opportunity to dispose of these parcels in the course of any calendar year; and

Whereas, Boston is currently in the midst of a "hot" real estate market in which the cost of housing has increased faster than the rate of increase in inflation and the consumer price index; and

Whereas, The disposition of these parcels has occurred without there being a plan to increase the number of affordable housing units; and

Whereas, The disposition of these parcels represents opportunities to create additional affordable housing units; therefore be it

Ordained,

Section 1. Notwithstanding any general or special laws to the contrary.

Section 2. That the title of this act shall be the "Boston Affordable Housing Development Act".

Section 3. When used in this act, unless a different meaning clearly appears from the context, the following terms all have the following meanings:

"Authority", shall mean the Boston Redevelopment Authority.

"Authority-owned parcel", shall mean a parcel or parcels of land to which the Boston Redevelopment Authority has title to or otherwise owns.

"Board", shall mean the Board of Directors of the Boston Redevelopment Authority.

"City", shall mean the City of Boston.

"City Council", shall mean the Boston City Council.

"Developer", shall mean a person who purchases, leases or otherwise obtains the right to develop an authority-owned parcel.

"Disposition", shall mean the conveyance of title to a parcel of land.

"Low-income household", shall mean a household that has an annual median income that is less than or equal to sixty-one percent (61%) of the area median income.

"Moderate-income household", shall mean a household that has an annual median income that is equal to or greater than sixty-one percent (61%), but less than or equal to eighty percent (80%) of the area median income.

"High moderate-income household", shall mean a household that has an annual median income that is equal to or greater than eighty-one percent (81%) but less than or equal to one hundred and twenty percent (120%) of the area median income.

"Market rate household", shall mean a household that has an annual median income greater than one hundred and twenty percent (120%) of the area median income.

"Low-income-housing", shall mean housing units developed for the benefit of or to be inhabited by low-income households.

"Moderate-income housing", shall mean housing unit developed for the benefit of or to be inhabited by moderate income households.

"High moderate-income housing", shall mean housing units developed for the benefit of or to be inhabited by high moderate-income households.

"Market rate housing", shall mean housing units developed for the benefit of market income households.

ORDER APPROVING PETITION FOR SPECIAL LAW RE: ACT RELATIVE TO BOSTON REDEVELOPMENT AUTHORITY LAND DISPOSITION PROCEDURES (DOCKET NO. 0275)

"Person", shall mean an individual, partnership, corporation, trust or other entity which acquires title to or the right to develop or an authority-owned parcel.

Section 4. Disposition of Authority-Owned Parcels.

Whenever the Board effects disposition of an authority-owned parcel to a developer who is developing housing units on said parcel, said disposition shall require the development of housing units according to the following formula:

- a. one-third of the housing units shall be low-income housing units, provided that one-half shall be developed for the benefit of households whose annual income is between zero (0%) and thirty percent (30%) of the area median income and one half shall be developed for the benefit of households whose annual income is between thirty-one and sixty percent of the area median income;
- b. one-third of the housing units shall be moderate-income housing units; and
- c. one-third of the housing units shall be high moderate-income and market rate housing units; provided that one half shall be developed for the benefit of households whose annual income is between eighty-one percent (81%) and one hundred and twenty percent (120%) of the area median income and one half for the benefit of households whose income is over one hundred and twenty percent (120%) of the area median income.

Section 5. Additional Low-Income Housing Units.

Nothing herein shall prohibit the Board from approving of a disposition that will provide low-income housing units in an amount greater than the formula pursuant to Section 4.

Section 6. Waiver Requests.

If the Board determines that it is in the best interest of the public that a proposed disposition of an authority-owned parcel not require the use of the formula pursuant to Section 4, it shall petition the City Council for a waiver from said requirement; provided that, said waiver request shall state clearly the reason(s) that a waiver is needed.

Section 7. Effective Date.

This ordinance shall take effect immediately upon its enactment.

Referred to the Committee on Housing.

ORDINANCE RE: AFFORDABLE HOUSING DEVELOPMENT ACT (DOCKET NO. 0276)

Councillors TURNER, ROSS, HENNIGAN, ROACHE, YANCEY, HONAN, DAVIS-MULLEN, CONLEY, SCAPICCHIO and MURPHY offered the following:

Be it ordained by the City Council of Boston, as follows:

Whereas, The City of Boston holds title to many vacant parcels in the City; and

Whereas, The City has opportunity to dispose of these parcels in the course of any calendar year; and

Whereas, The City is currently in the midst of a "hot" real estate market in which the cost of housing has increased faster than the rate of increase in inflation and the consumer price index; and

Whereas, In the past, the disposition of these parcels has occurred without there being a plan to increase the number of affordable housing units; and

Whereas, The disposition of these parcels represents opportunities to create additional affordable housing units, therefore be it

Ordained:

Section 1. The title of this ordinance shall be the "Affordable Housing Development Ordinance".

Section 2. When used in this ordinance, unless a different meaning clearly appears from the context, the following terms shall have the following meanings:

"City", shall mean the City of Boston.

"City Council", shall mean the Boston City Council.

"City-owned parcels" shall mean a parcels of land to which the City of Boston has title to or otherwise owns.

"Commission", shall mean the Public Facilities Commission of the City of Boston or its successor entity.

"Department", shall mean the Department of Neighborhood.

"Developer" shall mean a person who purchases, leases or otherwise obtains the right to develop a city-owned parcel.

"Disposition", shall mean the conveyance of title to a parcel.

"Low-income household", shall mean a household that has an annual median income that is less than or equal to sixty percent (60%) of the area median income.

"Moderate-income household", shall mean a household that has an annual median income that is equal to or greater than sixty-one percent (61%), but less than or equal to eighty percent (80%) of the area median income.

"High moderate-income household", shall mean a household that has an annual median income that is equal to or greater than eighty-one percent (81%) but less than or equal to one hundred and twenty percent (120%) of the area median income.

"Market rate household", shall mean a household that has an annual median income greater than one hundred and twenty percent (120%) of the area median income.

"Low income-housing", shall mean housing units developed for the benefit of or to be inhabited by low-income households.

"Moderate-income housing", shall mean housing units developed for the benefit of or to be inhabited by moderate income households.

"High moderate-income housing", shall mean housing units developed for the benefit of or to be inhabited by high moderate-income households.

"Market rate housing", shall mean housing units developed for the benefit of market income households.

"Person", shall mean an individual, partnership, corporation, trust or other entity which acquires title to or the right to develop or a city-owned parcel.

Section 3. Disposition of City-owned Parcels.

Whenever the Commission effects disposition of a city-owned parcel, to a developer who is developing housing units on said parcel, said disposition shall require that said developer develop such housing units according to the following formula:

- a. one-third of the housing units shall be low-income housing units, that one-half shall be developed for the benefit of households whose annual income is between zero (0%) and thirty percent (30%) of the area median income and one half shall be developed for the benefit of households whose annual income is between thirty-one (31%) and sixty percent (60%) of the area median income.
- b. one-third of the housing units shall be moderate-income housing units, and
- c. one-third of the housing units shall be high moderate-income and market rate housing units; provided that one half shall be developed for the benefit of households whose annual income is between eighty-one percent (81%) and one hundred and twenty percent (120%) of the area median income and one half for the benefit of households whose income is over one hundred and twenty percent (120%) of the area median income.

Section 4. Additional Low-income Housing Units.

Nothing herein shall prohibit the Commission from approving of a disposition that will provide low-income housing units in an amount greater than the formula pursuant to Section 3.

Section 5. Waiver Requests.

If the Commission determines that it is in the best interest of the public that a proposed disposition of a city-owned parcel not require the use of the formula pursuant to Section 3, it shall petition the City Council for a waiver from said requirement; provided that, said

waiver request shall state clearly the reason(s) that a waiver is needed.

Section 6. Effective Date.

This ordinance shall take effect immediately upon its enactment.

Referred to the Committee on Housing.

ORDER THAT COMMITTEE ON ELDERLY HOLD HEARING TO DETERMINE STATUS OF DRAMATIC INCREASE IN NUMBER OF GRANDPARENTS RAISING THEIR GRANDCHILDREN (DOCKET NO. 0277)

Councillors ROACHE, ROSS, TURNER, FEENEY, DAVIS-MULLEN, MURPHY, HONAN, SCAPICCHIO, YANCEY and HENNIGAN offered the following:

Whereas, Neighborhoods throughout the City of Boston have seen a dramatic increase in the number of grandparents raising their grandchildren; and

Whereas, This emerging category of grandfamilies often does not fall under the traditional definition of family; and

Whereas, Many of these grandfamilies are in need of substantial financial and social support but find themselves ineligible to receive benefits, or are afraid to report their status for fear of losing their grandchildren; and

Whereas, Boston Aging Concerns-Young and Old United, an organization dedicated to the recognition and support of this emerging population, are in discussions with the City of Boston to obtain a number of City owned parcels for development as an intergenerational community; and

Whereas, The affordable housing piece is but one component of what is required to support the grandparents of the City of Boston who are raising their grandchildren; therefore be it

Ordered, The Boston City Council Committee on Elderly hold a hearing to determine the status of the grandfamilies situation in Boston, what is being done to provide services to this community, and where there is a need for more support from the City; be it further

Ordered, That the Commission on Affairs of the Elderly, and other departments relevant to the development of a City policy specific to Grandfamilies, be invited to testify.

Referred to the Committee on Elderly.

ORDER THAT COMMITTEE ON PUBLIC SAFETY HOLD HEARING TO ALLOW TESTIMONY REGARDING FEASIBILITY OF REESTABLISHING TRAFFIC DIVISION WITHIN POLICE DEPARTMENT UTILIZING UNIFORMED POLICE OFFICERS TO ASSUME RESPONSIBILITIES OF TRAFFIC CONTROL (DOCKET NO. 0278)

Councillors ROACHE, FLAHERTY, FEENEY, HENNIGAN, HONAN, TURNER, DAVIS-MULLEN, MURPHY and ROSS offered the following:

Whereas, The recent increase in economic development and expansion has had a noticeable impact on a historically tedious traffic situation in the City and its neighborhoods; and

Whereas, Each neighborhood throughout the City has seen an alarming number of motor vehicle and pedestrian traffic accidents; and

Whereas, Many of these accidents have resulted in the serious injury or unfortunate death of those involved; and

Whereas, Both the Boston Police and Boston Transportation Departments have made every effort to alleviate this situation; and

Whereas, There is a need to enhance the current

public safety and transportation strategy of the City to provide a more comprehensive, coordinated approach to both the present levels and impending increases of congestion and vehicular traffic that overwhelm the central business district and the neighborhoods of Boston; now, therefore be it

Ordered, That the Boston City Council Committee on Public Safety hold a public hearing to allow testimony regarding the feasibility of reestablishing a Traffic Division within the Boston Police Department, utilizing uniformed Boston Police Officers, to assume the responsibilities of traffic control; and be it further

Ordered, All appropriate officials from the Boston Police and the Boston Transportation Departments, as well as other relevant departments be invited to testify.

Referred to the Committee on Public Safety.

LOAN ORDER OF \$4,700,000 FOR SCHOOL DEPARTMENT (DOCKET NO. 0208)

Councillor HENNIGAN called Docket No. 0208 from the Assignment Sheet.

Hearing no objection, the matter was before the body.

On January 12, 2000 the order was given its first reading and passage; yeas 9, nays 4.

On motion of Councillor MURPHY the question was moved; yeas 9, nays 4:

Yeas — Conley, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Ross, Scapicchio — 9.

Nays — Davis-Mullen, Roache, Turner, Yancey — 4.

The order was given its second reading and final passage; yeas 9, nays 4:

Yeas — Conley, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Ross, Scapicchio — 9.

Nays — Davis-Mullen, Roache, Turner, Yancey — 4.

STATEMENT OF COUNCILLOR YANCEY

Having unanimous consent to do so, Councillor YANCEY stated his dissatisfaction that this body took its vote without having a formal City Council hearing.

RECESS

ORDER THAT ATTACHED RULES OF CITY COUNCIL AND COMMITTEE ASSIGNMENTS BE ADOPTED FOR MUNICIPAL YEAR 2000 (DOCKET NO. 0279)

Councillor KELLY offered the following:

Ordered, That the attached Rules of the City Council and committee assignments be adopted for the municipal year Two Thousand.

From the Desk of
James M. Kelly

February 1, 2000

Dear Colleagues:

Attached you will find the Rules of the City Council for the municipal year 2000. Please review and pay particular attention to rules 23, 34 and 41. Further, please notice the changes made to the Committee on Rules & Administration's description, as well as the new special committees listed on pages 13 and 14. Thank you.

Sincerely,

James M. Kelly,
Council President.

Rules of the City Council
2000

General Rules

Meeting Time

Rule 1. Unless otherwise ordered from time to time, and except on holidays, the regular meeting of the city

council shall be on Wednesdays at twelve o'clock P.M. in the Christopher Iannella Council Chamber, 1 City Hall Square, Boston, 5th floor. Special meetings may be called at the president's discretion, upon a forty-eight hour notice from the time the notices are mailed or dispatched by special messenger, or relayed to each councillor's office. Special meetings of the council may be called by the president upon less than forty-eight hours notice in the case of an emergency, and with the consent of two-thirds of all members.

Quorum

Rule 2. A quorum of the council shall consist of seven members and any member may call for a roll call on the question of the presence of a quorum. If at any time any meeting is called to order, or if during a meeting a roll calls shows less than a quorum, the presiding officer shall call a recess of not more than ten minutes, after which time, if a quorum is not present, the meeting may be adjourned by the presiding officer.

Presiding Officer

Rule 3. The president of the council shall assume the chair at the hour set by the previous adjournment; shall call the members to order and after a roll call showing a quorum present, shall proceed with the regular order of business. The president shall select a president pro tempore to act in his or her absence and serve as vice chair of the committee of the Whole. In the event of the absence of both the president and the president pro tempore, the senior member by age shall preside. Said president pro tempore, or otherwise the senior member by age, shall serve as president in accordance with Section 11B of the city charter if the mayor and council president are absent from the city.

Appealing a Decision of the Chair

Rule 4. The presiding officer may speak to points of order in preference to other members, and shall decide all questions of order, subject to an appeal from the decision of the chair, but no appeal shall be considered unless properly seconded. No other business except a motion to adjourn or to lay on the table shall be in order until the question on appeal has been decided. The question shall be put as follows:

"Shall the decision of the chair stand as the judgment of the Council?"

The vote shall be by a roll call, and it shall be decided in the affirmative unless a majority of the votes are to the contrary.

Recess

Rule 5. The presiding officer may at any time, during debate or otherwise, declare a recess for not more than ten minutes, any such action shall not be subject to appeal, nor shall any motions apply thereto.

Propounding Motions

Rule 6. The presiding officer shall propound all motions in the order in which they are moved, unless the subsequent motion shall be previous in its nature, provided that in naming sums and fixing time the largest sum and longest term shall be put first.

Deciding Questions

Rule 7. Subject to the provisions of these rules, the presiding officer shall, without debate, decide all questions relating to priority of business to be acted upon.

Dividing a Question

Rule 8. The presiding officer shall, at the request of any member, make a division of a question when the sense will admit of it.

Doubting the Vote

Rule 9. The presiding officer shall declare all votes; but if any member doubts a vote the president shall cause a rising vote to be taken and, when two members so request, shall cause the vote to be taken by a roll call.

Vacating the Chair

Rule 10. When the presiding officer shall desire to vacate the chair he or she shall call the president pro tempore, or in the absence of the president pro tempore, any member to it; but the president or the president pro tempore, as the case may be, may resume the chair at will.

Agenda

Rule 11. The original and twenty-one copies of any message, ordinance, resolution, vote or other measure submitted by the Mayor shall be delivered to the office of the City Clerk before one o'clock P.M. on the regular work day preceding any meeting of the council. Such submission is a prerequisite to any item's consideration at such meeting.

The original and two copies of any order, ordinance, resolution or committee report (including consent agenda items, but not reports of the committee of the whole voted during a recess of a council meeting), provided that Rule 34 has been complied with in the case of committee reports, submitted by a councillor shall also be delivered before such time and to such place. Such submission is a prerequisite to any item's consideration at such meeting. Twenty copies are to be delivered to the city messenger by each councillor's office submitting the same; but only one copy of each matter to be considered on the consent agenda is to be given to the city messenger.

Duties of the Clerk

Rule 12. It shall be the duty of the city clerk, acting as clerk and parliamentarian of the council, to prepare and cause to be printed for each meeting a listing of all matters submitted for consideration to the council in accordance with Rule 11; such listing shall be known as the agenda, and it shall be divided into two sections, the latter of which shall be known as the consent agenda.

Said agenda shall include unfinished business of the preceding meetings, matters on the table, assignment, and thirty and sixty-day orders not acted upon in previous meetings. Said matters shall be listed in accordance with the order of business as described in Rule 15.

Said agenda shall be delivered to the city messenger by 4:30 PM on the regular workday preceding the scheduled meeting. It shall be the duty of the city messenger to compile the agenda, all matters listed on said agenda, the legislative calendar and any other documents appropriate to the scheduled meeting. Such compilation shall be known as "the packet", and it shall be promptly delivered to each council member and the staff director.

Corrections as to Form

Rule 13. The city clerk, with the approval of the president, and with the assistance of the corporation counsel if necessary, may make changes to correct the form of an ordinance once passed, but prior to its presentation to the mayor, provided however that its substance is not thereby affected.

Items of the Same Matter

Rule 14. In the event that resolutions or orders concerning the same subject are filed with the city clerk for consideration by the council, the clerk shall cause to have entered on the agenda only that resolution or order which was first filed and the name of the sponsor(s) to the similar resolution or order shall be added as a sponsoring member to the resolution or order which is placed on the agenda. Such action, however, shall not preclude any member from offering an amendment to said resolution.

Removal from the Consent Agenda

Rule 14A. Resolutions of condolences and congratulations filed in accordance with Rule 36 shall be listed upon the consent agenda. Any member of the council may object to the clerk upon such a filing, whereas the matter being objected to shall be removed from the consent agenda and placed on the agenda of the regular council business. No such resolution shall bear the name of any councillor not indicating consent to sponsorship.

All matters contained on the consent agenda shall be read as one and the question of adoption and passage of all said matters shall be by a single motion. The question shall be put as follows:

"The question now comes on approval of the various matters contained within the consent agenda."

Order of Business and Debate

Rule 15. At every regular meeting of the council the

order of business shall be as follows:

1. Communications from the mayor.
2. Presentation of petition, memorials, and remonstrances.
3. Reports of city officers and other.
4. Unfinished business of preceding meetings.
5. Reports of committees.
6. Orders and resolutions.
7. Consent agenda.

Motions and Orders

Rule 16. When a question is under debate the following motions shall be entertained and shall have precedence in the order in which they are arranged:

1. To adjourn.
2. To lay on the table.
3. The previous question.
4. To close debate at a specified time.
5. To postpone to a day certain.
6. To commit.
7. To amend.
8. To postpone indefinitely.

Strike and Insert

Rule 17. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out being lost shall not preclude amendment, or a motion to strike out and insert.

At the call of the president, motion(s) to amend shall be reduced to writing and copies given to members. Three copies shall be given to the City Clerk.

Adjourn

Rule 18. A motion to adjourn shall be in order at any time except on an immediate repetition or pending a verification of a vote; and that motion, the motion to lay on the table, the motion to take from the table, and the motion for the previous question shall be decided without debate.

Direct Bearing and Previously Debated Matters

Rule 19. No motion or proposition of a subject different from than under consideration shall be admitted under the color of an amendment.

Any motion, order, or resolution which in the opinion of the presiding officer does not have a direct bearing on the business of the council, or which has been previously debated and acted upon in the current municipal year, shall be referred to the committee of the whole, and shall not be further considered by the council except upon report by that committee. There shall be no appeal from the decision of the chair hereunder, and this rule shall not be subject to suspension. No motion shall apply, nor shall unanimous consent to speak on the matter so referred be in order.

The committee of the whole may report that any motion, order, or resolution, so referred to it, is out of order for the reasons stated above; and its report shall be a final disposition of the matter, subject to an appeal. Such appeal shall be governed by the same provisions as those governing appeals from rulings of the presiding officer.

Remanding Matters to the Mayor

Rule 20. Any order, ordinance, resolution, vote, or other measure submitted by the mayor shall be rejected without prejudice, unless when it is filed with the city clerk, it bears the certificate of the corporation counsel that, if adopted or passed in the form submitted by the mayor, it will be in accordance with the law.

Withdrawal of Motions

Rule 21. After a motion has been put by the presiding officer, it may be withdrawn by the presiding officer on the request of the sponsor, providing no objection.

Committee Assignment and Action

Rule 22. When a petition, order, or resolution relates to a subject that may properly be examined and reported upon by an existing committee of the council, such order or resolution shall, upon presentation, be referred to such committee. When a motion is made to refer any subject, and different committees are proposed, the motions shall be put in the following order:

1. To a standing committee of the council.

2. To a special committee of the council.

Any member offering a motion, order, or resolution which is referred to a committee may request that the chair of the committee set, within 30 days, a mutually agreeable date for a hearing.

Calling of Matters in Committee

Rule 23. If within twenty-one days, after a matter is referred to a committee, other than a matter referred to the Committee of the Whole under Rule 19, and the matter is not voted upon, it may be called by nine members of the Council.

If after twenty-one days, after a matter is referred to a committee, other than a matter referred to the Committee of the Whole under Rule 19, and the matter is not voted upon, it may be called by seven members of the Council.

If after sixty days, after a matter is referred to a committee, other than a matter referred to the Committee of the Whole under Rule 19, and the matter is not voted upon, it may be called by five members of the Council.

The chair of a committee may call a docket out of his/her committee at any time and ask that a vote be taken on the matter, provided that when such a call is made, the clerk will take a roll-call vote of the committee members to ascertain that a majority of the committee members support the call of the chair.

Matters Placed on File at Year End

Rule 24. The City Clerk shall place on file any matter that has been in committee for more than sixty days prior to the last day of the calendar year. The City Clerk shall carry over and assign a new docket number to any matter that has been in committee for less than sixty days prior to the last day of the calendar year. Sixty-day orders shall be exempt from this rule.

Voting

Rule 25. In all votes the form of expression shall be "Ordered" for everything by way of command, and the form shall be "Resolved" for everything expressing opinions, principles, facts, or purposes.

Summons of Members

Rule 26. Upon request for a call of the yeas and nays, the president shall hold open the calling for a period of no longer than five minutes during which time the city messenger shall summons all members who are absent from the Iannella Council Chamber. The clerk shall call the names of the members in alphabetical order without interruption. Each member shall respond to his or her name when called by the clerk. No member shall be recorded after the name of the next member has been called in the prescribed manner, except by unanimous consent of all members present.

A majority present and voting

Rule 27. Every member who shall be present when a question is put, unless he or she is excluded by interest, shall vote in the affirmative or negative or shall respond "present", unless the council has for special reason excused that member from voting. Unless otherwise provided, a majority of those councillors present and voting at a meeting of the council, or a council committee, shall constitute a majority.

Absence of Sponsoring Member

Rule 28. In the event that the sponsoring member of any order, resolution, or other matter, excepting those contained on the consent agenda, is not present when the clerk reads said matter, the presiding officer shall instruct the clerk to withdraw said matter from consideration at that meeting.

Reconsideration

Rule 29. Once a vote has been taken, any member may move consideration thereof, but only at the same meeting. Debate on motions to reconsider shall be limited to thirty minutes, and no member shall occupy more than five minutes; but on a vote upon any subsidiary or incidental question, debate shall be limited to ten minutes, and no member shall occupy more than two minutes.

Rule 30. When a motion to reconsider has been decided that decision shall not be reconsidered, and no

question shall be twice reconsidered unless it has been amended after the reconsideration; nor shall any reconsideration be had upon the following motions:

1. To adjourn.
2. The previous question.
3. To lay on the table.
4. To take from the table.
5. To close debate at a specified time.

A motion to reconsider may be laid on the table or postponed indefinitely, and the effect of such action in either case shall be to defeat the motion to reconsider.

Second Readings and Two-Thirds Majority Required

Rule 31. All orders releasing rights, easements, or restrictions on land, all orders for the sale of land, all appropriations for the purchase of land, and all loans voted by the council shall require a vote of two-thirds of all members of the council, and shall be passed only after two separate readings and by two separate votes, the second of said readings and votes to be had not less than fourteen days after the first, except in cases in which a shorter period is authorized by law. Any order rescinding an order for any of the foregoing purposes shall require the same number of readings and votes as was required for the passage of the original order.

Adoption of Matters on Day Introduced

Rule 32. No ordinance or substitution of an ordinance may be adopted at the meeting at which it is submitted. This rule may not be suspended, except with unanimous consent.

Committees

Forty-eight hour Notice Required

Rule 33. No meeting of any committee shall be called upon less than forty-eight hours (exclusive of holidays and weekends) from the time the council staff shall have mailed the notices or dispatched them by special messenger; provided that meetings of the committee of the whole may be held for a specific purpose(s) at the call of the president, at the completion of council business and prior to final adjournment of any meeting of the council without such notice. Only that specific item(s) for which a committee of the whole hearing has been called shall be in order at such hearing.

The staff director, upon the scheduling of a committee hearing, shall promptly post a record of time, place, and subject matter of such hearing and shall cause a written notice thereof to be delivered to all councillors.

At the start of any committee hearing the committee chair shall state the procedure by which the hearing shall be governed. Unless changed by a majority of the committee members, the chair's procedure shall govern. The chair and members of any committee shall speak and question witnesses for not more than ten minutes at a time, provided that the sponsor(s) of the various committee proposals shall be given an opportunity to make the initial presentation.

No committee unless authorized by an order of the council shall incur any expense, including, but not limited to advertising and stenographic costs. No committee meeting, except the committee of the whole, shall be conducted on the day of any regular meeting of the council. No committee meeting shall be conducted on the same day and time as another committee meeting.

Committee Action

Rule 34. All items listed on the weekly agenda that are to be reported out of committee must be accompanied by a committee report. The committee chair shall draft the report. The chair must distribute the committee report to all members of the committee no less than 24 hours before the report is submitted to the clerk; but in any case no later than noon on the Monday before the council meeting at which the report is to be introduced.

It shall be the duty of the committee members to communicate their agreement, disagreement, abstention or amendment to the chair prior to the report's submission to the clerk. Any committee member who does not respond prior to the report being submitted to the clerk shall be deemed to be in favor of the report. However, no committee member's name shall be listed as in favor of

any report, unless the member has affirmatively communicated as such to the chair.

No committee member may sign on to any committee report after the report is filed with the clerk.

Committee Appointment, Structure and Role

Rule 35. The president of the City Council shall appoint all standing committees, all special committees, shall fill any vacancy and designate the rank of the members of each committee unless specifically directed otherwise by two-thirds of the council. All standing committees shall consist of between three and nine members.

The role of each committee shall be to provide a forum for in-depth review and analysis of all city departments, boards, and agencies, and to provide a means for residents of Boston to address their concerns with regard to services provided by the city.

Committees shall focus upon: (1) public policy, (2) efficiency of service delivery, and (3) cost containment, it being the goal of our city government to provide appropriate services while ensuring that public moneys, which derive from our citizenry, are spent wisely and cautiously.

Each committee shall recommend such changes in the ordinances or statutes as will provide the greatest necessary services for the tax moneys expended.

Committees of the Council

There shall be the following standing committees:

A) Committee of the Whole, which shall concern itself with any litigation involving the city council and all other matters referred to it.

B) Committee on Arts and Humanities, which shall concern itself with the encouragement of the arts and humanities within our city, including cultural development, museums, performing arts, public art, art education, the support and funding of private art and cultural amenities within Boston, and locations and opportunities to display and/or present art works. The committee shall exercise oversight with respect to the Art Commission, Mid-Town Cultural District, the Boston Arts Lottery Council and the Office of Cultural Affairs.

C) Committee on Banking and Community Investment, which shall concern itself with the delivery of banking services in the neighborhoods of Boston, including the availability of construction and mortgage loans for affordable housing in every neighborhood, the promotion of public policy goals such as community reinvestment, affirmative marketing and non-discriminatory lending policies, and the provision of banking services to smaller, neighborhood-based businesses. The committee shall also concern itself with the linking and leveraging of these objectives by use of city actions involving the purchase of banking services, deposits, borrowing and investment.

D) Committee on City and Neighborhood Services, which shall concern itself with the delivery of municipal services to the residents and neighborhoods of Boston, especially as they impact on youth, the disabled and infirm. The committee shall exercise oversight with respect to the Boston Employment Commission, the Health and Hospitals, Parks and Recreation, and Library Departments, the Office of Neighborhood Services, the Office of Cable Communications, and the White and Browne Funds.

E) Committee on Economic Development and Transportation, which shall concern itself with the physical and economic preservation and development of the city; transportation policies for the city, including issues related to mass transit, Logan International Airport, the imposition of tolls, effects of the depression of the Central Artery, construction of the Third Harbor Tunnel, and construction of the I-93 connector; the relationship of the city to the Metropolitan Area Planning Council; planning of public buildings, including jail construction, the effect of large-scale development on neighborhoods and people of Boston, including avoidance of noise pollution, damage to the water table, protecting access to homes and businesses, and trucking

and safe disposal of construction material and debris. The Committee shall also concern itself with the various inspectional, regulatory and licensing activities, commerce, trade, and transportation policy of the city, including the promotion of fair trade, equal access, consumer education and protection, including council-issued licenses and permits. The committee shall exercise oversight with respect to the Boston Industrial Development Finance and Boston Redevelopment Authorities, the Public Improvement, Public Facilities, and Economic Development and Industrial Commissions, the Inspectional Services and Transportation Departments and the Licensing Board, Zoning Commission, Mayor's Office of Consumer Affairs and Licensing and the Office of the Parking Clerk.

F) Committee on Education and School Matters, which shall concern itself with the quality of education provided by the Boston Public Schools, including the Boston School Department budget, and structure of the School Department. The committee shall work to strengthen cooperation among city and state government, private enterprise, and institutions of higher learning. The committee shall exercise complete budget authority with respect to the School Department. The Committee shall exercise oversight with respect to the Community Centers Commission.

G) Committee on the Elderly, which shall concern itself with the provision of services to elderly persons and the special problems of aging, including personal safety, access to health care, the promotion of independent living, home health services, nutrition, and transportation. The committee shall exercise oversight with respect to the Commission on the Affairs of the Elderly.

H) Committee on Environment and Historic Preservation, which shall concern itself with the natural and historic resources and landmarks of the city, including wetlands, the harbor, and the harbor islands. The committee shall have oversight with respect to the care, management, custody and use of public lands and buildings, except park land. The committee shall involve itself in the relationship between the city and Metropolitan District Commission, the Mass. Water Resources Authority, the Boston Water and Sewer Commission; the problems of pollution, conservation, preservation and energy. The committee shall also concern itself with the implementation of voluntary recycling and other resource recovery efforts, public and private; protection from improper storage, transportation, and disposal of wastes, especially hazardous and infectious wastes, reclamation of dump lands and polluted lands; and, the means and costs of disposal of waste products by the city and from businesses within the city. The committee shall exercise oversight with respect to the Property Management, Public Works and Environment Departments.

I) Committee on Equity, which shall concern itself with promoting equal and fair access to public and private services and facilities for all Bostonians, including males, females, minorities, veterans, the disabled, and those of any religious persuasion' race or ethnicity, to the end that within our city, the rights and privileges espoused as the American ideal are not denied. The Committee shall exercise oversight with respect to the Women's, Comparable Worth, Human Rights and Fair Housing Commissions, and the office of Minority and Women Business Enterprise and the Commission for Persons with Disabilities and the Affirmative Action Office.

J) Committee on Government Operations, which shall concern itself with the organization and structure of city government, including departmental fees and charges. The committee shall have referred to it all proposed ordinances and special laws affecting the structure, duties, and responsibilities of city departments, agencies and commissions. The committee shall exercise oversight with respect to the Administrative

Services, Election, and Law Departments; the Office of the Mayor except those components assigned to other committees; City Clerk, Registrar, Group Insurance, Execution of Courts, Workers' Compensation Service, Retirement Board and pension liabilities.

K) Committee on Housing, which shall concern itself with public policy involving the preservation, creation, and rehabilitation of housing in the city, including public housing programs. The committee is charged with evaluation of policies and programs of the city to insure an adequate supply of affordable housing; to advocate toward the goal of safe, decent, and affordable housing for all Bostonians; and to deal with the problem of homelessness in our city. The committee shall exercise oversight with respect to the Emergency Shelter Commission, the Fair Housing Commission, the Boston Housing Authority and the Institutional Expansion Board.

L) Committee on Labor, which shall concern itself with public policy issues affecting labor unions and members of collective bargaining units, both public and private, as they relate to the city. The committee shall exercise oversight with respect to the Office of Labor Relations.

M) Committee on Post Audit and Oversight, which shall concern itself with evaluating the efficiency and effectiveness of city operations and program, and administrative compliance with the intent of legislation, including administrative regulations of departments, agencies and programs. The committee shall select areas for review, establish goals and objectives, collect and analyze data, and report to the council with recommendations, including possible legislative and programmatic changes based on its review and analysis. The Committee shall exercise oversight with respect to the Auditing Department and the Boston Finance Commission.

N) Committee on Public Health, which shall concern itself with public health issues of Boston residents, including the impact of industry on the public health. The committee shall provide a forum for residents seeking a voice to express their concerns about cancer rates and heart disease, as these diseases may be exacerbated by pollution and environmental factors associated with urban living. The committee shall concern itself with efforts to prevent the onset of HIV and Acquired Immune Deficiency Syndrome and to offer progressive and efficacious treatment to those persons with AIDS and AIDS related complex. The committee shall also concern itself with programs aimed at reducing infant mortality in Boston.

O) Committee on Public Safety which shall concern itself with all efforts to protect citizens of Boston from crime and fire. It shall insure the delivery of fire and police protection to all neighborhoods of Boston. The committee shall also concern itself with evaluating, encouraging, and facilitating existing citizen-driven efforts to prevent crime, including arson, vandalism, gang and youth crime, assault, housebreak, and crime committed as a vehicle of prejudice. The committee shall exercise oversight with respect to Fire and Police Departments, the Suffolk County Jail, Safe Neighborhoods, anti-crime efforts financed by state and federal governments, and county matters.

P) Committee on Rules and Administration, which shall concern itself with the rules and administrative functions of the city council. The committee shall meet in confidence to discuss matters in accordance with M.G.L. c.39, s.23B (the state's Open Meeting Law). Adoption of the Rules of the City Council shall serve as an affirmative vote of the city council members to convene the committee, when the chair sees fit. The purpose of the committee's meetings shall be to address such issues as are outlined in the open meeting law. Adoption of said rules shall also serve as notice of the several meetings of the committee. The reconvening of the city council shall be governed by Rule 1 of these rules. The city clerk shall reproduce this section and post such

notice at the appropriate place(s) in city hall.

Q) Special Committee on State and Federal Relations, which shall concern itself with encouraging cooperation between the city and other levels of government to discourage duplicative programs, coordinate efforts, to provide services, present the Council's views to state and federal authorities, and maximize revenues available to the city from state and federal sources. The Committee shall exercise oversight with respect to the Office of Intergovernmental Relations.

R) Committee on Tourism, which shall concern itself with the promotion of visits to our city by individuals and convention groups, develop programs whereby city agencies encourage tourism and best display the assets of our city to those who visit us, and, recommend legislation and/or other actions to make Boston a welcome place for visitors. The committee shall exercise oversight with respect to the Office of Special Events and Tourism.

S) Committee on University-Community Relations, which shall concern itself with developing an improved relationship between our neighborhoods and academic institutions impacting them, including the encouragement of undergraduate student housing, university master plans which respect neighborhood concerns, equitable agreements for services and payments in lieu of taxes, effective programs to curtail students misbehavior, and, mutually beneficial programs allowing university students to gain practical experience while assisting Boston school children, residents and neighborhoods.

T) Committee on Veterans, which shall concern itself with facilities available for organized veterans and for delivery of services to veterans, with particular regard to the interface of public agencies, veterans and their organizations, including the dedication of surplus or underutilized properties and building for such purposes. The committee shall exercise oversight with respect to the Veterans' Services Department and the Veterans' Graves Division of the Parks and Recreation Department.

U) Committee or Ways and Means, which shall exercise general oversight with respect to revenues and expenditures of the City of Boston and all other component units that comprise the "governmental entity" as defined by the National Council of Governmental Accounting Statement Three with the exception of the budget for the Boston School Department. The committee, which shall consist of nine members, may report to the council the cost of implementation of any order, ordinance, program or other initiative pending before the body, and shall make such report whenever requested by another committee or directed to do so by the council; shall be referred to it all matters concerning appropriations, the city budget, expenditures and loans; and, further, no appropriation, budget expenditure or loan shall be voted out of committee except upon a majority vote of its members. The committee shall exercise oversight with respect to the Assessing, Auditing and Treasury Departments, and the Office of Budget Management.

There shall be the following special committees:

A) Special Committee on Accreditation, which shall concern itself with efforts to ensure accreditation of all Boston Public Schools. The Committee shall work to ensure that coordination between city agencies and the School Department is maximized in order to provide those services necessary to maintain accreditation of all Boston Public Schools.

B) Special Committee on Library Services, which shall concern itself with the siting of library facilities and studies undertaken to determine the need and feasibility of additional library services or facilities.

C) Special Committee on Residency, which shall concern itself with the review of the city's policy regarding residency for city employees. The committee shall study existing state and local legislation, collective bargaining provisions and enforcement procedures affecting the city's residency policy. The committee shall exercise

oversight with respect to the Residency Compliance Commission.

D) Special Committee on Youth Services, which shall concern itself with the provision of services to children and adolescents in Boston. The committee shall work to strengthen cooperation among city, state, and private agencies engaged in providing youth services and to expand support for public and private youth activities and programs.

E) Special Committee on Informational Technology, which shall concern itself with telecommunications, new technologies, information technology, computer technology and the Internet. This committee shall exercise oversight of the Management Information Systems Department (MIS), and the Office of Cable Communications. This committee shall explore ways for all city departments to become more effective and efficient in the use of computer technology for the benefit of residents of the city.

F) Special Committee on Flooding and Storm Damage, which shall concern itself with issues relevant to flooding in the City of Boston, including relief, prevention and the improvement of services. The committee shall retain oversight over the Boston Water and Sewer Commission, the Department of Public Works, and other appropriate commissions and departments when the above commissions and departments are responding to flood issues.

G) Special Committee on the Census, which shall concern itself with issues relevant to census preparation and completion with the City of Boston. This committee shall not act upon issues relevant to redistricting of the council districts.

H) Special Committee on New School Sites, which shall concern itself with the necessity and acceptability of new school sites. The committee shall work with the school department and the Mayor's office in making its determinations.

I) Special Committee on Job Training & Career Opportunities, which shall concern itself with job training and opportunities stemming from new and planned development, (such as the two Millennium projects, the South Boston Waterfront, etc.). The committee shall investigate ways in which the city can prepare its citizenry, young and old, for the various job opportunities that will be created due to the city's economic growth. Use of public school space for night classes shall be entertained by the committee. The committee shall work to develop ideas to help solve the problem of an undereducated work force.

J) Special Committee on Youth & Domestic Violence, which shall concern itself with the particular issues involved with violence towards children and amongst families. The committee shall examine existing city programs designed to deal with such issues and review suggestions for future policy and programs. Special attention may be paid to violence within the schools and programs to combat such violence. The committee will work to maintain the public's awareness and response to these issues.

Council Accolades

Rule 36. The council, or any committee thereof, shall have the honor of recognizing persons, groups, and events of significant importance to the City of Boston.

Conduct in City Council

Contempt Citation

Rule 37. Every member about to speak shall rise, address the chair, and wait until recognized. No member shall be recognized when seated or away from his or her desk. In speaking, members shall refrain from mentioning other members by name, shall confine themselves to the question, shall not use unbecoming, abusive, or non-parliamentary language and shall avoid personalities. Any member who, in debate or otherwise, indulges in personalities or makes charges reflecting upon the character of another member, shall make an apology in open session at the meeting at which the offense was committed or at the next succeeding regular meeting and,

failing to do so, shall be named by the president to be held in contempt and suspended from further participation in debate and statement until said apology is made.

Order of and Time Limit on Speaking

Rule 38. No member shall speak more than once on a question when another member who has not spoken claims the floor, and no member speaking shall, without consenting, be interrupted by another, except on a point of order.

A member may speak upon a matter for no more than ten minutes at a time. A member who has not spoken on a matter shall have priority and recognition by the chair whenever said member shall rise. The assistant city clerk, acting as assistant clerk of the council, shall inform the president whenever a member has spoken longer than ten minutes.

Conflict of Interest

Rule 39. No member shall engage in any business or transaction or shall have a financial or other private interest, direct or indirect, which is in conflict with the proper discharge of his or her official duties. A member who has a direct or indirect financial or other private interest, distinct from the public interest, in any proposed legislation shall publicly disclose, on the official record of the council, the nature and extent of such interest, and upon doing so shall be excused from voting on said question.

Guests

Rule 40. No person except a member of the council shall at any time be permitted to occupy a seat in the Iannella Council Chamber of any member of the council. The city messenger shall enforce this rule.

Rule 41. Use of cell phones and pagers is strictly prohibited within the Iannella Council Chamber. Such items must be turned off upon entering the Iannella Chamber, and any person violating this rule shall be asked to leave the chamber by the City Messenger.

Rule 42. No person, excepting council staff or a councillor's staff, shall be allowed in the anterooms or upon the council floor of the Iannella Council Chamber, except upon invitation of the presiding officer. Seats reserved for the press, both electronic and print media, shall be reserved solely for accredited members of the press. Guests will be allowed in the gallery of the Iannella Council Chamber when the council is in session, but no one will be admitted to said gallery after all seats are occupied. No demonstration of approval or disapproval from guests will be permitted, and if such demonstrations are made the gallery will be cleared. The city messenger shall enforce this rule.

Members of the Press on Council Floor

Rule 43. Members of the press in attendance shall refrain from discussion within the Iannella Council Chamber with council members during a council meeting. No member of the press shall be allowed on the council floor, except with the permission of the president.

Rule 44. No person, who for compensation or reward acts to promote, oppose, or influence a matter pending before the council shall be admitted at any time to the Iannella Council Chamber or anterooms thereof unless said person has registered with the city clerk; stating; the nature of his or her business.

Further Rules, Amendment and Suspension

Rule 45. Unless inconsistent with any provision of these rules, the proceedings of the council shall be governed by Robert's Rules of Order, current edition.

Suspension of Rules

Rule 46. With the exception of Rule 19 which may not be suspended and Rules 11 and 32 which may be suspended only by a unanimous roll call of those present, the foregoing rules shall not be altered, amended, superseded or repealed at any time, except by a vote of two-thirds of all members of the council. Provided, however, that Rule 11 may be suspended only in the case of an order, ordinance, vote, committee report or other measure submitted by the mayor or by a councillor calling for action by the council that is of any emergency

nature, namely that which imposes an imminent threat to the peace, health, or safety of the people or their property.

Adoption of Rules

Rule 47. The Rules of the City Council shall be adopted by a majority roll call vote at the first regular meeting of February of each year.

The Chair moved that the Rules be amended by deleting the last sentence of Rule 3.

The motion was carried.

On motion of the Chair, **the rules, as amended, were adopted**, the order was passed, yeas 13.

Standing Committee Membership — 2000

Whole: *Kelly*, Feeney and all councillors

Arts and Humanities: *Honan*, Davis-Mullen, Flaherty
Banking and Community Investment: *Flaherty*, Yancey, Conley, Hennigan, Turner

City and Neighborhood Services: *Feeney*, Honan, Davis-Mullen, Murphy, Roache

Economic Development and Transportation: *Scapicchio*, Murphy, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Roache, Ross

Education and School Matters: *Davis-Mullen*, Roache, Feeney, Hennigan, Scapicchio, Turner, Ross

Elderly: *Roache*, Davis-Mullen, Feeney, Flaherty, Scapicchio

Environment and Historic Preservation: *Honan*, Flaherty, Hennigan, Roache, Ross

Equity: *Yancey*, Davis-Mullen, Conley, Murphy, Scapicchio

Government Operations: *Feeney*, Hennigan, Davis-Mullen, Honan, Ross, Murphy, Scapicchio

Housing: *Hennigan*, Honan, Conley, Flaherty, Davis-Mullen, Feeney, Murphy, Turner, Ross

Labor: *Roache*, Davis-Mullen, Feeney, Honan, Flaherty

Post Audit and Oversight: *Honan*, Hennigan, Feeney, Murphy, Scapicchio

Public Health: *Roache*, Scapicchio, Conley, Davis-Mullen, Yancey

Public Safety: *Murphy*, Flaherty, Feeney, Honan, Roache, Scapicchio, Yancey

Rules and Administration: *Kelly*, Feeney, Davis-Mullen, Flaherty, Hennigan, Murphy, Scapicchio, Honan, Roache

State and Federal Relations: *Flaherty*, Conley, Hennigan, Turner, Roache

Tourism: *Davis-Mullen*, Scapicchio, Flaherty, Feeney, Murphy, Yancey, Ross

University and Community Relations: *Honan*, Ross, Conley, Flaherty, Yancey

Veterans: *Roache*, Hennigan, Conley, Flaherty, Murphy, Ross, Turner

Ways and Means: *Hennigan*, Murphy, Davis-Mullen, Feeney, Flaherty, Honan, Roache, Scapicchio, Yancey

Special Committee Membership — 2000

Special Committee on Accreditation: *Ross*, Davis-Mullen, Honan, Murphy, Yancey

Special Committee on Library Services: *Honan*, Ross, Conley, Feeney, Yancey

Special Committee on Residency: *Turner*, Conley, Roache

Special Committee on Youth: *Ross*, Scapicchio, Davis-Mullen, Feeney, Yancey

Special Committee on Information Technology: *Yancey*, Ross, Feeney, Murphy, Scapicchio

Special Committee on Flooding & Storm Damage: *Conley*, Hennigan, Roache, Feeney, Murphy

Special Committee on New School Sites: *Flaherty*, Davis Mullen, Feeney, Roache, Ross, Turner, Yancey

Special Committee on Job Training and Job Opportunities: *Davis-Mullen*, Flaherty, Roache, Ross, Turner

Special Committee on Youth and Domestic Violence: *Turner*, Murphy, Feeney, Hennigan, Ross

Special Committee on the Census: Yancey, Ross, Davis-Mullen, Feeney, Turner

Italicized Councillor is chair, second named Councillor is vice-chair

ORDER FOR HEARING TO DISCUSS MECHANISMS AND MERITS OF DETERMINING SALARY INCREASES FOR CITY EMPLOYEES (DOCKET NO. 0280)

Councillors DAVIS-MULLEN, TURNER, ROACHE, KELLY, YANCEY, and FEENEY offered the following:

Whereas, The City of Boston employs more than 18,000 city workers to conduct the public functions of various city agencies; and

Whereas, Some of these employees are members of city unions which collectively bargain for pay and benefits as part of their union contracts, while other employees are not members of any union; and

Whereas, The average city worker is faced with cost of living expenses such as rent, property taxes, medication, private education and food; and

Whereas, Some city employees have received minimal or no increases in salary in several years and are finding it hard to afford the cost of living in the city of Boston, therefore be it

Ordered, That the Boston City Council conduct a public hearing to discuss the mechanism and merits of determining salary increases for City of Boston employees

Referred to the Committee on Government Operations.

ORDER FOR HEARING RE: JANUARY 27, 2000 MBTA INCIDENT WHEN FEMALE TEENAGE STUDENT WAS ASSAULTED ON ORANGE LINE BY GROUP OF FELLOW HIGH SCHOOL STUDENTS (DOCKET NO. 0281)

Councillors DAVIS-MULLEN, HENNIGAN, ROSS, YANCEY and FEENEY offered the following:

Whereas, On Thursday, January 27, a female teenage Boston Public School student was assaulted on an Orange Line MBTA train by a group of fellow high school students because she was holding hands with another female; and

Whereas, The MBTA Police arrested four teenage Boston Public School students in connection with this incident for allegedly attacking and violating the civil rights of the victim; and

Whereas, The suspects arrested in this incident allegedly taunted and attacked the victim calling her a "lesbian" because she was holding hands with another female; and

Whereas, On January 24, 2000, the Department of Education awarded the Boston Public Schools a \$40,000 "Safe Schools Initiative" grant that is to be used for promoting and educating "gay and straight" alliances among students; and

Whereas, Any incident of violence, hatred or ill behavior directed towards another individual because of any differences in sexual preference, race, gender or nationality must not be tolerated in our schools and our society, therefore be it

Ordered, That the Boston City Council conduct a full public hearing regarding the January 27, 2000 MBTA incident, as well as to discuss what policies the school department has in place to educate students against this type of behavior, and be it further

Ordered, That the school department also discuss how and where the "Safe Schools Initiative" grant will be spent, implemented and enforced.

Referred to the Committees on Public Safety and Education and School Matters.

MBTA TO ASSESS EMERGENCY SYSTEMS IN PLACE OR SYSTEMS THAT CAN BE PUT IN PLACE TO ASSIST VICTIMS IN TIMES OF TROUBLE AND FURTHER INVITING SCHOOL DEPARTMENT TO OUTLINE SENSITIVITY TRAINING PROGRAMS IN PLACE IN SCHOOL SYSTEM (DOCKET NO. 0283)

Councillor HENNIGAN asked that Docket No. 0283 be taken out of order. Hearing no objection the matter was before the body.

Councillors HENNIGAN, MURPHY, FLAHERTY, TURNER, ROSS, YANCEY and FEENEY offered the following:

Whereas, Last week, it was reported that a female student in the Boston Public School system was viciously attacked to a state of unconsciousness on an MBTA Orange Line train by other students, allegedly based upon stereotypical perceptions and gay bashing; and

Whereas, The unimaginable fear and horror experienced by this young victim at this cruel and inhuman action has evoked shock and outrage from the public; and

Whereas, This is the second incident reported by the media in the last two weeks where personal injury occurred on public transportation; and

Whereas, It is mandatory for taxi cabs in the City of Boston to be equipped with a switch to activate emergency amber flashing lights, affixed to the roof of the cab, in order to alert the public and police that a dangerous situation exists inside the vehicle that may be out of the control of the driver; and

Whereas, Procedures need to be in place for bystanders on public transportation to immediately contact the operator and/or authorities when crimes occur as most people want to aid a victim but may be unsure of how to do this on public transportation; now, therefore be it

Ordered, That the Boston City Council Committees on Public Safety and Education hold a hearing, inviting the MBTA to attend, to assess emergency systems in place or systems that can be put in place, to assist the victim(s) in times of trouble; and be it further

Ordered, That representatives of the Boston Public School attend the hearing to outline sensitivity training programs in place in the school system that address the variety of cultures and lifestyles represented in the school population in the City of Boston.

Referred to the Committees on Public Safety and Education and School Matters.

ORDER THAT APPROPRIATE COMMITTEE HOLD HEARING TO DISCUSS SYRACUSE UNIVERSITY STUDY AND WHAT EFFORTS CAN BE MADE TO IMPROVE URBAN MANAGEMENT RATING OF CITY (DOCKET NO. 0282)

Councillor DAVIS-MULLEN offered the following:

Whereas, A recent management study conducted by Syracuse University for the February issue of "Governing" Magazine gives the City of Boston a low B-Minus rating for management of public services; and

Whereas, The Syracuse study has assigned this low rating based on the observation that Boston has an "old Fashioned" system that has not been reformed in over thirty years; and

Whereas, Out of thirty-five cities rated by the Syracuse study, the City of Boston finished in the low 9% to 25% range, scoring better than New Orleans and Buffalo, New York but worse than 26 other cities; and

Whereas, The Syracuse study noted several areas that would lead to improved performance if implemented; and

Whereas, In order for the City of Boston to be con-

sidered a top destination for families, tourists and conventioners, more must be done to make our city clean, safe, attractive and user friendly, therefore be it

Ordered, That the appropriate Committee of the Boston City Council conduct a public hearing to discuss the Syracuse study and what efforts can be made to improve the urban management rating of the city of Boston

Referred to the Committee on Post Audit and Oversight.

LATE-FILED MATTERS

The Chair stated that, in absence of objection, three late-filed matters would be added to the Agenda.

No objection being heard, the following matters were added:

ORDER FOR CONFIRMATION OF APPOINTMENT, OF MICHAEL ROTENBERG AS MEMBER OF ABERDEEN STUDY COMMITTEE FOR PURPOSE OF CREATING NEW ARCHITECTURAL DISTRICT IN ABERDEEN NEIGHBORHOOD IN BRIGHTON (DOCKET NO. 0297)

The following was received:

City of Boston
Office of the Mayor

February 1, 2000

To the City Council.

Dear Councillors:

Pursuant to the authority vested in me by Section 4 of Chapter 772 of the Acts of 1975, I transmit herewith for your confirmation an Order regarding the appointment of Michael Rotenberg of 17 Chestnut Street, Boston, MA 02108, as a member of the Aberdeen Study Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton.

I urge your Honorable Body to pass this Order at the earliest possible date so that Mr. Rotenberg may begin serving his appointment without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 4, the appointment of Michael Rotenberg of 17 Chestnut Street, Boston, MA 02108, as a member of the Aberdeen Study Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER THAT COMMITTEE ON PUBLIC SAFETY HOLD HEARING ON INCIDENT THAT OCCURRED ON SHAWMUT AVENUE WHEN DAMAGED WIRES FROM TRAFFIC SIGNAL CONTROL BOX CAME IN CONTACT WITH UTILITY COVER (DOCKET NO. 0298)

Councillor MURPHY offered the following:

Whereas, A tragic incident occurred this week on Shawmut Avenue in the South End when damaged wires from a traffic signal control box came in contact with a utility cover; and

Whereas, This connection resulted in the loss of an animal's life and injury to a person as well; and

Whereas, This type of hazard presents serious risk, particularly to children and the elderly; and

Whereas, The Department of Public Works did respond immediately and has had the opportunity to investigate the incident; therefore be it

Ordered, That the Committee on Public Safety hold a hearing to hear testimony from the Department of

Public Works on the incident including the measures they have taken to remedy the situation and insure that it not happen elsewhere in the City, and that interested members of the public be invited to attend.

Referred to the Committee on Public Safety.

ORDER THAT COMMITTEE ON CITY AND NEIGHBORHOOD SERVICES CONDUCT TIMELY HEARING REGARDING CONDITION OF STREET LIGHTING FIXTURES AROUND CITY AS WELL AS CONDITION OF ELECTRICAL BOXES AND MANHOLES THAT, UNATTENDED, COULD RESULT IN SERIOUS INJURY OR DEATH TO CITIZENS AND PETS ALIKE (DOCKET NO. 0299)

Councillor KELLY offered the following:

Whereas, The recent death of a dog in Boston's South End by a live electrical wire from a street light has caused concern among residents regarding the condition of electrical wiring on other poles owned by the City of Boston and/or Boston Edison; therefore be it

Ordered, That the Committee on City and Neighborhood Services is requested to conduct a timely public hearing regarding the condition of street lighting fixtures around the city, as well as the condition of electrical boxes and manholes that, unattended, could result in serious injury or death to citizens and pets alike; and be it further

Ordered, That representatives of the City of Boston street lighting division, Inspectional Services Department and the Boston Edison Company be invited to attend.

Referred to the Committee on City and Neighborhood Services.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Conley: Congratulating Earl and Eleanor Hamilton (Docket No. 0284).

Councillor Hennigan: Congratulating Dr. Theresa Perry (Docket No. 0285); congratulating Dr. Judy Ann Bigby (Docket No. 0286); congratulating Dr. Deborah Prothrow-Stith (Docket No. 0287); congratulating Dr. Ronald White (Docket No. 0288).

Councillors Turner and Yancey: Congratulating Annie Wilcox (Docket No. 0289); recognizing Robert "Bobbie" J. Johnson (Docket No. 0290).

Councillor Roache: Recognizing Matthew D. Bergin (Docket No. 0291).

Councillor Yancey: Congratulating Lucille Mosley (Docket No. 0292); congratulating Urban Security Patrol, Inc. (Docket No. 0293); congratulating Reverend Jossie E. Owens (Docket No. 0294); congratulating Jay Wilson (Docket No. 0295).

Councillors Conley, Feeney, Flaherty, Hennigan, Murphy, Roache, Ross, Scapicchio and Yancey: Congratulating Victoria Jones (Docket No. 0296).

The Chair stated that in the absence of objection, two late-filed matters would be added to the Consent Agenda.

No objection being heard, the following matters were added:

Councillor Roache: Congratulating International Brotherhood of Electrical Workers (Docket No. 0300).

Councillors Yancey and Turner: Offering condolences to the family of Reverend Francis Nkrumah (Docket No. 0301).

On motion of Councillor KELLY, the matters contained within the Consent Agenda were severally adopted.

STATEMENT OF COUNCILLOR YANCEY

Having unanimous consent to do so, Councillor Yancey asked when we adjourn today, we do so in memory of Reverend Francis Nkrumah who died suddenly at the age of 43 in an airline crash in Africa. Reverend Nkrumah was a resident of Boston and a power of example to many of his people here.

STATEMENT OF COUNCILLOR FLAHERTY

Having unanimous consent to do so, Councillor Flaherty asked when we adjourn today, we do so in memory of John Loce who recently passed away and asked to keep his family in thoughts and prayers.

STATEMENT OF COUNCILLOR ROSS

Having unanimous consent to do so, Councillor Ross asked that when we adjourn today, we do so in memory of Bill Coughlin, a Boston activist and former WBZ-TV sports anchor.

Adjourned at 3:50 p.m. on motion of Councillor Kelly in memory of Reverend Francis Nkrumah, John Loce and Bill Coughlin to meet on Wednesday, February 9, 2000 at 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, February 9, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 12:55 p.m., President KELLY in the Chair and all members present.

INVOCATION

Reverend Daniel Paul Hegarty, St. Anthony's Church, delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

PRESENTATION BY COUNCILLOR TURNER

Councillor TURNER presented Commander Robert Johnson with a resolution for his promotion as Superintendent of the Boston Police Department.

PRESENTATION BY COUNCILLOR TURNER

Councillor TURNER presented Annie B. Wiltox with a resolution for being a role model and dedicated civilian.

VISITORS TO CITY COUNCIL

Council President KELLY recognized former State Representative Alvin Thompson.

ORDER APPROVING PETITION FOR SPECIAL LAW AUTHORIZING TRANSFER OF 5.8 ACRES OF LAND FROM CONSERVATION COMMISSION TO PARKS AND RECREATION DEPARTMENT TO BE USED FOR PLAYGROUND PURPOSES (DOCKET NO. 0302)

The following was received:

City of Boston
Office of the Mayor

February 8, 2000

To The City Council
Dear Councillors:

I transmit herewith for your approval a home rule petition authorizing the transfer of 5.8 acres of land from the Conservation Commission to the Parks and Recreation Department.

The land was acquired in 1982 by taking and is in the process of undergoing an environmental remediation. Upon completion, the land is to be used for recreational purposes.

I urge your Honorable Body to approve this order at your first possible opportunity so that this new recreational facility can be available for use at the earliest possible date.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause (1) of Section eight of Article two, as amended, of the Amendments to

the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted providing precisely as follows, except for clerical or editorial changes of form only:—

Section 1. The city of Boston is hereby authorized to transfer care, custody and control of a certain parcel of conservation land from the conservation commission of said city to the department of parks and recreation to be used for playground purposes. Said parcel is described in an order of taking recorded in the Suffolk county registry of deeds, Book 9614, Pages 158 and 159.

Section 2. This act shall take effect upon its passage. The rules were suspended; the order was passed.

ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$2,886,398 FROM U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE UNDER LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM FOR PURPOSE OF REDUCING CRIME AND IMPROVING PUBLIC SAFETY THROUGH PURCHASE OF POLICE EQUIPMENT, USE OF POLICE OVERTIME AND TO SUPPORT COMMUNITY PARTNERSHIPS FOR NEIGHBORHOOD POLICING (DOCKET NO. 0303)

The following was received:

City of Boston
Office of the Mayor

February 2, 2000

To the City Council.

Dear Councillors:

I hereby transmit for your approval an order authorizing the City of Boston to accept and expend a grant in the amount of \$2,886,398 from the U.S. Department of Justice, Bureau of Justice Assistance under the Local Law Enforcement Block Grant Program. This award is made for the purpose of reducing crime and improving public safety through the purchase of police equipment, the use of police overtime, and to support community partnerships for Neighborhood Policing.

I urge your Honorable Body to adopt this order as soon as possible so that the City of Boston may accept the funds expeditiously and expend them for the purposes for which they were granted.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Whereas, The US Department of Justice, Bureau of Justice Assistance has authorized the issuance of funds to the Boston Police Department; and

Whereas, The funds in the amount of \$2,886,398 will be utilized by the Boston Police Department for the following reasons: to reduce crime and improve public safety through the procurement of equipment, police overtime and funds to support community partnerships for Neighborhood Policing; now, therefore be it

Ordered, That the Police Commissioner, acting on behalf of the City of Boston be, and hereby is authorized to accept and expend the US Department of Justice, Bureau of Justice Assistance Award not to exceed the amount of \$2,886,398.

Referred to the Committee on Public Safety.

APPROVAL OF CONSTABLE BOND
(DOCKET NO. 0304)

The Constable Bond of Logan A. Ritchie, having been duly approved by the Collector-Treasurer, was received and approved.

APPOINTMENT BY THE MAYOR
(DOCKET NO. 0305)

Notice was received by the City Clerk from the Mayor of the appointment of Councillor Daniel Conley as a Trustee of the Neighborhood Jobs Trust for a term expiring January 14, 2002.

Placed on file.

APPOINTMENT BY THE MAYOR
(DOCKET NO. 0306)

Notice was received by the City Clerk from the Mayor of the appointment of Constance J. Doty as a Trustee of the Neighborhood Jobs Trust for a term expiring January 14, 2002.

Placed on file.

RECEIVED FROM FIRE COMMISSIONER MARTIN E. PIERCE, JR., MEMORANDUM OF UNDERSTANDING RELATING TO MUTUAL AID DISPATCH AND COMMUNICATIONS SERVICES BETWEEN BOSTON FIRE DEPARTMENT AND METROFIRE (DOCKET NO. 0307)

Received from Fire Commissioner Martin E. Pierce, Jr., the Memorandum of Understanding relating to Mutual Aid Dispatch and Communications Services between the Boston Fire Department and Metrofire.

Placed on file.

NOTICE RECEIVED FROM DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY RE: PETITION OF BOSTON EDISON COMPANY FOR APPROVAL OF ITS 1999 TRANSITION CHARGE TRUE-UP AND RESTRUCTURING SETTLEMENT AGREEMENT APPROVED BY DEPARTMENT (DOCKET NO. 0308)

Notice was received from the Department of Telecommunications and Energy re: petition of Boston Edison Company for approval of its 1999 Transition Charge True-Up and Restructuring Settlement Agreement approved by Department.

Placed on file.

REPORT ON ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$750,000 FROM U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES FOR PURPOSE OF CREATING A REGIONAL COMMUNITY POLICING INSTITUTE (DOCKET NO. 0130)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 0130, message of the Mayor and order authorizing the Police Commissioner to accept and expend a grant of \$750,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services for the purpose of creating a Regional Community Policing Institute (referred December 8, 1999) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$17,483 FROM OFFICE OF COMMUNITY ORIENTED POLICING SERVICES FOR PURPOSE OF ANALYZING, IMPLEMENTING TAILORED RESPONSE FOR AND ASSESSING IMPACT OF THESE RESPONSES WITH REGARD TO PROBLEM OF DISOR-

DERLY CONDUCT (DOCKET NO. 0131)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 0131, message of the Mayor and order authorizing the Police Commissioner to accept and expend a grant of \$17,483 from the Office of Community Oriented Policing Services for the purpose of analyzing, implementing tailored response for and assessing the impact of these responses with regard to the problem of disorderly conduct (referred December 8, 1999) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$92,555 FROM MASSACHUSETTS STATE POLICE FOR PURPOSE OF ENHANCING POLICE DEPARTMENT'S CRIME LABORATORY FOR PURPOSE OF DNA RESEARCH (DOCKET NO. 0140)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 0140, message of the Mayor and order authorizing the Police Commissioner to accept and expend a grant of \$92,555 from the Massachusetts State Police for the purpose of enhancing the Police Department's Crime Laboratory for the purpose of DNA research (referred January 3) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$289,000 FROM THE U.S. DEPARTMENT OF JUSTICE FOR THE PURPOSE OF MONITORING AND ENFORCING DOMESTIC VIOLENCE OFFENDERS (DOCKET NO. 0142)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 0142, message of the Mayor and order authorizing the Police Commissioner to accept and expend a grant of \$289,000 from the U.S. Department of Justice for the purpose of monitoring and enforcing domestic violence offenders (referred January 3) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$3,372,000 FROM EXECUTIVE OFFICE OF PUBLIC SAFETY TO BE UTILIZED BY DEPARTMENT TO EXPAND ITS NEIGHBORHOOD POLICING SERVICES PROGRAM WHICH INCLUDES DESIGNATION OF \$350,000 FOR BOWDOIN STREET-GENEVA AVENUE AND UPHAMS CORNER AREAS AND \$100,000 FOR MISSION HILL SECTION (DOCKET NO. 0218)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 0218, message of the Mayor and order authorizing the Police Commissioner to accept and expend a grant of \$3,372,000 from the Executive Office of Public Safety to be utilized by the Department to expand its Neighborhood Policing Services program which includes a designation of \$350,000 for the Bowdoin Street-Geneva Avenue and Uphams Corner areas and \$100,000 for the Mission Hill section (referred January 28) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$13,000 FROM THE GOVERNOR'S ALLIANCE AGAINST DRUGS FOR THE PURPOSE OF EDUCATING YOUTH ON THE HAZARDS OF DRUG USE (DOCKET NO. 0234)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 0234, message of the Mayor and order authorizing the Police Commissioner to accept and expend a grant of \$13,000 from the Governor's Alliance Against Drugs for the purpose of educating youth on the hazards of drug use (referred February 2) —recommending passage of the order.

The report was accepted; the order was passed.

ORDER THAT COMMITTEE ON ECONOMIC DEVELOPMENT AND TRANSPORTATION HOLD HEARING TO DISCUSS RESTORATION OF CHESTER SQUARE PARK (DOCKET NO. 0309)

Councillors KELLY, DAVIS-MULLEN, FLAHERTY, YANCEY and TURNER offered the following:

Whereas, From 1850 until 1952, a one-and-one-quarter-acre park existed on Massachusetts Avenue in the South End of Boston, called Chester Square Park; and

Whereas, When the Southeast Expressway was completed forty-eight years ago, Chester Square Park was cut in two, and Massachusetts Avenue was opened to six lanes of traffic; and

Whereas, It is believed that the South End of Boston has the least amount of open space, per person, than any other neighborhood of the city and the reduction of Chester Square Park contributed significantly to the loss of open space for residents of the South End/Lower Roxbury neighborhoods; and

Whereas, In meetings with various city and state officials, the possibility of depressing a portion of Massachusetts Avenue and restoring Chester Square Park to its original use has been discussed, and everyone at all levels of government have agreed that such an undertaking was feasible and would have a positive affect on the immediate neighborhoods, and the city; therefore be it

Ordered, That the City Council's Committee on Economic Development and Transportation conduct a public hearing to discuss the restoration of Chester Square Park and that neighborhood residents and officials from the city's Public Works Department, the mayor's office and the state's Highway Department be invited to attend.

Referred to the Committee on Economic Development and Transportation.

ORDER THAT COMMITTEE ON ECONOMIC DEVELOPMENT AND TRANSPORTATION HOLD HEARING TO DISCUSS MBTA'S PLANS REGARDING SILVER LINE (DOCKET NO. 0310)

Councillors KELLY, FLAHERTY, ROACHE, and DAVIS-MULLEN offered the following:

Ordered, That the Committee on Economic Development and Transportation is respectfully requested to conduct a public hearing to discuss the MBTA's plans regarding the Silver Line, and the impact it will have on the neighborhoods of Roxbury, the South End, Chinatown, Downtown Boston and South Boston; and be it further

Ordered, That all appropriate neighborhood organiza-

tions, concerned citizens, the MBTA, as well as representatives of the city and state, be invited to attend.

Referred to the Committee on Economic Development and Transportation.

ORDER REQUESTING CITY CLERK TO RETIRE NUMBER 1 FROM LIST OF CONSTABLES IN MEMORY OF BERNARD WHITTEN IN HONOR OF HIS MANY YEARS OF SERVICE TO CITY (DOCKET NO. 0311)

Councillors HENNIGAN, KELLY, ROACHE, MURPHY, CONLEY, TURNER, ROSS, FLAHERTY, HONAN, FEENEY, YANCEY, and DAVIS-MULLEN offered the following:

Whereas, Bernard Whitten, City of Boston Constable Number 1 passed away at his home in Jamaica Plain on February 3, 2000 leaving a legacy of love, understanding and sharing for his family, friends and Boston the city he loved; and

Whereas, Bernard Whitten was a loving family man and an active and generous community activist that gave much of his time and talent to improve his community or to help others less fortunate; and

Whereas, Bernard Whitten was highly admired and respected by his colleagues and well known by city officials and residents of the City of Boston for the courteous and professional manner in which he conducted his duties as a Constable of the City of Boston; and

Whereas, Bernard Whitten worked tirelessly as a leader on both the Boston Constable Association and the Massachusetts Bay Constable Association to promote the highest standards of service by constables to the people and he always contributed to the many worthy causes that the men and women that serve as constables in our city and state so generously support; therefore be it

Ordered, That the Boston City Clerk retire the Number 1 from the list of Constables of the City of Boston in memory of Bernard Whitten in honor of his many years of outstanding and dedicated service to the City of Boston as a consummate professional Constable; and be it further

Ordered, That the Boston City Clerk forward a copy of this order of the Boston City Council to any and all relevant authorities and interested parties including the Mayor of Boston, the Boston Police Commissioner, the Massachusetts Bay Constable Association and the Boston Constable Association.

Passed under suspension of the rules.

ORDER THAT COMMITTEE ON LABOR HOLD HEARING TO REVIEW CURRENT STATUS OF VARIOUS CITY UNION CONTRACTS (DOCKET NO. 0312)

Councillors ROACHE, FEENEY, DAVIS-MULLEN, TURNER, KELLY and YANCEY offered the following:

Whereas, Certain City of Boston employees who are represented by various Labor Unions have gone without a contract for eight months; and

Whereas, There is a need for these employees to secure a degree of financial stability in order to meet the harsh economic demands of daily life; and

Whereas, The City of Boston has an obligation to protect its Union workforce through guaranteed contracts; and

Whereas, These employees, although currently working under expired contracts, continue to be committed to their work and to the citizens of the City; therefore be it

Ordered, That the Boston City Council Committee on Labor hold a hearing to review the current status of these issues, and to allow union members employed by the City of Boston to express their concerns; be it further

Ordered, That all relevant City departments be invited

to testify.

Referred to the Committee on Labor.

ORDER THAT COMMITTEE ON HOUSING CONDUCT SERIES OF HEARINGS TO DISCUSS HOUSING CRISIS (DOCKET NO. 0313)

Councillors KELLY, HONAN, FLAHERTY, FEENEY, DAVIS-MULLEN, CONLEY, HENNIGAN, ROACHE, SCAPICCHIO, TURNER, MURPHY and YANCEY offered the following:

Whereas, Well documented studies released recently and over the past several months, in both Boston newspapers, support the concerns expressed since early 1998 by members of the Boston City Council, that there is a critical shortage of affordable housing throughout the city; and

Whereas, Published reports tell of longtime residents being displaced from neighborhoods where they were born and raised and where they have family and friends; be it therefore

Ordered, That the city council's Committee on Housing conduct a series of public hearings to discuss the housing crisis in Boston, and that representatives of the mayor's office, the Department of Neighborhood Development, the BRA, the Greater Boston Real Estate Board, the Small Property Owners Association, as well as concerned residents, be invited to attend to address what can be done to accelerate the creation of both rental and homeownership opportunities in the city, and what incentives the city can offer to meet the needs of Boston residents in the above regard.

Referred to the Committee on Housing.

ORDER THAT COMMITTEE ON HOUSING HOLD HEARING RE: 34 EAST SPRINGFIELD STREET AS WELL AS RESPONSIVENESS OF BHA MANAGEMENT TO COMPLAINTS FROM ABUTTERS (DOCKET NO. 0314)

Councillor KELLY offered the following:

Whereas, The BHA owned property at 34 East Springfield Street has been the subject of complaints to the Boston Police Department; and

Whereas, Similar complaints to the BHA regarding loud music, people shouting outside the building, and traffic approaching the building at odd hours have been ignored by the BHA after repeated attempts by residents that these problems be addressed; and

Whereas, Concerned neighbors have also complained about the deteriorating condition of the property and the BHA management has been unresponsive to these complaints; be it therefore

Ordered, That the city council's Committee on Housing conduct a public hearing into the matter of the condition of the property at 34 East Springfield Street, Boston, as well as the responsiveness of the BHA management to complaints from abutters, and that representatives of the mayor's office, the BHA and the East Springfield Street Betterment Committee, be invited to attend;

Referred to the Committee on Housing.

ORDER THAT COMMITTEE ON HOUSING HOLD HEARING RE: OVERSIGHT PRACTICES OF MONITORING COMMITTEE OF BOSTON HOUSING AUTHORITY (DOCKET NO. 0315)

Councillor KELLY offered the following:

Whereas, Recent reports in the *Boston Herald* have brought into question the management practices and financial accountability of the Boston Housing Authority; and

Whereas, It was reported on February 8, 2000, that the BHA had contracted for legal services with the law

firm of Gadsby & Hannah LLP for the amount of \$85,000, but when the bill was submitted, the bill was \$667,202, and this brings into question how Gadsby & Hannah could have so unexplainably underbid on this contract; and

Whereas, The BHA has come under criticism recently for its handling of evictions, discrimination complaints, housing assignment policies, vacant units in empty buildings, pay raises, and exorbitant legal fees; therefore be it

Ordered, That the city council's Committee on Housing conduct a public hearing into the management practices of the Boston Housing Authority, and that members of the BHA Monitoring Committee, or its Chair, as established by the mayor and city council by c.88, §2 of the Acts of 1989, be invited to attend to address the above issues.

Referred to the Committee on Housing.

ORDER THAT COMMITTEE ON GOVERNMENT OPERATIONS HOLD HEARING TO DETERMINE WHETHER CITY SHOULD SUBMIT TO COMMONWEALTH AS PART OF ITS LEGISLATIVE AGENDA A PROPOSAL TO AMEND VOTER REGISTRATION POLICY, (DOCKET NO. 0316)

Councillors ROSS, SCAPICCHIO, TURNER, YANCEY and FEENEY offered the following:

Whereas, Voter participation in Boston and throughout the Commonwealth has steadily declined, particularly in municipal elections; and

Whereas, Requiring citizens to register twenty-one days in advance has provided a significant impediment to allowing new voters to become involved in the political process; and

Whereas, Most recently in the New Hampshire primaries, where same day voter registration is allowed, voters went to the polls to exercise in their constitutional right to vote in record numbers; and

Whereas, Removing impediments to the voting process can only strengthen the number of voters who turnout and participate in the election process; therefore be it

Ordered, That the Committee on Government Operations of the City Council convene a public hearing to determine whether Boston should submit to the Commonwealth, as part of its legislative agenda, a proposal to amend voter registration policy; and be it further

Ordered, That certain officials and others be invited to attend, including representatives from the Secretary of State's Office, the Election Department and various community-based organizations, residents and entities that have voiced their opinions on this issue.

Referred to the Committee of the Whole.

RESOLUTION REGARDING INCLUSIONARY ZONING (DOCKET NO. 0317)

Councillors HONAN, HENNIGAN, ROSS, FLAHERTY, MURPHY, ROACHE, TURNER and FEENEY offered the following:

Whereas, The vacancy rate in the City of Boston is less than 2 percent, and 50 percent of the City of Boston's households earn less than the median income; and

Whereas, Funding for housing through Federal and State budgets has continued to decline over the past several years, with the State housing budget dropping from \$220 million in 1990 to \$137.5 million by 1999; and

Whereas, The hot real estate market in the city has resulted in a growth in the development of luxury apartments and condominiums, with little development in the

affordable housing arena; and

Whereas, Low income and moderate income individuals and families are being forced to move outside the City of Boston due to the lack of affordable housing; and

Whereas, The communities of Cambridge and Brookline have successfully adopted zoning by-laws calling for a 15% inclusionary zoning policy for the purpose of encouraging housing opportunities for people of all income levels and especially for increasing the supply of housing available to low and moderate income people; and

Whereas, These communities have continued to experience a growth in housing development with no adverse effect related to inclusionary zoning policies; therefore be it

Resolved, That the Boston City Council in meeting assembled support the amendment of Article 80 of the City of Boston Zoning Code to provide mandatory, city-wide, 15% on-site inclusionary zoning for all residential developments of 10 or more units, either new construction or adaptive reuse, with an option for off-site units or cash payment to the Neighborhood Housing Trust. Such payment shall be of comparable value to the affordable unit(s) that would have otherwise been provided in a comparable Inclusionary Project. The resulting affordable units shall be targeted to low and moderate income residents of the City of Boston, with the average unit being affordable to a household with an income equal to 65% of the area median and be subject to certain deed restrictions. This ordinance shall not alter the existing provisions linking new commercial and retail developments to affordable housing contributions.

Referred to the Committee on Housing.

**ORDER THAT COMMITTEE ON PUBLIC SAFETY
HOLD HEARING TO INVESTIGATE STATUS
OF PENSION BENEFITS FOR FAMILY OF
THOMAS CARNEY (DOCKET NO. 0318)**

Councillors MURPHY and CONLEY offered the following:

Ordered, That the Committee on Public Safety hold a hearing to investigate the status of pension benefits for the family of Thomas Carney; and be it further

Ordered, That officials from the Treasurer's office, the Boston Retirement Board, The Boston Police Patrolman's Association and appropriate medical personnel be invited to attend.

Referred to the Committee on Public Safety.

**RESOLUTION THAT CITY COUNCIL PETITION
MASSACHUSETTS SENATE AND HOUSE OF
REPRESENTATIVES TO RESTORE
\$15,000,000 IN AID TO CITY IN STATE BUDGET (DOCKET NO. 0319)**

Councillors MURPHY, FLAHERTY, TURNER, SCAPICCHIO, HONAN, HENNIGAN, FEENEY, CONLEY and YANCEY offered the following:

Whereas, It has been reported that State aid to the City of Boston may be cut by more than \$15 million; and

Whereas, A large percentage of our City services including youth summer jobs programs are funded through this local aid; and

Whereas, The summer jobs programs have been successful in keeping the neighborhoods clean while instilling in our youth valuable job skills, strong work ethics, knowledge of the neighborhoods and pride in their City; and

Whereas, The loss of the summer jobs program will adversely affect our kids, our neighborhoods, our crime rate and the aesthetics of our neighborhoods, therefore be it

Resolved, That the Boston City Council hereby peti-

tions the State Senate and House of Representatives to restore the \$15 million in aid to the City of Boston in their budget; and be it further

Resolved, That a copy of this Resolution be transmitted by the Clerk of the City of Boston to House Speaker Thomas Finneran and Senate President Thomas Birmingham.

On motion of Councillor Murphy, the rules were suspended, **the resolution was adopted; yeas 13.**

**ORDER APPROVING PETITION FOR SPECIAL
LAW RE: LICENSING OF TAXIS AND
SIGHTSEEING AUTOS (DOCKET NO. 0320)**

Councillors SCAPICCHIO, KELLY, ROSS, ROACHE and TURNER offered the following:

Ordered, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause (1) of Section eight of Article two, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

Petition for a Special Law re:

Licensing of Taxis and Sightseeing Autos

Section 1. The purpose of this act is to rest final approval authority of taxi medallions and sightseeing auto permits with the Boston City Council.

Section 2. Notwithstanding any general or special law to the contrary, a majority vote of the Boston City Council shall be required before any taxi medallion, or permit for a sightseeing auto is awarded to a petitioner.

Section 3. The Boston Police Department shall continue to process said medallions and permits as its police commissioner sees fit. Once the police department's process is complete with regard to a medallion or permit application, the police commissioner or his designee shall issue a report containing the petitioner's application and a recommendation as to whether the medallion or permit should be issued.

Section 4. Said reports shall be studied in committee at the city council, and a committee report shall be issued either supporting or not supporting the police commissioner or his/her designee's recommendation.

Section 5. This act shall take effect upon passage.

Referred to the Committee on Government Operations.

**ORDER THAT SPECIAL COMMITTEE ON THE
CENSUS HOLD HEARING TO REVIEW STATUS OF UNITED STATES CENSUS 2000 AND TO DISCUSS ITS PRESENT AND FUTURE GOALS AND IMPLEMENTATION PLAN (DOCKET NO. 0321)**

Councillor YANCEY offered the following:

Ordered, That the Boston City Council's Special Committee on the Census hold a hearing to review the status of the United States Census 2000 in the Boston Area to discuss its present and future goals and implementation plan, to determine what actions the Boston City Council can take to raise awareness about the importance of the Census and to promote efforts for greater cooperation between residents and local organizations and municipal, state and federal authorities, and that the appropriate officials and any other interested parties be invited to attend and testify.

Referred to the Special Committee on the Census.

**ORDER THAT HEARING BE HELD TO DISCUSS
AND CONTEMPLATE REQUIRING COLLEGES AND UNIVERSITIES TO PROVIDE
LONG-TERM PROPOSAL ON PROVIDING**

ON-CAMPUS HOUSING FOR ALL REGISTERED STUDENTS (DOCKET NO. 0322)

Councillors DAVIS-MULLEN, ROACHE, HONAN, MURPHY, ROSS, CONLEY, FEENEY and TURNER offered the following:

Whereas, The City of Boston is home to numerous colleges, universities and other institutions of higher learning that enroll thousands of students each year, from across the Commonwealth and across the nation; and

Whereas, These colleges do not provide on-campus housing for every student, forcing students to seek off-campus apartments in close proximity to the college; and

Whereas, The influx and impact of college students seeking housing in the community, particularly in the Allston/Brighton, Back Bay and Fenway areas, has resulted in a shortage of housing, thus creating a competitive environment and ultimate rise in market rents; and

Whereas, The residents of these impacted areas are forced to compete with students, and contend with landlords who know that students are willing to pay much higher than what the market would ordinarily dictate; and

Whereas, The law of supply and demand, the competition between student and resident and the knowledge of colleges and universities that throwing students into the rental housing market has driven up the cost of living and housing for everyone in these impacted areas; and

Whereas, Colleges and universities often expand their campuses for classroom size, institutional and educational purposes, but do not always provide a proposal on how they plan on housing and dealing with the increased enrollment of students that these additions will also bring; and

Whereas, These colleges and universities could ease the rental and housing crunch for all involved if they were required to provide a plan to house all of their students on-campus; and

Whereas, Most colleges and universities must file plans and apply to the Boston Redevelopment Authority for permits to build more classroom, research and extracurricular space, therefore be it

Ordered, That the Boston City Council conduct a public hearing to discuss and contemplate requiring colleges and universities to provide a long term proposal on providing on-campus housing all registered students; and be it further

Ordered, That the Boston City Council, in conjunction with the Mayor's Office and the Boston Redevelopment Authority, discuss creating and enforcing legislation that requires all educational institutions to tie in a plan for housing the expected increase of students that a proposal might bring before any permit or official sign-off is granted for construction

Referred to the Committee on University and Community Relations and the Committee on Housing.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Murphy: Congratulating Police Officer Daniel F. Reynolds (Docket No. 0323).

The matters contained within the Consent Agenda were severally adopted.

On motion of Councillor Kelly and at the request of Councillors Hennigan and Feeney the meeting was adjourned in memory of Bernie Whitten at 2:05 p.m. to meet again on Wednesday, February 16 at 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, February 16, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 12:15 p.m. President KELLY in the Chair and all members present.

INVOCATION

Reverend Doctor Abraham Waya, Community United Methodist Church, delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

ORDER APPROVING COMPENSATING BALANCE AGREEMENTS BETWEEN CITY AND CENTURY BANK AND TRUST COMPANY FOR PROVISION OF LOCK BOX SERVICES (DOCKET NO. 0324)

The following was received:

City of Boston
Office of the Mayor

February 14, 2000

To the City Council.
Dear Councillors:

Under G.L. c. 44, s. 53F, the City is authorized to enter formal "compensating balance" agreements with banking institutions for the provisions of banking services. Your approval of these agreements is required under that statute.

In order to take advantage of the considerable savings afforded through the use of such agreements, the Treasury Department conducted an extensive competitive bidding process that resulted in the agreement that accompanies this letter.

Under the terms of the agreement, the City will keep a specified minimum balance with the contracting bank as compensation for various specified services rendered.

In order to realize the greatest possible savings to the City, as well as to minimize any possible interruption of banking services to the City, I urge your prompt approval of this agreement.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the agreement made under the provisions of General Laws Chapter 44, Section 53F, by and between the City of Boston and Century Bank and Trust Company for the provision of Lock Box Services, in the form attached hereto, be and the same hereby is, approved.

Referred to the Committee on Ways and Means.

ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND AWARD OF \$7,392 FROM GOVERNOR'S HIGHWAY SAFETY BUREAU FOR PURPOSE OF COMBATING UNDERAGE DRINKING IN ALLSTON/BRIGHTON NEIGHBORHOOD (DOCKET NO. 0325)

The following was received:

City of Boston
Office of the Mayor

February 11, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Police Commissioner, on behalf of the City of Boston, to accept and expend an award in the amount of \$7,392 from the Governor's Highway Safety Bureau to the City of Boston. This award is made for the purpose of combating underage drinking in the Allston/Brighton neighborhood of Boston.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may accept and expend these funds expeditiously for the purposes for which they were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Police Commissioner, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend from the Governor's Highway Safety Bureau funds not to exceed the amount of \$7,392 to be utilized by the Boston Police Department to combat underage drinking in the Allston/Brighton neighborhood of Boston.

The rules were suspended; the order was passed.

REPORT ON ORDER TO DECLARE SURPLUS FORMER PUBLIC WORKS DEPARTMENT YARD, LAURIE AVENUE A/K/A 40 MORRELL STREET, WEST ROXBURY, AND TO TRANSFER THE CARE, CUSTODY, MANAGEMENT AND CONTROL OF SAID PROPERTY TO PUBLIC FACILITIES COMMISSION (DOCKET NO. 0103)

Councillor SCAPICCHIO, on behalf of the Committee on Economic Development and Transportation, submitted the following:

Report on Docket No. 0103, message of the Mayor and order to declare surplus the former Public Works Department Yard, Laurie Avenue, a/k/a 40 Morrell Street, West Roxbury, and to transfer the care, custody, management and control of said property to the Public Facilities Commission (referred June 23, 1999) — recommending passage of the order.

The report was accepted; the order was passed.

ORDER THAT COMMITTEE ON EDUCATION AND SCHOOL MATTERS HOLD HEARING RE: SPECIAL EDUCATION FUNDING CUTS WITHIN PUBLIC SCHOOLS (DOCKET NO. 0326)

Councillors MURPHY, CONLEY, DAVIS-MULLEN, FEENEY, FLAHERTY, YANCEY, HONAN, ROACHE and TURNER offered the following:

Whereas, Special Education funding cuts are expected within the Boston Public Schools; and

Whereas, There is great concern over such cuts among parents of those in need of special education; and

Whereas, There needs to be a detailed plan in place to deal with the effects of such cuts; and

Whereas, The public should know which services are going to be cut and by how much; and

Whereas, The process for deciding how to implement the cuts should not be an arbitrary one; therefore be it

Ordered, That the Committee on Education & School Matters hold a prompt hearing to discuss the matter; and be it further

Ordered, That the committee review the process for determining which students should be classified as in need of special education; and be it further

Ordered, That appropriate officials from the Boston School Department, including Superintendent Payzant, Michael Contompasis and Pia Durkin, and members of

the Special Needs Parents Advisory Council be invited to attend.

Referred to the Committee on Education and School Matters.

ORDER THAT COMMITTEE ON ECONOMIC DEVELOPMENT AND TRANSPORTATION HOLD HEARING FOR PURPOSE OF ASCERTAINING BOSTON REDEVELOPMENT AUTHORITY'S POSITION ON MAKING AMENDMENTS TO ZONING CODE AND DETERMINE WHY SUCH AMENDMENTS HAVE NOT BEEN MADE IN DUE COURSE AS ALLOWED BY TERM OF SAID CODE (DOCKET NO. 0327)

Councillors FLAHERTY, ROSS, HONAN, MURPHY, TURNER, ROACHE, HENNIGAN, SCAPICCHIO, CONLEY, YANCEY, KELLY, FEENEY and DAVIS-MULLEN offered the following:

Whereas, Among the declared purposes of the Boston Zoning Code is the promotion of the health, safety, convenience, morals and welfare of the inhabitants of the City of Boston; and

Whereas, Among the declared purposes of Article 26 and of Article 80 of the Code are the facilitation of an adequate provision of low- and moderate-income housing; the establishment of a balance between new, large-scale real estate development and the low- and moderate-income housing needs of the City of Boston; and the provision of job training to low- and moderate-income people; and

Whereas, In order to increase the availability of low- and moderate-income housing, the Code requires certain developers, as a condition of a grant of Zoning Relief, as that term is defined in Article 2A of the Code, to make a Housing Contribution Grant to the Neighborhood Housing Trust, or to contribute to the direct creation of low- and moderate-income housing; and

Whereas, In order to increase the opportunities for job training for low- and moderate-income people, the Code requires certain developers, as a condition of a grant of Zoning Relief, to make a Jobs Contribution Grant payment to the Neighborhood Housing Trust, or to create a job training program in compliance with the requirements set forth in the Code; and

Whereas, The Development Impact Use payment sums were originally set in 1983 at a rate of one dollar (\$1.00) for each square foot of gross floor area in excess of one hundred thousand (100,000) square feet, in the case of a Jobs Contribution Grant; and five dollars (\$5.00) for each square foot of gross floor area in excess of one hundred thousand (100,000) square feet, in the case of a Housing Contribution Grant; and

Whereas, The Code allows the Boston Redevelopment Authority to periodically recalculate the formulas comprising the amounts and rates of payment for the Housing Contribution Grant and the Jobs Contribution Grant, taking into account certain economic, housing and employment trends; and

Whereas, Those formulas have not in fact been recalculated, resulting in Development Impact Project Exactions which have been eroded by inflation and rendered inadequate to meet the goals and purposes of the Code; therefore be it

Ordered, That the Boston City Council Committee on Economic Development and Transportation conduct a hearing, inviting representatives of the Boston Redevelopment Authority, for the purposes of ascertaining the Authority's position on making such amendments to the Code, and determining why such amendments have not been made in due course as allowed by the terms of the Code.

Referred to the Committee on Economic Development and Transportation.

ORDER THAT COMMITTEE ON EDUCATION HOLD HEARING TO EXPLORE FEASIBILITY AND DESIRABILITY OF ESTABLISHING TEACHER EMERITUS PROGRAM IN CITY (DOCKET NO. 0328)

Councillors FLAHERTY and ROACHE offered the following:

Whereas, The quality of teaching depends upon effective initial preparation, supportive induction, and continuous access to appropriate learning opportunities throughout a teacher's career; and

Whereas, Teachers with access to new knowledge, enriched professional roles, and ongoing collegial work feel more efficacious in developing the capacity needed to teach their students well, and more positive about staying in the profession; and

Whereas, There is an obvious need to prepare teachers well initially and to create stable, high quality sources of professional development; and

Whereas, Numerous teachers retired from the Boston Public Schools possess substantial content knowledge, pedagogical knowledge, pedagogical skills, socio-cultural knowledge and skills, and personal and professional development experience; and

Whereas, Many of these retired teachers are eager to continue imparting their accumulated knowledge, skills, talent and experience to their peers active in the teaching profession; and

Whereas, The Boston City Council acknowledges the ongoing development and potential contribution of educators beyond full-time service, and particularly recognizes the rich pool of experience which can facilitate the development of beginning and advanced teachers, therefore be it

Ordered, That the Boston City Council Committee on Education conduct a hearing, inviting representatives from the Boston Public Schools, the Boston School Committee, the Boston Teachers Union, and other interested and appropriate parties, to explore the feasibility and desirability of establishing a Teacher Emeritus program in the City of Boston.

Referred to the Committee on Education and School Matters.

ORDER THAT COMMITTEE ON PUBLIC SAFETY HOLD HEARING TO ASSESS POTENTIAL DANGERS CAUSED BY CHANGE IN PRESCRIPTION DRUG COVERAGE RECENTLY ANNOUNCED BY TUFTS HEALTH PLAN (DOCKET NO. 0329)

Councillors FLAHERTY, ROACHE, HONAN, FEENEY, TURNER and HENNIGAN offered the following:

Whereas, It is estimated that there are as many as 40 to 50 million allergy sufferers in the United States, and as many as 100,000 in the City of Boston; and

Whereas, Allergy sufferers rely on antihistamines to relieve or prevent the symptoms of allergic rhinitis (hay fever) and other allergies, thereby enabling them to comfortably perform routine daily activities, including those associated with their employment; and

Whereas, Many antihistamines cause drowsiness, but newer ones, such as Zyrtec, Claritin and Allegra, rarely cause this side effect; and

Whereas, Tufts Health Plan recently announced that it will no longer pay for the newer, non-sedating antihistamines preferred by many of its subscribers who are allergy sufferers; and

Whereas, This decision has been roundly criticized by the Massachusetts Allergy Society, physicians and the public; and

Whereas, Two thousand three hundred thirteen City of Boston employees are enrolled in the Tufts individual health plan, 2,997 are enrolled in the Tufts family health plan, and 350 are enrolled in the Tufts senior plan; and

Whereas, Many of these subscribers are being forced, because of financial constraints and Tufts' new policy, to treat their allergies with antihistamines that are included in their Tufts health plan coverage but which are sedating; and

Whereas, Driver fatigue is blamed for as many as 240,000 motor vehicle accidents and 1,500 deaths each year in the United States, and more than thirty-one percent of fatal-to-the-driver commercial truck crashes are caused by drowsiness, and drivers taking sedating medications are at a six times greater risk of involvement in a sleep-related crash, according to the National Highway Traffic Safety Administration, the National Transportation Safety Board, the American Medical Association, and the American Automobile Association; and

Whereas, Many City of Boston employees who are Tufts subscribers and allergy sufferers are public safety personnel or else perform job duties which require the operation of motor vehicles or heavy equipment and which therefore implicate public safety issues; and

Whereas, It is in the public safety interest of the residents of Boston to assess the potential dangers caused by the change in prescription drug coverage recently announced by Tufts Health Plan, as well as the desirability of continuing to include Tufts among the health insurance options offered City of Boston employees; therefore be it

Ordered, That the Boston City Council Committee on Public Safety conduct a hearing, inviting the chairman of Tufts Health Plan, leaders of the Massachusetts Allergy Society, public safety personnel and their union representatives, officials from the City of Boston Health Benefits Division of Human Resources, and other appropriate interested parties, to determine the public safety implications for employees and residents of the City of Boston of Tufts' new policy.

Referred to the Committee on Public Safety.

**APPOINTMENT OF TEMPORARY EMPLOYEE
(DOCKET NO. 0330)**

Councillor KELLY offered the following:

Ordered, That effective Saturday, February 19, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, February 25, 2000:

Thomas M. McDonough, administrative assistant, \$1,574.72, full time

Passed under suspension of the rules.

**APPOINTMENT OF TEMPORARY EMPLOYEE
(DOCKET NO. 0331)**

Councillor KELLY offered the following:

Ordered, That effective Saturday, February 26, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, March 31, 2000:

Thomas M. McDonough, administrative assistant, \$574.72 full time

Passed under suspension of the rules.

**ORDER REQUESTING CERTAIN INFORMATION
UNDER SECTION 17F RE: YEARLY EXPEN-
DITURES PAID BY CITY IN ATTORNEY'S
FEES AND SETTLEMENTS OF ANY SORT
DURING LITIGATION OF EMPLOYMENT
DISCRIMINATION SUITS AGAINST FIRE
DEPARTMENT FROM 1995 TO PRESENT
(DOCKET NO. 0332)**

Councillors TURNER and YANCEY offered the following:

Ordered, That under the provisions of Section 17F of

Chapter 452 of the Acts of 1948, as amended, and under any other applicable provision of law, His Honor, the Mayor, be and hereby is, requested to obtain and deliver to the City Council, within one week of the receipt hereof, the following information:

Yearly expenditures paid by the City of Boston in attorney's fees and settlements of any sort during litigation of employment discrimination suits against the Boston Fire Department from 1995 to the present.

Passed under suspension of the rules.

**ORDER THAT COMMITTEE ON ECONOMIC
DEVELOPMENT AND TRANSPORTATION
HOLD HEARING RE: FUNDING FOR ROAD
AND BRIDGE WORK DUE TO INCREASED
COST OF BIG DIG PROJECT (DOCKET NO.
0333)**

Councillors HENNIGAN, ROSS, DAVIS-MULLEN, SCAPICCHIO, TURNER, ROACHE, FEENEY, KELLY and YANCEY offered the following:

Whereas, Cities and towns throughout the Commonwealth will receive less federal funding for road and bridge work due to the increased cost of the Big Dig project; and

Whereas, The Big Dig project albeit occurring in Boston, will drain funds from other necessary road work within the city; and

Whereas, There are concerns regarding necessary road and bridge repair that may not be connected to the Big Dig project; and

Whereas, The scope of the Big Dig, in terms of cost and development, is not entirely clear to the citizenry of Boston; therefore be it

Ordered, That the Committee on Economic Development & Transportation hold a prompt hearing on the matter; and be it further

Ordered, That the appropriate state and city officials be invited to attend.

**Referred to the Committee on Economic
Development and Transportation.**

**ORDER THAT HEARING BE HELD WITH
MAYOR'S APPOINTED TASK FORCE TO
INVESTIGATE FUTURE PARK OVER CEN-
TRAL ARTERY AND OTHER INNOVATIVE
IDEAS FOR NEWLY CONSTRUCTED PARK
(DOCKET NO. 0334)**

Councillor MURPHY offered the following:

Whereas, The future park over the Central Artery has the potential to provide significant park and educational opportunities that should be fully investigated; and

Whereas, This park could not only link the City with the waterfront but also link Boston with its past; and

Whereas, Boston is the birthplace of the American Revolution and attracts tourists because of its place in history and should take every opportunity to educate residents and tourists about this exciting past; and

Whereas, The size and location of the park would provide an ideal opportunity to construct a living museum of revolutionary Boston along the lines of Colonial Williamsburg or Plymouth Plantation; and

Whereas, This type of living history is an excellent educational opportunity as well as a tourist attraction; and

Whereas, It has been reported that the planning team for this park has been chosen; and

Whereas, The Mayor has appointed a task force to steer final plans for the surface park; therefore be it

Ordered, That a hearing be held with the Mayor's appointed task force to investigate this and other innovative ideas for the newly constructed park and that members of the public be invited to attend and give testimony.

Referred to the Committee on City and

Neighborhood Services.

ORDER THAT NAMES OF TOP TEN COMMERCIAL AND RESIDENTIAL VIOLATORS WHO HAVE ACCUMULATED LARGEST SUMS OF FINES FOR CODE VIOLATIONS AND INFRACTIONS BE MADE KNOWN TO RESIDENTS THROUGH BROADCASTING ON CITY'S MUNICIPAL CABLE STATION AND THAT COMMITTEE ON GOVERNMENT OPERATIONS HOLD HEARING TO DETERMINE HOW CITY CAN MORE EFFECTIVELY ENFORCE ITS ABILITY TO COLLECT UNPAID FINES FROM SAID VIOLATORS (DOCKET NO. 0335)

Councillors ROSS and FEENEY offered the following:

Whereas, The quality of lives of Boston residents is impeded by the improper disposal of trash and refuse, resulting in public health and other quality of life breeches that exist in our neighborhoods, particularly those "downtown" neighborhoods where this problem is pervasive; and

Whereas, City Code Inspectors, despite their efforts and increased numbers, will continue to face the challenge of eliminating the trash and rodent problems in our neighborhoods if the behavior of certain businesses and some residents does not change; and

Whereas, City Code Inspectors are permitted by State Law according to Chapter 40 § 21D to write and attach fines to properties where violations of the City's code may exist; and

Whereas, Despite its efforts for a period of four years the City has failed to collect almost four million dollars in fines from violators, and such funds could be used to keep our neighborhoods free and clear of trash and rodents; and

Whereas, Approximately 300,000 violations have been written since the inception of this program, while a mere 22 percent of these totals have been collected; and

Whereas, The most egregious of these violators, despite efforts by the City to collect these fines, have continually ignored the City's efforts to keep its streets free and clear of trash and rodents, and in some cases owe upwards of \$20,000 in unpaid violations; therefore be it

Ordered, That the names of the top ten commercial violators who have accumulated the largest sums of fines for code violations and infractions, and the names of the top ten residential violators who have accumulated the largest sums for code violations and infractions, be made known to the residents of Boston through broadcasting on the City's municipal cable station; and be it further

Ordered, That the Committee on Government Operations of the City Council convene a public hearing to determine how the City can more effectively enforce its ability to collect unpaid fines from said violators; and be it further

Ordered, The City Clerk formally invite the Honorable Chief Justice Edward Daher to explain the current collection system which currently travels through the Commonwealth's Housing Court; and be it further

Ordered, That certain officials and others be invited to attend as deemed fit by the administration, as well as, various community based organizations, residents and members of the public.

Referred to the Committee on Government Operations.

ORDER THAT COMMITTEE ON POST AUDIT AND OVERSIGHT HOLD HEARINGS TO REVIEW EXISTING MECHANISMS TO INCREASE

COLLECTIONS OF FINES AND TO DISCUSS FEASIBILITY OF IMPLEMENTING ADDITIONAL MEASURES SUCH AS IMPOSING ANY CODE ENFORCEMENT RELATED FINES TO A PROPERTY OWNER'S NEXT REAL ESTATE TAX BILL (DOCKET NO. 0336)

Councillors HONAN, DAVIS-MULLEN, KELLY, CONLEY, ROACHE, HENNIGAN, SCAPICCHIO and YANCEY offered the following:

Whereas, The Code Enforcement Division of the Inspectional Services Department has the enormous task of ensuring the quality of life in the city's neighborhoods by enforcing City of Boston Codes Chapter 16-12.16 *Removal of Snow and Ice*, Chapter 23-5 *Rubbish Disposal* and Chapter 23-8 *Overfilling of Barrels or Dumpsters of Any Size*; and

Whereas, The Code Enforcement Division has the authority, under Chapter 16-32 of the City of Boston Code, to impose fines for violations of these Ordinances; and

Whereas, The failure of property owners to pay these fines has resulted in a significant number of fines going uncollected; and

Whereas, Despite recent success in increasing the revenues that are collected, it is incumbent upon the City of Boston to explore all avenues to promote further increases in collections; therefore be it

Ordered, That the City Council's Committee on Post Audit and Oversight hold a hearing to review existing mechanisms to increase collections of fines and to discuss the feasibility of implementing additional measures such as imposing any code enforcement related fines to a property owner's next Real Estate Tax Bill; therefore be it further

Ordered, That representatives from the Department of Inspectional Services, Basic City Services, Code Enforcement and other interested parties be invited to testify.

Referred to the Committee on Post Audit and Oversight.

ORDER THAT COMMITTEE ON GOVERNMENT OPERATIONS EXPLORE FEASIBILITY OF COORDINATING EFFORTS AND RESOURCES OF VARIOUS CITY AGENCIES AND STATE AGENCIES SUCH AS METROPOLITAN DISTRICT COMMISSION TO MITIGATE IMPACT OF "MOVING DAY" EVERY SEPTEMBER FIRST (DOCKET NO. 0337)

Councillors HONAN and MURPHY offered the following:

Whereas, Every September 1st apartments in the Allston-Brighton, Back Bay, and South End sections of Boston bring about new leases and new tenancies; and

Whereas, Tenants that are vacating their apartments leave an inordinate amount of trash, furniture, and refuse on sidewalks, creating health and safety hazards; and

Whereas, The aforementioned sections of Boston are inundated with this trash, often for several days at a time, negatively impacting residents' quality of life and costing the City of Boston a tremendous amount of money and resources in its removal; therefore be it

Ordered That the City Council's Committee on Government Operations conduct a hearing to explore the feasibility of coordinating the efforts and resources of other city agencies such as the Boston Parks and Recreation Department and state agencies such as the Metropolitan District Commission to mitigate the impact of "moving day" on the residents of these communities; and be it further

Ordered, That the City Council's Committee on Government Operations explore the feasibility of mandating that large landowners provide dumpster service

for their outgoing tenants; and be it further

Ordered, That representatives of the City of Boston Department of Public Works, Department of Parks and Recreation, Division of Code Enforcement, the MDC, and representatives of the Greater Boston Real Estate Board be invited to testify.

Referred to the Committee on Government Operations.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Murphy: Congratulating Nicholas Scotti (Docket No. 0338); congratulating Richard Zimmerman (Docket No. 0339); congratulating Lithuanian American Council of Greater Boston (Docket No. 0340).

Councillors Hennigan, Murphy, Roache, Davis-Mullen, Flaherty and Conley: Congratulating Ronald "Ronnie" O'Keefe (Docket No. 0341).

Councillor Turner: Congratulating Felix Arroyo (Docket No. 0342); congratulating Juan Tennyson (Docket No. 0343); congratulating Alice I. Curran (Docket No. 0344); congratulating Reverend Cornelius Hastie (Docket No. 0345); congratulating Tracey Williams (Docket No. 0346); congratulating Inez King-Brooks (Docket No. 0347); congratulating Karla Carbone (Docket No. 0348); congratulating Lt. Charles Bailey (Docket No. 0349); congratulating Louis King, Jr. (Docket No. 0350).

Councillor Yancey: Congratulating United House of Prayer For All People Church on the Rock of the Apostolic Faith (Docket No. 0351); congratulating Horace and Joyce Rather (Docket No. 0352).

The Chair stated that in the absence of objection, one late-filed matter would be added to the Consent Agenda. No objection being heard, the following matter was added:

Councillor Yancey: Congratulating Josephine Holley (Docket No. 0353).

The matters contained within the Consent Agenda were severally adopted.

ORDER AUTHORIZING PARKS AND RECREATION COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$10,000 FROM MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, LAKE AND POND GRANT PROGRAM TO STABILIZE BANK AND IMPROVE WATER QUALITY OF CHANDLER POND IN BRIGHTON (DOCKET NO. 0100)

Councillor FEENEY called Docket No. 0100 from the Committee on City and Neighborhood Services.

The matter was before the body.

On motion of Councillor FEENEY, **the order was passed.**

ORDER FOR CONFIRMATION OF REAPPOINTMENTS OF JAMES E. WHITE, JOHN E. RYAN, DERICK D. JOYNER, WILLIE J. WILLIAM AND ROBERT E. LEE AS CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING OF BOND FOR TERM EXPIRING APRIL 30, 1999 (DOCKET NO. 0217)

Councillor FEENEY called Docket No. 0217 from the Committee on Government Operations.

The matter was before the body.

On motion of Councillor FEENEY, **the order was passed.**

ORDER FOR CONFIRMATION OF THE APPOINTMENT OF HELEN R. PILLSBURY AS MEMBER OF ABERDEEN STUDY COMMITTEE FOR PURPOSE OF CREATING NEW ARCHITECTURAL DISTRICT IN ABERDEEN NEIGHBORHOOD IN BRIGHTON (DOCKET NO. 0237)

Councillor HONAN called Docket No. 0237 from the Committee on Environment and Historic Preservation.

The matter was before the body.

On motion of Councillor HONAN, **the order was passed.**

ORDER FOR CONFIRMATION OF THE APPOINTMENT OF PHILIP TACKEL AS MEMBER OF ABERDEEN STUDY COMMITTEE FOR PURPOSE OF CREATING NEW ARCHITECTURAL DISTRICT IN ABERDEEN NEIGHBORHOOD IN BRIGHTON (DOCKET NO. 0238)

Councillor HONAN called Docket No. 0238 from the Committee on Environment and Historic Preservation.

The matter was before the body.

On motion of Councillor HONAN, **the order was passed.**

ORDER FOR CONFIRMATION OF THE APPOINTMENT OF JOSEPH S. TELLER AS MEMBER OF ABERDEEN STUDY COMMITTEE FOR PURPOSE OF CREATING NEW ARCHITECTURAL DISTRICT IN ABERDEEN NEIGHBORHOOD IN BRIGHTON (DOCKET NO. 0256)

Councillor HONAN called Docket No. 0256 from the Committee on Environment and Historic Preservation.

The matter was before the body.

On motion of Councillor HONAN, **the order was passed.**

ORDER FOR CONFIRMATION OF THE APPOINTMENT OF ARTURO VASQUEZ AS MEMBER OF ABERDEEN STUDY COMMITTEE FOR PURPOSE OF CREATING NEW ARCHITECTURAL DISTRICT IN ABERDEEN NEIGHBORHOOD IN BRIGHTON (DOCKET NO. 0257)

Councillor HONAN called Docket No. 0257 from the Committee on Environment and Historic Preservation.

The matter was before the body.

On motion of Councillor HONAN, **the order was passed.**

ORDER FOR CONFIRMATION OF THE APPOINTMENT OF EVA WEBSTER AS MEMBER OF ABERDEEN STUDY COMMITTEE FOR PURPOSE OF CREATING NEW ARCHITECTURAL DISTRICT IN ABERDEEN NEIGHBORHOOD IN BRIGHTON (DOCKET NO. 0258)

Councillor HONAN called Docket No. 0258 from the Committee on Environment and Historic Preservation.

The matter was before the body.

On motion of Councillor HONAN, **the order was passed.**

ORDER FOR CONFIRMATION OF THE APPOINTMENT OF MICHAEL ROTENBERG AS MEMBER OF ABERDEEN STUDY COMMITTEE

FOR PURPOSE OF CREATING NEW ARCHITECTURAL DISTRICT IN ABERDEEN NEIGHBORHOOD IN BRIGHTON (DOCKET NO. 0297)

Councillor HONAN called Docket No. 0297 from the Committee on Environment and Historic Preservation.

The matter was before the body.

On motion of Councillor HONAN, the order was passed.

NEXT MEETING

Councillor Kelly moved that when the Council adjourns today it be to meet again on Wednesday, March 1, 2000, at 12 o'clock Noon.

The motion was carried.

Adjourned at 2:53 p.m., on motion of Councillor Kelly, to meet on Wednesday, March 1, 2000, at 12 o'clock Noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, March 1, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 1:00 p.m., President KELLY in the chair and all members present.

INVOCATION

Bishop Edward W. Hoffman, Calvary Church International, delivered the invocation, and the meeting was opened with the pledge of allegiance to the flag.

ORDER AUTHORIZING OFFICE OF COMMUNITY PARTNERSHIPS TO ACCEPT AND EXPEND GRANT OF \$475,000 FROM MASSACHUSETTS DEPARTMENT OF EDUCATION FOR PURPOSE OF DEVELOPING STRONG SCHOOL AND COMMUNITY ALLIANCES TO STRENGTHEN OPPORTUNITIES FOR CHILDREN DURING AFTER-SCHOOL HOURS (DOCKET NO. 0354)

The following was received:

City of Boston
Office of the Mayor

February 24, 2000

To the City Council
Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Office of Community Partnerships, on behalf of the City of Boston, to accept and expend a grant award in the amount of \$475,000 from the Commonwealth of Massachusetts, Department of Education, to the City of Boston. This award is made for the purpose of developing strong school and community alliances to strengthen opportunities for children in Boston during after-school hours.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may accept and expend these funds expeditiously for the benefit of Boston's school children.

Sincerely yours,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c.44, §53A, the Office of Community Partnerships, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend from the Commonwealth of Massachusetts, Department of Education, funds not to exceed the amount of \$475,000 for the purpose of developing strong school and community alliances to strengthen opportunities for children in Boston during after-school hours.

Referred to the Committee on Education and School Matters.

ORDER APPROVING SUPPLEMENTAL APPROPRIATION OF \$1,670,996 FOR SUFFOLK COUNTY SHERIFF'S DEPARTMENT FOR FY 00 (DOCKET NO. 0355)

The following was received:

City of Boston
Office of the Mayor

February 29, 2000

To the City Council
Dear Councillors:

I transmit herewith for your approval, an order in the amount of \$1,670,996 for the Suffolk County Sheriff's Department for FY00. This appropriation is required to complete the City's state-mandated responsibility to fund the local portion of the Sheriff's budget as required by the County Finance Review Board.

I respectfully request your support of this supplemental appropriation for the Suffolk County Sheriff's Department.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, in addition to the appropriation for the City of Boston and the County of Suffolk heretofore made for fiscal year 2000, to meet the current expenses of the Sheriff's Department in said fiscal year, the sum of \$1,670,996 be, and the same hereby is appropriated, said sum to be raised from available funds:-

100-811100-51400 Suffolk County Sheriff \$1,670,996.

Referred to the Committee on Public Safety.

LOAN ORDER OF \$2,222,000 FOR PURPOSE OF ACQUIRING LAND FOR, CONSTRUCTING AND ORIGINALLY EQUIPPING AND FURNISHING PUBLIC SCHOOLHOUSES AND ADDITIONS AND FOR RECONSTRUCTION, REMODELING OF ANY SCHOOLHOUSE (DOCKET NO. 0356)

The following was received:

City of Boston
Office of the Mayor

February 28, 2000

To the City Council

Dear Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$2,222,000 for the purpose of acquiring land for, constructing and originally equipping and furnishing public schoolhouses and additions, and for the reconstruction, remodeling of any schoolhouse.

I urge your Honorable Body to pass this order.

Sincerely yours,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, the sum of \$2,222,000 be, and hereby is, appropriated for acquiring land for, constructing and originally equipping and furnishing public schoolhouses and additions, and for the reconstruction, remodeling of any schoolhouses and additions, and for the reconstruction, remodeling of any schoolhouse; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Chapter 642 of the Acts of 1966, as amended, or under the provisions of Clause (3) and/or (3A) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized through this order be expended only on those projects as described by name attached herein.

Attachment

1. Modular Classrooms at Lyndon Pilot School
2. Modular Classrooms at Quincy Upper Pilot School

Referred to the Committee on Ways and Means.

ABSENCE OF THE MAYOR
(DOCKET NO. 0357)

Notice was received from the Mayor of his absence from the City on February 18, 2000 until February 23,

2000.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF REAPPOINTMENT OF GALEN GILBERT AS TRUSTEE OF BOSTON GROUNDWATER TRUST FOR TERM EXPIRING JANUARY 12, 2001 (DOCKET NO. 0358)

Notice was received from the Mayor of the reappointment of Galen Gilbert as a Trustee of the Boston Groundwater Trust for a term expiring January 12, 2001.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF REAPPOINTMENT OF TIM MITCHELL AS TRUSTEE OF BOSTON GROUNDWATER TRUST FOR TERM EXPIRING JANUARY 12, 2001 (DOCKET NO. 0359)

Notice was received from the Mayor of the reappointment of Tim Mitchell as a Trustee of the Boston Groundwater Trust for a term expiring January 12, 2001.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF REAPPOINTMENT OF GARY L. SAUNDERS AS TRUSTEE OF BOSTON GROUNDWATER TRUST FOR TERM EXPIRING JANUARY 12, 2001 (DOCKET NO. 0360)

Notice was received from the Mayor of the reappointment of Gary L. Saunders as a Trustee of the Boston Groundwater Trust for a term expiring January 12, 2001.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF REAPPOINTMENT OF PETER M. SHERIN AS TRUSTEE OF BOSTON GROUNDWATER TRUST FOR TERM EXPIRING JANUARY 12, 2001 (DOCKET NO. 0361)

Notice was received from the Mayor of the reappointment of Peter M. Sherin as a Trustee of the Boston Groundwater Trust for a term expiring January 12, 2001.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF REAPPOINTMENT OF JAMES W. STETSON AS TRUSTEE OF BOSTON GROUNDWATER TRUST FOR TERM EXPIRING JANUARY 12, 2001 (DOCKET NO. 0362)

Notice was received from the Mayor of the reappointment of James W. Stetson as a Trustee of the Boston Groundwater Trust for a term expiring January 12, 2001.

Placed on file.

ORDER THAT COMMITTEE ON ECONOMIC DEVELOPMENT AND TRANSPORTATION HOLD HEARING PURSUANT TO ARTICLE 2, SECTION 2.1 PRELIMINARY OBLIGATIONS OF THE ORDER APPROVING BOSTON CONVENTION AND EXHIBITION CENTER PROJECT (DOCKET NO. 0363)

Councillors KELLY, SCAPICCHIO, FLAHERTY,

FEENEY and DAVIS-MULLEN offered the following:

Whereas, Pursuant to Article 2, section 2.1 Preliminary Obligations, of the Order Approving the Boston Convention Exhibition Center Project, the Boston Redevelopment Authority and the Massachusetts Convention Center Authority shall meet with the City Council in a public hearing on a scheduled quarterly basis, at a place in South Boston or at the City Council to "appraise the City Council and the residents of Boston and others of the success of achieving the terms this Order (including, without limitation, those terms regarding traffic, design, the environment and linkage), as well as expenditures for parcel acquisition, demolition and remediation, the status and results of the Large Project Review Process and the MEPA Process, and the overall status of the Project;" and

Whereas, Two public hearings have been held to date for such purpose and have served to inform South Boston residents and city officials on the overall progress of the project, including target completion goals, employment opportunities, site acquisition costs, indebtedness, projected occupancy and community enhancement projections; and

Whereas, Final Orders of Taking with respect to certain parcels necessary as and for a site for the Boston Convention and Exhibition Center Project have been authorized; therefore be it

Ordered, That the Committee on Economic Development & Transportation conduct a third quarterly hearing and that representatives of the Massachusetts Convention Center Authority, the Boston Redevelopment Authority and all other interested parties be invited to attend.

Referred to the Committee on Economic Development and Transportation.

ORDER THAT CITY COUNCIL HOLD HEARING REGARDING REGULATION 780 CMR, 1028.2 OF STATE BUILDING CODE REQUIRING THAT ALL EXTERIOR STEEL OR WOODEN STAIRWAYS, FIRE ESCAPES AND EGRESS BALCONIES BE EXAMINED AND/OR TESTED AND CERTIFIED FOR STRUCTURAL ADEQUACY AND SAFETY EVERY FIVE YEARS (DOCKET NO. 0364)

Councillors DAVIS-MULLEN and HENNIGAN offered the following:

Whereas, On February 14, 2000, the City of Boston's Inspectional Services Department mailed letters to the residents of East Boston, Charlestown and the North End requesting these residents to file an affidavit with the City of Boston that requires that a certified examiner test the safety of any exterior steel or wooden stairways, fire escapes and egresses on their property; and

Whereas, The Inspectional Services Department will be notifying and intends on requiring every eligible property owner in the city of Boston to comply with this request every five years; and

Whereas, Property owners who the City of Boston determines are required to comply with this request must pay \$50 per application fee, must hire a certified or registered Massachusetts Professional Registered Engineer to inspect the property; and

Whereas, The intent of this regulation is to ensure that these structures are safe for use but there is concern among residents regarding

A. The validity and enforceability of this regulation

B. The excessive cost of complying with the regulation, particularly for those residents on fixed incomes, and

C. If some property owners were mistakenly or unfairly required to comply with this regulation, therefore be it

Ordered, That the Boston City Council conduct a full public hearing regarding this regulation for the purpose

of allowing the Inspectional Services Department to explain who is required to comply, how the regulation will be enforced and what structures would fall under the regulation, and be it further

Ordered, That the Boston City Council review and adjust the fee structure for property owners who are required to comply with this regulation.

Referred to the Committee on Government Operations.

ORDER THAT COMMITTEE ON POST AUDIT AND OVERSIGHT HOLD HEARING TO EXAMINE COST IN DOLLARS AND MANPOWER OF MAINTAINING CURRENT DIGITAL PARKING METERS AND TO EXPLORE FEASIBILITY OF REPLACING EXISTING METERS WITH THE TYPE USED IN PILOT PROGRAM (DOCKET NO. 0365)

Councillors HONAN, MURPHY, SCAPICCHIO, HENNIGAN, ROSS and FEENEY offered the following:

Whereas, Boston Finance Commission records show coinage collections were down in July, September, October and December of fiscal 2000, putting the city on pace to bring in less than the \$7.8 million collected in fiscal 1999, down from \$8.4 million the previous year; and

Whereas, According to officials of the City of Boston Transportation Department, between 2,000 and 3,000, or 40 to 45 percent of the city's approximately 7,200 digital parking meters are routinely out of order; and

Whereas, It is estimated that vandalism accounts for 98 percent of all broken meters; and

Whereas, City ordinance prohibits parking at broken meters, thus reducing available metered parking spaces within city boundaries; and

Whereas, The problem of vandalism is so acute that the Transportation Department has created a new strike force team to monitor meters and scofflaw activity and has instituted new measures to prosecute meter vandals; and

Whereas, The City of Boston undertook a Pilot Program from October 5, 1998 to June 30, 1999 using coin/"Smart Card" operated meters; and

Whereas, The Pilot Program demonstrated an increase of seventy-eight percent in revenues in the first month alone as compared to the prior year, as well as increased consumer convenience, reduced "downtime" and maintenance of meters, and reduced fee collection costs; therefore be it

Ordered, That the City Council's Committee on Post Audit and Oversight conduct a hearing to examine the cost, in dollars and manpower, of maintaining the current meters and to explore the feasibility of replacing the existing meters with the type used in the Pilot Program; and be it further

Ordered, That representatives from the Department of Transportation, Treasury, Fleet Bank and other interested parties be invited to testify.

Referred to the Committee on Post Audit and Oversight.

ORDINANCE REGARDING IMPROPER PREPARATION OF FOOD (DOCKET NO. 0366)

Councillor DAVIS-MULLEN offered the following:
City of Boston

In the year two thousand

AN ORDINANCE REGARDING IMPROPER PREPARATION OF FOOD

Whereas, In the City of Boston, numerous vendors distribute food items via pushearts and other mobile facilities; and

Whereas, The number of such vendors is expected to rise with the growth of Boston's population and tourism industry; and

Whereas, Those who live, work and visit the city frequent such vendors daily; and

Whereas, Tourism is a vital industry to the City of Boston; and

Whereas, It is a legitimate concern of the city to protect the health of its citizens and those working and visiting Boston; therefore

Be it ordained by the City Council of Boston, as follows:

Section 1. In the City of Boston, manufacturing, preparing, handling, serving and/or distributing food from any vehicle and/or pusheart and/or by any hawker, peddler or like transient vendor, as defined in Chapter 101 of the General Laws, without the use of sanitary gloves, shall be considered unsanitary or unhealthful conditions in accordance with Massachusetts General Laws, Chapter 94, Section 305A.

Section 2. This ordinance shall apply only to "Ready to Eat Food" as defined in the State Sanitary Code - 105 CMR 590.00

Section 3. Sanitary Gloves shall be used in the following manner. A new pair shall be worn for each transaction.

On motion of Councilor DAVIS-MULLEN, the rules were suspended; **the ordinance was passed.**

ORDER THAT COMMITTEE ON TECHNOLOGY HOLD HEARING TO DETERMINE HOW CITY CAN IMPROVE ITS ABILITY TO RECRUIT AND RETAIN TECHNOLOGY PROFESSIONALS (DOCKET NO. 0367)

Councillors ROSS, HENNIGAN and HONAN offered the following:

Whereas, The technology industry has grown exponentially in recent years, demonstrating unparalleled financial gains; and

Whereas, The insatiable appetite of this industry has caused a boom in the hiring of all technology professionals; and

Whereas, The vast resources of these high tech companies appear to be limitless in their ability to recruit and compensate prospective employees; and

Whereas, The City of Boston with its significant technology needs, and the valuable services that are provided to its residents and visitors, offers prospective technology professionals a unique career opportunity; and

Whereas, In its ability to recruit new professionals, the City of Boston cannot compete with high salaries, stock options, or bonuses that today's high tech companies offer; therefore be it

Ordered, That the Special Committee on Technology of the City Council convene a public hearing to determine how the City of Boston can improve its ability to recruit and retain technology professionals; and be it further

Ordered, That certain officials and others be invited to attend including the Director and appropriate representatives of the office of Management and Information Services, as well as appropriate representatives and the Director of Human Resources.

Referred to the Special Committee on Information and Technology.

LATE-FILED MATTERS

The Chair stated that, in absence of objection, three late-filed matters would be added to the Agenda.

No objection being heard, the following matters were added:

RESOLUTION REGARDING RACIAL
TOLERANCE (DOCKET NO. 0380)

Councillors HONAN, HENNIGAN, CONLEY and FEENEY offered the following:

Whereas, The residents of the City of Boston have worked hard over the past twenty-five years to put attitudes of racial intolerance behind them and to dispel the image of Boston as a hotbed of bigotry; and

Whereas, People of all races throughout the City have come together to work in harmony on critical issues such as housing and education in order to make the City a better place for all its residents; therefore be it

Resolved, That the Boston City Council in meeting assembled go on record, as a united body, as publicly renouncing attitudes of racial intolerance and divisiveness.

Councilor FEENEY in the Chair.

President KELLY in the Chair.

The resolution was adopted under suspension of the rules.

RESOLUTION RE: ZERO-TOLERANCE POLICY
FOR BOSTON PUBLIC SCHOOLS (DOCKET
NO. 0381)

Councillors DAVIS-MULLEN, FEENEY, HONAN and ROACHE offered the following:

Whereas, The Boston Public Schools have been plagued with violence in recent months; and

Whereas, Violence in the schools has been, and continues to be a problem without resolution; and

Whereas, School violence not only affects a victim's physical and mental well being, but also has ripple effects across the entire student body and is an impediment to learning; and

Whereas, There are students within the system who are repeatedly suspended, or expelled from one school but then assigned to another; and

Whereas, School violence and the transferring of those suspected of it from one school to another is simply unacceptable;

Whereas, Students that commit acts of violence need to be expelled from the system, or sent to alternative schools on a permanent basis; and

Whereas, The current discipline policy of the Boston Public Schools is failing our children; and

Whereas, The school committee is charged by state law to maintain and implement policy for the school system; and

Whereas, Maintaining a safe learning environment is the responsibility of the Boston School Committee; therefore be it

Resolved, That the Boston City Council, herein assembled, urges the Boston School Committee to courageously adopt a zero-tolerance policy for violence involving students of the Boston Public Schools; and be it further

Resolved, That the Boston City Council recognizes the constitutional constraints involved with drafting such a policy, but is of the opinion that the safety of our students is a compelling governmental interest, and that such constraints should not stand in the way of a fair, but effective policy.

Councillor CONLEY moved that the resolution be amended in the first Resolved paragraph, Paragraph No. 10, by striking out the words "courageously adopt" and substitute the words "consider adopting."

The motion was carried.

The resolution, as amended, was referred to the Committee on Education and School Matters.

RESOLUTION THAT BOSTON CITY COUNCIL
URGES FEDERAL GOVERNMENT TO
REQUIRE LABELING OF GENETICALLY
MANIPULATED FOOD AND FURTHER
URGES MORATORIUM ON PRODUCTION
OF ANY MORE OF THESE FOODS UNTIL
ACCEPTABLE TESTING SYSTEMS ARE IN
PLACE (DOCKET NO. 0382)

Councillors HENNIGAN and SCAPICCHIO offered the following:

Whereas, Genetically engineered foods have never been proven safe, nor are genetically engineered foods tested by any federal agency as the Food and Drug Administration requires only that the companies engineering these foods state, on the "honor system" that the foods are safe with no further testing required; and

Whereas, Cornell University researcher, John Losey, and other researches indicated in repeated tests that the larvae from Monarch Butterflies were dying at an alarming rate from toxic pollen generated from the genetically engineered corn near their feeding sites; and

Whereas, A class action lawsuit has been brought against the Food and Drug Administration by some of the nation's most prominent anti-trust lawyers for rushing these novel, unpredictable and untested food technology products to the market; and

Whereas, Numerous bioengineers and related distinguished scientists have gone on record stating this technology clearly is different from traditional breeding methods and is highly probable to exhibit a host of undesirable health and environmental risk factors as well as great potential for negative cascade effects in the genetic cross pollination of beneficial plants, insects and other fragile ecosystems directly linked to the breeding of this novel experimental food production technology; now, therefore be it

Resolved, That the Boston City Council, in meeting assembled, urges the Federal Government to require labeling of genetically manipulated foods and further urges a moratorium on the production of any more of these foods until acceptable testing systems are in place; and be it further

Resolved, That March 26, 2000 be declared YOU ARE WHAT YOU EAT DAY in the City of Boston.

The resolution was adopted under suspension of the rules.

STATEMENT OF COUNCILLOR DAVIS-MULLEN

Having unanimous consent to do so, Councillor DAVIS-MULLEN thanked publicly Fire Commissioner Marty Pierce on his retirement for a lifetime of good work as a fireman's fireman and a gentleman whose entire family dedicated themselves to the public safety for the people of Boston.

STATEMENT OF COUNCILLOR FEENEY

Having unanimous consent to do so, Councillor FEENEY also wanted to recognize Commissioner Pierce and expressed her desire to have him come in to City Council some time in the next few weeks and present him with a resolution and thank him for all that he has done for the City. He will be sorely and sadly missed.

STATEMENT OF COUNCILLOR HENNIGAN

Having unanimous consent to do so, Councillor HENNIGAN also wanted to commend Commissioner Pierce on the wonderful job he has done and his years of

service to the City of Boston.

STATEMENT OF COUNCILLOR YANCEY

Having unanimous consent to do so, Councillor YANCEY recalled his trip to Guam at a refugee camp last year and acknowledged how Commissioner Pierce sent 200 Boston Fire Department tee shirts with Councillor Yancey for the people at the camp.

STATEMENT OF COUNCIL PRESIDENT KELLY

Council President KELLY on behalf of all the members of the City Council stated we would adjourn in memory of Lieutenant Robert Greene of the Boston Fire Department who was killed in an accident over the weekend.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Feeney: Congratulating John Krall (Docket No. 0368).

Councillor Murphy: Congratulating Joseph Caulfield (Docket No. 0369); congratulating the Goon Shee Family Association (Docket No. 0370).

Councillor Conley: Congratulating Muriel Gillooly (Docket No. 0371); commending the Woodbourne Apartments (Docket No. 0372).

Councillor Feeney: Congratulating Joseph Carpineto (Docket No. 0373).

Councillor Conley: Congratulating the Hyde Park Youth Hockey 1999-2000 Tier 2, Division 1 — Bantam State Champions (Docket No. 0374).

Councillor Scappichio: Congratulating Jennifer Chapin (Docket No. 0375); congratulating David Sullivan (Docket No. 0376); congratulating Robert Shields (Docket No. 0377).

Councillor Roache: Congratulating Samuel Spiegel (Docket No. 0378).

Councillor Feeney: Congratulating Marcia Good (Docket No. 0379).

The Chair stated that in the absence of objection, three late-filed matters would be added to the Consent Agenda.

No objection being heard, the following matters were added:

Councillor Yancey: Congratulating the Jennie and Ross High Family (Docket No. 0383); congratulating Diddy Cullinane (Docket No. 0384).

Councillors Yancey, Turner and Roache: Honoring Crispus Attucks (Docket No. 0385).

The matters contained within the Consent Agenda were severally adopted.

Adjourned at 1:15 p.m. on motion of President KELLY in memory of Lieutenant Robert Greene of the Boston Fire Department to meet on Wednesday, March 8, 2000 at 12 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, March 8, 2000

Regular meeting of the City Council held in the Christopher Iannella Council Chamber, City Hall, at 12:30 p.m., President KELLY in the Chair and all members present.

INVOCATION

Reverend William P. Joy, St. Angela's Church, delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

PRESENTATION BY COUNCILLOR FEENEY

Councillor Feeny presented Martin E. Pierce, Jr., with a resolution for having faithfully served the City of Boston Fire Department as Fire Commissioner and Chief of the Department for the past nine years. Commissioner Pierce dedicated thirty-one years of his life to public service and all the Councillors wanted to congratulate and thank Commissioner Pierce for his service to the City of Boston and wish him and his family health and abundant happiness in the future.

ORDER AUTHORIZING PUBLIC WORKS DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$750,000 FROM EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS, DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR PUBLIC EDUCATION AND TECHNICAL SUPPORT FOR IMPROVING EFFECTIVENESS OF RECYCLING THROUGH RECYCLING PROGRAM (DOCKET NO. 0386)

The following was received:

City of Boston
Office of the Mayor

March 3, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Public Works Department, on behalf of the City of Boston, to accept and expend a grant award in the amount of \$750,000 from the Commonwealth of Massachusetts, Executive Office of Environmental Affairs, through the Department of Environmental Protection, to the City of Boston for the period July 1, 2000 through June 30, 2003. The grant amount is estimated due to the fact that the reimbursement process is based on the tons of material recycled through the City of Boston's Recycling Program. The monies will be sent to the City of Boston twice yearly for the period July 1, 2000 through June 30, 2003, and will be utilized for public education and technical support for improving the effectiveness of recycling through the City of Boston's Recycling Program.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may accept and expend these funds expeditiously for the purposes for which they were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Public Works Department, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend from the Commonwealth of Massachusetts,

Executive Office of Environmental Affairs, through the Department of Environmental Protection, funds not to exceed the amount of \$750,000 for the period July 1, 2000 through June 30, 2003. The grant amount is estimated due to the fact that the reimbursement process is based on the tons of material recycled through the City of Boston's Recycling Program. The monies will be sent to the City of Boston twice yearly for the period July 1, 2000 through June 30, 2003, and will be utilized for public education and technical support for improving the effectiveness of recycling through the City of Boston's Recycling Program.

Referred to the Committee on Environment and Historic Preservation.

ORDER AUTHORIZING PUBLIC WORKS DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$165,000 FROM EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS, DEPARTMENT OF ENVIRONMENTAL PROTECTION TO BE UTILIZED BY MUNICIPAL RECYCLING INITIATIVE PROGRAM COORDINATOR FOR TRAVEL AND OVERHEAD EXPENSES (DOCKET NO. 0387)

The following was received:

City of Boston
Office of the Mayor

March 3, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Public Works Department, on behalf of the City of Boston, to accept and expend a grant award in the amount of \$165,000 from the Commonwealth of Massachusetts, Executive Office of Environmental Affairs, Department of Environmental Protection, to the City of Boston for the period July 1, 2000 through June 30, 2003. The grant amount will be awarded in yearly increments of \$55,000 per year and will be utilized by the Municipal Recycling Initiative Program Coordinator for travel and overhead expenses.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may accept and expend these funds expeditiously for the purposes for which they were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Public Works Department, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend from the Commonwealth of Massachusetts, Executive Office of Environmental Affairs, through the Department of Environmental Protection, funds not to exceed the amount of \$165,000 for the period July 1, 2000 through June 30, 2003. The funds will be awarded in yearly increments of \$55,000 per year and will be utilized by the Municipal Recycling Initiative Program Coordinator for travel and overhead expenses.

Referred to the Committee on Environment and Historic Preservation.

ORDER AUTHORIZING PUBLIC WORKS DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$150,000 FROM EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS, DEPARTMENT OF ENVIRONMENTAL PROTECTION TO EDUCATE PUBLIC ON AND ENCOURAGE RESIDENTS TO PARTICIPATE IN CITY'S RECYCLING SERVICES (DOCKET NO. 0388)

The following was received:

City of Boston
Office of the Mayor

March 3, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Public Works Department, on behalf of the City of Boston, to accept and expend a grant award in the amount of \$150,000 from the Commonwealth of Massachusetts, Executive Office of Environmental Affairs, through the Department of Environmental Protection, to the City of Boston for the period July 1, 2000 through June 30, 2003. The purpose of this grant is for the Boston Public Works Recycling Program to educate the public on and encourage residents to participate in the City's recycling services.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may accept and expend these funds expeditiously for the purposes for which they were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Public Works Department, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend from the Commonwealth of Massachusetts, Department of Environmental Protection, funds not to exceed the amount of \$150,000 for the purpose of the Boston Public Works Department Recycling Program educating the public on and encouraging residents to participate in the City's recycling services.

Referred to the Committee on Environment and Historic Preservation.

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO APPLY TO U.S. ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) FOR PUBLIC WORKS AND ECONOMIC DEVELOPMENT ASSISTANCE GRANT OF \$1,000,000 (DOCKET NO. 0389)

The following was received:

City of Boston
Office of the Mayor

March 3, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Department of Neighborhood Development, acting on behalf of the City of Boston, to apply to the U.S. Economic Development Administration ("EDA") for a Public Works and Economic Development Assistance Grant in an amount not to exceed \$1,000,000 and, in connection therewith, to deliver any documents as may be required by the EDA for such grant.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may submit its application to the EDA expeditiously.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to 42 U.S.C. § 3121 and St. 1966, c. 642, § 10, the Department of Neighborhood Development (formerly referred to as the Public Facilities Department), acting on behalf of the City of Boston, be and hereby is authorized to apply to the U.S. Economic Development Administration for a Public Works and Economic Development Assistance Grant in an amount not to exceed \$1,000,000 and, in connection therewith, to deliver documents as may be required by the U.S. Economic Development Administration for such grant.

Referred to the Committee on Economic Development and Transportation.

ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$74,137.81 FROM ATTORNEY GENERAL'S OFFICE FOR PURPOSE OF RESTORING SENSE OF SAFETY TO NEIGHBORHOOD OF DORCHESTER SAFE NEIGHBORHOOD INITIATIVE (SNI) BY INCREASING POLICE SURVEILLANCE ACTIVITIES AND COLLABORATING WITH ALL AGENCIES TO REDUCE CRIME AND FEAR IN SNI AREA (DOCKET NO. 0390)

The following was received:

City of Boston
Office of the Mayor

February 17, 2000

To the City Council.

Dear Councilors:

I transmit herewith for your confirmation an Order authorizing the Police Commissioner, on behalf of the City of Boston, to accept and expend a grant award in the amount of \$74,137.81 from the Attorney General's office to the City of Boston. This award is made for the purpose of restoring a sense of safety to the neighborhood of the Dorchester Safe Neighborhood Initiative (SNI) by increasing police surveillance activities and collaborating with all agencies to reduce crime and fear in the SNI area.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may accept and expend these funds expeditiously for the purposes for which they were granted.

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Police Commissioner, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend from the Attorney General's office funds not to exceed the amount of \$74,137.81 to be utilized by the Boston Police Department in restoring a sense of safety to the neighborhood of the Dorchester Safe Neighborhood Initiative (SNI) by increasing police surveillance activities and collaborating with all agencies to reduce crime and fear in the SNI area.

Referred to the Committee on Public Safety.

ORDER FOR CONFIRMATION OF APPOINTMENT OF LISA S. SERAFIN AS MEMBER OF ABERDEEN STUDY COMMITTEE FOR PURPOSE OF CREATING NEW ARCHITECTURAL DISTRICT IN THE ABERDEEN NEIGHBORHOOD IN BRIGHTON (DOCKET NO. 0391)

The following was received:

City of Boston
Office of the Mayor

February 28, 2000

To the City Council.

Dear Councilors:

Pursuant to the authority vested in me by Section 4 of Chapter 772 of the Acts of 1975, I transmit herewith for your confirmation an Order regarding the appointment of Lisa S. Serafin of 207 West Springfield Street, # 5, Boston, MA 02118, as a member of the Aberdeen Study Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton.

I urge your Honorable Body to pass this Order at the earliest possible date so that Ms. Serafin may begin serving her appointment without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 4, the

appointment of Lisa S. Serafin of 207 West Springfield Street, # 5, Boston, MA 02118, as a member of the Aberdeen Study Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF APPOINTMENT OF MARK A. VERKENNIS AS MEMBER OF ABERDEEN STUDY COMMITTEE FOR PURPOSE OF CREATING NEW ARCHITECTURAL DISTRICT IN ABERDEEN NEIGHBORHOOD IN BRIGHTON (DOCKET NO. 0392)

The following was received:

City of Boston
Office of the Mayor

February 28, 2000

To the City Council.

Dear Councillors:

Pursuant to the authority vested in me by Section 4 of Chapter 772 of the Acts of 1975, I transmit herewith for your confirmation an Order regarding the appointment of Mark A. Verkennis of 73 Hampstead Road, Jamaica Plain, MA 02130, as a member of the Aberdeen Study Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton.

I urge your Honorable Body to pass this Order at the earliest possible date so that Mr. Verkennis may begin serving his appointment without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 4, the appointment of Mark A. Verkennis of 73 Hampstead Road, Jamaica Plain, MA 02130, as a member of the Aberdeen Study Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF APPOINTMENT OF RICHARD F. SCHMIDT AS MEMBER OF ABERDEEN STUDY COMMITTEE FOR PURPOSE OF CREATING NEW ARCHITECTURAL DISTRICT IN ABERDEEN NEIGHBORHOOD IN BRIGHTON (DOCKET NO. 0393)

The following was received:

City of Boston
Office of the Mayor

February 28, 2000

Dear Councillors:

Pursuant to the authority vested in me by Section 4 of Chapter 772 of the Acts of 1975, I transmit herewith for your confirmation an Order regarding the appointment of Richard F. Schmidt of 34 Sherwood Street, Roslindale, MA 02131, as a member of the Aberdeen Study Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton.

I urge your Honorable Body to pass this Order at the earliest possible date so that Mr. Schmidt may begin serving his appointment without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 4, the

appointment of Richard F. Schmidt of 34 Sherwood Street, Roslindale, MA 02131, as a member of the Aberdeen Study Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF APPOINTMENT OF WILLIAM P. MARCHIONE AS MEMBER OF ABERDEEN STUDY COMMITTEE FOR PURPOSE OF CREATING NEW ARCHITECTURAL DISTRICT IN ABERDEEN NEIGHBORHOOD IN BRIGHTON (DOCKET NO. 0394)

The following was received:

City of Boston
Office of the Mayor

February 28, 2000

To the City Council.

Dear Councillors:

Pursuant to the authority vested in me by Section 4 of Chapter 772 of the Acts of 1975, I transmit herewith for your confirmation an Order regarding the appointment of William P. Marchione of 30 Kenrick Street, Brighton, MA 02135, as a member of the Aberdeen Study Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton.

I urge your Honorable Body to pass this Order at the earliest possible date so that Mr. Marchione may begin serving his appointment without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 4, the appointment of William P. Marchione of 30 Kenrick Street, Brighton, MA 02135, as a member of the Aberdeen Study Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF APPOINTMENT OF SUSAN D. PRANGER AS MEMBER OF ABERDEEN STUDY COMMITTEE FOR PURPOSE OF CREATING NEW ARCHITECTURAL DISTRICT IN ABERDEEN NEIGHBORHOOD IN BRIGHTON (DOCKET NO. 0395)

The following was received:

City of Boston

February 28, 2000

To the City Council.

Dear Councillors:

Pursuant to the authority vested in me by Section 4 of Chapter 772 of the Acts of 1975, I transmit herewith for your confirmation an Order regarding the appointment of Susan D. Pranger of 23 Chilcott St., Jamaica Plain, MA, as a member of the Aberdeen Study Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton.

I urge your Honorable Body to pass this Order at the earliest possible date so that Ms. Pranger may begin serving her appointment without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 4, the appointment of Susan D. Pranger of 23 Chilcott St., Jamaica Plain, MA, as a member of the Aberdeen Study

Committee for the purpose of creating a new Architectural District in the Aberdeen neighborhood in Brighton be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF APPOINTMENT OF SUSAN WATERS AS ALTERNATE MEMBER OF BOSTON LANDMARKS COMMISSION FOR TERM EXPIRING JUNE 30, 2002 (DOCKET NO. 0396)

The following was received:

City of Boston
Office of the Mayor

February 28, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order regarding the appointment of Susan Waters of 47 Harvard Street, # B403, Charlestown, MA 02129, as an alternate member of the Boston Landmarks Commission for a term expiring June 30, 2002, vice James Keefe.

I urge your Honorable Body to pass this Order at the earliest possible date so that Ms. Waters may begin serving her appointment without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975 c.772, § 3, the appointment of Susan Waters of 47 Harvard Street, #B403, Charlestown, MA 02129, as an alternate member of the Boston Landmarks Commission for a term expiring June 30, 2002, vice James Keefe, be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF APPOINTMENT OF MARK STEVENS AS MEMBER OF BAY VILLAGE HISTORIC DISTRICT COMMISSION FOR TERM EXPIRING APRIL 1, 2002 (DOCKET NO. 0398)

The following was received:

City of Boston
Office of the Mayor

February 28, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order regarding the appointment of Mark Stevens, 19 Barrow Street, Roslindale, MA 02131, as a member of the Bay Village Historic District Commission for a term expiring April 1, 2002. Mr. Stevens will be replacing Cheryl Tougas, who resigned as a full member.

I urge your Honorable Body to pass this Order at the earliest possible date so that Mr. Stevens may begin serving his appointment without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975 c. 772, § 3, the appointment of Mark Stevens of 19 Barrow Street, Roslindale, MA 02131, as a member of the Bay Village Historic District Commission for a term expiring April 1, 2002 be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

CERTAIN INFORMATION UNDER SECTION 17F
RE: CRIME STATISTICS FROM NOVEMBER

1, 1999 TO JANUARY 31, 2000 (DOCKET NO. 0398)

The following was received:

City of Boston
Office of the Mayor

March 7, 2000

To The Boston City Council.

Dear Councillors:

I transmit herewith information received from the Boston Police Department pertaining to crime statistics for the period commencing November 1, 1999 and ending January 31, 2000.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

(Annexed hereto is the documentation referred to.)

Referred to the Committee on Public Safety.

APPROVAL OF CONSTABLES' BONDS
(DOCKET NO. 0399)

The Constables' Bonds of the following, having been duly approved by the Collector-Treasurer, were received and approved:

Derick D. Joyner John E. Ryan

ABSENCE OF THE MAYOR
(DOCKET NO. 0400)

Notice was received from the Mayor of his absence from the City on March 2, 2000 until March 4, 2000.

Placed on file.

NOTICE FROM CITY CLERK RE: ACTIONS TAKEN BY MAYOR ON PAPERS ACTED UPON BY CITY COUNCIL AT ITS JANUARY 26, 2000 MEETING (DOCKET NO. 0401)

The following was received:

City of Boston
Office of the City Clerk

March 6, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of January 26, 2000, viz:

0106 — Order authorizing the Transportation Department to accept and expend a grant of \$25,000 from the Governor's Highway Safety Bureau for projects dealing with traffic safety issues such as impaired driving, underage drinking and driving, seat belt usage and speeding. Approved by the Mayor February 1, 2000.

0141 — Order authorizing the Transportation Commissioner to accept and expend a grant of \$15,000 from the Massachusetts Bay Transportation Authority (MBTA), for the purpose of funding traffic signal control improvements in the area adjacent to the Forest Hills MBTA station. Approved by the Mayor February 1, 2000.

0176 — Order authorizing the Neighborhood Development Department to accept and expend a federal FY99 Shelter Plus Care grant of \$3,570,600 from the Department of Housing and Urban Development. Approved by the Mayor February 1, 2000.

0211 — Order authorizing the Police Commissioner to accept and expend a grant of \$5,000 from the Governor's Highway Safety Bureau for conducting traffic and safety belt enforcement program.

Approved by the Mayor February 1, 2000.

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE: ACTIONS TAKEN
BY MAYOR ON PAPERS ACTED UPON BY
CITY COUNCIL AT ITS FEBRUARY 2, 2000
MEETING (DOCKET NO. 0402)

The following was received:

City of Boston
Office of the City Clerk

March 6, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of February 2, 2000, viz: 0208 — Order for loan of \$4,700,000 for the School Department.

Approved by the Mayor February 8, 2000.

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

REPORT ON ORDER TO DECLARE SURPLUS A
VACANT PARCEL OF LAND LOCATED AT
ROXBURY STREET, ROXBURY, FORMER
SITE OF OLD ROXBURY MUNICIPAL
COURTHOUSE AND TO TRANSFER CARE,
CUSTODY, MANAGEMENT AND CONTROL
OF SAID PROPERTY TO PUBLIC FACILI-
TIES COMMISSION (DOCKET NO. 0235)

Councillor SCAPICCHIO on behalf of the
Committee on Economic Development and
Transportation, submitted the following:

Report on Docket No. 0235, message of the Mayor and order to declare surplus a vacant parcel of land located at Roxbury Street, Roxbury, the former site of the old Roxbury Municipal Courthouse and to transfer the care, custody, management and control of said property to the Public Facilities Commission (referred February 2) — recommending passage of the order.

Councillor SCAPICCHIO offered the following amendment:

Whereas, The old Roxbury Municipal Courthouse has been demolished and the land upon which that courthouse sat has been vacant for some twenty-five years and is no longer needed as such; it is hereby

Ordered, That the said land, located at Roxbury Street (the portion of Ward 09 Parcel 03270020, formerly occupied by the Roxbury District Court), Roxbury, is hereby found to be surplus within the meaning of St. 1909, c. 486 s. 31B (as appearing in St. 1966, c. 642, s. 12) and the care, custody, management and control thereof is hereby transferred to the Public Facilities Commission.

The amendment was adopted.

On motion of Councillor SCAPICCHIO, the report was accepted; the order was passed.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0403)

Councillor KELLY offered the following:

Ordered, That effective Saturday, March 4, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, May 26, 2000:

Patricia Flaherty, secretary, \$708.82, full time.

Passed under suspension of the rules.

ORDER THAT COMMITTEE ON ECONOMIC
DEVELOPMENT AND TRANSPORTATION
HOLD HEARING TO DETERMINE WHAT
CAN BE DONE TO PREVENT TAXICABS
NOT LICENSED BY CITY FROM OPERAT-
ING IN THE CITY (DOCKET NO. 0405)

Councillors ROACHE and SCAPICCHIO offered the following:

Whereas, Individuals who operate a taxicab in Boston must be licensed by the City to do so in order to provide the highest level of service and protection to their passengers; and

Whereas, It has been reported that there has been a marked increase in the number of non-licensed vehicles operating in the City of Boston and;

Whereas, Operators from outside the City who pick up fares and are not licensed to do so are infringing upon the livelihood of licensed operators and putting the safety and security of their passengers at risk; and

Whereas, Any operator who picks up a fare in the City of Boston and is not licensed to do so is in violation of the law; and

Whereas, The operation of a taxicab in the City of Boston and the safety and well being of a fare is under the jurisdiction of the Boston Police Hackney Division; therefore be it

Ordered, That the Boston City Council Committee on Economic Development and Transportation, in conjunction with orders previously filed on similar matters, hold a hearing to determine what can be done to prevent non-licensed operators from continuing these practices; be it further

Ordered, That the Boston Police Hackney Division, as well as all interested parties be invited to provide testimony relevant to this issue.

Referred to the Committee on Economic Development and Transportation.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 0406)

Councillor KELLY offered the following:

Ordered, That effective Saturday, March 18, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, June 23, 2000:

Diane Albano, administrative assistant, \$670.50, full time.

Richard Armstrong, administrative assistant, \$957.86, full time.

Felix Arroyo-Montano, administrative assistant, \$536.50, full time.

Matthew Benedetti, administrative assistant, \$603.45, full time.

Leann Bowman, secretary, \$785.44, full time.

Maria S. Bunuan, secretary, \$300, full time.

James J. Carroll, Jr., secretary, \$110, part time.

Adriana Cillo, secretary, \$613.03, full time.

Jean M. Conti, secretary, \$143.60, part time.

Samuel S. Conti, secretary, \$344.85, part time.

Helena Creamer, administrative assistant, \$881.23, full time.

Janet M. Doherty, secretary, \$307.50, part time.

Andrew R. Donovan, administrative assistant, \$517.24, full time.

Dennis P. Dwyer, administrative assistant, \$651.34, full time.

Patricia S. Flaherty, secretary, \$708.82, full time.

Sean Flaherty, secretary, \$574.72, full time.

John R. Flavin, secretary, \$300, full time.

Lorraine E. Fowlkes, secretary, \$804.60, full time.

Annamarie Geary, secretary, \$419.75, part time.

Carolyn Geary, administrative assistant, \$929.48, full

time.

Alex Geourmtas, secretary, \$948.28, full time.

James P. Gordon, secretary, \$843.57, full time.

John P. Hannigan, administrative assistant, \$1,005.75, full time.

Joyce L. Holland, secretary, \$957.85, full time.

Martin J. Keogh, secretary, \$957.85, full time.

Vincent A. LaBella, administrative assistant, \$957.85, full time.

Bernadette Lally, secretary, \$210, part time.

Michael F. Larkin, secretary, \$987.27, full time.

Jonathan M. Marsh, secretary, \$90, part time.

Aoibhean McDermott, secretary, \$326, part time.

Thomas M. McDonough, administrative assistant, \$574.72, full time.

Ann S. McGough, administrative assistant, \$718.39, full time.

Michael Moran, secretary, \$766.29, full time.

George Morancy, administrative assistant, \$996.17, full time.

Mary Mulvey Jacobson, administrative assistant, \$854.60, full time.

Laura O'Brien, secretary, \$574.72, full time.

Karen M. Pinckney, secretary, \$478.92, full time.

Marta E. Rivera, administrative assistant, \$708.82, full time.

Elizabeth Shallmo-Carbene, administrative assistant, \$670.50, full time.

Irene M. Smith, administrative assistant, \$708.81, full time.

Lesley B. Smith, administrative assistant, \$670.50, full time.

Constance Sullivan, administrative assistant, \$150, part time.

Kathleen Sullivan, administrative assistant, \$766.29, full time.

Paul J. Walkowski, administrative assistant, \$901.32, full time.

Brian P. Wallace, administrative assistant, \$301.84, part time.

Kenneth R. Weiand, secretary, \$153, part time.

Kenneth W. Yarbrough, secretary, \$517.24, full time.

Angela S. Yarde, administrative assistant, \$901.32, full time.

Marilyn Brambilla, business manager, \$852.72, full time.

Ron Cobb, city messenger, \$788.47, full time.

Gail Hackett, budget director, \$1,022.64, full time.

Jennifer Kelley, receptionist, \$576.93, full time.

Juan Lopez, legislative assistant, \$852.49, full time.

Cora F. Montrond, legislative assistant, \$766.28, full time.

Shawn P. Murphy, staff director, \$1,130.77, full time.

James J. O'Donnell, legislative assistant, \$788.47, full time.

Patricia Sartori Braid, research director, \$919.54, full time.

Lincoln Smith, assistant research director, \$862.06, full time.

Passed under suspension of the rules.

ORDER THAT COMMITTEE ON POST AUDIT AND OVERSIGHT HOLD HEARING TO ASCERTAIN CITY'S POLICY OBJECTIVES RE: UNDESIGNATED FUND BALANCE AND FREE CASH CERTIFICATION PROCESS (DOCKET NO. 0407)

Councillors KELLY, MURPHY, FLAHERTY, ROACHE, DAVIS-MULLEN, HENNIGAN, FEENEY, HONAN, SCAPICCHIO, YANCEY, ROSS and TURNER offered the following:

Whereas, The City of Boston's undesignated fund balance as of June 30, 1999, is \$126.5 million; and

Whereas, The City's current bond rating, the highest ever issued for the city, reflects its sound financial position, including the size and trend of this fund balance, an

indication to rating agencies of the credit strength of the municipality and flexibility of an issuer to meet essential services during transitional periods; and

Whereas, Undesignated fund balance is not unrestricted cash available for appropriation and may only be used after certification by the State Department of Revenue Local Services Bureau of Accounts Division; therefore be it

Ordered, The City Council's Committee on Post Audit & Oversight hold a hearing to ascertain the City's policy objectives regarding the undesignated fund balance and free cash certification process and that the City's Chief Financial Officer be invited to testify.

Referred to the Committee on Post Audit and Oversight.

ORDER THAT COMMITTEE ON HOUSING HOLD HEARING RE: CITY'S AFFORDABLE HOUSING FUND (DOCKET NO. 0408)

Councillors KELLY, MURPHY, FLAHERTY, ROACHE, DAVIS-MULLEN, HENNIGAN, FEENEY, HONAN, SCAPICCHIO, YANCEY, TURNER, ROSS and CONLEY offered the following:

Whereas, There is a desperate need to build affordable housing across the city for neighborhood residents; and

Whereas, Last year the mayor announced that as much as \$12 million from the sale of the old Boston Police Headquarters on Berkeley Street will be used to start a fund to build affordable housing; and

Whereas, In his State of the City address this past January, the mayor announced that an additional \$13 million will be added to a new affordable housing fund; and

Whereas, The availability and use of funds for housing raises numerous questions regarding how the funds will be used and where; therefore be it

Ordered, That the Committee on Housing hold a public hearing to discuss the status of these funds, how many units will be built, and where the units will be located; and be it further

Ordered, That Charlotte Golar Ritchie of the Department of Neighborhood Development and other representatives of the mayor's office be invited to testify.

Referred to the Committees on Economic Development and Transportation and Housing.

ORDER THAT COMMITTEE ON YOUTH AND DOMESTIC VIOLENCE AND COMMITTEE ON YOUTH HOLD HEARING TO DISCUSS ADMINISTRATION'S PLANS FOR EMPLOYMENT AND RECREATIONAL ACTIVITIES THIS SUMMER FOR YOUNG PEOPLE OF CITY (DOCKET NO. 0409)

Councillors TURNER, ROSS, HONAN, DAVIS-MULLEN, FEENEY, SCAPICCHIO, ROACHE, YANCEY, HENNIGAN, CONLEY and FLAHERTY offered the following:

Whereas, Violence is a large and important health problem in the United States. Violence and violence-related injuries and deaths are particularly common among young people, and have escalated in recent years, and

Whereas, American society has traditionally looked to the criminal justice system for protection from violence. Criminal justice measures have been useful. However, they have not enabled us to satisfactorily reduce the burden of violence upon society. One important reason is that much of the violence does not begin in criminal setting but arises instead between companions involved in arguments, sometimes over trivial matters, and

Whereas, Many concerned individuals and community-based organizations want to reduce violence and

prevent injuries and deaths from violence among youth in their community. Throughout the country, community organizations are addressing the problem of violence at the local level; and

Whereas, The City of Boston Youth Programs will suffer deep cuts if the Governor's plans succeed to reduce Boston state aid by 15.7 million dollars, and now be it

Ordered, That the Committee on Youth and Domestic Violence and Committee on Youth hold a joint hearing to discuss the administration's plans for employment and recreational activities this summer for the young people of the City of Boston and invite the representatives of Boston Parks and Recreation Department, Mayors Youth Advisory, Community Centers and City Year.

Referred to the Committee on City and Neighborhood Services.

ORDER REQUESTING CERTAIN INFORMATION UNDER SECTION 17F RE: ANY AND ALL DOCUMENTS RELATIVE TO 59 ENTERPRISE ST., WARD 7 FROM INSPECTIONAL SERVICES DEPARTMENT (DOCKET NO. 0410)

Councillor MURPHY offered the following:

Ordered, That under the provisions of Section 17F of Chapter 452 of the Acts of 1948, as amended, and under any other applicable provision of law, His Honor, the Mayor, be and hereby is, requested to obtain and deliver to the City Council, within one week of the receipt hereof, the following information:

Any and all documents relative to 59 Enterprise St., Ward 7, from the Inspectional Services Department.

On motion of Councillor MURPHY, the rules were suspended; the order was passed.

CONSENT AGENDA

The Chair, moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Scapicchio: Congratulating Dunkin' Donuts (Docket No. 0411).

Councillors Murphy and Flaherty: Congratulating

Denise "Flynn" McDonough (Docket 0412).

Councillor Roache: Congratulating John R. Steele (Docket No. 0413); congratulating Albert Slotnick (Docket No. 0414).

Councillor Feeney: Congratulating and thanking Fire Commissioner Martin E. Pierce, Jr. (Docket No. 0415).

The Chair stated that in the absence of objection, one late-filed matter would be added to the Consent Agenda.

No objection being heard, the following matter was added:

Councillor Yancey: Congratulating Martin Luther King III (Docket No. 0404).

The matters contained within the Consent Agenda were severally adopted.

STATEMENT OF COUNCILLOR ROSS

Having unanimous consent to do so, Councillor Ross asked that when we adjourn today, we do so in memory of Bernard "Fitz" FitzGerald, a longtime. Mission Hill resident and father of Representative Kevin FitzGerald.

STATEMENT OF COUNCILLOR HENNIGAN

Having unanimous consent to do so, Councillor Hennigan wanted also to adjourn in memory of Bernie FitzGerald.

STATEMENT OF COUNCILLOR TURNER

Having unanimous consent to do so, Councillor Turner asked that when we adjourn today, we also adjourn in memory of Bertha Mae Lofton.

STATEMENT OF COUNCILLOR HONAN

Having unanimous consent to do so, Councillor Honan asked when we adjourn today, we do so in memory of Anita Bromberg, an active participant in his community.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, March 15, 2000

Regular meeting of the City Council held in the Christopher Iannella Council Chamber, City Hall, at 12:45 p.m., President KELLY in the Chair. Absent, Councillor ROACHE.

INVOCATION

Reverend Arthur T. Gerald, Jr., 12th Baptist Church, delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

ORDER AUTHORIZING COMMISSIONER ON AFFAIRS OF ELDERLY TO APPLY FOR, ACCEPT AND EXPEND GRANT OF \$24,150 FROM MASSACHUSETTS OFFICE OF ELDER AFFAIRS TO OPERATE SERVING HEALTH INFORMATION NEEDS OF ELDERS (SHINE) PROGRAM (DOCKET NO. 0416)

The following was received:

City of Boston
Office of the Mayor

March 13, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Commissioner on Affairs of the Elderly, on behalf of the City of Boston, to apply for, accept, and expend a grant from the Massachusetts Office of Elder Affairs in an amount not to exceed \$24,150, and, in connection therewith, to deliver any documents as may be required by the Commonwealth for such grant. The purpose of said grant is to operate the Serving Health Information Needs of Elders (SHINE) Program.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may expeditiously process this grant.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the Commissioner on Affairs of the Elderly, acting on behalf of the City of Boston, be and hereby is authorized to apply for, accept, and expend a grant not to exceed the amount of \$24,150, from the Massachusetts Executive Office of Elder Affairs for the period July 1, 2000 through June 30, 2001, and, in connection therewith, to deliver any documents as may be required by the Commonwealth for such grant. The purpose of said grant is to operate the Service Health Information Needs of Elders (SHINE) Program.

Referred to the Committee on Elderly.

ORDER AUTHORIZING COMMISSIONER ON AFFAIRS OF ELDERLY TO APPLY FOR, ACCEPT AND EXPEND GRANT OF \$532,507 FROM U.S. DEPARTMENT OF LABOR (DOL) FOR EMPLOYMENT, TRAINING AND OTHER SERVICES FOR PERSONS WHO PARTICIPATE IN SENIOR AIDES PROGRAMS (DOCKET NO. 0417)

The following was received:

City of Boston

Office of the Mayor

March 13, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Commissioner on Affairs of the Elderly, acting on behalf of the City of Boston, to apply for, accept, and expend a grant from the U.S. Department of Labor (DOL), through the National Senior Citizens Education & Research Center, Inc., under the Older Americans Act of 1965, Title V, as amended, in the amount of \$532,507, for the period July 1, 2000 through June 30, 2001, and, in connection therewith, to deliver any documents as may be required by the DOL for such grant. The funds will be used for employment, training, and other services for persons who participate in the Senior AIDES Program in Boston.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may expeditiously process this grant.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the Commissioner on Affairs of the Elderly, acting on behalf of the City of Boston, be and hereby is authorized to apply for, accept, and expend a grant not to exceed the amount of \$532,507, for the period July 1, 2000 through June 30, 2001, from the U.S. Department of Labor (DOL), through the National Senior Citizens Education & Research Center, Inc., under the Older Americans Act of 1965, Title V, as amended, and, in connection therewith, to deliver any documents as may be required by the DOL for such grant. The purpose of said grant is to operate the Senior AIDES program in Boston.

Referred to the Committee on Elderly.

ORDER AUTHORIZING COMMISSIONER ON AFFAIRS OF ELDERLY TO APPLY FOR, ACCEPT AND EXPEND GRANT OF \$54,337 FROM MASSACHUSETTS OFFICE OF ELDER AFFAIRS FOR CONTINUED OPERATION OF SENIOR COMPANION SUPPLEMENT PROGRAM (DOCKET NO. 0418)

The following was received:

City of Boston
Office of the Mayor

March 13, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Commissioner on Affairs of the Elderly, acting on behalf of the City of Boston, to apply for, accept, and expend a grant from the Massachusetts Office of Elder Affairs in the amount of \$54,337, and, in connection therewith, to deliver any documents as may be required by the Commonwealth for such grant. The grant will be used for the continued operation of the Senior Companion Supplement Program in Boston.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may expeditiously process this grant.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the Commissioner on Affairs of the Elderly, acting on behalf of the City of Boston, be and hereby is authorized to apply for, accept, and expend a grant not to exceed the amount of \$54,337, from the Massachusetts Executive Office of Elder Affairs, for the period July 1, 2000 through June 30, 2001, and, in connection therewith, to deliver any documents as may be required by the Commonwealth for such grant. The purpose of said grant is to supplement the salaries, stipends,

meals, transportation, and other services for companions who participate in the Senior Companion Supplement Program in Boston.

Referred to the Committee on Elderly.

ORDER AUTHORIZING COMMISSIONER ON AFFAIRS OF ELDERLY TO APPLY FOR, ACCEPT AND EXPEND GRANT OF \$36,225 FROM MASSACHUSETTS OFFICE OF ELDER AFFAIRS TO CONTINUE OPERATING RETIRED SENIOR VOLUNTEERS PROGRAM (RSVP) (DOCKET NO. 0419)

The following was received:

City of Boston
Office of the Mayor

March 13, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Commissioner on Affairs of the Elderly, on behalf of the City of Boston, to apply for, accept, and expend a grant from the Massachusetts Office of Elder Affairs in an amount not to exceed \$36,225, and, in connection therewith, to deliver any documents as may be required by the Commonwealth for such grant. The purpose of said grant is to continue operating the Retired Senior Volunteer Program (RSVP) in Boston.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may expeditiously process this grant.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the Commissioner on Affairs of the Elderly, acting on behalf of the City of Boston, be and hereby is authorized to apply for, accept, and expend a grant not to exceed the amount of \$36,225, from the Massachusetts Executive Office of Elder Affairs for the period July 1, 2000 through June 30, 2001, and, in connection therewith, to deliver any documents as may be required by the Commonwealth for such grant. The purpose of said grant is to continue operating the Retired Senior Volunteer Program (RSVP) in Boston.

Referred to the Committee on Elderly.

ORDER AUTHORIZING COMMISSIONER ON AFFAIRS OF ELDERLY TO APPLY FOR, ACCEPT AND EXPEND GRANT OF \$507,150 FROM MASSACHUSETTS OFFICE OF ELDER AFFAIRS FOR CONTINUED OPERATION OF COMMISSION'S HEALTH AND HOUSING UNITS (DOCKET NO. 0420)

The following was received:

City of Boston
Office of the Mayor

March 13, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Commissioner on Affairs of the Elderly, acting on behalf of the City of Boston, to apply for, accept, and expend a grant the Massachusetts Executive Office of Elder Affairs in the amount of \$507,150, for the period July 1, 2000 through June 30, 2001, and, in connection therewith, to deliver any documents as may be required by the Commonwealth for such grant. The funds will be used to continue operating the Commission's Health and Housing Units for the period July 1, 2000 through June 30, 2001.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may expeditiously process this grant.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the Commissioner on Affairs of the Elderly, acting on behalf of the City of Boston, be and hereby is authorized to apply for, accept, and expend a grant not to exceed the amount of \$507,150, from the Massachusetts Executive Office of Elder Affairs, through its Council on Aging Formula Grant Program, for the period July 1, 2000 through June 30, 2001, and, in connection therewith, to deliver any documents as may be required by the Commonwealth for such grant. The purpose of said grant is to continue the operation of the Commission's Health and Housing Units.

Referred to the Committee on Elderly.

ORDER AUTHORIZING COMMISSIONER ON AFFAIRS OF ELDERLY TO APPLY FOR, ACCEPT AND EXPEND GRANT OF \$105,000 FROM NATIONAL SENIOR SERVICE CORPS, A FEDERAL VOLUNTEER AGENCY AUTHORIZED UNDER DOMESTIC VIOLENCE ACT OF 1973 (42 U.S.C. 5013) FOR CONTINUING RETIRED SENIOR VOLUNTEER PROGRAM AND PAYING SALARIES OF MANAGEMENT STAFF (DOCKET NO. 0421)

The following was received:

City of Boston
Office of the Mayor

March 13, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Commissioner on Affairs of the Elderly, acting on behalf of the City of Boston, to apply for, accept, and expend a grant from the National Senior Service Corps, a federal volunteer agency authorized under the Domestic Volunteer Act of 1973 (42 U.S.C. 5013), in the amount of \$105,000, for the period January 1, 2000 through December 31, 2000, and, in connection therewith, to deliver any documents as may be required by the National Senior Service Corps for such grant. The funds will be used to continue operating the Retired Senior Volunteer Program (RSVP) in Boston and paying the salaries of staff managing the RSVP.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may expeditiously process this grant.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the Commissioner on Affairs of the Elderly, acting on behalf of the City of Boston, be and hereby is authorized to apply for, accept, and expend a grant from the National Senior Service Corps, a federal volunteer agency authorized under the Domestic Violence Act of 1973 (42 U.S.C. 5013), not to exceed the amount of \$105,000, for the period January 1, 2000 through December 31, 2000, and, in connection therewith, to deliver any documents as may be required by the National Senior Service Corps for such grant. The purpose of said grant is to continue operating the Retired Senior Volunteer Program (RSVP) in Boston and paying the salaries of staff managing the RSVP.

Referred to the Committee on Elderly.

ORDER AUTHORIZING COMMISSIONER ON AFFAIRS OF ELDERLY TO APPLY FOR, ACCEPT AND EXPEND GRANT OF \$325,000 FROM NATIONAL SENIOR SERVICE CORPS, A FEDERAL VOLUNTEER AGENCY AUTHORIZED UNDER DOMESTIC VIOLENCE ACT OF 1973 (42 U.S.C. 5013) FOR SALARIES, STIPENDS, MEALS, TRANSPORTATION

AND OTHER SERVICES FOR PERSONS
ENROLLED IN SENIOR COMPANION PRO-
GRAM (DOCKET NO. 0422)

The following was received:

City of Boston
Office of the Mayor

March 13, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Commissioner on Affairs of the Elderly, acting on behalf of the City of Boston, to apply for, accept, and expend a grant from the National Senior Service Corps, a federal volunteer agency authorized under the Domestic Volunteer Act of 1973 (42 U.S.C. 5013), in the amount of \$325,000, for the period January 1, 2000 through December 31, 2000, and, in connection therewith, to deliver any documents as may be required by the National Senior Service Corps for such grant. The funds will be used to pay for the salaries, stipends, meals, transportation, and other services for persons enrolled in the Senior Companion Program in Boston.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may expeditiously process this grant.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the Commissioner on Affairs of the Elderly, acting on behalf of the City of Boston, be and hereby is authorized to apply for, accept, and expend a grant from the National Senior Service Corps, a federal volunteer agency authorized under the Domestic Violence Act of 1973 (42 U.S.C. 5013), not to exceed the amount of \$325,000, for the period January 1, 2000 through December 31, 2000, and, in connection therewith, to deliver any documents as may be required by the National Senior Service Corps for such grant. The purpose of said grant is to pay for the salaries, stipends, meals, transportation, and other services for persons enrolled in the Senior Companion Program in Boston.

Referred to the Committee on Elderly.

NOTICE RECEIVED FROM MAYOR OF APPOINT-
MENT OF DENNIS A. DIMARZIO AS ACTING
COMMISSIONER OF THE FIRE DEPART-
MENT EFFECTIVE MARCH 1, 2000 NUNC
PRO TUNC FOR PERIOD NOT TO EXCEED
SIXTY DAYS (DOCKET NO. 0423)

Notice was received from the Mayor of the appointment of Dennis A. DiMarzio as acting Commissioner of the Fire Department effective March 1, 2000 nunc pro tunc for period not to exceed sixty days.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF APPOINT-
MENT OF KEVIN J. JOYCE AS COM-
MISSIONER OF INSPECTIONAL SERVICES
EFFECTIVE JANUARY 15, 1999, NUNC PRO
TUNC (DOCKET NO. 0424)

Notice was received from the Mayor of the appointment of Kevin J. Joyce as Commissioner of the Inspectional Services effective January 15, 1999, nunc pro tunc.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF APPOINT-
MENT OF PATRICK S. HARRINGTON AS
MEMBER OF PUBLIC FACILITIES COM-
MISSION FOR TERM EXPIRING JANUARY 7,

2002. (DOCKET NO. 0425)

Notice was received from the Mayor of the appointment of Patrick S. Harrington as a member of the Public Facilities Commission for a term expiring January 7, 2002.

Placed on file.

ABSENCE OF THE MAYOR
(DOCKET NO. 0426)

Notice was received from the Mayor of his absence from the City on March 11, 2000 until March 14, 2000.

Placed on file.

APPROVAL OF CONSTABLE'S BOND
(DOCKET NO. 0427)

The Constable's Bond of Robert E. Lee, having been duly approved by the Collector-Treasurer, was received and approved.

REPORT ON LOAN ORDER OF \$2,222,000 FOR
PURPOSE OF ACQUIRING LAND FOR, CON-
STRUCTING AND ORIGINALLY EQUIPPING
AND FURNISHING PUBLIC SCHOOL-
HOUSES AND ADDITIONS AND FOR THE
RECONSTRUCTION, REMODELING OF ANY
SCHOOLHOUSE (DOCKET NO. 0356)

Councillor HENNIGAN, on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0356, message of the Mayor and loan order of \$2,222,000 for the purpose of acquiring land for, constructing and originally equipping and furnishing public schoolhouses and additions and for the reconstruction, remodeling of any schoolhouse (referred March 1, 2000) — recommending passage of the order.

The report was accepted; the order was given its first reading and passage and assigned for further action, yeas 12:

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Ross, Scapicchio, Turner, Yancey — 12.

ORDER THAT CITY COUNCIL HOLD HEARING
TO DISCUSS POSSIBILITY OF FURTHER
EXTENDING HOURS OF PUBLIC LIBRARY
AND ITS BRANCHES TO BETTER SERVE
RESIDENTS (DOCKET NO. 0428)

Councillors FEENEY, HONAN, KELLY, YANCEY, TURNER, SCAPICCHIO, ROSS, HENNIGAN, DAVIS-MULLEN, and FLAHERTY offered the following:

Whereas, The City of Boston has the oldest and one of the finest public library systems in the United States; and

Whereas, The main library and its branches are an excellent intellectual resource which serve tens of thousands of Bostonians each year; and

Whereas, The branch libraries serve as an educational center that could help to improve students' test scores for the Massachusetts Comprehensive Assessment System that recently ranked Boston Public Schools as 127 out of 130 public school systems in the state; and

Whereas, The Boston Public Library has increased library hours over the last several years to meet greater demand; therefore be it

Ordered, that the Special Committee on Library Services hold a public hearing to discuss the possibility of further extending the hours of the Boston Public Library and its branches to better serve the residents of Boston, and be it further

Ordered, that Bernard Margolis of the Boston Public Library and other representatives of the Administration be invited to testify.

Referred to the Special Committee on Libraries.

ORDER THAT CITY COUNCIL HOLD HEARING REGARDING INCREASE OF VEHICULAR TRAFFIC, EXHAUST FUMES THAT ARE THE RESULT OF DENSE TRAFFIC AND PARKING GARAGES IN DOWNTOWN AND SURROUNDING NEIGHBORHOODS (DOCKET NO. 0429)

Councillors ROSS, TURNER, ROACHE and MURPHY offered the following:

Whereas, The unprecedented building boom in Boston has brought about a significant increase in vehicular traffic and parking garages in downtown and surrounding neighborhoods; and

Whereas, Exhaust fumes that are the result of dense traffic conditions and excessive parking garages have permeated the environment in several neighborhoods; and

Whereas, Residents who live in these neighborhoods have faced encroachments to their quality of life and significant risks to the own personal health, and the health of their children and families; and

Whereas, Government's role is to protect residents from oppressive conditions that lead to poor health and asthma related illnesses; therefore be it

Ordered, That the Boston City Council convene a public hearing to assess the public health of our community and the effects that large scale development and increased traffic will have on the residents; and be it further

Ordered, The City Clerk formally invite representatives of the Federal and State Environmental Protection Agencies, as well as Boston's Public Health Commissioner to hear testimony of neighborhood; and be it further

Ordered, That neighborhood residents concerned about adverse health conditions as a result of vehicular traffic generated by large-scale projects, as well as representatives of various environmental and community groups and others be invited to attend.

Referred to the Committee on Public Health.

ORDER THAT CITY COUNCIL HOLD HEARING RE: DEPRESSION OF CENTRAL ARTERY AND OPEN SPACE BENEFITS FOR RESIDENTS, VISITORS AND INTERSTATE TRAVELERS (DOCKET NO. 0430)

Councillor FLAHERTY offered the following:

Whereas, The depression of the Central Artery will provide major transportation and open space benefits for Boston residents and visitors, and interstate travelers; and

Whereas, The United States Environmental Protection Agency has insisted that certain open space mitigation measures be provided above the finished roadway; and

Whereas, The project's plans have consistently called for seventy-five percent of the property above the depressed artery be maintained as open space; and

Whereas, The project is controlled locally by the Massachusetts Turnpike Authority, which agency will own both the completed underground roadway and the air and land rights above it; and

Whereas, Eighty percent of the project's cost is paid by the federal government; and

Whereas, Revelations of cost overruns in the billions of dollars are being investigated by federal auditors; and

Whereas, The Commonwealth of Massachusetts is now required to create a responsible plan to finance these cost overruns, potentially putting in jeopardy

certain open space commitments; and

Whereas, The open space enhancement portions of the project have yet to be contracted out; and

Whereas, Project and state officials have yet to determine which government agency will control and maintain the central corridor property in the future; and

Whereas, The City of Boston has a historic opportunity to create an active green space area in the heart of its downtown that will be the city's project legacy for generations to come; and

Whereas, It is incumbent upon the Boston City Council to present the Council's views on this very important component of the project to state officials responsible for planning the project's air and land rights; therefore be it

Ordered, That the Boston City Council's Committee on State and Federal Relations convene a hearing to solicit public testimony from federal and state officials, and to present the Council's views to said officials, in order to ensure future sensitive open space planning above the depressed central artery.

Councillor FEENEY in the Chair.

President KELLY in the Chair.

Referred to the Committee on State and Federal Relations and the Committee on City and Neighborhood Services.

Councillor SCAPICCHIO challenged the ruling of the Chair.

The ruling of the Chair was upheld, yeas 6, nays 5, present 1:

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Honan and Kelly — 6.

Nays — Councillors Murphy, Ross, Scapicchio, Turner and Yancey — 5.

Present — Councillor Hennigan — 1.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0431)

Councillor KELLY offered the following:

Ordered, That effective Saturday, March 11, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, March 17, 2000:

Joyce L. Holland, secretary, \$1,487.85, full time
Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0432)

Councillor KELLY offered the following:

Ordered, That effective Saturday, March 18, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, May 26, 2000:

Joyce L. Holland, secretary, \$957.85, full time.
Passed under suspension of the rules.

STATEMENT OF COUNCILLOR YANCEY

Having unanimous consent to do so, Councillor YANCEY asked that when we adjourn today, we do so in memory of Leroy Walker, 98-year-old father of State Representative Gloria Fox and also in memory of 104-year-old Susie Christmas.

LATE-FILED MATTERS

The Chair stated that, in absence of objection, two

late-filed matters would be added to the Agenda.

No objection being heard, the following matters were added:

**APPOINTMENT OF TEMPORARY EMPLOYEES
(DOCKET NO. 0441)**

Councillor KELLY offered the following:

Ordered, That effective Saturday, March 25, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, June 30, 2000:

Kelly Prapuolenis, secretary, \$180, part time.

Jonathan M. Marsh, secretary, \$100, part time.

Passed under suspension of the rules.

**ORDER THAT TREASURY DEPARTMENT FOR
CITY OF BOSTON SECURE EMPLOYEES'
INDIVIDUAL CHECKS IN ENVELOPES OR
OTHERWISE DEVISE A METHOD TO PRE-
SERVE AND PROTECT PRIVACY OF CITY
OF BOSTON EMPLOYEES (DOCKET NO.
0442)**

Councillor HENNIGAN offered the following:
Whereas, When payroll for City of Boston employees leaves the Treasury, the checks or direct deposit advises are not secured for privacy, often being delivered to the various City of Boston departments in bulk; and

Whereas, The privacy of the individual employee is being violated by this procedure, as any person or persons who handles the individual department's checks can be privy to an individual employee's personal financial business; now, therefore be it

Ordered, That the Treasury Department for the City of Boston secure employees' individual checks in envelopes or otherwise devise a method to preserve and protect the privacy of City of Boston employees.

Referred to the Committee on Government Operations.

**ORDER FOR CONFIRMATION OF REAPPOINT-
MENT OF DENNIS DIMARZIO AS CHAIR-
MAN OF BOSTON WATER AND SEWER
COMMISSION FOR TERM EXPIRING ON
FIRST MONDAY IN JANUARY 2004
(DOCKET NO. 9175)**

Councillor FEENEY called Docket No. 0175 from the Committee on Government Operations.

Hearing no objection, the matter was before the body.

On motion of Councillor FEENEY, **the order was passed.**

**NOTICE RECEIVED FROM MAYOR OF APPOINT-
MENT OF HARRY J. MORAITIS AS MEMBER
OF BACK BAY ARCHITECTURAL COMMISS-
ION FOR TERM EXPIRING DECEMBER 31,
2002 (DOCKET NO. 0114)**

Councillor ROSS called Docket No. 0114 from the Committee on Environment and Historic Preservation.

Hearing no objection, the matter was before the body.

On motion of Councillor ROSS, **the notice was placed on file.**

**ORDER FOR CONFIRMATION OF REAPPOINT-
MENT OF ANTHONY GORDON AS MEM-
BER OF BACK BAY ARCHITECTURAL
COMMISSION FOR TERM EXPIRING
DECEMBER 31, 2002 (DOCKET NO. 0216)**

Councillor ROSS called Docket No. 0216 from the Committee on Environment and Historic Preservation.

Hearing no objection, the matter was before the body.

On motion of Councillor ROSS, **the order was passed.**

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Murphy: Welcoming Mayor Dermot Collins and Members of the Kinsale Council (Docket No. 0433).

Councillor Turner: Congratulating Belynda Dunn (Docket No. 0434); congratulating Reverend Dr. Tina Saxon (Docket No. 0435); congratulating Pastor Jimmy Harell (Docket No. 0436); congratulating Pastor Dan Reason (Docket No. 0437).

Councillor Conley: Congratulating Tom Donahue (Docket No. 0438); congratulating Joseph A. Russo (Docket No. 0439).

Councillor Flaherty: Congratulating six persons on winning first place finish in the 200 SBACe Essay Contest (Docket No. 0440).

The matters contained within the Consent Agenda were severally adopted.

On motion of Councillor Kelly, in memory of Leroy Walker and Susie Christmas, the meeting was adjourned at 1:45 p.m. to meet again on Wednesday, March 29 at 12:00 noon.

STATEMENT OF PRESIDENT KELLY

Council President Kelly wanted to remind all of his colleagues that Saturday, March 18, 2000, from noon until 3 p.m., the Charles Yancey Book Fair would be taking place and urged all other councillors to attend and be supportive of the 14th annual book fair.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, March 29, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 12:00 noon, President KELLY in the Chair. Absent, Councillor CONLEY.

INVOCATION

Bishop Nellie Yarborough, Mt. Calvary Holy Church, delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

ORDER AUTHORIZING SCHOOL DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$125,000 FROM EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS THROUGH DEPARTMENT OF ENVIRONMENTAL PROTECTION TO BE USED FOR STRIVE SCHOOL-TO-CAREER RECYCLING PROGRAM TO INCREASE RECYCLING EDUCATION AND PARTICIPATION IN PUBLIC SCHOOLS (DOCKET NO. 0443)

The following was received:

City of Boston
Office of the Mayor

March 22, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Boston Public School Department, on behalf of the City of Boston, to accept and expend a grant award from the Commonwealth of Massachusetts, Executive Office of Environmental Affairs, through the Department of Environmental Protection, in the amount of \$125,000 for the period of July 1, 1999 through June 30, 2001. The funds will be used for the Boston Public School STRIVE School-To-Career Recycling Program to increase recycling education and participation in the Boston Public Schools.

I urge your Honorable Body to adopt this Order so that the City of Boston may accept and expend said grant award expeditiously for the purposes for which they were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Boston Public School Department, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend from the Commonwealth of Massachusetts, Executive Office of Environmental Affairs, through the Department of Environmental Protection, funds not to exceed the amount of \$125,000 for the purpose of the Boston Public School Department STRIVE School-To-Career Recycling Program increasing recycling education and participation in the Boston Public Schools.

Referred to the Committee on Education and School Matters.

ORDER APPROVING APPROPRIATION OF \$1,300,000 FROM INCOME OF GEORGE F. PARKMAN FUND FOR MAINTENANCE AND IMPROVEMENT OF BOSTON COMMON

AND PARKS (DOCKET NO 0444)

The following was received:

City of Boston
Office of the Mayor

March 28, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order appropriating \$1,300,000 from the income of the George Francis Parkman Fund, established by Mr. Parkman's bequest. This amount is to be expended under the direction of the Commissioner of Parks and Recreation for the maintenance and improvement of Boston Common and Parks in existence as of January 12, 1887.

I urge your Honorable Body to approve this Order so that the funds can be utilized in accordance with Mr. Parkman's bequest and without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$1,300,000 be, and the same hereby is, appropriated from the income of the George Francis Parkman Fund to be expended at the direction of the Commissioner of Parks and Recreation as follows:

For the general care and maintenance of the Boston Common and Parks in existence as of January 12, 1887 \$700,000.

For the specialized maintenance of the horticulture and infrastructure of the Boston Common and Parks in existence as of January 12, 1887 \$282,000.

For equipment, infrastructure improvements, and repairs in the Boston Common and Parks in existence as of January 12, 1887 \$318,000.

Referred to the Committee on City and Neighborhood Services.

CERTAIN INFORMATION UNDER SECTION 17F
RE: 54 ENTERPRISE STREET (DOCKET NO. 0445)

The following was received:

City of Boston
Office of the Mayor

March 28, 2000

To the City Council.

Dear Councillors:

Relative to the Section 17F request, passed by your Honorable Body on March 8, 2000 for certain information re: 54 Enterprise Street, please find the attached response.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

(Annexed hereto is the documentation referred to.)
Placed on file.

ORDER FOR LOAN OF \$97,745,000 FOR PLANNING, DESIGNING, ACQUIRING LAND FOR, CONSTRUCTING AND ORIGINALLY EQUIPPING STRUCTURES AND FACILITIES AND FOR REMODELING, RECONSTRUCTING OR MAKING MAJOR ALTERATIONS, ADDITION AND MAJOR REPAIRS TO EXISTING FACILITIES INCLUDING ORIGINAL EQUIPMENT AND LANDSCAPING INCLUDING PLANTING OF SHADE TREES, PAVING AND OTHER SITE IMPROVEMENTS INCIDENTAL OR DIRECTLY RELATED TO SUCH REMODELING, RECONSTRUCTION OR REPAIR FOR PURPOSES OF THE SCHOOL DEPARTMENT (DOCKET NO. 0446)

The following was received

City of Boston

Office of the Mayor

March 28, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an appropriation Order in the amount of \$97,745,000 for the planning, designing, acquiring land for, constructing, and originally equipping structures and facilities and for remodeling, reconstructing, or making major alterations, additions, and major repairs to existing facilities, including original equipment and landscaping, including the planting of shade trees, paving, and other site improvements incidental or directly related to such remodeling, reconstruction, or repair for the purposes of the School Department.

I respectfully request your Honorable Body to approve this appropriation Order for the Boston Public Schools.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$97,745,000 be, and hereby is, appropriated for projects which may become approved school projects within the meaning of Chapter 645 of the Acts of 1948, as amended, including the planning, designing, acquiring land for, constructing and originally equipping structures and facilities and for remodeling, reconstructing, or making major alterations, additions and major repairs to existing facilities including original equipment and landscaping, including the planting of shade trees, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair for the purposes of the School Department; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Section 8 of Chapter 645 of the Acts of 1948, as amended, or under the provisions of Chapter 642 of the Acts of 1966, as amended, or under the provisions of Clauses (3) and/or (3A) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized be expended only on those projects as described by name attached herein.

Attachment

School Department

1. Brunswick Gardens
2. Mildred Avenue
3. Orchard Gardens

Referred to the Committee on Ways and Means.

ORDER TO REDUCE APPROPRIATION FOR RESERVE FOR COLLECTIVE BARGAINING BY \$64,839 IN ORDER TO FUND FY00 COST ITEMS OF COLLECTIVE BARGAINING AGREEMENT FOR PUBLIC SCHOOLS BUS MONITORS, LOCAL 8751 (DOCKET NO. 0447)

The following was received:

City of Boston
Office of the Mayor

March 28, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order to reduce the appropriation for the Reserve for Collective Bargaining by \$64,839, in order to fund the FY00 cost items of a collective bargaining agreement for the Boston Public Schools Bus Monitors, Local 8751.

I respectfully request your support on this important matter.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the appropriation heretofore made to meet the current operating expenses in the fiscal year commencing July 1, 1999 and ending June 30, 2000, be reduced by the following amount:

100-999100 Reserve for Collective Bargaining
\$64,839

Referred to the Committee on Education and School Matters.

ORDER FOR SUPPLEMENTAL APPROPRIATION OF \$3,875,665 FOR SCHOOL DEPARTMENT FOR FY00 (DOCKET NO. 0448)

The following was received:

City of Boston
Office of the Mayor

March 28, 2000

To the City Council.

Dear Councillors,

I transmit herewith a supplemental appropriation order for the Boston Public Schools for FY00 in the amount of \$3,875,665, submitted pursuant to the provisions of M.G.L. c. 150E, Sec. 7 and Chapter 224 of the Acts of 1936, as amended by Chapter 190 of the Acts of 1982, as further amended by Chapter 701 of the Acts of 1986, Chapter 613 of the Acts of 1987, and Chapter 108 of the Acts of 1991.

The supplemental appropriation addresses funding of several issues. The Superintendent has requested \$64,839 to fund the FY00 cost items of a collective bargaining agreement between the School Committee and United Steel Workers of America on behalf of Bus Monitors, Local 8751. In addition, the remainder of this supplemental ensures full funding of transition service programs, commitments to Pilot Schools, as well as the implementation of Alternative Education initiatives.

The supplemental is supported by available funds, including a transfer from the collective bargaining reserve. The City's operating budget remains soundly balanced.

I respectfully request your support of this supplemental appropriation for the Boston Public Schools.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to Chapter 224 of the Acts of 1936, as amended by Chapter 190 of the Acts of 1982, and as further amended by Chapter 701 of the Acts of 1986, Chapter 613 of the Acts of 1987, Chapter 108 of the Acts of 1991, and Section 7 of Chapter 150E of the Massachusetts General Laws, to meet the current operating expenses of the School Department in the fiscal period commencing July 1, 1999 and ending June 30, 2000, the sum of \$3,875,665 be, and the same hereby is appropriated, said sum to be met from available funds:

School Department \$3,875,665

Referred to the Committee on Education and School Matters.

ORDER FOR CONFIRMATION OF REAPPOINTMENT OF LEON JACKLIN AS ALTERNATE MEMBER OF BOSTON LANDMARKS COMMISSION FOR TERM EXPIRING JUNE 30, 2001 (DOCKET NO. 0449)

The following was received:

City of Boston
Office of the Mayor

January 20, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an order regarding the reappointment of Leon Jacklin of 87 Hollingsworth Street, as an alternate member, at large,

of the Boston Landmarks Commission for a term expiring June 30, 2001.

I urge your Honorable Body to pass this order.

Respectfully,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the reappointment of Leon Jacklin of 87 Hollingsworth Street, as an alternate member, at large, of the Boston Landmarks Commission for a term expiring June 30, 2001 be, and the same hereby is approved.

Referred to the Committee on Environment and Historic Preservation.

**APPROVAL OF CONSTABLE'S BOND
(DOCKET NO. 0450)**

The Constable's Bond of Willie J. Williams, having been duly approved by the Collector-Treasurer, was received and approved.

NOTICE FROM CITY CLERK RE: FILING BY BRA OF "FIRST AMENDMENT TO THE REPORT AND DECISION ON THE APPLICATION, AS AMENDED, FOR THE APPROVAL OF ABBEY LANDMARK OWNER LLP CHAPTER 121A PROJECT" (DOCKET NO. 0451)

The following was received:

City of Boston
Office of the City Clerk

March 21, 2000

To the City Council.

Dear Councillors:

In compliance with order passed by your Honorable Body December 6, 1976, this is to inform you that the following was filed by the Boston Redevelopment Authority with the City Clerk on March 16, 2000:

"First Amendment to the Report and Decision on the Application, as amended, for the Approval of Abbey Landmark Owner LLP 121A Project".

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE: ACTIONS TAKEN BY MAYOR ON PAPERS ACTED UPON BY CITY COUNCIL AT ITS FEBRUARY 9, 2000 MEETING (DOCKET NO. 0452)

The following was received:

City of Boston
Office of the City Clerk

March 23, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of February 9, 2000, viz:

0130 Order authorizing the Police Commissioner to accept and expend a grant of \$750,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services, for the purpose of creating a Regional Community Policing Institute.

Approved by the Mayor February 14, 2000.

0131 Order authorizing the Police Commissioner to accept and expend a grant of \$17,483 from the Office of Community Oriented Policing Services, for the purpose of analyzing, implementing tailored response for, and assessing the impact of these responses with regard to the problem of dis-

orderly conduct.

Approved by the Mayor February 14, 2000.

0140 Order authorizing the Police Commissioner to accept and expend a grant of \$92,555 from the Massachusetts State Police, for the purpose of enhancing the Police Department's Crime Laboratory for the purpose of DNA research.

Approved by the Mayor February 14, 2000.

0142 Order authorizing the Police Commissioner to accept and expend a grant of \$289,000 from the U.S. Department of Justice, for the purpose of monitoring and enforcing domestic violence offenders.

Approved by the Mayor February 14, 2000.

0218 Order authorizing the Police Commissioner to accept and expend \$3,372,000 from the Executive Office of Public Safety to be utilized by the Department to expand its Neighborhood Policing Services program, which includes a designation of \$350,000 for the Bowdoin Street-Geneva Avenue and Uphams Corner areas, and \$100,000 for the Mission Hill section.

Approved by the Mayor February 14, 2000.

0234 Order authorizing the Police Commissioner to accept and expend a grant of \$13,000 from the Governor's Alliance Against Drugs for the purpose of educating youth on the hazards of drug use.

Approved by the Mayor February 14, 2000.

0302 Order approving a petition for a special law authorizing the transfer of 5.8 acres of land from the Conservation Commission to the Parks and Recreation Department to be used for playground purposes.

Approved by the Mayor February 14, 2000.

0304 Constable's Bond of Logan A. Ritchie.

Approved by the Mayor February 14, 2000.

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE: ACTIONS TAKEN BY MAYOR ON PAPERS ACTED UPON BY CITY COUNCIL AT ITS FEBRUARY 16, 2000 MEETING (DOCKET NO. 0453)

The following was received:

City of Boston
Office of the City Clerk

March 27, 2000

To the City Council

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of February 16, 2000, viz:

0100 Order authorizing the Commissioner of Parks and Recreation to accept and expend a grant of \$10,000 from the Department of Environmental Management, Lake and Pond Grant Program to stabilize the bank and improve the water quality of Chandler Pond.

Approved by the Mayor February 28, 2000.

0103 Order to declare surplus the former Public Works Department yard, Laurie Avenue, a/k/a 40 Morrell Street, West Roxbury, and to transfer the care, custody, management and control of said property to the Public Facilities Commission.

Approved by the Mayor February 28, 2000.

0325 Order authorizing the Police Commissioner to accept and expend an award of \$7,392 from the Governor's Highway Safety Bureau, for the purpose of combating underage drinking in the Allston/Brighton neighborhood.

Approved by the Mayor February 28, 2000.

Very truly yours,
Rosaria Salerno,
City Clerk.

Placed on file.

REPORT ON ORDER AUTHORIZING OFFICE OF COMMUNITY PARTNERSHIPS TO ACCEPT AND EXPEND GRANT OF \$475,000 FROM MASSACHUSETTS DEPARTMENT OF EDUCATION FOR PURPOSE OF DEVELOPING STRONG SCHOOL AND COMMUNITY ALLIANCES TO STRENGTHEN OPPORTUNITIES FOR CHILDREN DURING AFTER-SCHOOL HOURS (DOCKET NO. 0354)

Councillor DAVIS-MULLEN, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 0354, message of the Mayor and order authorizing the Office of Community Partnerships to accept and expend a grant of \$475,000 from the Massachusetts Department of Education for the purpose of developing strong school and community alliances to strengthen opportunities for children during after-school hours (referred March 1) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER APPROVING PETITION FOR SPECIAL LAW REGARDING PUBLIC RECORDS (DOCKET NO. 0124)

Councillor FEENEY, on behalf of the Committee on Government Operations submitted the following:

Report on Docket 0124, order approving a petition for a special law regarding public records (referred December 15, 1999) — recommending passage of the order.

The report was accepted; the order was passed, yeas 12, nays 0:

Yeas — Councillors Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross, Scapicchio, Turner and Yancey — 12.

Nays — 0.

ORDER FOR HEARING TO DETERMINE FEASIBILITY OF GIVING CITY EMPLOYEES WHO MEET CERTAIN CRITERIA PRIORITY STATUS WHEN CITY-OWNED PROPERTIES THAT COULD BE DEVELOPED OR REHABILITATED FOR AFFORDABLE HOUSING BECOME AVAILABLE (DOCKET NO. 0454)

Councillors ROACHE, FEENEY, MURPHY, DAVIS-MULLEN, ROSS, HONAN, HENNIGAN, FLAHERTY, TURNER, KELLY, YANCEY and SCAPICCHIO offered the following

Whereas, The City of Boston requires its employees to maintain residency within City boundaries; and

Whereas, The current state of affordable rents and home ownership has proven to be an excessive financial burden to a large majority of City employees; and

Whereas, The City of Boston should bear some of the responsibility for maintaining the residency requirement; and

Whereas, There are a number City owned properties that could be developed or rehabilitated for affordable housing; therefore be it

Ordered, That the Boston City Council hold a hearing to determine the feasibility of giving those City of Boston employees who meet a certain criteria a priority status when such lots become available for development; be it further

Ordered, The Department of Neighborhood Development and other relevant departments be invited to provide testimony.

Referred to the Committee on Housing.

PRESENTATION BY COUNCILLOR SCAPICCHIO

Councillor SCAPICCHIO presented resolutions to the Charlestown High Basketball Team who were 27 to 0 overall this year and won the State Division 2 Team Championship.

ORDER FOR LOAN OF \$2,222,000 FOR ACQUIRING LAND FOR PUBLIC SCHOOLHOUSES (DOCKET NO. 0356)

Councillor HENNIGAN called Docket No. 0356 from the Assignment Sheet.

Hearing no objection, the matter was before the body.

On motion of Councillor HENNIGAN, the order was given its second and final reading and passage, yeas 12, nays 0:

Yeas — Councillors Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross, Scapicchio, Turner and Yancey — 12.

Nays — 0.

ORDER FOR HEARING TO ALLOW CENTRAL ARTERY COORDINATING TEAM TO REPORT AND UPDATE COUNCIL ON PRESENT AND FUTURE CA/T PROJECT ACTIVITIES AND IMPLEMENTATION PLANS BY VARIOUS AGENCIES AND DEPARTMENTS (DOCKET NO. 0455)

Councillors SCAPICCHIO, MURPHY and FLAHERTY offered the following:

Whereas, Boston City Council's Committee on Economic Development and Transportation has held hearings on numerous issues related to the effects of the depression of the Central Artery and construction of the Third Harbor Tunnel, including hearings on the application, acceptance and expenditure of all grants from the Massachusetts Highway Department for the purpose of funding the efforts of the various City of Boston agencies engaged in addressing and mitigating the impacts related to the construction of the CA/T Project; and

Whereas, On June 24, 1999, the Director of the Central Artery Coordinating Team which is charged with coordinating all CA/T Project activities for the City of Boston with State and Federal agencies agreed to periodically come before the Boston City Council's Committee on Economic Development to report and update the City Council on all CA/T Project activities, especially those involving the Transportation; Environment, Community Sanitation, Public Works, Fire, Parks and Recreation, Disability Commission, Auditing, Police, Office of Neighborhood Services, Boston Redevelopment Authority and the Emergency Medical Services whose efforts to address and mitigate the impacts related to the construction of the CA/T Project are presently funded by a grant from the Massachusetts, Highway Department until June 30, 2003, assuming the Project meets scheduled major milestones; therefore be it

Ordered, That the Boston City Council's Committee on Economic Development hold a hearing to allow the Central Artery Coordinating Team to report and update the City Council on present and future CA/T Project activities and implementation plans by the various agencies and departments of the City of Boston and that all relevant officials and interested parties be invited to attend and testify.

Referred to the Committee on Economic Development and Transportation.

ORDER FOR HEARING TO DISCUSS PLANTING OF TREES ON RESIDENTIAL STREETS (DOCKET NO. 0456)

Councillors CONLEY, FEENEY, KELLY, DAVIS-MULLEN, MURPHY, YANCEY, ROACHE, ROSS, SCAPICCHIO, HENNIGAN, HONAN, FLAHERTY and TURNER offered the following:

Whereas, The City of Boston plants trees on residential streets for the betterment of the city; and

Whereas, Although trees enhance the quality of life in the city, in some instances the roots of trees planted on residential streets interfere with the operation of septic systems; and

Whereas, Branches may interfere with houses or increase bird and squirrel problems; and

Whereas, The city should be prepared to deal with such issues and residents should know the appropriate authority to contact; therefore be it

Ordered, That the appropriate committee of the Boston City Council hold a hearing to discuss this issue; and be it further

Ordered, That officials from the Parks Department, Boston Water and Sewer Commission and the Mayor's office be invited to attend.

Referred to the Committee on City and Neighborhood Services.

PRESENTATION BY COUNCILLORS SCAPICCHIO AND MURPHY

Councillors SCAPICCHIO and MURPHY presented resolutions to the Latin School Girls' Varsity Hockey Team who won the State Championship this year. Latin School is the alma mater of both Councillors.

ORDER FOR HEARING TO UNDERSTAND ALL ASPECTS OF STREET FURNITURE PROGRAM (DOCKET NO. 0457)

Councillors SCAPICCHIO, DAVIS-MULLEN and YANCEY offered the following:

Whereas, Phase I of the "coordinated street furniture program," including the installation of 8 automatic public toilets, 250 bus shelters, 9 information kiosks and 4 newsstands located in high trafficked downtown areas, is scheduled to begin later this year; and

Whereas, A twenty-year contract was awarded in fall 1999, to Wall USA, Inc., a German subsidiary, as the franchisee to implement the street furniture program in Boston, in return for the right to derive revenue from the sale of advertising installed on the furniture; and

Whereas, Wall USA, Inc., will provide the city with an annual fee and percentage of revenues and has also committed to building a production and maintenance facility in Boston's Empowerment Zone; and

Whereas, Comparable programs have been implemented mostly in European cities and are new to this country, hence it is important to understand the franchisee's maintenance and repair role and city's oversight in such over the long-term as well as the advertising levels needed to support this function; and

Whereas, Models are currently on public display and the design proposal was brought to the community, with final approval being sought from the Boston Civic Design Commission; therefore be it

Ordered, That the City Council conduct a public hearing to understand all the aspects of the street furniture program and that representatives of the BRA, MIS, Basic City Services as well as representatives from the MBTA and Wall USA be invited to testify.

Referred to the Committee on Environment and Historic Preservation.

RENT PRACTICES OF CITY'S INSPECTIONAL SERVICES DEPARTMENT RELATIVE TO ITS RIGHT OF ENTRY PROCEDURES AND TO RIGHTS OF OWNERS OF PRIVATE PROPERTY (DOCKET NO. 0458)

Councillors HONAN and DAVIS-MULLEN offered the following:

Whereas, The Inspectional Services Department for the City of Boston is responsible for bringing property owners into compliance with health, building and safety codes; and

Whereas, In the normal course of carrying out their responsibilities, city health and safety inspectors must gain entrance to private dwellings to determine whether an owner is in compliance with, or in violation of, the aforementioned codes; and

Whereas, The United States Supreme Court has held that administrative searches are significant intrusions upon the interests protected by the Fourth Amendment, and that such searches when authorized and conducted without a warrant procedure lack the traditional safeguards which the Fourth Amendment guarantees to individuals; and

Whereas, The Inspectional Services Department's policies and procedures with regards to an individual inspector's right of entry to a private dwelling, must conform to the mandate of the U.S. Supreme Court; and

Whereas, The public interest demands that all dangerous conditions be prevented or abated; therefore be it

Ordered, That the Boston City Council hold a public hearing to investigate the current practices of the city's Inspectional Services Department relative to its right of entry procedures and to the rights of owners of private property; and be it further

Ordered, That the Commissioner of Inspectional Services, Corporation Counsel, representatives of the Greater Boston Real Estate Board and Small Property Owners Association, and other interested parties be invited to testify.

Referred to the Committee on Economic Development and Transportation.

ORDER THAT CITY UNDERTAKE BRIEF INITIAL STUDY TO DETERMINE IF MUNICIPAL AGGREGATION AS PUT FORTH IN MASSACHUSETTS ELECTRIC UTILITY RESTRUCTURING ACT WILL BENEFIT RESIDENTS AND BUSINESSES OF CITY (DOCKET NO. 0459)

Councillor TURNER offered the following:

Whereas, The Commonwealth of Massachusetts has established a competitive market through restructuring of the electric utility industry; and

Whereas, Citizens of Boston have a substantial economic, environmental and social interest at stake; and

Whereas, The City of Boston residential and business consumers are interested in lowering their electricity rates and improving the quality of services for all residents, commercial and industrial business; and

Whereas, To date, approximately 90 of the Commonwealth's 351 cities and towns have agreed to join three electric aggregation groups: The Cape Light Compact, the Massachusetts Health and Educational Facilities Authority power/options program and the MunEnergy Program offered by National energy Choice, therefore be it

Ordered, That the City of Boston, with all due speed, undertake a brief initial study to determine if municipal aggregation as put forth in the Massachusetts Electric Utility Restructuring Act of 1997, Section 247 will benefit the residents and businesses of Boston. Such a study should include: 1) the determination of the amount of money the residents and businesses of the City of Boston spend on electricity annually by neigh-

ORDER FOR HEARING TO INVESTIGATE CUR-

borhood; 2) how much demand side management money would be available to the City of Boston if it submits an energy management plan; and 3) how much residential and small commercial consumers, with special consideration given to low income residents, will benefit from electric utility restructuring under various scenarios.

Ordered, That copies of the study be made available to the Mayor and the City Council immediately upon completion of said study.

Referred to Special Committee on Information Technology.

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO APPLY TO U.S. ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) FOR PUBLIC WORKS AND ECONOMIC DEVELOPMENT ASSISTANCE GRANT OF \$1,000,000 (DOCKET NO. 0389)

Councillor SCAPICCHIO called Docket No. 0389 from the Committee on Economic Development and Transportation.

Hearing no objection, the matter was before the body.

On motion of Councillor Scapicchio, **Docket No. 0389 was passed.**

LATE-FILED MATTERS

The Chair Stated that, in absence of objection, three late-filed matters would be added to the Agenda.

No objection being heard, the following matters were added:

APPOINTMENT OF TEMPORARY EMPLOYEE
(DOCKET NO. 0475)

Councillor KELLY offered the following:

Ordered, That effective Saturday, April 1, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, April 28, 2000:

Thomas M. McDonough, administrative assistant, \$1,074.72, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEE
(DOCKET NO. 0476)

Councillor KELLY offered the following:

Ordered, That effective Saturday, April 29, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, June 30, 2000:

Thomas M. McDonough, administrative assistant, \$574.72, full time.

Passed under suspension of the rules.

ORDER THAT CITY COUNCIL CONDUCT PUBLIC HEARING TO DISCUSS PLANS AND FINANCIAL RESOURCES FOR CITY HALL PLAZA (DOCKET NO. 0477)

Councillors FEENEY, DAVIS-MULLEN, KELLY, ROACHE, ROSS, TURNER and YANCEY offered the following:

Whereas, The redesign of City Hall Plaza has gone through a frustrating process of stops and starts, with the latest revised plan focusing now on only part of the plaza; and

Whereas, Phase I will include a colonnade along the Cambridge Street edge of the plaza, linking a new Massachusetts Bay Transportation Authority station and new park at the foot of the JFK federal building; and

Whereas, An arcade along Cambridge Street, where farmers' markets can be set up, is estimated to cost \$1.5 million and will be paid for by the BRA with the \$20 million new headhouse for the Green and Blue lines funded under the MBTA's capital improvement program; and

Whereas, The city's vested interest in the potential for this preeminent public place is a financial one as well, with \$1.1 million currently in the capital budget, authorized to match the private funding efforts of the Trust for City Hall Plaza; therefore be it

Ordered, That the City Council conduct a public hearing to discuss these plans and the financial resources committed and that members of the BRA and Trust for City Hall Plaza be invited to testify.

Referred to the Committee on City and Neighborhood Services.

STATEMENT OF COUNCILLOR HENNIGAN

Having unanimous consent to do so, Councillor HENNIGAN wanted to bring to the attention of her colleagues a *Boston Globe* article in the business section regarding the South Boston waterfront and the McCourt/Conservation Law Foundation and the City's dismissal.

STATEMENT OF COUNCILLOR FEENEY

Having unanimous consent to do so, Councillor FEENEY wanted to thank the Council for signing a resolution for Ann O'Toole Ryan who is recovering from her third brain surgery and whose family is very appreciative of the resolution wishing the O'Toole and Ryan families the best of health and luck.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Murphy: Congratulating six participants of Miss South Boston contest (Docket No. 0460); congratulating Kay Lydon (Docket No. 0461); congratulating Gary LaPierre (Docket No. 0462); congratulating David I. Bent (Docket No. 0463).

Councillor Scapicchio: Commending Jerry Donovan (Docket No. 0464).

Councillor Feeney: Congratulating St. Mark's Boys Bantam Team (Docket No. 0465).

Councillor Scapicchio: Congratulating Chinatown Business Association (Docket No. 0466); congratulating three members of Chinese Merchants Association (Docket No. 0467).

Councillor Conley: Congratulating five students on winning of the Edward F. Beatty Essay Contest (Docket No. 0468); congratulating Mary DiPerri (Docket No. 0469); congratulating Kathleen Grant (Docket No. 0470).

Councillor Feeney: Congratulating Paul L. Roche (Docket No. 0471); congratulating the First Parish Church (Docket No. 0472).

Councillor Honan: Congratulating Lee Ferris (Docket No. 0473).

Councillor Yancey: Congratulating St. Vincent and the Grenadines Association of Massachusetts (Docket No. 0474).

The Chair stated that, in the absence of objection, four late-filed matters would be added to the Consent Agenda.

No objection being heard, the following matters were added:

Councillor Yancey: Congratulating Guyana Friends Association of Massachusetts, Inc. (Docket No. 0478);

congratulating Ms. Lee Farris (Docket No. 0479); congratulating The Right Honorable Owen Arthur (Docket No. 0480); congratulating Ghana Association of Greater Boston (Docket No. 0481).

The matters contained within the Consent Agenda were severally adopted.

STATEMENT OF COUNCILLOR YANCEY

Having unanimous consent to do so, Councillor YANCEY asked that when we adjourn today we do so in memory of Alice Mirak.

STATEMENT OF PRESIDENT KELLY

President Kelly also wanted to adjourn today in memory of Marty O'Brien, a good friend of most of the Councillors and a person who took enormous responsibility in helping past Senate President William Bulger.

STATEMENT OF COUNCILLOR DAVIS MULLEN

Having unanimous consent to do so, Councillor DAVIS-MULLEN also asked that when we adjourn today, we do so in memory of Evelyn "Chum" Nauyokas.

Adjourned at 2:08 p.m. on motion of President KELLY in memory of Alice Mirak, Marty O'Brien and Evelyn "Chum" Nauyokas to meet on Wednesday, April 5, 2000 at 12 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, April 5, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 12 noon, President KELLY in the Chair and all members present.

INVOCATION

Monsignor Joseph Lahoud, Our Lady of the Cedars of Lebanon Church, delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

PRESENTATION BY COUNCILLOR HONAN

Councillor HONAN presented Brighton High School's Math Team with a resolution for being the national champions of the National Society of Black Engineers National Trimathalon.

PRESENTATION BY COUNCILLOR HENNIGAN

Councillor HENNIGAN presented Claudia Tenant, a student at James W. Hennigan School, a resolution for receiving a perfect MCAS score in math.

PRESENTATION BY COUNCILLOR DAVIS-MULLEN

Councillor DAVIS-MULLEN presented two police officers of the Boston Police Department with resolutions for their heroic efforts in saving the life of a State Trooper who suffered a heart attack while driving his cruiser.

ORDER APPROVING PETITION FOR SPECIAL LAW RE: AUTHORIZING CERTAIN AMENDMENTS TO HOUSING AND EMPLOYMENT EXACTION REQUIREMENTS (LINKAGE) WITH RESPECT TO LARGE-SCALE COMMERCIAL REAL ESTATE DEVELOPMENT (DOCKET NO. 0482)

The following was received:

City of Boston
Office of the Mayor

April 4, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an act relating to certain amendments to the housing and job exaction requirements (linkage) with respect to large-scale commercial real estate development.

The attached act would amend Chapter 371 of the acts of 1987 to allow the zoning commission to retroactively increase the measured value of the affordable housing exaction and the employment exaction imposed on large-scale commercial real estate development by the per cent increase in the combined index for the period since the enactment of Chapter 371; provided however, that the measured value of the affordable housing exaction shall be set at no more than seven dollars and eighteen cents, and the employment exaction

shall be set at no more than one dollar and forty-four cents.

Since the measured value of the affordable housing exaction and the employment exaction has not been increased since the effective date of Chapter 371 (which occurred on October 5, 1987), the measured value of the exactions have lagged behind the general economic welfare of the commonwealth, and the cost of housing and job training has increased faster than the rate of increase in inflation and the consumer price index. This amendment would put the measured value of the exactions on a par with current market values.

I urge the City Council to pass this act as expeditiously as possible so that the City can increase the amounts being contributed towards the creation of affordable housing in the city and job training to low and moderate income residents in the city through exactions on large-scale real estate development.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under clause (I) of Section eight of Article two, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:-

Whereas, The General Court finds and declares that a serious public emergency exists in the City of Boston with respect to the housing and also the employment of a substantial number of the citizens of said city, as further described below; and

Whereas, There is not an adequate supply of affordable housing for low and moderate income residents of the city; and

Whereas, The construction of new large-scale commercial real estate developments in the city tends to reduce the supply of affordable housing available to low and moderate income residents; and

Whereas, In order to supply affordable housing for low and moderate income residents in the city in conjunction with the construction of new large-scale commercial real estate developments, an act was adopted by the General Court as Chapter 371 of the acts of 1987, which imposed an obligation on large-scale commercial real estate developments to mitigate their adverse impacts on the availability of such affordable housing by making development impact project exactions to provide revenue to meet the public exigency of the provision of affordable housing in the city; and

Whereas, Section 16 of Chapter 371 of the acts of 1987 provides that the measured value of the affordable housing exaction to be imposed is to be determined on the basis of a fixed dollar amount per square foot of gross floor area devoted to exaction uses in excess of one hundred thousand square feet of gross floor area devoted to exaction uses, exclusive in both cases of all accessory parking garage space, as determined by the zoning commission of the city upon recommendation by the Boston Redevelopment Authority, and further provides that the zoning commission of the city is authorized to increase said measured value three years after the effective date of Chapter 371 and no more frequently than at three year intervals thereafter, but any such increase shall not exceed the per cent of the increase in the combined index for the prior thirty-six month period; and

Whereas, The measured value of the affordable housing exaction was set at five dollars per square foot upon the effective date of Chapter 371 of the acts of 1987 and has not been increased since then; and

Whereas, There is not an adequate supply of employment opportunities for low and moderate income residents of the city; and

Whereas, The construction of new large-scale commercial real estate developments in the city tends to reduce the number of jobs for which low and moderate income residents of the city are qualified; and

Whereas, In order to supply job opportunities to low and moderate income residents in the city in conjunction with the construction of new large-scale commercial real estate developments, Chapter 371 of the acts of 1987 also imposed an obligation on large-scale commercial real estate developments to mitigate their adverse impacts on the availability of such employment opportunities by making an employment exaction to provide revenue to meet the public exigency of the provision of job training for low and moderate income residents of the city; and

Whereas, Section 17 of Chapter 371 of the acts of 1987 provides that the measured value of the employment exaction to be imposed is to be determined on the basis of a fixed dollar amount per square foot of gross floor area devoted to exaction uses in excess of one hundred thousand square feet of gross floor area devoted to exaction uses, exclusive in both cases of all accessory parking garage space, as determined by the zoning commission of the city upon recommendation by the Boston Redevelopment Authority, and further provides that the zoning commission of the city is authorized to increase said measured value three years after the effective date of Chapter 371 and no more frequently than at three year intervals thereafter, but any such increase shall not exceed the per cent of the increase in the combined index for the prior thirty-six month period; and

Whereas, The measured value of the employment exaction was set at one dollar per square foot upon the effective date of Chapter 371 of the acts of 1987 and has not been increased since then; and

Whereas, The City of Boston is currently in the midst of a "hot" real estate and economic market in which the cost of housing and job training has increased faster than the rate of increase in inflation and the consumer price index.

Now, therefore, be it enacted as follows:

Section 1: Chapter 371 of the acts of 1987 is hereby amended by inserting after Section 16 thereof the following new Section 16A:

"Section 16A. Notwithstanding any general or special law to the contrary, the zoning commission shall be authorized to increase the measured value of the affordable housing exaction by the per cent of the increase in the combined index for the period commencing as of the effective date of Chapter 371 of the acts of 1987 and ending as of the most recent anniversary date of such effective date occurring prior to the enactment of this act, notwithstanding that such period is in excess of the thirty-six month period described in Section 16; provided, however, that the zoning commission shall not be authorized to set the measured value of the affordable housing exaction at more than seven dollars and eighteen cents per square foot of gross floor area devoted to exaction uses in excess of one hundred thousand square feet devoted to exaction uses, exclusive in both cases of all accessory parking garage space.

Section 2: Chapter 371 of the acts of 1987 is hereby amended by inserting after Section 17 thereof the following new Section 17A:

"Section 17A. Notwithstanding any general or special law to the contrary, the zoning commission shall be authorized to increase the measured value of the employment exaction by the per cent of the increase in the combined index for the period commencing as of the effective date of Chapter 371 of the acts of 1987 and ending as of the most recent anniversary date of such effective date occurring prior to the enactment of this act notwithstanding that such period is in excess of the thirty-six month period described in Section 17; provided, however, that the zoning commission shall not be authorized to set the measured value of the employment exaction at more than

one dollar and forty-four cents per square foot of gross floor area devoted to exaction uses in excess of one hundred thousand square feet devoted to exaction uses, exclusive in both cases of all accessory parking garage space.

Section 3: The zoning commission is hereby authorized to adopt such regulations or rules as will effectuate the provisions of the amendment described in Sections 1 and 2 above, including without limitation, such regulations and rules as may be required to amend Section 80B-7 of the Boston Zoning Code to reflect such provisions.

Section 4: This act shall take effect immediately upon its enactment.

Referred to the Committee on Economic Development and Transportation.

ORDER APPROVING SIXTH AMENDMENT TO CROSSTOWN ECONOMIC DEVELOPMENT PLAN AS PROPOSED BY ECONOMIC DEVELOPMENT PLAN AS PROPOSED BY ECONOMIC DEVELOPMENT AND INDUSTRIAL CORPORATION OF BOSTON ON MARCH 9, 2000 (DOCKET NO. 0483)

The following was received:

City of Boston
Office of the Mayor

To the City Council.

Dear Councillors:

I am enclosing for your review and approval the Sixth Amendment to the Crosstown Economic Development Plan as approved by the Economic Development and Industrial Corporation of Boston on March 9, 2000. Pursuant to the rights vested in the City Council upon the creation of the Economic Development and Industrial Corporation of Boston pursuant to Chapter 1097 of the Acts of 1971, the Council must approve amendments to the Economic Development Plan.

The amendment will remove Parcel 2B from the Economic Development Plan and allow for a non-industrial use of that parcel. The parcel will be utilized as parking/storm water drainage for the purpose of constructing the new K-8 Orchard Garden School by the City of Boston.

I urge your Honorable Body to approve the amendment at your earliest possible convenience so that this project may go forward.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the Sixth Amendment to the Crosstown Economic Development Plan, as proposed by the Economic Development and Industrial Corporation of Boston, be, and the same hereby is approved.

Referred to the Committee on Economic Development and Transportation.

ORDER APPROVING PETITION FOR SPECIAL LAW TO PROVIDE MINIMUM RETIREMENT ALLOWANCE OF \$12,000 TO RETIREES OF THE STATE-BOSTON RETIREMENT SYSTEM WHO RETIRED WITH AT LEAST TWENTY-FIVE YEARS OF CREDITABLE SERVICE WITH AN EMPLOYER MEMBER OF STATE-BOSTON RETIREMENT SYSTEM (DOCKET NO. 0484)

The following was received:

City of Boston
Office of the Mayor

To the City Council.

Dear Councillors:

I transmit herewith for your approval a Petition to the

General Court to provide a minimum retirement allowance of \$12,000 to retirees of the State-Boston Retirement System who retired with at least twenty-five years of creditable service with an employer member of the State-Boston Retirement System.

This Body recently adopted legislation authorizing the awards of Cost of Living Adjustments to our retirees. However, COLAs are computed on a base pension of \$12,000. For those retirees whose pensions fall below this base amount, their COLAs are computed on the lower base amount. The proposed minimum base pension of \$12,000 would bring everyone up to the base upon which COLAs would be computed.

In the 1998 legislative session, retirees of the State Retirement System and the State Teachers' Retirement System were afforded a minimum pension of \$10,000. However, no legislative provision was included to provide a mechanism for local governments to provide a similar minimum pension to local retirees. Therefore, I offer this Home Rule Petition to provide a \$12,000 minimum pension, which is relative to the poverty guidelines for the Federal Food Stamp program and other public assistance programs.

It is estimated that there are approximately 700 to 800 retirees who currently receive a pension below \$12,000, who would benefit from this proposal. I strongly urge the City Council to act on this legislation which would provide a pension upgrade to those individuals who rely on their Boston pension as their primary support, while that support is currently well below the Federal Poverty Guidelines. With this legislation, we can begin to assist these retirees.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause (1) of Section eight of Article two, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted providing precisely as follows, except for clerical or editorial changes of form only:—

Section 1:

Notwithstanding any other provision of chapter 32 of the general laws, any member retired from the State-Boston Retirement System shall receive a retirement allowance of not less than twelve thousand dollars per year, provided that

- (a) such member retired on superannuation with at least twenty-five years of creditable service performed as an employee of a public agency served by the State-Boston Retirement System, or
- (b) such member retired on ordinary disability under section six with at least twenty-five years of creditable service performed as an employee of a public agency served by the State-Boston Retirement System, or
- (c) such member retired for accidental disability under section seven, and

the gross annual income of such member and spouse, if any, as shown by a notarized federal income tax return is less than or equal to one hundred and fifty percent of the non-farm Federal Poverty guidelines issued by the United States Department of Health and Human Services in effect at the time of the member's application.

The Boston Retirement Board shall adopt such rules and regulations as it deems necessary and appropriate to implement this provision.

Section 2:

This act shall be effective upon its passage.

Referred to the Committee on Government Operations.

ORDER APPROVING APPROPRIATION OF
\$1,555,430.29 FOR THE LIBRARY OF LAST
RECOURSE (DOCKET NO. 0485)

The following was received:

City of Boston
Office of the Mayor

March 31, 2000

To the City Council.

Dear Councillors:

I transmit for your approval an appropriation order in the amount of \$1,555,430.29 for the Library of Last Recourse from the funds currently held by the Collector-Treasurer.

I respectfully recommend adoption of this order by your Honorable Body.

Very truly yours,

Thomas M. Menino,
Mayor of Boston.

Ordered, That in addition to the appropriation heretofore, made, to meet salary expenses of the Library Department in the fiscal period commencing July 1, 1999 and ending December 31, 1999 that the sum of \$1,555,430.29, be, and the same hereby is appropriated, said sum to be met from the Commonwealth of Massachusetts under G.L. ch. 78, Sec. 19c as amended by Ch. 636 Acts of 1970.

100-110000 Library Department
Personnel Services \$1,555,430.29

Referred to the Special Committee on Library Services.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF JOHN M. BORDERS AS MEMBER OF ELECTION COMMISSION FOR TERM EXPIRING MARCH 31, 2004 (DOCKET NO. 0486)

Notice was received from the Mayor of the appointment of John M. Borders as a member of the Election Commission for a term expiring March 31, 2004.

Placed on file.

APPROVAL OF CONSTABLE'S BOND
(DOCKET NO. 0487)

The Constable's Bond of James E. White, having been duly approved by the Collector-Treasurer, was received and approved.

NOTICE FROM CITY CLERK RE: ACTIONS TAKEN BY MAYOR ON PAPERS ACTED UPON BY CITY COUNCIL AT ITS MARCH 1, 2000 MEETING (DOCKET NO. 0488)

The following was received:

City of Boston
Office of the City Clerk

April 4, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of March 1, 2000, viz: 0366 — Ordinance regarding improper preparation of food.

Approved by the Mayor March 20, 2000.

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE: ACTIONS TAKEN
BY MAYOR ON PAPERS ACTED UPON BY
CITY COUNCIL AT ITS MARCH 8, 2000
MEETING (DOCKET NO. 0488)

The following was received:

City of Boston

Office of the City Clerk

April 4, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of March 8, 2000, viz:

0235 — Order to declare surplus a vacant parcel of land located at Roxbury Street, Roxbury, the former site of the old Roxbury Municipal Courthouse, and to transfer the care, custody, management and control of said property to the Public Facilities Commission.

Approved by the Mayor March 14, 2000.

0399 — Constable's Bonds of Derick D. Joyner and John E. Ryan.

Approved by the Mayor March 14, 2000.

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

REPORT ON ORDER APPROVING A SUPPLEMENTAL APPROPRIATION OF \$1,670,996 FOR THE SUFFOLK COUNTY SHERIFF'S DEPARTMENT FOR FY00 (DOCKET NO. 0355)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 0355, message of the Mayor and order approving a supplemental appropriation of \$1,670,996 for the Suffolk County Sheriff's Department for FY00 (referred March 1) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER AUTHORIZING THE POLICE COMMISSIONER TO ACCEPT AND EXPEND A GRANT OF \$2,886,398 FROM THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE UNDER THE LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM, FOR THE PURPOSE OF REDUCING CRIME AND IMPROVING PUBLIC SAFETY THROUGH THE PURCHASE OF POLICE EQUIPMENT, THE USE OF POLICE OVERTIME AND TO SUPPORT COMMUNITY PARTNERSHIPS FOR NEIGHBORHOOD (DOCKET NO. 0303)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 0303, message of the Mayor and order authorizing the Police Commissioner to accept and expend a grant of \$2,886,398 from the U.S. Department of Justice, Bureau of Justice Assistance under the Local Law Enforcement Block Grant Program for the purpose of reducing crime and improving public safety through the purchase of police equipment, the use of police overtime and to support community partnerships for neighborhood policing (referred February 9) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER AUTHORIZING THE POLICE COMMISSIONER TO ACCEPT AND EXPEND

A GRANT OF \$74,137.81 FROM THE ATTORNEY GENERAL'S OFFICE FOR THE PURPOSE OF RESTORING A SENSE OF SAFETY TO THE NEIGHBORHOOD OF THE DORCHESTER SAFE NEIGHBORHOOD INITIATIVE (SNI) BY INCREASING POLICE SURVEILLANCE ACTIVITIES AND COLLABORATING WITH ALL AGENCIES TO REDUCE CRIME AND FEAR IN THE SNI AREA (DOCKET NO. 0390)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 0390, message of the Mayor and order authorizing the Police Commissioner to accept and expend a grant of \$74,137.81 from the Attorney General's Office for the purpose of restoring a sense of safety to the neighborhood of the Dorchester Safe Neighborhood Initiative (SNI) by increasing police surveillance activities and collaborating with all agencies to reduce crime and fear in the SNI area (referred March 8) — recommending passage of the order.

The report was accepted; **the order was passed.**

ORDER THAT CITY COUNCIL HOLD HEARING TO DISCUSS STATE OF OUR HERO SQUARES AS WELL AS WHAT CAN BE DONE TO BETTER PROTECT AND PRESERVE THESE MEMORIALS IN THE FUTURE (DOCKET NO. 0490)

Councillors ROACHE, SCAPICCHIO, CONLEY, FEENEY, FLAHERTY, DAVIS-MULLEN, KELLY, HENNIGAN, MURPHY, TURNER, YANCEY, ROSS and HONAN offered the following:

Whereas, The Veterans of our wars deserve the utmost respect and recognition for the dedication they have shown their country; and

Whereas, Throughout the City of Boston there are numerous Hero Squares honoring the commitment of our Veterans; and

Whereas, It has been reported that many of the sign posts and plaques that recognize the men and women of Boston who have made the ultimate sacrifice are regularly being vandalized and destroyed and as a result remain in a state of disrepair; and

Whereas, The City of Boston should be duty bound to maintain the integrity and sincerity of memorials to our veterans; therefore be it

Ordered, That the Boston City Council hold a hearing to discuss the state of our Hero Squares as well as what can be done to better protect and preserve these memorials in the future; be it further

Ordered, The Office of Veterans' Services and all relevant departments be invited to provide testimony.

Referred to the Committee on Veterans.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0491)

Councillor KELLY offered the following:

Ordered, That effective Saturday, March 25, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, June 30, 2000:

Danielle Williams, administrative assistant, \$100, part time

Passed under suspension of the rules.

ORDER THAT CITY COUNCIL HOLD HEARING RE: 43 MELROSE STREET (DOCKET NO. 0492)

Councillor KELLY offered the following:

Whereas, On or about August 10, 1909, the City of

Boston took by eminent domain for school purposes, part of a parcel of land measuring approximately ten feet wide (10.0 feet) and forty-eight feet long beside 43 Melrose Street, Boston; and

Whereas, Since purchasing the property at 43 Melrose Street in 1984, the current owner, Christine Colley, has maintained the passageway as a driveway to alleviate the burden of limited parking in the neighborhood; and

Whereas, The rights, title, or interest in this particular driveway appear to have been clouded in ambiguity since the taking of certain parcels of land by eminent domain in 1909, and the bounds of the driveway have been set off by a fence for almost forty years; and

Whereas, The Land Court in 1999, in dismissing Ms. Colley's adverse possession claim for the land, did acknowledge in its Decision granting the city's motion for summary judgment, that the property was under the care, custody and control of the City, noting: "[t]he City is the record owner of the adjacent Boston High site, which includes a strip of land Ms. Colley refers to as a 'driveway' and the City refers to as a 'passageway.'"

Whereas, The Boston City Council, after having thoroughly researched the issue in 1989, concluded that the driveway served no school or public purpose, was not traversable as a fire lane, and was, in fact, used almost exclusively as a private driveway, and supported Ms. Colley's request to have the property conveyed to the owner of 43 Melrose Street; and

Whereas, G.L. c. 40 §15 states that upon notification to the City Council that a parcel "is no longer required for public purposes" the City Council may, with the approval of the Mayor, by a two-thirds vote, authorize the conveyance of such land; and

Whereas, G.L. c. 40 §15A states that land held by one agency or department may be transferred back to another for disposition consistent with the provisions of G.L. c. 40 §15, therefore be it

Ordered, That the Boston City Council conduct a public hearing into the further use of said land, and that the owner of 43 Melrose Street, Christine Colley, a representative of the Mayor's Office, a member of the School Department, the City's Law Department, and a representative of the Public Improvement Commission be invited to attend.

Referred to the Committee on Environment and Historic Preservation.

ORDER THAT CITY COUNCIL HOLD HEARING TO DISCUSS APPROPRIATENESS OF GRANTING WAIVER OF RESIDENCY REQUIREMENT TO CERTAIN POLICE OFFICERS WHO HAVE FOUND THEMSELVES AND THEIR FAMILIES TO BE UNDER THREAT OF HARM AS RESULT OF PERFORMING THEIR DUTIES (DOCKET NO. 0493)

Councillors ROACHE and ROSS offered the following:

Whereas, The City of Boston mandates that a majority of its employees must reside in the City; and

Whereas, The restrictions of the residency requirement should not place an employee or their family in a situation that could prove to be harmful in any way; and

Whereas, It has been reported that certain Boston Police Officers, as a direct result of the performance of their duties, have been subjected to extreme levels of harassment which have threatened their lives and the lives of their families; and

Whereas, The City of Boston has a certain responsibility to protect its residents while maintaining an experienced workforce that best serves its whole population; therefore be it

Ordered, That the Boston City Council hold a hearing to discuss the appropriateness of granting a waiver of the residency requirement to certain Boston Police

Officers who have found themselves and their families to be under threat of harm as a result of performing their duties as an officer, be it further

Ordered, That the Residency Compliance Commission and other relevant City departments, as well as the Officers in question and appropriate representatives from the Boston Police Department be invited to testify.

Referred to the Special Committee on Residency.

ORDER THAT CITY COUNCIL HOLD HEARING RE: SOUTH BOSTON WATERFRONT DISTRICT (DOCKET NO. 0494)

Councillors HENNIGAN, DAVIS-MULLEN, MURPHY, SCAPICCHIO, ROACHE, TURNER, FLAHERTY, FEENEY and YANCEY offered the following:

Whereas, The South Boston Waterfront District is the largest land area and waterfront property remaining to be developed in the City of Boston; and

Whereas, Mr. Frank McCourt, with the support of the Conservation Law Foundation and its director, Mr. Douglas Foy, has submitted a serious proposal regarding the development of this harbor tract; and

Whereas, *The Boston Globe* has chosen to highlight the strategic importance of this development to Boston by writing a special series on it; and

Whereas, The Pritzker family has submitted their own extensive plan for development of their property; and

Whereas, Mr. Mark Maloney, Director of the BRA has jurisdiction over the development of this property; and

Whereas, Mr. Robert Durand, Secretary of the Executive Office of Environmental Affairs, is in the process of making major decisions regarding the environmental impact of this project; and

Whereas, The people of Boston, having made a large investment in cleaning up the harbor, have a major interest in being assured of the enjoyment and complete access to their waterfront; now, therefore be it

Ordered, That the appropriate committee of the Boston City Council hold a hearing inviting Mr. McCourt, Mr. Foy, a representative of the Pritzker family, Mr. Durand and Mr. Maloney to address these issues.

Referred to the Committee on Economic Development and Transportation.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 0495)

Councillor KELLY offered the following:

Ordered, That effective Saturday, April 8, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, June 30, 2000:

Joyce L. Holland, secretary, \$1,015.32, full time.

Karen M. Pinckney, secretary, \$555.56, full time.

Kenneth W. Yarbrough, secretary, \$622.61, full time.

Passed under suspension of the rules.

ORDINANCE INCREASING SAFETY OF STUDENTS ON SCHOOL BUSES RE: CROSSING GATES (DOCKET NO. 0190)

Councillor YANCEY called Docket No. 0190 from the Committee on Education and School Matters.

Hearing no objection, Docket No. 0190 was before the body.

On motion of Councillor YANCEY, **Docket No. 0190 was passed; yeas 13.**

STATEMENT OF COUNCILLOR YANCEY

Having unanimous consent to do so, Councillor YANCEY asked when we adjourn today, we do so in memory of Denise Evans.

STATEMENT OF PRESIDENT KELLY

Councillor KELLY asked that when we adjourn today, we do so in memory of George Murphy, grandfather of Chief of Staff Shawn Murphy.

STATEMENT OF COUNCILLOR FLAHERTY

Having unanimous consent to do so, Councillor Flaherty wanted to remind his colleagues that April is Autism Awareness Month referencing there is not yet a cure for autism and one out of 500 people are affected by autism.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Turner: Congratulating Mark Cullinton (Docket No. 0496).

Councillor Davis-Mullen: Congratulating Eleanor Fitzpatrick (Docket No. 0497).

Councillor Conley: Congratulating Jennie Ryan (Docket No. 0498); congratulating Katherine Grant (Docket No. 0499).

Councillor Turner: Congratulating Minister Don Muhammad (Docket No. 0500); congratulating Antonio Torres (Docket No. 0501); congratulating Nation of Islam (Docket No. 0502); congratulating Black Community Information Center (Docket No. 0503); congratulating Sadikki Kambon (Docket No. 0504); congratulating Nation Congress Puerto Rican Rights (Docket No. 0505); congratulating NAACP (Docket No. 0506); congratulating Leonard Alkins (Docket No. 0507).

Councillor Murphy: congratulating Rosalind Ferrante Letsche (Docket No. 0508); congratulating Anna Citrone (Docket No. 0509).

Councillor Turner: Congratulating Mrs. Dorothy "Dottie" Jackson (Docket No. 0510).

Councillor Scapicchio: Congratulating 19 winners of the 2000 State Champion Charlestown High Basketball (Docket No. 0511); congratulating 26 winners of the 2000 State Champion Boston Latin Girls Ice Hockey (Docket No. 0512).

Councillors Murphy and Scapicchio: Congratulating Denise Devlin (Docket No. 0513).

Councillor Murphy: congratulating New York City Fire Department (Docket No. 0514); congratulating Chicago Fire Department (Docket No. 0515); congratulating Philadelphia Fire Department (Docket No. 0516); congratulating London Fire Department (Docket No. 0517); congratulating Boston Police Department (Docket No. 0518).

Councillors Conley and Murphy: Congratulating the Hi-Parkers (Docket No. 0519).

Councillor Murphy: Congratulating 41 Fire Fighters for their years of service and dedication (Docket No. 0520).

Councillor Ross: congratulating James Hoffman (Docket No. 0521).

Councillor Yancey: Congratulating Omega Psi Phi Fraternity, Inc. (Docket No. 0522); congratulating Haitian American Unity Parade Committee and Haitian American Public Health Initiatives (Docket No. 0523); congratulating five persons for their collaboration with the McCormack Institute, U/MA-Boston (Docket No. 0524).

The matters contained within the Consent Agenda were severally adopted.

Adjourned at 1:19 p.m. on motion of President KELLY in memory of Denise Evans and George Murphy to meet on Wednesday, April 12, 2000 at 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, April 12, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 12:20 p.m., President KELLY in the Chair and all members present.

INVOCATION

Reverend James B. Hill, S.M.A., delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

ORDER FOR CONFIRMATION OF APPOINTMENTS OF CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING OF BOND FOR TERM EXPIRING APRIL 30, 2001 (DOCKET NO. 0525)

The following was received:

City of Boston
Office of the Mayor

April 7, 2000

To The City Council.

Dear City Councillors:

Subject to confirmation by your Honorable Body, I hereby appoint the following-named persons on the attached order as Constables of the City of Boston, authorized to serve civil process upon filing of bond, for the period commencing May 1, 2000 and ending April 30, 2001.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the appointment of the following-named persons as Constables of the City of Boston authorized to serve civil process upon filing of bond for the period commencing May 1, 2000 and ending April 30, 2001 be and the same hereby is approved.

2000-2001

Renewal Constable Applications List
Recommended Approval

The following recommendations for approval are renewal applicants.

Adjemian, George, 70 Peter Parley Rd., Boston 02130

Allen, Joseph F., 83 Maynard St., Roslindale 02131
Bedugnis, Barbara L., 19 Colchester St., Readville
Bedugnis, David G. Sr., 338 Beech St., Roslindale 02131

Blake, Sandra T. M., 4 Cleveland St., Boston 02119
Burke, James F., 59 Chelmsford St., Dorchester 02122

Butler, Diane M., 38 Caspar St. West Roxbury 02132
Butler, Joseph P., 38 Caspar St. West Roxbury 02132
Cammarata, John J., 29 Charter St., Boston 02113
Carbone, Vincent J., 542 Commercial St., Boston 02109

Castagna, Russell C., 783 East Sixth St., South Boston 02127

Chester, Willie E., 85 Howard Ave., Dorchester 02125

Christofono, Stephen A., 57 Thompson St., Hyde Park 02136

Ciampi, Carmen A., 100 Leyden St., East Boston

02128

Clemons, Robert D., 2 Hopestill St., Dorchester 02124

Cobb, Ron, 15 Winthrop St., Boston 02111
Connolly, Mark J., 135 Greateon Rd. West Roxbury
Creed, Christopher E., 174 Dana Ave. Hyde Park 02136

Cruz, Luis M., 21 St. Rose St., #631, Jamaica Plain 02130

Curry, Allen A., 49 Woodbine St., Roxbury 02119
Davis, Francis R., 24 St. Margaret St., Dorchester 02125

DeFeo, Pasquale Jr., 63 St. Andrew Rd., East Boston 02128

DiBlasi, John J., 836 E. Second St., South Boston 02127

DiNatale, John P., 20 Midvale Rd., West Roxbury 02132

Dolliver, James L., 27 Robin St., West Roxbury 02132

Doniger, William, 154 Belgrade Ave., Roslindale 02131

Doyle, Kathleen M., 14 Rambler Rd., Boston 02130
Duffy, Alan G., 11 Samoset St., Dorchester 02124

Earnar, John J., 1 Locke Pl., South Boston 02127
Edge, Benny, 8 Wilbert Cir., Dorchester 02124

Eubanks, Anthony P., 34 Perrin St., Roxbury 02119
Fasanello, John T., 19 Basto Terr., Roslindale 02130

Gaisford, Mark C., One Longfellow Pl., Boston 02114

Gallemore, Peter J., 21 Kenberma Rd., Dorchester 02124

Gaughran, Barry W., 203 Weld St., West Roxbury 02132

Grillo, Charles V., 15 Centre St., Roslindale 02131
Hansen, Douglas D., 50 Jamaica Way #11, Boston 02130

Hershenson, Keith S., 52 Emmonsedale Rd., West Roxbury

Hogan, Richard B., 136 N St., South Boston 02127
Hunvitz, Joel B., 8 Vinal St., Brighton 02135

Jansky, John J., 24 Avila Rd., Hyde Park 02136
Jodrey, Gerard O., One Devonshire Pl., Boston 02109

Jones, Harold, 111 Fuller St., Boston 02124
Jones, William A., 51 Dania St., Mattapan 02126

Joyce, William G., 195 Stimson St., West Roxbury 02132

Kashmanian, Herbert, 215 Savin Hill Ave., Dorchester 02125

Kashmanian, Marie A., 215 Savin Hill Ave., Dorchester 02125

Kelley, Christopher J., 84 Church St., West Roxbury 02132

Kiley, Mary M., 110 First Ave., #404, Charlestown 02129

Kitas, Thomas C., 37 Cedrus Ave., Roslindale 02131
Knights, Marlene C., 1410 Columbia Rd., #1 F, South Boston 02127

Kravitsky, Frank A., 25 Furbush Rd., West Roxbury 02132

Kravitsky, Mark J., 25 Furbush Rd. West Roxbury 02132

Long, Daniel F., 33 Bateman St., Roslindale 02131
Long, Denise C., 33 Bateman St., Roslindale 02131

Lopes, Michael A., 12 Goff St., Hyde Park
Malkofsky, Burton, 549 E. Fourth St., South Boston 02127

Malonc, William P., 68 Vogel St., West Roxbury
Mangott, Robert W., 13 Anson St., #1, Jamaica Plain 02130

Manning, Robert J., 19 King St., Dorchester 02122
Marchando, Juquin C., 174 Franklin St., Allston 02134

McGaffigan, Brian, 28 Green St., Charlestown 02129
McKeen, Richard E., Sr., 47 Franconia St., Dorchester 02122

McKeen, William F. Sr., 21 Train St., Dorchester 02122

McLaughlin, Mark, 111 Harrishof St., Dorchester 02121
 McNair, Thomas Jr., 19 Floyd St., Dorchester 02124
 McNamara, James V., 9 Raymond St., Allston 02134
 Melvin, David E., 1553 Blue Hill Ave., #1, Mattapan 02126
 Messina, Robert J., 707 E. Sixth St., South Boston 02127
 Montgomery, Arthur E., 88 Gould St., West Roxbury 02132
 Mucci, Dino V., 1605 Tremont St., Boston 02120
 Mucci, Frank, 830 Parker St., Roxbury 02120
 Nee, John, 376 1/2 Dorchester St., South Boston 02127
 O'Sullivan, Robert F., 25 Denny St., Dorchester 02125
 Otero, Andres, 17 Maverick St., #20, East Boston 02128
 Ragland, Tracey C., 61 Rexford St., Mattapan 02126
 Redd, Franklin N., 21 Kenilworth St., Roxbury 02119
 Reese, Antonio N., 91 Belnel Rd., Hyde Park 02136
 Reese, George N., 26 Monponset St., Hyde Park 02136
 Renrick, Rodger D., 28 Abbot St., Dorchester 02124
 Rodriguez, Juan A., 67 Taunton Ave., Mattapan 02126
 Romano, Louis., 9 Nancia St., East Boston 02128
 Roscoe, John J., 4975 Washington St., #312, West Roxbury 02132
 Salerno, Ralph, 168 Cedrus Ave., Boston 02131
 Santiago, Vidal, 700 Parker St., #D4, Roxbury 02120
 Sherer, Charles B., 110 Lonsdale St., Boston 02124
 Smith, Arthur, 9 Jamaica Way Court, Jamaica Plain 02130
 Smith, James Jr., 16 Mattapan St., Mattapan 02130
 Sylvester, Frank J., 141 Ormond St., Mattapan 02126
 Taylor, John W., 90 Loma Rd., Mattapan 02126
 Tranquillino, Albert B., 112 Prince St., Boston 02113
 Ward, Patrick A., 69 Westmoreland St., Dorchester 02124
 Washington, James I., 23 Rosedale St. Dorchester 02124
 Weisman, Marcia S., 130 Nonantum St., Brighton 02135
 Wigon, Elijah A., 722 La Grange St. West Roxbury 02132

Referred to the Committee on Government Operations.

ORDER FOR CONFIRMATION OF APPOINTMENTS OF CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING OF BOND FOR TERM EXPIRING APRIL 30, 2001 (DOCKET NO. 0526)

The following was received:

City of Boston
 Office of the Mayor

April 7, 2000

To the City Council.

Dear City Councillors:

Subject to confirmation by your Honorable Body, I hereby appoint the following-named persons on the attached order as Constables of the City of Boston, authorized to serve civil process upon filing of bond, for the period commencing May 1, 2000 and ending April 30, 2001.

Sincerely,

Thomas M. Menino,
 Mayor of Boston.

Ordered, That the appointment of the following-named persons as Constables of the City of Boston authorized to serve civil process upon filing of bond for the period commencing May 1, 2000 and ending April 30, 2001 be and the same hereby is approved.

2000-2001
 New Constable Application List
 Recommended Approval

The following recommendations for **approval** are new applicants

Aponte, Deborah, 178 Columbia Rd., #8, Dorchester 02121
 Brower, Daniel L., 32 New Bedford St., Hyde Park 02136
 Burke, John T., 24 Morris St., East Boston 02128
 Giannetti, Anthony J., 92 East Brookline St., #3, Boston 02118
 Powers, James A., 156 Bayswater St., East Boston 02128

Referred to the Committee on Government Operations.

ORDER AUTHORIZING PARKS AND RECREATION DEPARTMENT TO APPLY FOR, ACCEPT AND EXPEND GRANTS OF \$43,000 FROM DEPARTMENT OF ENVIRONMENTAL MANAGEMENT FOR PURPOSES OF CAPITAL PROJECT ENTITLED "REHABILITATION OF THE PATH SYSTEM IN GRANARY BURYING GROUND" (DOCKET NO. 0527)

The following was received:

City of Boston
 Office of the Mayor

March 23, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order authorizing the City of Boston through the Commissioner of the Parks and Recreation Department to apply for, accept and expend grants in an amount not to exceed \$43,000 to be awarded from the Massachusetts Department of Environmental Management solely to provide funding for the capital parks project entitled the "Rehabilitation of the Path System in the Granary Burying Ground", which will include designing, permitting and construction activities.

I urge your Honorable Body to adopt this Order as soon as possible so the City of Boston may apply for, accept and expend these funds expeditiously.

Sincerely,

Thomas M. Menino,
 Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the City of Boston, acting by and through the Commissioner of the Parks and Recreation Department, be, and the same hereby is, authorized to apply for, accept, and expend grants to be awarded for the purposes of the capital project entitled the "Rehabilitation of the Path System in the Granary Burying Ground" in an amount not to exceed \$43,000.

Referred to the Committee on City and Neighborhood Services.

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO APPLY FOR A FEDERAL FY2000 HOUSING OPPORTUNITIES FOR PERSON WITH AIDS (HOPWA) FUNDS OF \$1,980,000 FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) (DOCKET NO. 0528)

The following was received:

City of Boston
 Office of the Mayor

April 11, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval, an Order authorizing the City of Boston to apply for Federal Fiscal Year 2000 Housing Opportunities for Persons With AIDS (HOPWA) funds in amount not to exceed \$1,980,000 from the U.S. Department of Housing and Urban Development (HUD).

I urge you to adopt this order as soon as possible so that the City may submit its application for next year's Housing Opportunities for Persons With AIDS (HOPWA) funds by May 15, 2000 as required by HUD.

Sincerely yours,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the City of Boston, acting by and through its Department of Neighborhood Development (Public Facilities Department), be and hereby is, authorized to apply to the U.S. Department of Housing and Urban Development for a FY2000 Housing Opportunities for Persons With AIDS Grant in an amount not to exceed \$1,980,000 and, in connection therewith, to execute and deliver such documents as may be required by the U.S. Department of Housing and Urban Development.

Referred to the Committee on Housing.

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO APPLY FOR FY2000 HOME INVESTMENT PARTNERSHIPS PROGRAM GRANT OF \$6,804,000 FROM U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) (DOCKET NO. 0529)

The following was received:

City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval, an Order authorizing the City of Boston to apply for Federal Fiscal Year 2000 HOME Investment Partnerships (HOME) funds in an amount not to exceed \$6,804,000 from the U.S. Department of Housing and Urban Development (HUD).

I urge you to adopt this order as soon as possible so that the City may submit its application for next year's HOME Investment Partnerships (HOME) funds by May 15, 2000 as required by HUD.

Sincerely yours,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the City of Boston, acting by and through its Department of Neighborhood Development (Public Facilities Department), be and hereby is, authorized to apply to the U.S. Department of Housing and Urban Development for a FY2000 HOME Investment Partnerships Program Grant in an amount not to exceed \$6,804,000 and, in connection therewith, to execute and deliver such documents as may be required by the U.S. Department of Housing and Urban Development.

Referred to the Committee on Housing.

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO APPLY FOR FY2000 EMERGENCY SHELTER GRANT OF \$882,000 FROM DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DOCKET NO. 0530)

The following was received:

City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval, an Order authorizing the City of Boston to apply for Federal Fiscal Year 2000 Emergency Shelter Grant (ESG) funds in an amount not to exceed \$882,000 from the U.S. Department of Housing and Urban Development (HUD).

I urge you to adopt this order as soon as possible so that the City may submit its application for next year's Emergency Shelter Grant (ESG) funds by May 15, 2000 as required by HUD.

Sincerely yours,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the City of Boston, acting by and through its Department of Neighborhood Development, be and hereby is, authorized to apply for, from the U.S. Department of Housing and Urban Development a FY2000 Emergency Shelter Grant in an amount not to exceed \$882,000 and, in connection therewith, to execute and deliver such documents as may be required by the U.S. Department of Housing and Urban Development.

Referred to the Committee on Housing.

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO APPLY FOR FY2000 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) OF \$24,816,000 FROM DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DOCKET NO. 0531)

The following was received:

City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval, an Order authorizing the City of Boston to apply for Federal Fiscal Year 2000 Community Block Grant (CDBG) funding in an amount not to exceed \$24,816,000 from the U.S. Department of Housing and Urban Development (HUD).

I urge you to adopt this order as soon as possible so that the City may submit its application for next year's Community Development Block Grant funds by May 15, 2000 as required by HUD.

Sincerely yours,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the City of Boston, acting by and through its Department of Neighborhood Development (Public Facilities Department), be and hereby is authorized to apply to the U.S. Department of Housing and Urban Development for a FY2000 Community Development Block Grant in an amount not to exceed \$24,816,000, and in connection therewith, to execute and deliver such documents as may be required by the U.S. Department of Housing and Urban Development.

Referred to the Committee on Ways and Means.

ORDER THAT CITY COUNCIL HOLD HEARING IN SOUTH BOSTON RE: ZONING APPROVAL FOR INSTALLATION OF ROOF DECKS (DOCKET NO. 0532)

Councillor KELLY offered the following:

Whereas, In April of 1998, a request was made of the BRA to consider a zoning change that would require ZBA approval for the installation of roof decks in South Boston; and

Whereas, It has taken almost one year for these proposed changes to be considered; be it therefore

Ordered, That the City Council is respectfully requested to conduct a public hearing in the neighborhood of South Boston into the status of a proposal before the BRA to require zoning approval for the installation of roof decks in South Boston, and that representatives of the mayor's office, the BRA and the public be invited to attend.

Referred to the Committee on Economic Development and Transportation.

ORDER THAT CITY COUNCIL HOLD HEARING IN SOUTH BOSTON RE: ZONING APPROVAL FOR INSTALLATION OF ACCORDION-TYPE DOORS (DOCKET NO. 0533)

Councillor KELLY offered the following:

Whereas, In April of 1998, a request was made of the BRA to consider a zoning change that would require ZBA approval for the installation of accordion-type doors on restaurants and/or bars whose front open to the sidewalk; and

Whereas, it has taken almost one year for these proposed changes to be considered; be it therefore

Ordered, That the City Council is respectfully requested to conduct a public hearing in the neighborhood of South Boston into the status of a proposal before the BRA to require zoning approval for the installation of accordion-type doors that open onto public sidewalks, and that representatives of the mayor's office, the BRA and the public be invited to attend.

Referred to the Committee on Economic Development and Transportation.

ORDER THAT CITY COUNCIL HOLD HEARING RE: REPLACEMENT OF 1993 AND 1997 MINI VANS FOR PUBLIC SCHOOLS (DOCKET NO. 0534)

Councillors TURNER, DAVIS-MULLEN, YANCEY and ROACHE offered the following:

Whereas, The Boston Public School (BPS) system is replacing its fleet of 1993 mini vans (approximately 85) this year with 15 passenger vans; and

Whereas, The BPS plans to replace its 1997 fleet of mini vans (approximately 95) with 15 passenger vans; and

Whereas, The mini vans are used to transport special education students; and

Whereas, The replacement of these vans will be a significant addition to the school budget, therefore be it

Ordered, That a public hearing be held to determine the safety and cost implications of such a change, be it further

Ordered, That all affected parties including representatives from the Mayor's Office, Boston Public Schools, Laidlaw Educational Services, Inc., Bus Drivers and Monitors Union, Special Needs Parents Advisory Council, City-wide Parent Council and any others potentially impacted by the plan be invited to give testimony regarding these matters.

Referred to the Committee on Education and School Matters.

ORDER THAT CITY COUNCIL HOLD HEARING RE: COLLEGES AND UNIVERSITIES SHARING RESPONSIBILITY OF PROVIDING HOUSING FOR THEIR STUDENTS (DOCKET NO. 0535)

Councillors MURPHY, HONAN, ROSS, SCAPICCHIO, TURNER, YANCEY, DAVIS-MULLEN, CONLEY, FLAHERTY, KELLY and FEENEY offered

the following:

Whereas, The City of Boston is experiencing a housing crisis; and

Whereas, The influx of college students in late summer and the lack of on-campus housing will further decrease the availability of housing units; and

Whereas, Colleges and universities located in Boston should share in the responsibility of providing housing for their students, or help to ease the impact of housing students in private properties; and

Whereas, The building of new dormitories is an unrealistic solution to the housing needs of college students due to lack of space, and because time is of the essence; and

Whereas, Other solutions requiring college and university input need to be discussed; therefore be it

Ordered, That the appropriate committee of the city council hold a prompt hearing to discuss the matter; and be it further

Ordered, That representatives from the colleges and universities of Boston be invited to attend.

Referred to the Committee on University and Community Relations.

ORDER THAT CITY COUNCIL HOLD HEARING TO DETERMINE HOW WE CAN FACILITATE PROCESS OF ASSISTING IN REBUILDING OF ORIENT HEIGHTS YACHT CLUB AND ALSO HELP DISPLACED FAMILIES WHOSE HOMES WERE DAMAGED (DOCKET NO. 0536)

Councillors MURPHY, SCAPICCHIO, ROACHE, FLAHERTY, DAVIS-MULLEN and TURNER offered the following:

Whereas, The Orient Heights Yacht Club was burned beyond repair in a 9-alarm blaze on Saturday April 8th; and

Whereas, This tragedy also caused fire, smoke and water damage to several neighborhood homes; and

Whereas, The Orient Heights Yacht Club has been a part of the East Boston neighborhood since the early 1900s; and

Whereas, The Orient Heights Yacht Club has been a resource for boating, community activities and social events for generations of East Boston residents and others from the Boston area; therefore be it

Ordered, That the appropriate committee of the Boston City Council hold a hearing to determine how we can facilitate the process of assisting in the rebuilding of this valued community asset and also offer our help to the displaced families who's homes were damaged in the fire; and be it further

Ordered, That representatives from the City of Boston Inspectional Services Department, Department of Neighborhood Development, MassPort and other appropriate City and State permitting agencies be invited to attend, as well as interested members of the public.

Referred to the Committee on City and Neighborhood Services.

**ORDINANCE RE SCHOOL VANS
(DOCKET NO. 0537)**

Councillors YANCEY, MURPHY and ROACHE offered the following:

Whereas, Boston Public School students are transported to and from school by buses and vans; and

Whereas, Vans are equipped with stop signs on the top of the vehicles but do not have flashing stop signs on the driver's side; and

Whereas, It has been noted by some, that drivers are more likely to ignore the flashing red lights and stop sign on top of the vans than a stop sign extending from the driver side; and

Whereas, The Boston City Council is considering several issues related to school bus safety, therefore be it

Ordained, That all vans used for the transporting of Boston Public School students be equipped with flashing red stop signs on the driver's side of the vans, be it further

Ordained, That this ordinance is effective as of September 2001.

Referred to the Committee on Education and School Matters.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0538)

Councillor KELLY offered the following:

Ordered, That effective Saturday, April 15, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, June 2, 2000:

Thulani DeMarsay, administrative assistant, \$500, part time

Passed under suspension of the rules.

RESOLUTION REQUESTING VETERANS' SERVICES DEPARTMENT TO COORDINATE ERECTION OF MEMORIAL HERO SQUARE SIGN IN MEMORY OF SERGEANT LAWRENCE W. "DUTCHY" SKEHAN (DOCKET NO. 0539)

Councillors SCAPICCHIO and ROACHE offered the following:

Whereas, Sergeant Lawrence W. "Dutchy" Skehan was a resident of East Boston until he entered the military service of our country in April of 1942 and trained with the armored forces in Fort Knox, Kentucky; and

Whereas, Sergeant Lawrence W. "Dutchy" Skehan transferred to the Air Force and received his wings in Laredo, Texas. He subsequently went overseas and flew missions in the European Theater of Operations; and

Whereas, During one of those flights, his B-17, known as a Flying Fortress, sustained extensive damage from enemy anti-aircraft fire and crashed in Pont Remy, France. His body is interred in the World War I Cemetery in Abbeville, France; and

Whereas, Since Sergeant Lawrence W. "Dutchy" Skehan sacrificed his life to preserve our freedom and our way of life; be it therefore

Resolved, That the Boston City Council, is respectfully requesting the Veterans' Services Department to coordinate the erection of a Memorial (Hero) Square sign in memory of Sergeant Lawrence W. "Dutchy" Skehan at the intersection of Bennington Street and Brewer Street in East Boston.

Referred to the Committee on Veterans.

MEETING OF EXECUTIVE SESSION

President KELLY moved that the City Council recess at 1:00 p.m. for a meeting in Executive Session to discuss strategy in anticipation of negotiating.

The motion was carried; yeas 13, nays 0.

RECESS

The meeting of Executive Session having adjourned, the members reassembled in the City Council Chamber and were called to order by President Kelly at 1:40 p.m.

LATE-FILED MATTERS

The Chair stated that, in absence of objection, four-

teen late-filed matters would be added to the Agenda.

No objection being heard, the following matters were added:

ORDER FOR ANNUAL BUDGET FOR SCHOOL DEPARTMENT FOR FY2001 (DOCKET NO. XXXX)

The following was received:

City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear Councillors:

I transmit herewith an appropriation order for the Boston Public Schools for FY01 in the amount of \$592,953,812 submitted pursuant to the provisions of Chapter 224 of the Acts of 1936, as amended by Chapter 190 of the Acts of 1982, as further amended by Chapter 701 of the Acts of 1986, Chapter 613 of the Acts of 1987, and Chapter 108 of the Acts of 1991.

This budget, which is \$17.6 million larger than FY00, continues my commitment to improving education. The FY01 operating budget continues funding for the City's five year plan of reform, "Focus on Children" aimed at improving school performance. Among the programs and initiatives this budget funds are new resources for literacy and math programs; new instructional materials; on-going support for high-schools to meet accreditation standards; and continued investment in technology in the schools.

My commitment to schools is also illustrated through the City's Five Year Capital Plan. The City of Boston FY01-FY05 Capital Plan includes authorization of the construction of three new schools: Orchard Gardens (grades K-8), Brunswick Gardens (grades 6-8), and Mildred Avenue (grades 6-8).

The Boston School Committee and the Superintendent have submitted a budget that balances competing priorities within available resources. This budget provides our students with the tools necessary to meet the standards that have been established by the Boston School Committee. I respectfully request your support of the FY01 appropriation for the Boston Public Schools.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Councillor TURNER spoke on the Operating Budget.

Councillor HENNIGAN spoke on the Operating Budget.

Councillor KELLY stated that two persons having objected the Operating Budget was not added to the Agenda.

Ordered, That pursuant to Chapter 224 of the Acts of 1936, as amended by Chapter 190 of the Acts of 1982, and as further amended by Chapter 701 of the Acts of 1986, Chapter 613 of the Acts of 1987, and Chapter 108 of the Acts of 1991, to meet the current operating expenses of the School Department in the fiscal period commencing July 1, 2000 and ending June 30, 2001, the sum of \$592,953,812 be, and the same hereby is, appropriated, said sum to be raised by taxation pursuant to Section 23 of Chapter 59 of the General Laws:

Boston School Department \$592,953,812

Referred to the Committee on Education and School Matters.

Councillor YANCEY spoke on the School Budget.

Recessed at 1:45 p.m.

Reconvened at 1:50 p.m.

Councillor HENNIGAN moved reconsideration of placing the previous matters on the Agenda; reconsideration prevailed. The matters were not added to the Agenda.

STATEMENT OF PRESIDENT KELLY

President Kelly wished former Councillor "Dapper" O'Neil a very happy 80th birthday inviting all to stay and celebrate in his honor.

STATEMENT OF COUNCILLOR ROSS

Having unanimous consent to do so, Councillor Ross asked that when we adjourn today we do so in memory of Paul E. Prindle, an activist from the Back Bay.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Conley: Congratulating Glen Fredette (Docket No. 0540); congratulating Lawrence and Helen Elliott (Docket No. 0541); Congratulating George H. Hopwood (Docket No. 0542).

Councillor Honan: Congratulating four persons on their outstanding achievement in winning the National Society of Black Engineer's National Try-Math-A-Lon (Docket No. 0543).

Councillor Feeney: Declaring March 29, 2000 "Mildred C. Cawley Day" (Docket No. 0544)

Councillor Murphy: Congratulating John Sacco (Docket No. 0545).

Councillor Yancey: Congratulating Urban League of Eastern Massachusetts (Docket No. 0546).

Councillors Yancey and Turner: Congratulating Thelma Sullivan (Docket No. 0547).

Councillor Turner: Congratulating Annie Watkins (Docket No. 0548); congratulating the Black Pages of New England (Docket No. 0549).

Councillor Ross: Congratulating Don Hill (Docket No. 0550).

The matters contained within the Consent Agenda were severally adopted.

NEXT MEETING

President KELLY moved that when the Council adjourns today, it be to meet again on Wednesday, April 26, 2000 at 12 noon.

The motion was carried.

Adjourned at 2 p.m. in memory of Paul E. Prindle on motion of President Kelly to meet on Wednesday, April 26, 2000 at 12 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, April 26, 2000

Regular meeting of the City Council held in the Christopher Lannella Council Chamber, City Hall, at 12:15 p.m., President KELLY in the Chair. Absent, Councillor CONLEY.

INVOCATION

Sister Maria Ignazia Bunuan, Sisters for Christian Community, delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

VISITORS TO CITY COUNCIL

President KELLY introduced Lassus Scholars from the Dublin Choral Foundation who were visiting Boston on tour and sang for the Council.

ORDER AUTHORIZING FIRE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$50,000 FROM EXECUTIVE OFFICE OF PUBLIC SAFETY PROGRAMS DIVISION AND STATE FIRE MARSHAL'S STUDENT AWARENESS FIRE EDUCATION (S.A.F.E.) GRANT FOR PURPOSE OF FIRE SAFETY EDUCATION (DOCKET NO. 0551)

The following was received:

City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Commissioner of the Fire Department, on behalf of the City of Boston, to accept and expend a grant award in the amount of \$50,000 from the Massachusetts Executive Office of Public Safety Programs Division and the State Fire Marshal's Student Awareness Fire Education (S.A.F.E.) Grant for a three year period from July 1, 1999 through June 30, 2002. The purpose of said funds is for fire safety education.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may accept and expend these funds expeditiously for the purposes for which they were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Commissioner of the Fire Department, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend a grant award not to exceed the amount of \$50,000 from the Massachusetts Executive Office of Public Safety Programs Division and the State Fire Marshal's Student Awareness Fire Education (S.A.F.E.) Grant for a three year period from July 1, 1999 through June 30, 2002. The purpose of said funds is for fire safety education.

Referred to the Committee on Public Safety.

ORDER AUTHORIZING FIRE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$199,639

FROM DEPARTMENT OF JUSTICE FOR PURPOSE OF "DOMESTIC PREPAREDNESS EQUIPMENT SUPPORT" (DOCKET NO. 0552)

The following was received:

City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Commissioner of the Fire Department, on behalf of the City of Boston, to accept and expend a grant award in the amount of \$199,639 from the United States of America, Department of Justice for the period November 1, 1999 through October 31, 2000. The purpose of said funds is for "Domestic Preparedness Equipment Support."

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may accept and expend these funds expeditiously for the purposes for which they were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Commissioner of the Fire Department, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend a grant award not to exceed the amount of \$199,639 from the United States of America, Department of Justice for the period November 1, 1999 through October 31, 2000. The purpose of said funds is for "Domestic Preparedness Equipment Support."

Referred to the Committee on Public Safety.

ORDER AUTHORIZING FIRE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$195,000 FROM UNITED STATES OF AMERICA AS REIMBURSEMENT FOR EXPENSES INCURRED BY DEPARTMENT DURING ITS 1999 AND 2000 FISCAL YEARS FOR CIVIL DEFENSE RELATED ACTIVITIES (DOCKET NO. 0553)

The following was received:

City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Commissioner of the Fire Department, on behalf of the City of Boston, to accept and expend a grant award in the amount of \$195,000 from the United States of America as reimbursement for expenses incurred by the Fire Department during its 1999 and 2000 fiscal years for Civil Defense related activities.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may accept and expend these funds expeditiously for the purposes for which they were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Commissioner of the Fire Department, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend a grant award not to exceed the amount of \$195,000 from the United States of America as reimbursement for expenses incurred by the Fire Department during its 1999 and 2000 fiscal years for Civil Defense related activities.

Referred to the Committee on Public Safety.

ORDER AUTHORIZING SUFFOLK COUNTY SHERIFF TO ACCEPT AND EXPEND GRANT OF \$300,000 FROM EXECUTIVE OFFICE OF PUBLIC SAFETY FOR VIOLENT OFFENDER INCARCERATION AND TRUTH-IN-SENTENCING INCENTIVE (DOCKET NO. 0554)

The following was received:
City of Boston
Office of the Mayor

April 4, 2000

To The City Council.

Dear Councillors:

I transmit herewith for your approval an Order authorizing the Sheriff of Suffolk County, acting on behalf of the County of Suffolk, to accept and expend a grant in the amount of \$300,000 for the Violent Offender Incarceration and Truth-in-Sentencing Incentive at the Suffolk County Sheriff's Department for the period of November 1, 1998 through June 30, 2002. These funds are made available to the County through the Commonwealth of Massachusetts, Executive Office of Public Safety.

I respectfully recommend adoption of this Order by your Honorable Body.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Sheriff of Suffolk County, acting on behalf of the County of Suffolk, be and the same hereby is authorized to accept and expend funds in an amount not to exceed \$300,000 for the Violent Offender Incarceration and Truth-In-Sentencing Incentive at the Suffolk County Sheriffs Department for the period November 1, 1998 through June 30, 2002. These funds are made available to the County through the Commonwealth of Massachusetts, Executive Office of Public Safety.

Referred to the Committee on Public Safety.

ORDER AUTHORIZING SUFFOLK COUNTY SHERIFF TO ACCEPT AND EXPEND GRANT OF \$110,000 FROM DEPARTMENT OF EDUCATION FOR PROVISION OF ADULT BASIC EDUCATION PROGRAMS (DOCKET NO. 0555)

The following was received:
City of Boston
Office of the Mayor

April 4, 2000

To The City Council.

Dear Councillors:

I transmit herewith for your approval an Order authorizing the Sheriff of Suffolk County, acting on behalf of the County of Suffolk, to accept and expend a grant in the amount of \$110,000 for the provision of Adult Basic Education programs for the period September 1, 1999 through August 31, 2000. These funds are made available to the County through the Commonwealth of Massachusetts, Department of Education.

I respectfully recommend adoption of this order by your Honorable Body.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Sheriff of Suffolk County, acting on behalf of the County of Suffolk, be and the same hereby is authorized to accept and expend funds in an amount not to exceed \$110,000 for the provision of substance abuse counseling services for the period September 1, 1999 through August 31, 2000. These funds are made available to the County through Commonwealth of Massachusetts, Department of Education.

Referred to the Committee on Public Safety.

ORDER AUTHORIZING SUFFOLK COUNTY SHERIFF TO ACCEPT AND EXPEND GRANT OF \$27,018 FROM DEPARTMENT OF EDUCATION FOR PROVISION OF ADULT BASIC EDUCATION INSTRUCTIONAL GRANT PROGRAMS (DOCKET NO. 0556)

The following was received:
City of Boston
Office of the Mayor

April 4, 2000

To The City Council.

Dear Councillors:

I transmit herewith for your approval an Order authorizing the Sheriff of Suffolk County, acting on behalf of the County of Suffolk, to accept and expend a grant in the amount of \$27,018 for the provision of Adult Basic Education Instructional grant programs for the period of September 1, 1998 through August 31, 1999. These funds are made available to the County through the Commonwealth of Massachusetts, Department of Education.

I respectfully recommend adoption of this Order by your Honorable Body.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Sheriff of Suffolk County, acting on behalf of the County of Suffolk, be and the same hereby is authorized to accept and expend a grant in an amount not to exceed \$27,018 for the provision of Adult Basic Education Instructional grant programs for the period September 1, 1998 through August 31, 1999. These funds are made available to the County through the Commonwealth of Massachusetts, Department of Education.

Referred to the Committee on Public Safety.

ORDER AUTHORIZING SUFFOLK COUNTY SHERIFF TO ACCEPT AND EXPEND GRANT OF \$230,000 FROM DEPARTMENT OF PUBLIC HEALTH AIDS BUREAU FOR IMPLEMENTATION OF HIV/AIDS PREVENTION, TREATMENT AND SUPPORT PROGRAM (DOCKET NO. 0557)

The following was received:
City of Boston
Office of the Mayor

April 4, 2000

To The City Council.

Dear Councillors:

I transmit herewith for your approval an Order authorizing the Sheriff of Suffolk County, acting on behalf of the County of Suffolk, to accept and expend a grant in the amount of \$230,000 for the implementation of an HIV/AIDS Prevention, Treatment, and Support Program at the Suffolk County Sheriff's Department for the period of July 1, 1999 through June 30, 2000. These funds are made available to the County through the Commonwealth of Massachusetts, Department of Public Health AIDS Bureau.

I respectfully recommend adoption of this Order by your Honorable Body.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Sheriff of Suffolk County, acting on behalf of the County of Suffolk, be and the same hereby is authorized to accept and expend an amount not to exceed \$230,000, made available through the Commonwealth of

Massachusetts, Department of Public Health AIDS Bureau, for the implementation of an HIV/AIDS Prevention, Treatment, and Support Program at the Suffolk County Sheriffs Department for the period July 1, 1999 through June 30, 2000.

Referred to the Committee on Public Safety.

ORDER AUTHORIZING SUFFOLK COUNTY SHERIFF TO ACCEPT AND EXPEND GRANT OF \$95,000 FROM DEPARTMENT OF JUSTICE CORRECTIONS PROGRAM IN COLLABORATION WITH EXECUTIVE OFFICE OF PUBLIC SAFETY PROGRAMS DIVISION FOR PROVISION OF RESIDENTIAL SUBSTANCE ABUSE PROGRAM (DOCKET NO. 0558)

The following was received:

City of Boston
Office of the Mayor

April 4, 2000

To The City Council.

Dear Councillors:

I transmit herewith for your approval an Order authorizing the Sheriff of Suffolk County, acting on behalf of the County of Suffolk, to accept and expend a grant in the amount of \$95,000 for the provision of the Residential Substance Abuse Program for the period of July 1, 1999 through June 30, 2000. These federal funds are made available to the County through the United States Department of Justice Corrections Program in collaboration with the Commonwealth of Massachusetts Executive Office of Public Safety Programs Division.

I respectfully recommend adoption of this order by your Honorable Body.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 34, § 24, the Sheriff of Suffolk County, acting on behalf of the County of Suffolk, be and the same hereby is authorized to accept and expend federal funds in an amount not to exceed \$95,000 for the provision of the Residential Substance Abuse Program for the period of July 1, 1999 through June 30, 2000. These federal funds are made available to the County through the United States Department of Justice Corrections Program in collaboration with the Commonwealth of Massachusetts Executive Office of Public Safety Programs Division.

Referred to the Committee on Public Safety.

ORDER AUTHORIZING SUFFOLK COUNTY SHERIFF TO ACCEPT AND EXPEND GRANT OF \$338,838 FROM U.S. DEPARTMENT OF EDUCATION FOR LIFE SKILLS REINTEGRATION PROGRAM (DOCKET NO. 0559)

The following was received:

City of Boston
Office of the Mayor

April 4, 2000

To The City Council.

Dear Councillors:

I transmit herewith for your approval an Order authorizing the Sheriff of Suffolk County, acting on behalf of the County of Suffolk, to accept and expend a grant in the amount of \$388,838 for the Life Skills Reintegration Program at the Suffolk County Sheriff's Department for the period of October 1, 1999 through September 30, 2000. These federal funds are made available to the County through the United States Department of Education.

I respectfully recommend adoption of this Order by your Honorable Body.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Sheriff of Suffolk County, acting on behalf of the County of Suffolk, be and the same hereby is authorized to accept and expend funds in an amount not to exceed \$388,838 for the Life Skills Reintegration Program at the Suffolk County Sheriffs Department for the period October 1, 1999 through September 30, 2000. These federal funds are made available to the County through the United States Department of Education.

Referred to the Committee on Public Safety.

ORDER AUTHORIZING SUFFOLK COUNTY SHERIFF TO ACCEPT AND EXPEND GRANT OF \$10,000 FROM DEPARTMENT OF CORRECTION'S DIVISION OF INMATE TRAINING AND EDUCATION AND CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY GRANT FOR OPERATION OF COMPREHENSIVE EDUCATION, TRAINING AND EMPLOYMENT AND SUPPORT PROGRAM (DOCKET NO. 0560)

The following was received:

City of Boston
Office of the Mayor

April 4, 2000

To The City Council.

Dear Councillors:

I transmit herewith for your approval an Order authorizing the Sheriff of Suffolk County, acting on behalf of the County of Suffolk, to accept and expend a grant in the amount of \$10,000 for the operation of a Comprehensive Education, Training, Employment and Support Program at the Suffolk County House of Correction for the period of July 1, 1999 through June 30, 2000. These funds are made available to the County through the Massachusetts Department of Correction's Division of Inmate Training and Education and Carl D. Perkins Vocational and Applied Technology Grant.

I respectfully recommend adoption of this Order by your Honorable Body.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Sheriff of Suffolk County, acting on behalf of the County of Suffolk, be and hereby is authorized to accept and expend an amount not to exceed \$10,000 for the operation of a Comprehensive Education, Training, Employment and Support Program at the Suffolk County House of Correction for the period July 1, 1999 through June 30, 2000. These funds are made available to the County through the Massachusetts Department of Correction's Division of Inmate Training and Education and Carl D. Perkins Vocational and Applied Technology Grant.

Referred to the Committee on Public Safety.

ORDER AUTHORIZING SUFFOLK COUNTY SHERIFF TO ACCEPT AND EXPEND GRANT OF \$5,835 FROM DEPARTMENT OF EDUCATION FOR PROVISION OF ADULT BASIC EDUCATION INSTRUCTIONAL PROGRAMS FOR INCARCERATED (DOCKET NO. 0561)

The following was received:

City of Boston
Office of the Mayor

April 4, 2000

To The City Council.

Dear Councillors:

I transmit herewith for your approval an Order autho-

rizing the Sheriff of Suffolk County, acting on behalf of the County of Suffolk, to accept and expend a grant in the amount of \$5,835 for the provision of Adult Basic Education Instructional programs for the Incarcerated, for the period of September 1, 1998 through August 31, 1999. These funds are made available to the County through the Commonwealth of Massachusetts, Department of Education.

I respectfully recommend adoption of this Order by your Honorable Body.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Sheriff of Suffolk County, acting on behalf of the County of Suffolk, be and the same hereby is authorized to accept and expend an amount not to exceed \$5,835 for the provision of Adult Basic Education Instructional programs for the Incarcerated for the period September 1, 1998 through August 31, 1999. These funds are made available to the County through the Commonwealth of Massachusetts, Department of Education.

Referred to the Committee on Public Safety.

ORDER AUTHORIZING SUFFOLK COUNTY SHERIFF TO ACCEPT AND EXPEND GRANT OF \$90,000 FROM DEPARTMENT OF PUBLIC HEALTH IN COLLABORATION WITH EXECUTIVE OFFICE OF PUBLIC SAFETY PROGRAMS DIVISION FOR PROVISION OF SUBSTANCE ABUSE COUNSELING SERVICES (DOCKET NO. 0562)

The following was received:

City of Boston
Office of the Mayor

April 4, 2000

To The City Council.

Dear Councillors:

I transmit herewith for your approval an Order authorizing the Sheriff of Suffolk County, acting on behalf of the County of Suffolk, to accept and expend a grant in the amount of \$90,000 for the provision of the substance abuse counseling services for the period of July 1, 1999 through June 30, 2000. These funds are made available to the County through the Department of Public Health in collaboration with the Executive Office of Public Safety Programs Division.

I respectfully recommend adoption of this order by your Honorable Body.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Sheriff of Suffolk County, acting on behalf of the County of Suffolk, be and the same hereby is authorized to accept and expend funds in an amount not to exceed \$90,000 for the provision of substance abuse counseling services for the period July 1, 1999 through June 30, 2000. These funds are made available to the County through the Department of Public Health in collaboration with the Executive Office of Public Safety Programs Division.

Referred to the Committee on Public Safety.

ORDER APPROVING PETITION FOR SPECIAL LAW RELATIVE TO CERTAIN SCHOOL CONSTRUCTION PROJECTS (DOCKET NO. 0563)

The following was received:

City of Boston
Office of the Mayor

April 5, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval a Home Rule Petition that would exempt three schools in the city's new school construction program from G.L. c 149 § 44F.

I believe that this measure will result in a more efficient and economical program that could result in savings to the City of some ten to fifteen percent of the estimated construction cost.

As there is a pressing need to move forward with these projects, I urge your Honorable Body to pass this Home Rule Petition at the earliest possible date.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under clause (1) of Section eight of Article two, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

Section 1. Notwithstanding the provision of any general or special law to the contrary, in order to implement its school building program, the city of Boston may, in addition to the prequalification requirements pursuant to section 44D of chapter 149 of the General Laws, establish and impose a requirement that only contractors and subcontractors with a workers' compensation experience modification factor, as promulgated by the workers' compensation rating bureau, of 125% or less shall be eligible to submit a bid or offer; provided, however that any contractor or subcontractor with a modification factor of up to 135% shall be eligible to submit a bid or offer, if that modification factor was caused by a single loss. The school building program of the city of Boston shall not be subject to the provisions of section 44F of chapter 149 of the General Laws. For the purpose of this act, the words "school building program" shall mean the design, construction and equipping of three new schools within the city of Boston, specifically, a middle school located at Brunswick Gardens, a middle school located at Mildred Avenue, and a school for grades kindergarten through eight located at Orchard Gardens, and the renovation or demolition of any structures at any of the existing sites at said schools.

Section 2. This act shall take effect upon its passage.

Referred to the Committee of the Whole.

ORDER FOR ANNUAL APPROPRIATION AND TAX ORDER FOR FY2001 (DOCKET NO. 0564)

The following was received:

City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear Councillors:

I transmit herewith my Recommended Budget for Fiscal Year 2001 for the City of Boston and County of Suffolk. The Recommended Operating Budget totaling \$1.7 billion is 5.3 percent greater than the Fiscal Year 2000 Adopted Budget and would represent the City's 16th balanced budget in a row.

This budget reaffirms my commitment to the basic needs and services that make city living worthwhile. Notable however, is the City's growing responsibility for funding essential services that were traditionally shared at all levels of government. With the end of the state's seven year commitment to education reform, there are real questions about the future of the state-local relationship. Further, the traditional federal commitment to provide "safe, decent and affordable housing

for all Americans" is a distant memory. These issues, as well as rising fixed costs (including health insurance), are offset mainly by Boston's strong economy and my administration's ongoing efforts to maximize cost-efficiency and service delivery through sound fiscal management and reinvention of government services.

The Fiscal Year 2001 Operating Budget emphasizes the following priorities: improving the quality of residential life in the neighborhoods; accelerating the production of affordable housing; continuing the city's multi-year reform efforts in the Boston Public Schools; assisting in the healthy development of our City's youth at home, at school and in the community; and improving the public health through a variety of essential programs and services. I continue to direct resources towards improvement and maintenance of parks, libraries, schools, community centers, police and fire stations, and neighborhood business districts.

This budget is the result of a review of existing expenditures and new program needs and provides the best allocation of the City's available resources. I look forward to working with you during this process, and I respectfully request your favorable action on the Fiscal Year 2001 Operating Budget and the Five Year Capital Plan for FY01 to FY05.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered:

I. That to meet the current expenses of the City of Boston and the County of Suffolk, in the fiscal year commencing July 1, 2000 and ending June 30, 2001, the respective sums of money specified in the schedules hereinafter set out, be, and the same hereby are, appropriated for expenditure under the direction of the respective boards and officers severally specified, for the several specific purposes hereinafter designated and, except for transfers lawfully made, for such purposes only said appropriations, to the extent they are for the maintenance and operation of parking meters, and the regulation of parking and other activities incident thereto (which is hereby determined to be \$10,000,000), being made out of the income from parking meters and, to the extent they are for other purposes, being made out of the proceeds from the sale of tax title possessions and receipts from tax title redemptions in addition to the total real and personal property taxes of prior years collected from July 1, 1999 up to and including March 31, 2000, as certified by the City Auditor under Section 23 of Chapter 59 of the General Laws and the proceeds from the sale of surplus property to be transferred in an amount not to exceed \$1,000,000 pursuant to the provisions of Section 24 of Chapter 190 of the Acts of 1982 as amended by Section 4 of Chapter 701 of the Acts of 1986, and out of available funds on hand July 1, 2000, as certified by the Director of Accounts under said Section 23, and the balance of said appropriations to be raised by taxation pursuant to said Section 23:

Further Ordered:

II. That to meet so much of the expenses of maintaining, improving and embellishing in the fiscal period commencing July 1, 2000 and ending June 30, 2001, cemeteries owned by the City of Boston, or in its charge, as is not met by the income of deposits for perpetual care on hand December 31, 1999, the respective sum of money specified in the subjoined schedule be, and the same hereby is, appropriated out of the fund set up under Chapter 13 of the Acts of 1961 the same to be expended under the direction of the Commissioner of Parks and Recreation:

400100

Cemctery Division
Parks and Recreation Department
\$1,678,386

CITY DEPARTMENTS	Personnel Services	Contractual Services	Supplies & Materials	Current Charges & Obligations	Equipment	Special Appropriation	Structures & Improvements	Land Non-Structural Improvement	Total
Mayor's Office									
111 Mayor's Office	1,585,959	248,300	51,900	8,000	10,000	0	0	0	1,892,159
116 Boston 2 to 6	282,568	273,600	8,000	1,800	1,000	0	0	0	567,068
150 Intergovernmental Relations	593,855	198,338	0	133,409	1,000	0	0	0	933,602
151 Law Department	2,816,668	1,475,450	64,731	27,099	5,500	0	0	0	4,301,646
411 Public Information	791,091	49,600	36,400	1,750	0	0	0	0	884,341
412 Neighborhood Services	818,986	80,200	23,100	0	0	0	0	0	922,286
Chief Operating Officer									
142 Human Resources	2,450,448	183,083	31,440	70,398	17,557	0	0	0	2,752,906
144 Chief Operating Officer	795,661	206,220	3,000	500	3,000	0	0	0	1,008,381
145 Graphic Arts Department	1,118,283	213,700	6,800	23,569	0	110,000	0	0	1,472,352
147 Labor Relations	684,046	222,277	12,800	15,347	21,450	0	0	0	955,920
148 Health Insurance	0	0	0	89,430,000	0	0	0	0	89,430,000
149 Management & Information Sys	5,102,379	1,069,895	210,850	2,560,698	786,180	1,100,000	0	0	10,830,102
175 Management Fund	0	0	0	0	0	225,000	0	0	225,000
199 Unemployment Compensation	50,000	0	0	0	0	0	0	0	50,000
341 Workers' Compensation Fund	0	0	0	0	0	3,400,000	0	0	3,400,000
Chief Financial Officer									
131 Auditing Department	3,317,595	162,618	27,500	16,570	34,271	0	0	0	3,558,544
134 Taxpayer Referral & Assistance	375,730	31,000	31,000	1,450	2,000	0	0	0	441,180
136 Assessing Department	4,410,156	512,600	52,750	410,802	128,100	0	0	0	5,514,408
137, 138 Treasury Department	2,365,900	160,520	334,018	18,750	4,927	1,000	0	0	2,885,115
139 Medicare Payments	3,113,783	0	0	0	0	0	0	0	3,113,783
141 Budget Management	1,424,440	804,600	10,400	14,200	28,621	0	0	0	2,282,261
143 Purchasing Division	961,934	128,700	30,000	1,600	19,415	7,500	0	0	1,149,149
333 Execution of Courts	0	0	0	0	0	4,100,000	0	0	4,100,000
374 Pensions & Annuities - City	5,800,000	0	0	0	0	0	0	0	5,800,000
Public Safety									
211 Police Department	184,827,015	11,572,262	6,425,172	3,482,835	7,339,099	0	0	0	213,446,183
221 Fire Department	105,604,393	4,080,700	3,324,400	2,121,995	2,282,961	0	0	0	117,414,449
Economic Development									
158 Minority/Women Business	424,259	178,000	5,500	1,000	0	0	0	0	608,759
157 Boston Residents Job Policy	419,084	500	1,500	250	0	0	0	0	421,334
171 Boston Redevelopment Authority	0	0	0	0	0	725,000	0	0	725,000
415 Special Events & Tourism	496,070	657,685	2,500	0	30,000	608,000	0	0	1,794,255
Beale Services									
110 Library Department	18,235,249	4,371,096	3,053,719	435,170	352,981	0	0	0	28,448,215
114 Consumer Affairs & Licensing	336,602	102,000	3,500	3,000	7,500	0	0	0	452,602
121, 128 Election Department	2,505,663	329,932	282,388	70,960	6,798	0	0	0	3,195,741
163 Registry Division	749,490	58,430	12,270	1,325	8,750	0	0	0	828,265
180 Property Management	10,699,799	5,007,684	782,497	53,456	222,049	0	0	0	16,745,485
300 Parks & Recreation Department	7,483,100	2,176,950	481,550	501,650	110,495	826,970	0	0	11,580,715
311 Public Works Department	18,548,584	44,866,986	1,031,600	436,364	872,428	0	200,000	0	63,955,960
321 Central Fleet Maintenance	1,340,182	149,000	285,500	35,000	139,469	0	0	0	1,949,151
331 Snow Removal	0	4,050,000	0	355,561	0	0	0	0	4,405,561
448 Youth Fund	189,713	6,275	6,400	350	0	6,189,000	0	0	6,391,738
Environmental Services									
251, 253 Transportation Department	18,890,795	8,465,981	1,324,600	146,371	987,580	0	0	0	27,815,327
260 Inspectional Services Dept	8,960,387	1,084,173	145,390	755,766	97,192	0	0	0	12,042,888
303 Environment Department	879,723	50,000	12,200	1,800	0	0	0	0	943,723

CITY DEPARTMENTS	Personnel Services	Contractual Services	Supplies & Materials	Current Charges & Obligations	Equipment	Special Appropriation	Structures & Improvements	Land Non-Structural Improvement	Total
Human Services									
115 Community Partnership	611,145	957,624	12,500	3,000	0	0	0	0	1,584,269
190 Boston Community Centers	11,323,138	2,427,800	150,000	327,063	148,359	442,800	0	0	14,813,160
387 Elderly Commission	1,964,218	336,745	106,750	19,450	73,551	0	0	0	2,500,714
403 Civil Rights	417,556	38,800	7,500	2,805	0	0	0	0	468,481
406 Emergency Shelter Commission	255,562	173,900	4,800	1,000	0	0	0	0	435,262
417 Women's Commission	147,562	9,400	1,200	500	0	0	0	0	158,662
503 Cultural Affairs	430,414	562,060	15,500	4,000	16,400	0	0	0	1,028,374
741 Veterans Services Department	792,825	198,100	7,000	1,567,900	0	0	0	0	2,565,825
Public Health									
620 Public Health Commission	0	0	0	0	0	61,325,456	0	0	61,325,456
Housing & Neighborhood Dev									
188 Neighborhood Development	2,090,028	1,673,227	126,382	630,543	170,914	0	0	0	4,591,094
384 Rental Housing Resource Center	728,301	44,500	15,000	6,000	4,500	0	0	0	798,301
Non-Mayoral Departments									
112 City Council	2,873,280	271,000	48,500	32,950	35,000	0	0	0	3,360,710
161 City Clerk	736,978	63,950	10,500	2,450	20,832	0	0	0	834,710
193 Finance Commission	176,719	5,625	1,030	1,425	793	0	0	0	185,592
252 Licensing Board	514,569	31,950	8,100	4,500	15,000	0	0	0	574,119
Other									
999 Reserve for Collective Bargaining	13,740,672	0	0	0	0	0	0	0	13,740,672
158 Risk Retention Reserve	0	0	0	0	0	1,000,000	0	0	1,000,000
TOTAL CITY DEPARTMENTS	452,932,607	100,018,816	18,618,237	103,742,281	14,122,368	80,060,726	200,000	0	769,694,935
COUNTY DEPARTMENTS									
749 Pensions & Annuities - County	0	0	0	0	0	500,000	0	0	500,000
811 Suffolk County Sheriff's Dept	0	0	0	0	0	6,029,688	0	0	6,029,688
TOTAL COUNTY DEPARTMENTS	0	0	0	0	0	6,529,688	0	0	6,529,688

ORDER FOR ANNUAL APPROPRIATION OF
\$592,953,812 FOR SCHOOL DEPARTMENT
(DOCKET NO. 0565)

The following was received:
City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear Councillors:

I transmit herewith an appropriation order for the Boston Public Schools for FY01 in the amount of \$592,953,812 submitted pursuant to the provisions of Chapter 224 of the Acts of 1936, as amended by Chapter 190 of the Acts of 1982, as further amended by Chapter 701 of the Acts of 1986, Chapter 613 of the Acts of 1987, and Chapter 108 of the Acts of 1991.

This budget, which is \$17.6 million larger than FY00, continues my commitment to improving education. The FY01 operating budget continues funding for the City's five year plan of reform, "Focus on Children" aimed at improving school performance. Among the programs and initiatives this budget funds are new resources for literacy and math programs; new instructional materials; on-going support for high-schools to meet accreditation standards; and continued investment in technology in the schools.

My commitment to schools is also illustrated through the City's Five Year Capital Plan. The City of Boston FY01-FY05 Capital Plan includes authorization of the construction of three new schools: Orchard Gardens (grades K-8), Brunswick Gardens (grades 6-8), and Mildred Avenue (grades 6-8).

The Boston School Committee and the Superintendent have submitted a budget that balances competing priorities within available resources. This budget provides our students with the tools necessary to meet the standards that have been established by the Boston School Committee. I respectfully request your support of the FY01 appropriation for the Boston Public Schools.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That pursuant to Chapter 224 of the Acts of 1936, as amended by Chapter 190 of the Acts of 1982, and as further amended by Chapter 701 of the Acts of 1986, Chapter 613 of the Acts of 1987, and Chapter 108 of the Acts of 1991, to meet the current operating expenses of the School Department in the fiscal period commencing July 1, 2000 and ending June 30, 2001, the sum of \$592,953,812 be, and the same hereby is, appropriated, said sum to be raised by taxation pursuant to Section 23 of Chapter 59 of the General Laws:

Boston School Department \$592,953,812

Referred to the Committee on Education and School Matters.

ORDER AUTHORIZING CITY TO ENTER INTO ONE OR MORE LEASE, LEASE-PURCHASE OR INSTALLMENT SALES AGREEMENTS IN FY01 IN AN AMOUNT NOT TO EXCEED \$13,750,000 AND FY02 IN AN AMOUNT NOT TO EXCEED \$13,750,000 TO BE USED BY DIFFERENT CITY DEPARTMENTS FOR ACQUISITION OF EQUIPMENT (DOCKET NO. 0566)

The following was received:
City of Boston
Office of the Mayor

April 11, 2000

To The City Council.

Dear Councillors:

I transmit herewith for your approval an order authorizing the City of Boston to enter into one or more lease,

lease-purchase or installment sales agreements in Fiscal Year 2001 in an amount not to exceed \$13,750,000 and in Fiscal Year 2002, also in an amount not to exceed \$13,750,000. These funds will be used by different City departments for the acquisition of equipment in furtherance of their respective governmental functions. The list of equipment includes: computer equipment (hardware and software); motor vehicles and trailers; firefighting equipment; office equipment; photocopying equipment; telecommunications equipment; medical equipment; school and educational equipment; school buses; parking meters; and equipment functionally related to, and components of, the foregoing.

I urge your Honorable Body to pass this order as expeditiously as possible to ensure the successful completion of the equipment acquisition program.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That pursuant to section 11 of chapter 643 of the acts of 1983, the City of Boston, acting by and through its Purchasing Agent and its Collector-Treasurer, with the approval of the Mayor, is authorized to acquire the following department equipment by entering into one or more lease, lease-purchase or installment sales agreements in Fiscal Year 2001, in an amount not to exceed \$ 13,750,000 and in Fiscal Year 2002 also in an amount not to exceed \$13,750,000, in such form or forms as the Purchasing Agent and the Collector-Treasurer may determine with the approval of the Mayor; computer equipment (hardware and software); motor vehicles and trailers; firefighting equipment; office equipment; photocopying equipment; telecommunication equipment; medical equipment; school and educational equipment; parking meters; and equipment functionally related to, and components of, the foregoing;

And Further Ordered, That pursuant to section 9 of the Chapter 643 of the Acts of 1983, the Collector-Treasurer be, and hereby is, authorized to execute and deliver, as appropriate, on behalf of the City of Boston, with the approval of the Mayor, trust, security and /or lease agreements and/or reimbursements agreements with attached letters of credits, and to procure, as appropriate, insurance to secure the City's obligation as authorized above, all in such form or forms as the Collector-Treasurer may determine, with approval of the Mayor.

Referred to the Committee on Ways and Means.

ORDER FOR LOAN OF \$17,172,000 FOR REMODELING, RECONSTRUCTING OR MAKING EXTRAORDINARY REPAIRS TO PUBLIC BUILDINGS OWNED BY CITY INCLUDING ORIGINAL EQUIPMENT AND LANDSCAPING, PAVING, OTHER SITE IMPROVEMENTS INCIDENTAL OR DIRECTLY RELATED TO SUCH REMODELING, RECONSTRUCTION OR REPAIR FOR COMMUNITY CENTERS, FIRE, LIBRARY, NEIGHBORHOOD, DEVELOPMENT, PARKS AND RECREATION, POLICE, PROPERTY MANAGEMENT, PUBLIC HEALTH COMMISSION, PUBLIC WORKS AND TRANSPORTATION DEPARTMENTS (DOCKET NO. 0567)

The following was received:
City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear City Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$17,172,000 for remodeling, reconstructing, or making extraordinary repairs to public buildings owned by the City, including original

equipment and landscaping, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair for the purposes of the Community Centers, Fire, Library, Neighborhood Development, Parks and Recreation, Police, Property Management, Public Health Commission, Public Works and Transportation Departments.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$17,172,000 be, and hereby is, appropriated for remodeling, reconstructing, or making extraordinary repairs to public buildings owned by the City, including original equipment and landscaping, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair for the purposes of the Community Centers, Fire, Library, Neighborhood Development, Parks and Recreation, Police, Property Management, Public Health Commission, Public Works, and Transportation Departments; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Clauses (3A) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized through this order be expended only on those projects as described by name attached herein.

Attachment

1. Mirabella Pool Bathhouse
2. Paris Street Pool
3. Vine Street Community Center
4. Bathroom Renovation II
5. Engine 8
6. Engine 9
7. Exterior Repair at 5 Fire Stations
8. Facility Assessment Study
9. Codman Square Branch Library
10. Critical Repair Fund
11. Grove Hall Branch Library
12. Lower Mills Branch Library
13. McKim Building Phase II B
14. Long Island Switchgear Design
15. Long Island Utilities
16. Sewer Tie-In and Treatment
17. Strand Theater
18. Back Bay Yard Drainage
19. Centralized Evidence Storage Facility
20. 43 Hawkins Street
21. City Hall Air Balancing Report
22. City Hall Brickwork
23. City Hall Cooling Tower
24. City Hall Roof
25. City Hall Study
26. Printing Plant Phase II
27. Critical Facility Repairs
28. Long Island Facilities Survey
29. Long Island Fire Alarm/Sprinklers
30. South Block Roof Repair
31. Central Maintenance Facility HVAC
32. Roxbury Maintenance Yard
33. BTD Enforcement Facility Interior Renovations
34. Southampton Street Maintenance Yard II
35. Southampton Street Yard Improvements

Referred to the Committee on Ways and Means.

NOUS CONCRETE AND MACADAM OR
OTHER PERMANENT PAVEMENT OF SIMI-
LAR LASTING CHARACTER FOR PUBLIC
WORKS DEPARTMENT (DOCKET NO. 0568)

The following was received:

City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear City Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$8,790,000 for the original construction of public ways or the extension or widening thereof, including land damages and the cost of pavement and sidewalks laid at the time of said construction, or for the construction of stone, block, brick, cement concrete, bituminous concrete, bituminous macadam or other permanent pavement of similar lasting character for the purpose of the Public Works Department.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$8,790,000 be, and hereby is, appropriated for the original construction of public ways or the extension or widening thereof, including land damages and the cost of pavement and sidewalks laid at the time of said construction, or for the construction of stone, block, brick, cement concrete, bituminous concrete, bituminous macadam or other permanent pavement of similar lasting character for the purpose of the Public Works Department; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Clause (5) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized through this order be expended only on those projects as described by name attached herein.

Attachment

1. Cambridge Street
2. Leather District Streets
3. Roadway Reconstruction FY2000
4. South Huntington Avenue

Referred to the Committee on Ways and Means.

ORDER FOR LOAN OF \$202,000 FOR REMODELING, RECONSTRUCTION OR REHABILITATION OF EXISTING FIREFIGHTING APPARATUS AND HEAVY EQUIPMENT FOR FIRE DEPARTMENT (DOCKET NO. 0569)

The following was received:

City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear City Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$202,000 for the remodeling, reconstruction or rehabilitation of existing firefighting apparatus and heavy equipment, for the purpose the Fire Department.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

ORDER FOR LOAN OF \$8,790,000 FOR ORIGINAL CONSTRUCTION OF PUBLIC WAYS OR EXTENSION OR WIDENING THEREOF INCLUDING LAND DAMAGES AND COST OF PAVEMENT AND SIDEWALKS LAID AT TIME OF SAID CONSTRUCTION OR FOR CONSTRUCTION OF STONE, BLOCK, BRICK, CEMENT, CONCRETE, BITUMI-

Ordered, That the sum of \$202,000 be, and hereby is, appropriated for the remodeling, reconstruction or rehabilitation of existing firefighting apparatus and heavy equipment for the purposes of the Fire Department; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under

the provisions of Clause (9A) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized through this order be expended only on those projects as described by name attached herein.

Attachment

1. Fire Boat Repair

Referred to the Committee on Ways and Means.

ORDER FOR LOAN OF \$2,590,000 FOR ACQUIRING LAND OR INTERESTS IN LAND FOR ANY PURPOSE FOR WHICH CITY IS OR MAY HEREAFTER BE AUTHORIZED TO ACQUIRE LAND OR INTERESTS THEREIN; AND FOR CONSTRUCTION OF BUILDINGS OR FOR ADDITIONS TO SUCH BUILDING WHERE SUCH ADDITIONS INCREASE FLOOR SPACE OF SAID BUILDINGS INCLUDING COST OF ORIGINAL EQUIPMENT AND FURNISHINGS OF SAID BUILDINGS FOR LIBRARY AND POLICE DEPARTMENTS (DOCKET NO. 0570)

The following was received:

City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear City Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$2,590,000 for acquiring land, or interests in land, for any purpose for which the City is or may hereafter be authorized to acquire land or interests therein; and for the construction of buildings, or for additions to such buildings where such additions increase the floor space of said buildings, including the cost of original equipment and furnishings of said buildings, for the purposes of the Library and Police Departments.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$2,590,000 be, and hereby is, appropriated for acquiring land, or interests in land, for any purpose for which the City is or may hereafter be authorized to acquire land or interests therein; and for the construction of buildings, or for additions to such buildings where such additions increase the floor space of said buildings, including the cost of original equipment and furnishings of said buildings, for the purposes of the Library and Police Departments; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Clause (3) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized through this order be expended only on those projects as described by name attached herein.

Attachment

1. Allston Branch Library
2. Heritage Center
3. New Area D-4 Station

Referred to the Committee on Ways and Means.

ORDER FOR LOAN OF \$127,000 FOR COST OF ENGINEERING OR ARCHITECTURAL SERVICES FOR PLANS AND SPECIFICATIONS FOR BOSTON REDEVELOPMENT AUTHORITY (DOCKET NO. 0571)

The following was received:

City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$127,000 for the cost of engineering or architectural services for plans and specifications for the purposes of the Boston Redevelopment Authority.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$127,000 be, and hereby is, appropriated for the cost of engineering or architectural services for plans and specifications for the purposes of the Boston Redevelopment Authority; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Clause (22) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized be expended only on those projects as described by name attached herein.

Attachment

1. Fenway Master Plan

Referred to the Committee on Ways and Means.

ORDER FOR LOAN OF \$3,172,000 FOR COST OF DEPARTMENTAL EQUIPMENT TO SERVICE THE FIRE, PARKS AND RECREATION AND SCHOOL DEPARTMENTS (DOCKET NO. 0572)

The following was received:

City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear City Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$3,172,000 for the purpose of the cost of departmental equipment to service the Fire, Parks and Recreation, and School Departments.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$3,172,000 be, and hereby is, appropriated for the cost of departmental equipment for the purposes of the Fire, Parks and Recreation, and School Departments; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Clause (9) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized through this order be expended only on those projects as described by name attached herein.

Attachment

1. Fire Equipment FY01
2. Parks Maintenance Equipment FY01
3. Humphrey O.R.C. Vocational Equipment

Referred to the Committee on Ways and Means.

ORDER FOR LOAN OF \$8,171,000 FOR PURPOSE OF CONSTRUCTION OF MUNICIPAL OUTDOOR RECREATIONAL AND ATHLETIC FACILITIES INCLUDING ACQUISITION AND DEVELOPMENT OF LAND AND CONSTRUCTION AND RECONSTRUCTION OF

SUCH FACILITIES FOR PARKS AND
RECREATION AND SCHOOL DEPART-
MENTS (DOCKET NO. 0573)

The following was received:

City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear City Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$8,171,000 for the purpose of construction of municipal outdoor recreational and athletic facilities, including the acquisition and development of land and the construction and reconstruction of such facilities, for the purposes of the Parks and Recreation and School Departments.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$8,171,000 be, and hereby is, appropriated for the construction of municipal outdoor recreational and athletic facilities, including the acquisition and development of land and the construction and reconstruction of such facilities, for the purposes of the Parks and Recreation and School Departments; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Clause (25) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized through this order be expended only on those projects as described by name attached herein.

Attachment

1. Ball Field Renovations - Citywide FY00-FY01
2. Billings Field Play Lot
3. Chandler Pond
4. Children's Park
5. Chinatown Park
6. Commonwealth Avenue Mall
7. Court Renovation FY01
8. Defillipo Resilient Surfacing
9. General Parks Improvements FY01-04
10. Hazardous Remediation
11. Healy Field
12. Hooker/Sorrento Playground
13. Intergenerational Park
14. Jefferson Playground Renovations
15. North End Park/Puopolo Ballfield
16. Reservation Road Soccer Field
17. Ryan Ballfield
18. Ryan Playground
19. Stonehill Park
20. Titus Sparrow Park
21. Schoolyard Improvement Fund

Referred to the Committee on Ways and Means.

The following was received:

City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order to amend an appropriation order originally passed by your Honorable Body on June 24, 1998 and July 15, 1998 and approved by the Mayor on July 21, 1998, and amended on June 23, 1999 and July 14, 1999, and approved by the Mayor on July 22, 1999.

The proposed appropriation order would raise the amount from \$26,060,000 to \$34,948,000 for the purpose of the development, design, purchase and installation of computer hardware and software and the implementation and operation of the city-wide administrative information system for human resources, payroll and finance functions.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That an appropriation order originally passed by the Boston City Council on June 24, 1998 and July 15, 1998, and approved by the Mayor on July 21, 1998 in the amount of \$20,000,000, and amended by your Honorable Body on June 23, 1999 and July 14, 1999, and approved by the Mayor on July 22, 1999 to the amount of \$26,060,000 is further amended by inserting in place thereof the sum of \$34,948,000, appropriated for the development, design, purchase and installation of computer hardware and software and the implementation and operation of the city-wide administrative information system for human resources, payroll, and finance functions; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Clause (28) and (29) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized be expended only on those projects as described by name attached herein.

Attachment

1. Financial Management Information System
- Referred to the Committee on Ways and Means.

ORDER FOR LOAN OF \$3,818,000 FOR PURCHASE AND INSTALLATION OF COMPUTER HARDWARE AND SOFTWARE FOR MANAGEMENT INFORMATION SERVICES AND SCHOOL DEPARTMENTS (DOCKET NO. 0575)

The following was received:

City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$3,818,000 for the purchase and installation of computer hardware and software for the purpose of the Management Information Services and School Departments.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

ORDER TO AMEND LOAN ORDER ORIGINALLY PASSED ON JUNE 24, 1998 AND JULY 15, 1998 AND APPROVED BY MAYOR ON JULY 21, 1998 OF \$20,000,000 AND AMENDED ON JUNE 23, 1999 AND JULY 14, 1999 AND APPROVED BY MAYOR ON JULY 22, 1999 TO THE AMOUNT OF \$26,060,000 IS FURTHER AMENDED BY INSERTING IN PLACE THEREOF \$34,948,000 FOR DEVELOPMENT, DESIGN, PURCHASE AND INSTALLATION OF COMPUTER HARDWARE AND SOFTWARE AND IMPLEMENTATION AND OPERATION OF CITY-WIDE ADMINISTRATIVE INFORMATION SYSTEM FOR HUMAN RESOURCES, PAYROLL AND FINANCE FUNCTIONS (DOCKET NO. 0574)

Ordered, That the sum of \$3,818,000 be, and hereby is, appropriated for the purchase and installation of computer hardware and software; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Clause (28) and (29)

of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized be expended only on those projects as described by name attached herein.

Attachment

1. IBM Mainframe Disk Upgrade
2. Computer Technology FY98-FY02

Referred to the Committee on Ways and Means.

ORDER FOR LOAN OF \$1,370,000 FOR PURPOSE OF PLANNING, DESIGNING, ACQUIRING LAND FOR, CONSTRUCTING AND ORIGINALLY EQUIPPING STRUCTURES AND FACILITIES AND FOR REMODELING, RECONSTRUCTING OR MAKING MAJOR ALTERATIONS, ADDITIONS AND MAJOR REPAIRS TO EXISTING FACILITIES FOR PURPOSE OF VARIOUS CITY DEPARTMENTS INCLUDING BOSTON REDEVELOPMENT AUTHORITY, NEIGHBORHOOD DEVELOPMENT AND PARKS AND RECREATION DEPARTMENTS (DOCKET NO. 0576)

The following was received:

City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear City Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$1,370,000 for the purpose of planning, designing, acquiring land for, constructing and originally equipping structures and facilities and for remodeling, reconstructing, or making major alterations, additions and major repairs to existing facilities for the purpose of various city departments including the Boston Redevelopment Authority, Neighborhood Development and Parks and Recreation Departments.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$1,370,000 be, and hereby is, appropriated for the planning, designing, acquiring land for, constructing and originally equipping structures and facilities and for remodeling, reconstructing, or making major alterations, additions and major repairs to existing facilities including original equipment and landscaping, including the planting of shade trees, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair for the purpose of various city departments including the Boston Redevelopment Authority, Neighborhood Development and Parks and Recreation Departments, and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Chapter 642 of the Acts of 1966, as amended, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized through this order be expended only on the project as described by name attached herein.

Attachment

1. Boston East Site
2. Long Island Embankment Design
3. Street Tree Planting FY01

Referred to the Committee on Ways and Means.

ORDER FOR LOAN OF \$10,087,000 FOR PURPOSE OF ACQUIRING LAND FOR, CONSTRUCTING AND ORIGINALLY EQUIPPING AND FURNISHING PUBLIC SCHOOLHOUSES AND ADDITIONS AND FOR RECONSTRUCTING, REMODELING, REHABILITATION AND MODERNIZATION OF ANY SCHOOLHOUSE OR ADDITION (DOCKET NO. 0577)

TION, REMODELING, REHABILITATION AND MODERNIZATION OF ANY SCHOOLHOUSE OR ADDITION (DOCKET NO. 0577)

The following was received:

City of Boston
Office of the Mayor

April 11, 2000

To the City Council.

Dear City Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$10,087,000 for the purpose of acquiring land for, constructing and originally equipping and furnishing public schoolhouses and additions, and for the reconstruction, remodeling, rehabilitation and modernization of any schoolhouse or addition.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$10,087,000 be, and hereby is, appropriated for projects which may become approved school projects within the meaning of Chapter 645 of the Acts of 1948, as amended, including the acquiring land for, constructing and originally equipping and furnishing public schoolhouses and additions, and for the reconstruction, remodeling, rehabilitation and modernization of any schoolhouse or addition; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Section 8 of Chapter 645 of the Acts of 1948, as amended, or under the provisions of Chapter 642 of the Acts of 1966, as amended, or under the provisions of Clause (3) and/or (3A) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized through this order be expended only on those projects as described by name attached herein.

Attachment

1. Blackstone School Boiler
2. Burke High School Study
3. Central Kitchen Roof
4. Dorchester High School
5. Grew/E. Greenwood/Warren Prescott
6. Harvard/Kent School HVAC
7. Hennigan School HVAC
8. Holland School HVAC
9. Mission Hill School Heating System
10. Mozart School Roof, Windows, Doors
11. Murphy School
12. O'Bryant School Library/Media Center
13. Ohrenberger School Boiler
14. Technology Upgrades FY98-01

Referred to the Committee on Ways and Means.

**JITNEY APPLICATION
(DOCKET NO. 0578)**

Petition was received from J.C. Transportation for license to operate motor vehicles for the carriage of passengers for hire over certain streets in Boston.

Referred to the Committee on Economic Development and Transportation.

**JITNEY APPLICATION
(DOCKET NO. 0579)**

Petition was received from Air Shuttle for license to operate motor vehicles for the carriage of passengers for hire over certain streets in Boston.

Referred to the Committee on Economic Development and Transportation.

ABSENCE OF THE MAYOR
(DOCKET NO. 0580)

Notice was received from the Mayor of his absence from the City on April 14, 2000 until April 15, 2000.
Placed on file.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF WILLIAM J. HANNON AS PURCHASING AGENT FOR TERM EXPIRING ON JANUARY 7, 2002 (DOCKET NO. 0581)

Notice was received from the Mayor of the appointment of William J. Hannon as the Purchasing Agent for a term expiring on January 7, 2002.
Placed on file.

REPORT ON ORDER FOR LOAN OF \$97,745,000 FOR PLANNING, DESIGNING, ACQUIRING LAND FOR, CONSTRUCTING AND ORIGINALLY EQUIPPING STRUCTURES AND FACILITIES AND FOR REMODELING, RECONSTRUCTING OR MAKING MAJOR ALTERATIONS, ADDITIONS AND MAJOR REPAIRS TO EXISTING FACILITIES INCLUDING ORIGINAL EQUIPMENT AND LANDSCAPING INCLUDING PLANTING OF SHADE TREES, PAVING AND OTHER SITE IMPROVEMENTS INCIDENTAL OR DIRECTLY RELATED TO SUCH REMODELING, RECONSTRUCTION OR REPAIR FOR PURPOSES OF THE SCHOOL DEPARTMENT (DOCKET NO. 0446)

Councillor HENNIGAN, on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket 0446, message of the Mayor and order for loan of \$97,745,000 for the planning, designing, acquiring land for, constructing and originally equipping structures and facilities and for remodeling, reconstructing or making major alterations, additions and major repairs to existing facilities including original equipment and landscaping including the planting of shade trees, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair for the purposes of the School Department (referred March 29) — recommending passage of the order. The report was accepted.

Councillor FLAHERTY moved the question; the motion was carried, yeas 7, nays 5:

Yeas — Councillors Feeney, Flaherty, Hennigan, Kelly, Murphy, Ross, Scapicchio — 7.

Nays — Councillors Davis-Mullen, Honan, Roache, Turner, Yancey — 5.

Councillor FEENEY in the Chair.

President KELLY in the Chair.

The Chair moved reconsideration of the vote to accept the committee report; reconsideration prevailed.

Councillor YANCEY moved to amend the order by reducing it by \$41,000,000.

The motion was not carried, yeas 4, nays 8:

Yeas — Councillors Davis-Mullen, Roache, Turner, Yancey — 4.

Nays — Councillors Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Ross, Scapicchio — 8.

The report was accepted; the order was given its first reading and passage and assigned for further action, yeas 9, nays 2, present 1:

Yeas — Councillors Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Ross,

Scapicchio — 9.

Nays — Councillors Roache, Yancey — 2.

Present — Councillor Turner — 1.

ORDER THAT CITY COUNCIL HOLD HEARING TO DETERMINE WHAT ASSISTANCE CITY CAN OFFER TO C. A. DANTONE POST #13 IN LOCATING FACILITY FOR THEIR LONG-TERM EXISTENCE (DOCKET NO. 0582)

Councillors ROACHE and SCAPICCHIO offered the following:

Whereas, The Carmine A. Dantone AMVETS Post #13 in the North End has been in existence for over fifty years; and

Whereas, Throughout those years they have donated much of their time and resources to a number of community organizations and would like to continue to do so; and

Whereas, The AMVETS Post #13 has been without a proper meeting place for more than two years, which makes it difficult to focus on community activities; and

Whereas, Those individuals who have served this country honorably deserve to have a facility in which to congregate and plan the nature of their charitable activities; therefore be it

Ordered, That the Boston City Council hold a hearing to determine what assistance the City of Boston can offer to the C. A. Dantone Post #13 in locating a facility for their long-term existence; be it further

Ordered, The office of Veterans Affairs, the Department of Neighborhood Development, and other relevant departments be invited to provide testimony.

Referred to the Committee on Veterans.

ORDER THAT CITY COUNCIL HOLD HEARING TO EXAMINE AREA SURROUNDING CITY HALL INCLUDING PRIVATELY OWNED PARKING GARAGES TO DETERMINE IF SHORT-TERM PARKING AREA CAN BE MADE AVAILABLE FOR PURPOSES OF DOING BUSINESS IN CITY HALL (DOCKET NO. 0583)

Councillor MURPHY offered the following:

Whereas, The dearth of parking around City Hall is a source of aggravation to many of the City's residents wishing to come to City Hall to attend to business; and

Whereas, Many offices at City Hall are open for business only during regular work hours making it necessary for people who need to do business here to take time off of work for that business and plan for additional time off due to the problem of finding a parking space; and

Whereas, Some people who do business at City Hall live or work in locations that are not accessible by public transportation; and

Whereas, People with mobility problems and physical challenges often can not use public transportation as it causes them discomfort; therefore be it

Ordered, That the appropriate committee of the Boston City Council hold a hearing to examine the area surrounding Boston City Hall, including privately owned parking garages, to determine if a short term parking area can be made available for the purposes of doing City Hall business.

Referred to the Committee on Economic Development and Transportation.

ORDER APPROVING PETITION FOR SPECIAL LAW RE: DESTRUCTION OF FIREARMS IN CITY (DOCKET NO. 0584)

Councillors DAVIS-MULLEN, HENNIGAN, TURNER, YANCEY, FEENEY, HONAN, ROSS,

MURPHY, ROACHE and FLAHERTY offered the following:

Ordered, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause (1) of Section eight of Article two, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

Petition for a Special Law re: The Destruction of Firearms in the City of Boston.

Whereas, Firearms and other similar weapons, when used for illegal or other inappropriate purposes, pose a significant danger to the public good; and

Whereas, The marketplace is flooded by such weapons because of illegal sales or sales through unregulated markets; therefore the purpose of the following bill is to decrease the number of weapons entering the illegal and/or unregulated marketplace.

Section 1. The terms "Firearm", "Rifle", "Shotgun", "Sawed-off shotgun", "Machine gun", "Assault weapon", and "Weapon" shall have the same meaning as is applied in M.G.L. c.140, s.121.

The term "Destroyed" shall mean to render the weapon useless or ineffective for its intended purpose.

Section 2. The police commissioner of the City of Boston shall cause all firearms, rifles, shotguns, sawed-off shotguns, machine guns, assault weapons and weapons, as defined above and brought into his/her custody through confiscation, gun buy-back programs or otherwise turned into the police department, to be destroyed.

Section 3. Such weapons that were purchased for use by the police department, but are no longer in use, shall also be destroyed.

Section 4. The police commissioner shall administer this ordinance, provided that a weapon(s) is destroyed within a reasonable time period after any evidentiary or investigatory need for the weapon has ceased.

Referred to the Committee on Public Safety.

ORDER THAT CITY COUNCIL HOLD HEARING TO EXPLORE FEASIBILITY OF UTILIZING VEHICLES OF ETHOS TO MITIGATE LACK OF TRANSPORTATION FOR SENIOR CITIZENS IN SOUTHWEST NEIGHBORHOODS (DOCKET NO. 0585)

Councillors HENNIGAN, ROACHE, DAVIS-MULLEN, YANCEY, HONAN, MURPHY and FLAHERTY offered the following:

Whereas, Accessible and affordable transportation for elders is a critical tool for promoting the physical and psychological health and reducing the isolation and loneliness of the elderly, especially the frail and homebound; and

Whereas, The neighborhoods of southwest Boston (West Roxbury, Roslindale, Hyde Park, Jamaica Plain and Mattapan) have some of the highest concentrations of elders in the City of Boston and it appears that requests for the City of Boston's Shuttle Service exceeds its capacity, especially in the southwest region where demand is the highest; and

Whereas, Transportation consistently shows up as one of the most frequently identified unmet needs among elders in southwest Boston and transportation to medical appointments and grocery shopping are the most pressing needs; and

Whereas, Ethos, a community-based, non-profit organizing serving the elderly and disabled, provided low-cost handicapped accessible, door-to-door transportation services for frail, homebound elders in southwest Boston for twenty-five years when in 1999 the city terminated its Meals on Wheels contract, which provided base funding for program operations; and

Whereas, Ethos' fleet of four wheelchair vans and one station wagon is a resource to meet the transportation needs of the elderly in southwest Boston for medical appointments, day care programs, grocery shopping and social and community events; and

Whereas, The City of Boston's Senior Shuttle does not have sufficient funds to expand its southwest Boston capacity and has expressed strong interest in expanding the capacity of its Senior Shuttle program through a sub-contract arrangement; and

Whereas, Regular public transportation service is not readily accessible to elders in southwest Boston and the MBTA's Ride Program is perceived as difficult to access; now, therefore be it

Ordered, That the Boston City Council hold a hearing to explore the feasibility of utilizing vehicles of Ethos to mitigate the lack of transportation for senior citizens in the southwest neighborhoods in the City of Boston.

Referred to the Committee on Elderly.

LATE-FILED MATTERS

The Chair stated that, in absence of objection, five late-filed matters would be added to the Agenda.

No objection being heard, the following matters were added:

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0602)

Councillor KELLY offered the following:

Ordered, That effective Saturday, April 22, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, July 28, 2000:

Marilyn Brambilla, business manager, \$878.18 full time

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 0603)

Councillor KELLY offered the following:

Ordered, That effective Saturday, April 22, 2000, the following-named persons be, and hereby are, appointed to the position set against their name until Friday, June 30, 2000.

Mary Mulvey Jacobson, administrative assistant, \$1,054.60

Thomas McDonough, administrative assistant, \$774.72

S. Mary Bunuan, administrative assistant, \$500

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0604)

Councillor KELLY offered the following:

Ordered, That effective Saturday, April 22, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, June 30, 2000.

John Padula, administrative assistant, \$700

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0605)

Councillor KELLY offered the following:

Ordered, That effective Saturday, April 22, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, June 30, 2000.

James Coen, administrative assistant, \$500

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEE
(DOCKET NO. 0606)

Councillor KELLY offered the following:

Ordered, That effective Saturday, April 22, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, May 19, 2000.

Mary Walsh, administrative assistant, \$500

Passed under suspension of the rules.

ORDER APPROVING APPROPRIATION OF
\$1,300,000 FROM INCOME OF GEORGE F.
PARKMAN FUND FOR MAINTENANCE AND
IMPROVEMENT OF BOSTON COMMON
AND PARKS (DOCKET NO. 0444)

Councillor FEENEY called Docket No. 0444 from the Committee on City and Neighborhood Services.

Hearing no objection, the matter was before the body.

On motion of Councillor FEENEY, **the order was passed.**

STATEMENT OF COUNCILLOR HONAN

Having unanimous consent to do so, Councillor HONAN invited all the Councillors present to join him and the Greater Boston Interfaith Organization in the Piemonte Room after the session to review what they have been doing over the last few months.

STATEMENT OF PRESIDENT KELLY

President KELLY reminded the Councillors that at 3 p.m. sharp the Central Staff would be making a presentation on FY 2001 budget urging all Councillors to attend.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Feeney: Congratulating Barbara Sheehan (Docket No. 0586).

Councillor Murphy: Congratulating Deputy Superintendent John D. Ferguson (Docket No. 0587);

congratulating Superintendent Donald L. Devine (Docket No. 0588).

Councillor Honan: Congratulating four persons on receiving Brighton Board of Trade Community Service Award for 2000 (Docket No. 0589).

Councillor Turner: Congratulating Roxbury T'ai Chi Academy (Docket No. 0590).

Councillor Feeney: Congratulating Mary A. O'Brien (Docket No. 0591).

Councillor Hennigan: Congratulating Helen Pearl (Docket No. 0592).

Councillor Flaherty: Congratulating Manuel (Manny) Sarkisian (Docket No. 0593).

Councillor Turner: Congratulating Historic Charles Street African Methodist Episcopal Church (Docket No. 0594); congratulating the Rt. Rev. Phillip R. Cousin, Sr., Presiding Bishop (Docket No. 0595); congratulating Dr. M. Joan Cousin, Supervisor of Missions (Docket No. 0596).

Councillor Honan: Congratulating Phil Monahan (Docket No. 0597); congratulating Gerry Quinn (Docket No. 0598); congratulating Jennifer Rose (Docket No. 0599); congratulating Ray Mellone (Docket No. 0560); congratulating Tara Schaffer (Docket No. 0561).

The Chair stated that in the absence of objection, three late-filed matters would be added to the Consent Agenda.

No objection being heard, the following matters were added:

Councillor Yancey: Congratulating Dr. Judyann Bigby (Docket No. 0607); congratulating Dr. Azzie Young (Docket No. 0608); congratulating Mattapan Community Health Center (Docket No. 0609).

The matters contained within the Consent Agenda were severally adopted.

STATEMENT OF COUNCILLOR YANCEY

Having unanimous consent to do so, Councillor YANCEY asked when we adjourn today we do so in memory of James Smith, a Roxbury resident, who passed away last week

Adjourned at 2:10 p.m. on motion of Councillor YANCEY in memory of James Smith to meet on Wednesday, May 3, 2000 at 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, May 3, 2000

Regular meeting of the City Council held in the Christopher Iannella Council Chamber, City Hall, at 12:20 p.m., President KELLY in the Chair and all members present.

INVOCATION

Reverend William E. Dickerson II, Greater Love Tabernacle, delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

PRESENTATION BY COUNCILLOR TURNER

Councillor TURNER presented the Roxbury Community College Basketball Team "Tigers" and their coaches with resolutions for bringing the Basketball Tournament Championship home to Roxbury for the first time.

ORDER APPROVING ACCEPTANCE OF CHAPTER 640 OF ACTS OF 1985, AS AMENDED, WHICH GRANTS BY LOCAL OPTION AUTHORITY TO SUSPEND, REVOKE OR DENY CITY ISSUED LICENSES TO DELINQUENT TAXPAYERS (DOCKET NO. 0610)

The following was received:

City of Boston
Office of the Mayor

April 25, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order approving the acceptance of Chapter 640 of the Acts of 1985, as amended, which grants by local option the authority to suspend, revoke or deny City-issued licenses to delinquent taxpayers.

I urge your Honorable Body to approve the acceptance so that the amendment to the Collection provisions can take effect in the City without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That pursuant to Chapter 640 of the Acts of 1985, as amended, the provisions of said chapter be, and the same hereby are, accepted.

Referred to the Committee on Government Operations.

ORDER AUTHORIZING COMMISSIONER OF PARKS AND RECREATION TO ACCEPT AND EXPEND GRANT OF \$3,288 FROM DEPARTMENT OF ENVIRONMENTAL MANAGEMENT FOR PRUNING, FERTILIZING AND MULCHING TWELVE BEECH TREES IN FRANKLIN PARK (DOCKET NO. 0611)

The following was received:

City of Boston
Office of the Mayor

April 6, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Commissioner of Parks and Recreation, acting on behalf of the City of Boston, to accept and expend a grant from the Department of Environmental Management (DEM) through the Heritage Tree Care Grant Program in the amount of \$3,288 for the period July 1, 2000 through June 30, 2001, and in connection therewith, to deliver any documents as may be required by DEM for such grant. The funds will be used for pruning, fertilizing and mulching twelve beech trees in Franklin Park.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may expeditiously process this grant.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That pursuant to M.G.L. c. 44, sec. 53A, the City of Boston, acting by and through the Commissioner of the Parks and Recreation Department, be, and the same hereby is, authorized to apply for, accept and expend a grant from the Department of Environmental Management (DEM) through the Heritage Tree Care Grant Program in the amount of \$3,288 for the period July 1, 2000 through June 30, 2001, and in connection therewith, to deliver any documents as may be required by DEM for such grant. The funds will be used for pruning, fertilizing and mulching twelve beech trees in Franklin Park.

The rules were suspended; the order was passed.

ORDER AUTHORIZING FIRE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$20,000 FROM MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY FOR LOCAL EMERGENCY PLANNING AND HAZARDOUS EMERGENCY MATERIAL PREPAREDNESS (DOCKET NO. 0612)

The following was received:

City of Boston
Office of the Mayor

April 14, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Commissioner of the Fire Department, on behalf of the City of Boston, to accept and expend a grant award in the amount of \$20,000 from the Massachusetts Emergency Management Agency for the period of January 1, 2000 through December 31, 2000. The purpose of said funds is for local emergency planning and Hazardous Emergency Material Preparedness (HEMP) training.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may accept, and expend these funds expeditiously for the purposes for which they were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Commissioner of the Fire Department, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend a grant award not to exceed the amount of \$20,000 from the Massachusetts Emergency Management Agency for the period of January 1, 2000 through December 31, 2000. The purpose of said funds is for local emergency planning and Hazardous Emergency Material Preparedness (HEMP) training.

On motion of Councilor MURPHY, the rules were suspended; the order was passed.

ORDER APPROVING ACCEPTANCE OF CHAPTER 281 OF ACTS OF 1990 WHICH GRANTS BY LOCAL OPTION THE AUTHORITY TO ABATE DELINQUENT PROPERTY TAX ACCOUNTS WITH BALANCES OF TEN DOLLARS OR LESS (DOCKET NO. 0613)

The following was received:

City of Boston
Office of the Mayor

April 25, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order approving the acceptance of Chapter 281 of the Acts of 1990, which grants by local option the authority to abate delinquent property tax accounts with balances of ten dollars or less.

I urge your Honorable Body to approve the acceptance so that the amendment to the Collection provisions can take effect in the City without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That pursuant to Section of Chapter 281 of the Acts of 1990, the provisions of said chapter be, and the same hereby are accepted.

Referred to the Committee on Government Operations.

ORDER TO DECLARE SURPLUS PORTION OF HIGHWAY NAMED OLD CENTRE STREET AND TO TRANSFER CARE, CUSTODY, MANAGEMENT AND CONTROL OF SAID PROPERTY TO PUBLIC FACILITIES COMMISSION FOR SALE OR LEASE (DOCKET NO. 0614)

The following was received:

City of Boston
Office of the Mayor

April 21, 2000

Boston City Council
Boston, MA 02201

Dear Councillors:

I submit herewith for your approval an Order to declare as surplus the following City-owned property that was discontinued as a public highway in West Roxbury by the City of Boston Public Improvement Commission on July 3, 1997, and to transfer the care, custody, management, and control of said property to the Public Facilities Commission for sale or lease under terms and conditions deemed by the Commission to be most appropriate for City of Boston:

A portion of the highway named OLD CENTRE STREET.

The relevant, discontinued portion of Old Centre Street is shown on a plan marked "City of Boston Public Works Department, Engineering Division, Discontinued Plan, Old Centre Street, West Roxbury, December 2, 1996, Joseph Casazza, Commissioner of Public Works." Old Centre Street was discontinued as a public highway from Pleasantdale Road, approximately 485 feet southeasterly, shown as Lot "B" of the above-referenced plan of land. Said portion of Old Centre Street is bounded northerly by Pleasantdale Road by three measurements: nine and 46/100 feet on a curve of eighteen and 98/100 foot radius, four and 60/100 feet, and twenty-nine and 5/100 on a curve of two hundred four and 55/100 foot radius; easterly by southeasterly line of Old Centre Street by five measurements: twenty and 67/100 feet, forty-four and 35/100 feet, fifty and 45/100 feet, two hundred thirty and 60/100 feet, and one hundred nineteen and 11/100 feet; southerly by the southwesterly line of Old Centre Street by thirty-seven and 82/100 feet;

westerly by northeasterly line of Old Centre Street by four measurements: sixty-nine and 26/100 feet, sixty-seven and 35/100 feet on a curve of twenty-one hundred sixty and 76/100 foot radius; two hundred fifteen and 34/100 feet and one hundred forty-seven and 95/100 feet; containing eighteen thousand five hundred twenty-eight square feet, more or less.

Further, the relevant, discontinued portion of Old Centre Street, shown as Lot "A" of the above-referenced plan of land, is bounded northerly by the southerly line of Centre Street, twenty-one and 25/100 feet; westerly by the westerly line of Centre Street, fifty-one and 25/100 feet; southerly by the northerly line of Pleasantdale Road by two measurements, thirty-one and 6/100 feet on a curve of nineteen and 8/100 foot radius and eighteen and 12/100 on a curve of one hundred sixty-four and 55/100 foot radius; easterly by the easterly line of Old Centre Street as hereby discontinued, seventy-seven and 38/100 feet; containing two thousand one hundred six square feet, more or less.

I urge your Honorable Body to adopt this Order as soon as possible so that the Public Facilities Commission can move expeditiously in disposing of said surplus property.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, previously having been used as a public highway in West Roxbury and subsequently having been discontinued as a public highway by the City of Boston Public Improvement Commission on July 3, 1997, the below-referenced portion of the highway named Old Centre Street is hereby found to be surplus within the meaning of St. 1909, c. 486, § 31B (as appearing in St. 1966, c. 642, § 12), and the care, custody, management, and control thereof is hereby transferred to the Public Facilities Commission.

The relevant, discontinued portion of Old Centre Street is shown on a plan marked "City of Boston Public Works Department, Engineering Division, Discontinued Plan, Old Centre Street, West Roxbury, December 2, 1996, Joseph Casazza, Commissioner of Public Works." Old Centre Street was discontinued as a public highway from Pleasantdale Road, approximately 485 feet southeasterly, shown as Lot "B" of the above-referenced plan of land. Said portion of Old Centre Street is bounded northerly by Pleasantdale Road by three measurements: nine and 46/100 feet on a curve of eighteen and 98/100 foot radius, four and 60/100 feet, and twenty-nine and 5/100 on a curve of two hundred four and 55/100 foot radius; easterly by southeasterly line of Old Centre Street by five measurements: twenty and 67/100 feet, forty-four and 35/100 feet, fifty and 45/100 feet, two hundred thirty and 60/100 feet, and one hundred nineteen and 11/100 feet; southerly by the southwesterly line of Old Centre Street by thirty-seven and 82/100 feet; westerly by northeasterly line of Old Centre Street by four measurements: sixty-nine and 26/100 feet, sixty-seven and 35/100 feet on a curve of twenty-one hundred sixty and 76/100 foot radius; two hundred fifteen and 34/100 feet and one hundred forty-seven and 95/100 feet; containing eighteen thousand five hundred twenty-eight square feet, more or less.

Further, the relevant, discontinued portion of Old Centre Street, shown as Lot "A" of the above-referenced plan of land, is bounded northerly by the southerly line of Centre Street, twenty-one and 25/100 feet; westerly by the westerly line of Centre Street, fifty-one and 25/100 feet; southerly by the northerly line of Pleasantdale Road by two measurements, thirty-one and 6/100 feet on a curve of nineteen and 8/100 foot radius and eighteen and 12/100 on a curve of one hundred sixty-four and 55/100 foot radius; easterly by the easterly line of Old Centre Street as hereby discontinued, seventy-seven and 38/100 feet; containing two thousand one hundred six square feet, more or less.

Referred to the Committee on Economic

Development and Transportation.

ORDER APPROVING ISSUANCE OF TAX-EXEMPT BONDS IN PRINCIPAL AMOUNT OF \$49,500,000 FROM BOSTON INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY (BIDFA) FOR PROJECT BY CROSSTOWN ASSOCIATES (DOCKET NO. 0615)

The following was received:

City of Boston
Office of the Mayor

May 1, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an Order to approve the issuance of tax-exempt bond(s) in a principal amount not to exceed \$49,500,000. The Boston Industrial Development Financing Authority (BIDFA)'s Board of Directors, acting pursuant to the provisions of M.G.L. c. 40D, as amended, adopted a favorable resolution with respect to the financing of a mixed-use retail, cinema, and parking complex (the "Project") by CROSSTOWN ASSOCIATES, LLC (the "Company").

It is proposed that the City of Boston authorize the following: 1) the construction of the Project, which is to be located on approximately 6.7 acres at 20 Hamden Street, Boston (Roxbury), Massachusetts 02119, and is to include the construction of a twelve-screen movie theater, a parking garage to accommodate approximately 1,300 vehicles, and approximately 80,000 square feet of retail space that will be leased to multiple retailers; 2) the funding of a debt service reserve fund with respect to the bond(s); and 3) the financing of costs of issuance by BIDFA.

I urge your Honorable Body to pass this Order as expeditiously as possible so that this important Project may proceed as described.

Respectfully,

Thomas M. Menino,
Mayor of Boston.

BE IT ORDERED THAT:

Section 1. Declarations. The Council of the City of Boston (the "City") declares as follows:

1.1. The City acting by and through its Industrial Development Financing Authority (the "Authority") is empowered to assist in the financing of industrial development facilities through the issuance of industrial revenue bonds pursuant to Massachusetts General Laws Chapter 40D, as amended (the "Act").

1.2. Crosstown Associates, LLC (the "Borrower") has proposed the financing by the City of certain industrial development facilities (the "Project") consisting generally of a mixed use retail, cinema and parking complex located at the intersection of Massachusetts Avenue and Melnea Cass Boulevard in Roxbury.

1.3. The Borrower has represented that estimated cost of the Project is approximately \$54,000,000 and has requested the City to issue not more than \$49,500,000 of industrial revenue bonds under the Act to finance the Project.

1.4. The Borrower has indicated its willingness to finance any costs of the Project in excess of \$49,500,000.

1.5. The Authority has approved the Project and the estimated cost thereof and has recommended that the City finance the Project by bonds issued pursuant to the Act.

1.6. The financing of the Project under the provisions of the Act appears feasible.

1.7. A public hearing relating to the proposed issuance of industrial revenue bonds was held on April 12, 2000, pursuant to a notice published in the Boston Globe on March 27, 2000.

Section 2. Approval. In accordance with Section

12(1) of the Act the Council approves the Project, the estimated cost thereof and the financing thereof by industrial revenue bonds to be issued by the City pursuant to the Act. Such bonds shall not constitute a general obligation of the City or the Authority nor a pledge of the faith and credit of the City or the Authority but shall be payable solely from the revenues pledged for their payment in accordance with the Act.

Section 3. Effective Date. This resolution shall take effect upon its adoption.

In City Council _____, 2000 passed.
Approved by the Mayor

_____, 2000

I, the City Clerk of the City of Boston, Massachusetts, certify that at a meeting of the council held on _____, 2000 of which meeting all members thereof were duly notified and at which a quorum was present, the above order was duly passed, and such order was approved by the Mayor on _____, 2000 all of which appears upon the official records of the Council in my custody.

I further certify that the foregoing vote was taken at a meeting open to the public, that notice stating the place, date and time of the meeting was filed with the City Clerk and a copy thereof posted in the office of such Clerk or on the principal official bulletin board of the City at least 48 hours, including Saturdays but not Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with such vote were taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with Massachusetts General Laws Chapter 39, §23B, as amended.

Date _____, 2000

City Clerk

Referred to the Committee on Economic
Development and Transportation.

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT (PUBLIC FACILITIES COMMISSION) TO APPLY FOR, ACCEPT AND EXPEND FY00 SHELTER PLUS CARE GRANT OF \$6,236,520 FROM U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DOCKET NO. 0616)

The following was received:

City of Boston
Office of the Mayor

May 1, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval, an Order authorizing the City of Boston to apply for, accept, and expend a Federal Fiscal Year 2000 Shelter Plus Care grant in an amount not to exceed \$6,236,520 from the U.S. Department of Housing and Urban Development (HUD).

I urge your Honorable Body to adopt this order as soon as possible so that the City may submit its application to HUD by the May 31, 2000 deadline.

Respectfully,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the City of Boston, acting by and through its Department of Neighborhood Development (Public Facilities Department), be, and hereby is, authorized to apply for a FY2000 Shelter Plus Care grant in an amount not to exceed \$6,236,520 from the U.S. Department of Housing and Urban Development, and to accept and expend said funds in accordance with M.G.L. c. 44, § 53A, for the purposes for which the

funds were granted, and, in connection therewith, to execute and deliver such documents as may be required by the federal government.

Referred to the Committee on Housing.

ORDER AUTHORIZING DEPARTMENT OF (PUBLIC FACILITIES COMMISSION) TO APPLY FOR, ACCEPT AND EXPEND FEDERAL FY00 LEAD-BASED PAINT HAZARD PROGRAM GRANT OF \$3,000,000 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DOCKET NO. 0617)

The following was received:

City of Boston
Office of the Mayor

May 1, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an Order authorizing the City of Boston to apply for, accept, and expend a Federal FY2000 Lead-Based Paint Hazard Program grant in an amount not to exceed \$3,000,000 from the U.S. Department of Housing and Urban Development.

I urge your Honorable Body to adopt this Order as expeditiously as possible so that the City may submit its application to the U.S. Department of Housing and Urban Development by the May 17, 2000 deadline.

Respectfully,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the City of Boston, acting by and through its Department of Neighborhood Development (Public Facilities Department), be and hereby is authorized to apply to the U.S. Department of Housing and Urban Development for a Federal Fiscal Year 2000 Lead-Based Paint Hazard Control Program grant under §§ 1011(a-f) of Title X of the Housing and Community Development Act of 1992 (P.L. 102-550), as amended, in an amount not to exceed \$3,000,000, to accept and expend said funds in accordance with M.G.L. c. 44, § 53A, for the purposes for which they are granted, and, in connection therewith, to execute and deliver such documents as may be required by the U.S. Department of Housing and Urban Development.

Referred to the Committee on Housing.

JITNEY APPLICATION (DOCKET NO. 0618)

Petition was received from Affordable Shuttle for license to operate motor vehicles for the carriage of passengers for hire over certain streets in Boston.

Referred to the Committee on Economic Development and Transportation.

JITNEY APPLICATION (DOCKET NO. 0619)

Petition was received from Fox Bus Lines, Inc. for license to operate motor vehicles for the carriage of passengers for hire over certain streets in Boston.

Referred to the Committee on Economic Development and Transportation.

COMMUNICATION RECEIVED FROM MASSACHUSETTS HIGHWAY DEPARTMENT RE: LAYOUT NO. 7586 AND ORDER OF TAKING (DOCKET NO. 0620)

Communication was received from the Massachusetts Highway Department re: Layout No. 7586 and Order of

Taking.

Placed on file.

COMMUNICATION RECEIVED FROM MASSACHUSETTS HIGHWAY DEPARTMENT RE: LAYOUT NO. 6970 AND ORDER OF TAKING (DOCKET NO. 0621)

Communication was received from the Massachusetts Highway Department re: Layout No. 6970 and Order of Taking.

Placed on file.

NOTICE FROM CITY CLERK RE: ACTIONS TAKEN BY MAYOR ON PAPERS ACTED UPON BY CITY COUNCIL AT ITS MARCH 15, 2000 MEETING (DOCKET NO. 0622)

The following was received:

City of Boston
Office of the City Clerk

May 1, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of March 15, 2000, viz: 0427 — Constable's Bond of Robert E. Lee.

Approved by the Mayor April 4, 2000.

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE: ACTIONS TAKEN BY MAYOR ON PAPERS ACTED UPON BY CITY COUNCIL AT ITS MARCH 29, 2000 MEETING (DOCKET NO. 0623)

The following was received:

City of Boston
Office of the City Clerk

May 1, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of March 29, 2000, viz: 0124 — Order approving a petition for a special law regarding public records.

No action to date.

0354 — Order authorizing the Office of Community Partnerships to accept and expend a grant of \$475,000 from the Massachusetts Department of Education, for the purpose of developing strong school and community alliances to strengthen opportunities for children during after-school hours.

Approved by the Mayor April 10, 2000.

0356 — Order for loan of \$2,222,000 for the purpose of acquiring land for, constructing and originally equipping and furnishing public schoolhouses and additions, and for the reconstruction, remodeling of any schoolhouse.

Approved by the Mayor April 10, 2000.

0389 — Order authorizing the Department of Neighborhood Development to apply to the U.S. Economic Development Administration (EDA) for a Public Works and Economic Development Assistance Grant of \$ 1,000,000.

Approved by the Mayor April 10, 2000.

0450 — The Constable's Bond of Willie J. Williams.
Approved by the Mayor April 10, 2000.

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE: ACTIONS
TAKEN BY MAYOR ON PAPERS ACTED
UPON BY CITY COUNCIL AT ITS APRIL 5,
2000 (DOCKET NO. 0624)

The following was received:

City of Boston
Office of the City Clerk

May 1, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of
1979, I hereby notify you of the following actions taken
by the Mayor with regard to the papers acted upon by
the City Council at its meeting of April 5, 2000, viz:

0190 — Ordinance increasing the safety of students on
school buses.

Approved by the Mayor April 19, 2000

0303 — Order authorizing the Police Commissioner to
accept and expend a grant of \$2,886,398 from the
U.S. Department of Justice, Bureau of Justice
Assistance under the Local Law Enforcement
Block Grant Program, for the purpose of reducing
crime and improving public safety through the
purchase of police equipment.

Approved by the Mayor April 19, 2000.

0355 Order approving a supplemental appropriation of
\$1,670,996 for the Suffolk County Sheriff's
Department for FY00.

Approved by the Mayor April 19, 2000.

0390 — Order authorizing the Police Commissioner to
accept and expend a grant of \$74,137.81 from the
Attorney General's Office for the purpose of
restoring a sense of safety to the neighborhood of
the Dorchester Safe Neighborhood Initiative
(SNI) by increasing police surveillance activities
and collaborating with all agencies to reduce
crime and fear in the SNI area.

Approved by the Mayor April 19, 2000.

0450 The Constable's Bond of James E. White.

Approved by the Mayor April 19, 2000.

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE: FILING BY BRA
OF "SECOND AMENDMENT TO THE
REPORT AND DECISION ON THE LAND-
MARK CENTER CHAPTER 121A PROJECT"
(DOCKET NO. 0625)

The following was received:

City of Boston
Office of the City Clerk

May 2, 2000

To the City Council.

Dear Councillors:

In compliance with order passed by your Honorable
Body December 6, 1976, this is to inform you that the
following was filed by the Boston Redevelopment
Authority with the City Clerk on April 27, 2000:

"Second Amendment to the Report and Decision to
the Landmark Center Chapter 121A Project."

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

OF "REPORT AND DECISION ON THE
APPLICATION BY TWO FINANCIAL CEN-
TER LLP FOR AUTHORIZATION AND
APPROVAL OF A PROJECT UNDER CHAP-
TER 121A" (DOCKET NO. 0626)

The following was received:

City of Boston
Office of the City Clerk

May 2, 2000

To the City Council

Dear Councillors:

In compliance with order passed by your Honorable
Body December 6, 1976, this is to inform you that the
following was filed by the Boston Redevelopment
Authority with the City Clerk on April 27, 2000:

"Report and Decision on the Application by Two
Financial Center LLP For Authorization and
Approval of a Project under Chapter 121A".

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE: FILING BY BRA
OF "SIXTH AMENDMENT TO THE REPORT
AND DECISION ON THE MISSION MAIN
REVITALIZATION CHAPTER 121A PROJ-
ECT" (DOCKET NO. 0627)

The following was received:

City of Boston
Office of the City Clerk

May 2, 2000

To the City Council.

Dear Councillors:

In compliance with order passed by your Honorable
Body December 6, 1976, this is to inform you that the
following was filed by the Boston Redevelopment
Authority with the City Clerk on April 27, 2000:

"Sixth Amendment to the Report and Decision on
the Mission Main Revitalization Chapter 121A
Project."

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

COMMUNICATION RECEIVED FROM SALLY D.
GLORA, CITY AUDITOR, TRANSMITTING
LIST OF FY00 REALLOCATIONS MADE BY
MAYOR PRIOR TO APRIL 15, 2000 FOR PUR-
POSE OF CONTINUING OPERATIONS
(DOCKET NO. 0628)

Communication was received from Sally D. Glora,
City Auditor, transmitting the list of FY00 reallocations
made by the Mayor prior to April 15, 2000 for the
purpose of continuing operations.

**Referred to the Committee on Post Audit and
Oversight.**

NOTICE RECEIVED FROM BOSTON RETIRE-
MENT BOARD OF HEARING ON MAY 31,
2000 RE: FY01 COST OF LIVING
ALLOWANCE (COLA) (DOCKET NO. 0629)

Notice was received from the Boston Retirement
Board of a hearing on May 31, 2000 re: FY01 Cost of
Living Allowance (COLA).

**Referred to the Committee on Government
Operations.**

NOTICE FROM CITY CLERK RE: FILING BY BRA

ORDER FOR HEARING TO HELP COMMUNITIES

WITHOUT NON-PROFIT HOUSING PROGRAMS TO DEVELOP AFFORDABLE HOUSING (DOCKET NO. 0630)

Councillors SCAPICCHIO, HONAN, KELLY, TURNER, YANCEY, FLAHERTY, HENNIGAN, ROACHE, CONLEY, FEENEY, ROSS and DAVIS-MULLEN offered the following:

Whereas, Development opportunities abound in the City of Boston today; and

Whereas, Certain neighborhoods in Boston do not have entities such as Community Development Corporations to develop affordable housing in the community; and

Whereas, The Neighborhood Housing Trust has never dedicated money to certain neighborhoods; and

Whereas, Certain neighborhoods have a distinct paucity of available land, therefore be it

Ordered, That the Committee on Economic Development and Transportation hold a public hearing to examine the above problem and determine what the city can do to develop an assistance program that forms and supports these neighborhoods.

Referred to the Committee on Housing.

ORDER FOR HEARING TO EXAMINE STATUS OF DESIGN OF BULFINCH TRIANGLE AS CENTRAL ARTERY PROJECT PROGRESSES TOWARDS COMPLETION (DOCKET NO. 0631)

Councillor SCAPICCHIO offered the following:

Whereas, Residents of the City of Boston have an interest and stake in the future development of the Bulfinch Triangle as the Central Artery viaduct is removed; and

Whereas, Residents, especially those of local communities, are unclear as to the development plans of parcels 1, 1A, 2, and 2A; and

Whereas, Residents have questions about the street alignment of the area and the accompanying traffic impacts; and

Whereas, There are alternative plans for the Bulfinch Triangle Street alignment, therefore be it

Ordered, That the City Council's Committee on Economic Development and Transportation hold a hearing to examine the status of the design of the Bulfinch Triangle as the Central Artery Project progresses towards completion, and be it further

Ordered, That the appropriate personnel from the Central Artery Project, Mass. Turnpike Authority, the Department of Public Works, the Department of Transportation, and the Boston Redevelopment Authority be invited to attend

Referred to the Committee on Economic Development and Transportation.

ORDER FOR HEARING TO REVIEW KNOCKOUT OF ASR-9 AT LOGAN AIRPORT (DOCKET NO. 0632)

Councillors SCAPICCHIO and MURPHY offered the following:

Whereas, The knockout of the \$300,000 ASR-9 antenna on Saturday, April 22, 2000 by a windstorm, caused massive flight cancellations and delays at Boston's Logan Airport which needless to say causes a tremendously adverse ripple effect to area residents and businesses; and

Whereas, This radar antenna was built to withstand hurricane-force winds and failed in wind conditions of half that speed; therefore be it

Ordered, That the appropriate Committee of the Boston City Council hold a hearing to review this matter and to determine what steps can be taken to prevent this kind of equipment failure in the future and that all

relevant officials and interested parties be invited to attend and testify.

Referred to the Committee on Economic Development and Transportation.

RESOLUTION FOR HEARING TO BE UPDATED ON PROGRESS OF TRUANCY PROGRAM (DOCKET NO. 0633)

Councillor MURPHY offered the following:

Whereas, Truancy has long been an issue of concern with the Boston City Council; and

Whereas, Considerable effort has been put into addressing the problem by the Mayor, the City Council, the School Department, parents and many others, resulting in a truancy initiative that was implemented in September of 1998; and

Whereas, Afternoon walks to downtown crossing and other areas give reason to believe that this issue has not been curbed; and

Whereas, The Boston Globe recently reported on the continuing truancy problems ongoing in the City of Boston; therefore be it

Resolved, That the appropriate committee of the Boston City Council hold a hearing to be updated on the progress of the Truancy Program and any revised or new initiatives or feedback resulting from our efforts; and be it further

Resolved, That Superintendent Thomas Payzant be invited to report on this matter and that interested members of the public be invited to attend and give testimony.

Referred to the Committee on Education and School Matters.

ORDER THAT RULE 27 OF CITY COUNCIL RULES BE SUSPENDED IN ORDER THAT COMMITTEE ON WAYS AND MEANS MAY CONDUCT MEETINGS ON WEDNESDAYS FOR DURATION OF FY01 BUDGET HEARINGS (DOCKET NO. 0634)

Councillor HENNIGAN offered the following:

Ordered, That Rule 27 of the City Council Rules be suspended in order that the Committee on Ways & Means may conduct meetings on Wednesdays for the duration of the Fiscal Year 2001 budget hearings.

The Chair offered the following correction for Docket No. 0634:

Ordered, That Rule 33 of the City Council Rules be suspended in order that the Committee on Ways & Means may conduct meetings on Wednesdays for the duration of the Fiscal Year 2001 budget hearings.

The rules were suspended; the order, as amended, was passed.

ORDER FOR HEARING TO ASSESS PROBLEM OF USE OF ECSTASY AND OTHER CLUB DRUGS WITHIN CITY AND WHAT MEASURES ARE BEING TAKEN TO COMBAT IT (DOCKET NO. 0635)

Councillors HONAN, MURPHY and HENNIGAN offered the following:

Whereas, The National Institute for Drug Abuse has reported an increase in the use of Ecstasy and other "club drugs" in every major city and among high school students; and

Whereas, The NIDA has announced it will spend \$54 million on Ecstasy research this year; and

Whereas, U.S. Customs expects to seize at least 8 million tablets of Ecstasy by the end of the year; and

Whereas, Studies done at Duke University and Johns Hopkins University have demonstrated long-term health implications from the use of Ecstasy; and

Whereas, Use of Ecstasy can result in sedation, coma, and even death in cases of overdose; and

Whereas, Boston, with its many college students and active dance club scene, is a prime destination for designer drugs; and

Whereas, Last month Federal and local agents arrested two men in Boston and Brookline on charges of conspiracy to import 172,000 Ecstasy pills with a street value of \$4 million; and

Whereas, Recent incidents of overdose in Boston clubs have called attention to its ease of access; therefore be it

Ordered, The City Council conduct a public hearing to assess the prevalence of the problem within the city and what measures are being taken to combat it; and be it further

Ordered, That representatives of the Boston Police Department, Drug Enforcement Agency, Licensing Board, Public Health Commission and other interested parties be invited to testify.

Referred to the Committee on Public Safety.

ORDER FOR HEARING TO ADDRESS CITY'S CURRENT MECHANISMS IN PLACE TO ADMINISTER AND MONITOR PILOT AGREEMENTS (DOCKET NO. 0636)

Councillors SCAPICCHIO, MURPHY, HENNIGAN, HONAN, ROACHE, TURNER, CONLEY, ROSS, YANCEY and KELLY offered the following:

Whereas, Boston continues to face a severe housing shortage, where the scarcity of affordable housing has become the unfortunate downside to the city's thriving economy; and

Whereas, The city continues to look for creative ways to make up for the lack of new federal housing initiatives and for the first time will contribute its own revenue toward the production and maintenance of affordable housing; and

Whereas, Future revenue streams cannot support such initiatives in the long run particularly when property tax, the city's single largest revenue source, is capped by legislation; and

Whereas, More than 50% of the city's land area is tax-exempt, and while these non-profit tax-exempt institutions sign payment in lieu of tax (PILOT) agreements, appreciation in market values are causing many property owners to experience increased property tax bills; and

Whereas, Although PILOTs are strictly voluntary and made on a case by case basis, many of the city's non-profit institutions are building or expanding and it is not clear how these agreements incorporate that growth or any other changes in the economic environment; therefore be it

Ordered, That the Committee on Economic Development and Transportation hold a public hearing to address the city's current mechanisms in place to administer and monitor PILOT agreements and that members of the Assessing Department and the BRA be invited to testify.

Referred to the Committee on Post Audit and Oversight.

ORDER FOR HEARING RE: TEEN CURFEW (DOCKET NO. 0637)

Councillors KELLY, MURPHY, ROACHE, SCAPICCHIO and DAVIS-MULLEN offered the following:

Whereas, Incidents of youth crime and vandalism occur mostly during evening hours; and

Whereas, Different cities across the United States have addressed this issue by means of carefully drawn youth curfew ordinances; and

Whereas, There has been continued interest by some parents for a curfew ordinance in the city of Boston;

therefore be it

Ordered, That the Boston City Council conduct a public hearing into the matter of teen curfews, and that representatives of the Mayor's Office, the Boston Police Department, and the city's Law Department be invited to attend to answer question about teen crimes and the hours, outside of school hours, when most teen crime is committed; and be it further

Ordered, That the City Council determine whether a new city ordinance or a clearly defined executive order governing public safety would be the most appropriate vehicle for such a measure.

Referred to the Committee on Public Safety.

ORDER FOR HEARING RE: NEW FENWAY PARK (DOCKET NO. 0638)

Councillors KELLY, ROSS, MURPHY, ROACHE, DAVIS-MULLEN, FLAHERTY, SCAPICCHIO, CONLEY, HENNIGAN, HONAN and FEENEY offered the following:

Whereas, The Red Sox have expressed an interest in building a new stadium; and

Whereas, Considerable public discussion has been generated on whether a new stadium should be built, or whether the existing stadium should be renovated; therefore be it

Ordered, That the Boston City Council conduct a public hearing into the matter of Fenway Park, and that representatives of the mayor's office, Boston Police Department, BRA, the Fenway neighborhood, and other concerned citizens be invited to attend.

Councillor CONLEY moved that the order be amended by deleting the words "Police Department" in the third paragraph, third line, and substituting the words "Red Sox" which was admittedly a typographical error.

The motion was carried.

The order, as amended, was referred to the Committee on Economic Development and Transportation.

ORDER FOR HEARING ON ISSUE OF PUBLISHING PHOTOGRAPHS OF INDIVIDUALS ARRESTED FOR POSSESSION OF DRUGS (DOCKET NO. 0639)

Councillor KELLY offered the following:

Whereas, In 1998 and 1999 the Boston City Council held hearings on the issue of broadcasting the photographs of those individuals arrested for possession or distribution of illegal drugs on cable TV; and

Whereas, In response to these hearings Attorney Mary Jo Harris of the Boston Police Department notified the City Council that the Criminal History Systems Board, Commonwealth of Massachusetts, permits the city to release such information, "if the photograph and identifying data are taken as a result of a Boston Police Department: 1) arrest for which prosecution is pending; or 2) pending criminal investigation"; and

Whereas, In response to this notification the Boston Police Department requested an opinion from the District Attorney on this matter and the District Attorney raised some issues about disclosure of said information; and

Whereas, It was and is the belief of the City Council that exposure of those arrested for possession and distribution of drugs will have a deterrent effect on those who may be experimenting with and/or dealing in drugs, and will also serve as a way of notifying residents of those in their neighborhood who are selling and using drugs; and

Whereas, Cable television is prepared to implement the program with the cooperation of the Boston Police Department; therefore be it

Ordered, that the Boston City Council conduct a public hearing and invite representatives of the District Attorney's Office, the Boston Police Department and Cable TV to attend for the purpose of ironing out any concerns that may continue to exist and stand in the way of the city adopting this important program.

Referred to the Committee on Public Safety.

ORDER FOR LOAN OF \$57,000,000 FOR PLANNING, DESIGNING, ACQUIRING LAND FOR, CONSTRUCTING AND ORIGINALLY EQUIPPING STRUCTURES AND FACILITIES AND REMODELING, RECONSTRUCTING OR MAKING MAJOR ALTERATIONS, ADDITIONS AND MAJOR REPAIRS TO EXISTING FACILITIES INCLUDING ORIGINAL EQUIPMENT AND LANDSCAPING INCLUDING PLANTING OF SHADE TREES, PAVING AND OTHER SITE IMPROVEMENTS INCIDENTAL OR DIRECTLY RELATED TO SUCH REMODELING, RECONSTRUCTION OR REPAIR FOR PURPOSES OF SCHOOL DEPARTMENT (DOCKET NO. 0640)

Councillor YANCEY offered the following:

Ordered, That the sum of \$57,000,000 be, and hereby is, appropriated for projects which may become approved school projects within the meaning of Chapter 645 of the Acts of 1948, as amended, including the planning, designing, acquiring land for, constructing and originally equipping structures and facilities and for remodeling, reconstructing, or making major alterations, additions and major repairs to existing facilities including original equipment and landscaping, including the planting of shade trees, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair for the purposes of the School Department; and that to meet said appropriation the Collector/Treasurer be, and hereby is authorized under the provisions of Chapter 642 of the Acts of 1966, as amended, or under the provisions of Clauses (3) and/or (3A) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized by expended only for a high school in Mattapan.

Referred to the Committee on Ways and Means.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Scapicchio: Congratulating James J. Duffy, Inc. (Docket No. 0641); congratulating Detective

Jack Pierce (Docket No. 0642); congratulating Ryan Godfrey (Docket No. 0643); congratulating Candace Griffin (Docket No. 0644); congratulating Manuela Estevez (Docket No. 0645); congratulating Lois Maher (Docket No. 0646); congratulating the Bunker Hill Associates (Docket No. 0647); congratulating Doug MacDonald (Docket No. 0648).

Councillor Feeney: Commending Vietnamese Community in Massachusetts (Docket No. 0649); congratulating Francis Matt (Docket No. 0650); congratulating Jimmy O'Shea (Docket No. 0651).

Councillor Turner: Congratulating Ernest Desroches (Docket No. 0652); congratulating Ahmed Mubarak Abdullbad (Docket No. 0653); congratulating Dr. Cal Whitworth (Docket No. 0654); congratulating Gayle Taylor-Sutton (Docket No. 0655); congratulating Rev. Frank E. Kelley (Docket No. 0656); congratulating Amelia Edwards (Docket No. 0657); congratulating Rev. Cheng Imm Tan (Docket No. 0658); congratulating Police Officer Ernest Desroches (Docket No. 0659).

Councillor Feeney: Congratulating Dorchester Youth Hockey Midget "A's" (Docket No. 0660).

Councillor Ross: Congratulating four persons on completing the Steps to the Future Program (Docket No. 0661).

Councillors Turner and Yancey: Congratulating Malcolm Wynn (Docket No. 0662); congratulating John Thomas, Athletic Director and Olympian (Docket No. 0663); congratulating the Association of Black Social Workers, Boston Chapter (Docket No. 0664); congratulating the Roxbury Community College Tigers (Docket No. 0665).

The Chair stated that in the absence of objection, one late-filed matter would be added to the Consent Agenda.

No objection being heard, the following matter was added:

Councillor Yancey: Congratulating John J. Burchill (Docket No. 0666).

The matters contained within the Consent Agenda were severally adopted.

STATEMENT OF COUNCILLOR ROSS

Having unanimous consent to do so, Councillor ROSS wanted to adjourn today in memory of the six million Jews and five million other Holocaust victims.

Adjourned at 2:10 p.m. on motion of Councillor ROSS in memory of the six million Jews and five million other victims of the Holocaust to meet on Wednesday, May 10, 2000 at 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

May 10, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 12:10 p.m., President KELLY in the chair and all members present.

INVOCATION

Former City Councillor Gareth Saunders delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

PRESENTATION BY COUNCILLOR ROSS

Councillor Ross presented the MIS Department of City Hall with resolutions for their recent success in stopping the "I LOVE YOU" bug that destroyed most of the nation's computers last week.

ORDER AUTHORIZING SHERIFF OF SUFFOLK COUNTY TO ACCEPT AND EXPEND \$50,000 FROM COMMONWEALTH OF MASSACHUSETTS, DEPARTMENT OF PUBLIC HEALTH, BUREAU OF COMMUNICABLE DISEASE CONTROL AND CENTER FOR DISEASE CONTROL FOR IMPLEMENTATION OF SYPHILIS ELIMINATION PROGRAM (DOCKET NO. 0667)

The following was received:

City of Boston
Office of the Mayor

May 8, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an Order authorizing the Sheriff of Suffolk County to accept and expend an award in the amount of \$50,000 for the implementation of a Syphilis Elimination Program for the period of July 1, 1999, through June 30, 2002. This grant is made available by the Commonwealth of Massachusetts, Department of Public Health, Bureau of Communicable Disease Control, and the Center for Disease Control.

I urge your Honorable Body to adopt this Order at the earliest possible date so that the Sheriff may accept the funds expeditiously and expend them for the purpose for which they were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the Sheriff of Suffolk County, acting on behalf of the County of Suffolk, be and hereby is authorized to accept and expend, an amount not to exceed \$50,000 for the implementation of a Syphilis Elimination Project Program at the Suffolk County Sheriff's Department for the period July 1, 1999 through June 30, 2002. These funds are made available to the County through the Commonwealth of Massachusetts, Department of Public Health Bureau of Communicable Disease Control and the Center for Disease Control.

Referred to the Committee on Public Safety.

ORDER FOR CONFIRMATION OF APPOINTMENTS OF CONSTABLES AUTHORIZED FOR TERM EXPIRING APRIL 30, 2001 (DOCKET NO. 0668)

The following was received:

City of Boston
Office of the Mayor

May 8, 2000

To The City Council.

Dear City Councillors:

Subject to confirmation by your Honorable Body, I hereby appoint the following-named people on the attached order as Constables of the City of Boston, authorized to serve civil process upon filing of bond, for the period commencing May 1, 2000 and ending April 30, 2001.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the appointment of the following-named people as Constables of the City of Boston authorized to serve civil process upon filing of bond for the period commencing May 1, 2000 and ending April 30, 2001 be and the same hereby is approved.

The following recommendations for approval are renewal applicants.

Allston, Carroll R., 72 Waumbek St., Dorchester 02121

Beggan, John J., 482 East Eighth St., South Boston 02127

Consolo, John C., 262 East Eagle St., East Boston 02128

De los Santos, Juan, 1162 Morton St., Mattapan 02126

Ford, Robert M., 135 Elmer Rd., Dorchester 02124

Joyner, Derick, 565 River St., #3 Mattapan 02126

Lee, Robert E., 470 East Eighth St., South Boston 02127

Manganello, Brian, 237 Marion St., East Boston 02128

Manganello, Vincent, 237 Marion St., East Boston 02128

Mathieson, Jeffrey P., 300 Sumner St., East Boston 02128

Mayo, Francis X., 518 East Eighth St., South Boston 02127

Morceau, Andrew, 44 Mt. Vernon St., Charlestown 02129

Neves, Lawrence, 50 Island View Place, Boston 02125

Reardon, Bryan W., 74 Litchfield St., Brighton 02135

Souto, Maria C., 3 Dana Avenue, Hyde Park 02136

Suozzo, Wilfred P., 186 Leyden St., East Boston 02128

Witten, Edward J., 18 Parkside Drive, Jamaica Plain 02130-

Referred to the Committee on Government Operations.

ORDER FOR CONFIRMATION OF APPOINTMENTS OF CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING OF BOND FOR TERM EXPIRING APRIL 30, 2001 (DOCKET NO 0669)

The following was received:

City of Boston
Office of the Mayor

May 8, 2000

To The City Council.

Dear City Councillors:

Subject to confirmation by your Honorable Body, I hereby appoint the following-named people on the attached order as Constables of the City of Boston, authorized to serve civil process upon filing of bond, for

the period commencing May 1, 2000 and ending April 30, 2001.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That the appointment of the following-named people as Constables of the City of Boston authorized to serve civil process upon filing of bond for the period commencing May 1, 2000 and ending April 30, 2001 be and the same hereby is approved.

The following recommendations for approval are new applicants.

Bailey, Trevor C., 7 Everton St., Dorchester 02121
Conway, Daniel J., 42 Cedar St., Dorchester 02124
Forman, Michael A., 19 Merrill St., Dorchester 02121
McCarthy, James J., 4292 Washington St., Roslindale 02131

Tyszkowski, Robert, 780 Boylston St., Boston 02199
Referred to the Committee on Government Operations.

APPROVAL OF CONSTABLES' BONDS (DOCKET NO. 0670)

The Constables' Bonds of the following having been duly approved by the Collector-Treasurer, was received and approved:

Raymond R. Phoenix.

REPORT ON ORDER APPROVING PETITION FOR SPECIAL LAW RE DESTRUCTION OF FIREARMS (DOCKET NO. 0584)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 0584, order approving a petition for a special law re: destruction of firearms (referred April 26) — recommending passage of the order in the following new draft:

Ordered, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy, of this order be, and hereby is, approved under Clause (1) of Section eight of Article two, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

Petition for a Special Law re:

The Destruction of Firearms in the City of Boston

Whereas, Firearms and other similar weapons, when used for illegal or other inappropriate purposes, pose a significant danger to the public good; and

Whereas, The marketplace is flooded by such weapons because of illegal sales or sales through unregulated markets; therefore the purpose of the following bill is to decrease the number of weapons entering the illegal and/or unregulated marketplace.

Section 1. (a) The terms "Firearm", "Rifle", "Shotgun", "Sawed-off shotgun", "Machine gun", "Assault weapon", and "Weapon" shall have the same meaning as is applied in M.G.L. c.140, s.121.

(b) The term "Destroyed" shall mean to render the weapon useless or ineffective for its intended purpose.

Section 2. The police commissioner of the City of Boston shall cause all firearms, rifles, shotguns, sawed-off shotguns, machine guns, assault weapons and weapons, as defined above, brought into his/her custody through confiscation, gun buy-back programs or otherwise turned into the police department, to be destroyed.

Section 3. Such weapons that were purchased for use by the police department, but are no longer in use, shall be destroyed.

Section 4. The police commissioner shall administer this special law, provided that a weapon(s) is destroyed

within a reasonable time period after any evidentiary or investigatory need for the weapon has ceased.

The report was accepted; the order in the new draft was passed.

Docket Nos. 0275, 0276 and 0317 were withdrawn and referred back to the Committee on Housing.

ORDER FOR HEARING IN ORDER TO MAKE COMMENTS ON PROPOSED LEGISLATION REGARDING WIRELESS CELL TOWER SITINGS (DOCKET NO. 0671)

Councillors CONLEY, KELLY, FEENEY, HENNIGAN, HONAN, MURPHY, ROACHE, TURNER, SCAPICCHIO, DAVIS-MULLEN, FLAHERTY and YANCEY offered the following:

Whereas, The Massachusetts Municipal Association, The Conservation Law Foundation and the wireless telecommunications industry formed the Wireless Collaborative; and

Whereas, The collaborative was formed to reach an agreement on state legislation regarding wireless cell tower sitings; and

Whereas, An agreement was reached, and the legislation that the Wireless Collaborative is proposing would maintain local authority over siting requests; and

Whereas, Without said legislation, the state would be able to review and overturn local decisions regarding wireless sitings; and

Whereas, The Massachusetts Municipal Association is expecting local officials to comment on the proposed legislation before it is submitted to the state legislature; therefore be it

Ordered, That the Boston City Council hold a hearing in order to make comments regarding the proposed legislation, and to ascertain the administration's stance on said legislation.

Referred to the Committee on Information Technology.

RESOLUTION THAT TRUST FOR CITY HALL PLAZA PURSUE ESTABLISHMENT OF SPEAKERS CORNER WHERE RESIDENTS AND VISITORS CAN ASSEMBLE TO EXER- CISE THEIR FIRST AMENDMENT RIGHTS TO FREE SPEECH (DOCKET NO. 0672)

Councillors ROSS, KELLY, TURNER, CONLEY, DAVIS-MULLEN, FEENEY, HENNIGAN, HONAN, MURPHY, ROACHE, SCAPICCHIO and YANCEY offered the following:

Whereas, This country is blessed to have as its First Amendment to the Constitution the Freedom of Speech; and

Whereas, Cities throughout the world have adopted means of celebrating their freedom of speech; and

Whereas, In Hyde Park, England, there exists within a village plaza a place known as "Speakers Corner" where people come to debate and speak about any and all issues; and

Whereas, The City of Boston is in a unique opportunity to redesign City Hall Plaza to include a variety of civic uses; therefore be it

Resolved, The Trust for City Hall Plaza pursue the establishment of a Speakers Corner where residents and visitors can assemble to exercise their First Amendment rights to free speech.

On motion of President KELLY, the resolution was adopted.

ORDER FOR HEARING TO SOLICIT TESTIMONY FROM OFFICIALS RESPONSIBLE FOR ADMINISTRATION OF CITY'S LINKED

DEPOSIT PROGRAM AND FOR THE INVESTMENT OF CITY FUNDS IN AREA BANKS, THRIFTS AND OTHER FINANCIAL INSTITUTIONS (DOCKET NO. 0673)

Councillors FLAHERTY, FEENEY, HONAN, HENNIGAN, SCAPICCHIO, ROACHE, TURNER, CONLEY, DAVIS-MULLEN, MURPHY and ROSS offered the following:

Whereas, The Community Reinvestment Act (the "CRA") was passed by Congress in 1977 to encourage financial institutions to help meet the credit needs of the communities they serve, to promote safe and sound lending practices, and to provide responsible retail banking and community development services; and

Whereas, Federal and state regulators — through the Federal Reserve, the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, the Office of Thrift Supervision, and the Massachusetts Commissioner of Banks — monitor the performance of banks and thrifts in fulfilling their CRA obligations; and

Whereas, A 1990 amendment to the CRA requires that CRA ratings be made public, and that each bank or thrift must maintain a public file that contains the public section of its most recent CRA performance review, a list of its services and branches, written comments from the public, and certain other information; and

Whereas, The City of Boston (the "City") maintains a Linked Deposit program that requires the City to invest funds available for investment in financial institutions that are responsive to the credit and banking needs of Boston's neighborhoods, with particular concerns including the availability of construction and mortgage loans for affordable housing in every neighborhood, the promotion of public policy goals such as community reinvestment, affirmative marketing and non-discriminatory lending policies, and the provision of banking services to smaller, neighborhood-based businesses; and

Whereas, The federal Financial Services Modernization Act (Gramm-Leach-Bliley Act of 1999), recent bank mergers, and the rapidly changing financial services marketplace, raise questions about the CRAs; and the Linked Deposit Program's responsiveness to the credit and community development needs of low- and moderate-income residents of Boston; and

Whereas, The City has not produced since 1995 a public report detailing its investment performance within the spirit of the CRA and the context of the Linked Deposit program; therefore be it

Ordered, That the Boston City Council conduct a public hearing to solicit testimony from officials responsible for the administration of the City's Linked Deposit Program and for the investment of City funds in area banks, thrifts and other financial institutions, in order to assess the City's success in promoting and adhering to a community standard for the investment of City funds, and that other appropriate parties, including state and federal bank regulators, and representatives of area banks, thrifts and other financial institutions, also be invited to testify.

Referred to the Committee on Banking and Community Investment.

ORDER FOR HEARING TO EXPLORE WILLINGNESS OF AREA MUSEUMS, ART GALLERIES, HISTORIC PARKS AND SITES TO WORK COOPERATIVELY TOWARD ESTABLISHMENT OF BOSTON MUSEUM PASS (DOCKET NO. 0674)

Councillor FLAHERTY offered the following:

Whereas, The arts are an integral part of America's and Boston's cultural heritage, encouraging us to gain a deeper understanding of ourselves and of our society, while reminding us of the values and commitments that unite us as a country; and

Whereas, It is in the best interest of the public welfare to encourage the broadest possible exposure to the arts; and

Whereas, The City of Boston justifiably prides itself as an American center of art, culture, history and society, and the Boston area is home to scores of nationally- and internationally-renowned museums, art galleries, historic parks and historic sites; and

Whereas, Many other major cities across the country and around the world have in place highly successful Museum Pass programs that enable and encourage pass holders to visit any participating museums, galleries and sites, bypassing lines, for only the relatively low cost of the pass itself; and

Whereas, Boston has no comparable city-sponsored Museum Pass program; therefore be it

Ordered, That the Boston City Council conduct a hearing to explore the willingness of Boston area museums, art galleries, historic parks and historic sites to work cooperatively toward the establishment of a Boston Museum Pass, and that appropriate representatives of the foregoing, as well as representatives of the Mayor's Office of Cultural Affairs, be invited to attend and testify.

Referred to the Committee on Arts and Humanities.

ORDER FOR HEARING TO DISCUSS DRAFTING AND SUBMITTING LEGISLATION THAT WOULD REDUCE AGE OF "SENIOR" EXEMPTION FROM AGE 70 TO AGE 60 (DOCKET NO. 0675)

Councillors DAVIS-MULLEN, ROACHE, HENNIGAN, FEENEY, CONLEY, FLAHERTY, KELLY, HONAN, MURPHY, SCAPICCHIO, YANCEY, TURNER and ROSS offered the following:

Whereas, Persons over the age of 70 are eligible for the "senior" residential exemption, ranging from \$500 to \$1,000, depending on income eligibility, and

Whereas, Some Boston residents retire and live on fixed incomes at an age younger than 70, but are not eligible or allowed to claim the city's "senior" exemption because they have not reached the age of 70, therefore be it

Ordered, That the Boston City Council conduct a public hearing to discuss drafting and submitting legislation that would reduce the age of the "senior" exemption from age 70 to age 60.

Referred to the Committees on Elderly and Government Operations.

ORDER FOR HEARING TO EXAMINE INCOME REQUIREMENTS FOR HOMEOWNERS WHO QUALIFY FOR "SENIOR" RESIDENTIAL EXEMPTIONS AND DISCUSS DRAFTING LEGISLATION THAT WOULD INCREASE RESIDENTIAL EXEMPTION AMOUNT FOR HOMEOWNERS "CLASSIFIED" AS QUALIFYING FOR "SENIOR" RESIDENTIAL EXEMPTION (DOCKET NO. 0676)

Councillors DAVIS-MULLEN, ROACHE, HENNIGAN, FEENEY, CONLEY, FLAHERTY, KELLY, HONAN, MURPHY, SCAPICCHIO, YANCEY, TURNER and ROSS offered the following:

Whereas, The City of Boston currently provides a "senior" residential exemption for persons over the age of 70 ranging in the amount of \$500 to \$1,000, depending on the residents income eligibility, and

Whereas, Most retired persons, seniors and persons over the age of 70 are on a fixed income and deserve to be eligible for the "senior" exemption, and

Whereas, Real estate assessments for most homeown-

ers have increased and are scheduled to increase across Boston, therefore be it

Ordered, That the Boston City Council conduct a public hearing to a.) examine the income requirements for homeowners who qualify for the "senior" residential exemptions and b.) discuss drafting legislation that would increase the residential exemption amount for homeowners "classified" as qualifying for the "senior" residential exemption

Referred to the Committees on Elderly and Government Operations.

ORDER FOR HEARING TO DISCUSS DRAFTING AND CREATING LEGISLATION IN FORM OF HOME RULE PETITION THAT WOULD ALLOW CITY TO INCREASE RESIDENTIAL EXEMPTION RATE FOR OWNERS/OCCUPIERS OF LAND IN CITY (DOCKET NO. 0677)

Councillors DAVIS-MULLEN, ROACHE, HENNIGAN, FEENEY, CONLEY, FLAHERTY, KELLY, HONAN, MURPHY, SCAPICCHIO, YANCEY, TURNER and ROSS offered the following:

Whereas, Residential exemptions in the City of Boston are based on a set percentage of the total property value of all residential property in the city of Boston, and

Whereas, This rate is set at approximately 10–12% of total property value in Boston, resulting in approximately \$500 in tax savings for owner/occupiers of residential property in Boston, and

Whereas, The legislature sets this figure for certain cities and towns, the City of Boston being included, therefore be it

Ordered, The City Council conduct a public hearing to discuss drafting and creating legislation in the form of a home rule petition that would allow the City of Boston to increase the residential exemption rate for owners/occupiers of land in the City of Boston

Referred to the Committees on Elderly and Government Operations.

ORDER THAT COMMITTEE ON GOVERNMENT OPERATIONS HOLD HEARING TO DISCUSS POSSIBILITY OF AMENDING G.L. CHAPTER 59, SECTION 5, CLAUSE 41A, TAX DEFERRAL FOR HOMEOWNERS OVER AGE OF 65 (DOCKET NO. 0229)

The Chair called Docket No. 0229 and referred it to the Committees on Elderly and Government Operations along with the preceding three dockets.

ORDER FOR HEARING TO GET UPDATE ON AGENDA THAT ADMINISTRATION WILL UNDERTAKE TO STEER AFFORDABLE HOUSING POLICY IN CITY (DOCKET NO. 0678)

Councillors SCAPICCHIO, HENNIGAN, MURPHY, ROSS, CONLEY, DAVIS-MULLEN, FEENEY, ROACHE, HONAN, KELLY and FLAHERTY offered the following:

Whereas, The Mayor stated in his State of the City address that he would ask the Council to set aside one-third of the city's surplus property fund or roughly \$13 million in new city funds, in addition to the money raised from the sale of the old Berkeley Street police headquarters, and put that money to work on homes that working people can afford; and

Whereas, While the former police headquarters sale has not yet been finalized, the surplus property fund does include monies that could fund an effort to create housing in the short-term; and

Whereas, Although the Council fully understands the difficult task of formalizing a comprehensive plan that comports with and does not retard the natural forces of the marketplace, the pace of change in our neighborhoods is pressuring us to move the affordable housing crisis from discussion to action; and

Whereas, The Council has yet to see even a preliminary plan of housing initiatives, whether it be new construction, creative use of tax credits or efforts to preserve affordability in buildings that lose federal subsidies; therefore be it

Ordered, That the City Council hold a public hearing to get an update on the Administration's agenda that the city will undertake to steer affordable housing policy in the city and that members of the Administration and other interested parties be invited to testify.

Referred to the Committee on Housing.

ORDER APPROVING PETITION FOR SPECIAL LAW RE: CITIES AND TOWNS: PURPOSES FOR BORROWING MONEY WITHIN DEBT LIMIT (DOCKET NO. 0679)

Councillor HENNIGAN offered the following:

Ordered, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause (1) of Section eight of Article two, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

Section 1. Purpose: The purpose of this bill is to give the City of Boston the authority to incur debt in order to address the housing needs of low- and moderate-income people.

Section 2. Section 7 of Chapter 44 of the Massachusetts General Laws is hereby amended by inserting after clause (31) the following clause:

(32) In Boston, for the original construction or remodeling of housing units including acquiring land therefor and other incidental costs to such construction, provided that original construction does not exceed six units per structure, not to exceed twenty years.

Referred to the Committee on Housing.

ORDER FOR LOAN OF \$97,745,000 FOR SCHOOL DEPARTMENT (DOCKET NO. 0446)

Councillor HENNIGAN called Docket No. 0446 from the Assignment Sheet.

Hearing no objection, the matter was before the body.

Councillor YANCEY moved that the loan of \$97,745,000 be reduced to \$41,000,000.

The motion was not carried; yeas 2, nays 10, present 1:

Yeas — Councillors Turner, Yancey — 2.

Nays — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Ross, Scapicchio — 10.

Present — Councillor Roache — 1.

The order received its second reading and final passage; yeas 11, nays 1, present 1:

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross, Scapicchio — 11.

Nays — Councillor Yancey — 1.

Present — Councillor Turner — 1.

LATE-FILED MATTERS

The Chair stated that, in absence of objection, one late-filed matter would be added to the Agenda.

No objection being heard, the following matter was added:

**ORDER REQUESTING CERTAIN INFORMATION
UNDER SECTION 17F RE: BOSTON HOUSING
AUTHORITY (DOCKET NO. 0689)**

Ordered, That under the provisions of Section 17F of Chapter 452 of the Acts of 1948, as amended, and under any other applicable provision of law, His Honor, the Mayor, be and hereby is, requested to obtain and deliver to the City Council, within one week of the receipt hereof, the following information:

1) Is there a Boston Housing Authority (BHA) policy(s) currently in place to alleviate the affordable housing crisis in Boston?

2) Has the BHA ever issued bonds for housing purposes, whether for construction or repair?

3) If the answer to the preceding question is yes, when was the last issuance, what was the dollar amount and for what length of time were the bonds issued?

4) Is the BHA seeking other monies, whether from the state or federal government, for the purpose of upgrading empty units to livable conditions?

The rules were suspended; the order was passed.

STATEMENT OF COUNCILLOR HONAN

Having unanimous consent to do so, Councillor HONAN asked that when we adjourn today, we do so in memory of Patrick O'Brien from Brighton.

STATEMENT OF COUNCILLOR FEENEY

Having unanimous consent to do so, Councillor FEENEY wanted also to adjourn today in memory of a Dorchester resident, Joe Langis.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Honan: Congratulating Phil Weiner (Docket No. 0680).

Councillor Scapicchio: Declaring May 20, 2000 (Docket No. 0681).

Councillors Turner and Yancey: Congratulating Carson Ford (Docket No. 0682); congratulating Jessica Gonzalez (Docket No. 0683); congratulating John Jackson (Docket No. 0684); honoring and declaring May 11, 2000 (Docket No. 0685).

Councillor Flaherty: Congratulating Home for Little Wanderers (Docket No. 0686); congratulating Ronald Kelner (Docket No. 0687).

Councillor Ross: Recognizing MIS Department (Docket No. 0688).

The Chair stated that in the absence of objection, three late-filed matters would be added to the Consent Agenda.

No objection being heard, the following matters were added:

Councillors Turner and Yancey: Congratulating Nicole Johnson (Docket No. 0690); congratulating Senator Edward W. Brooke III (Docket No. 0691); congratulating Kenneth Quickel, Jr., M.D. (Docket No. 0692).

The matters contained within the Consent Agenda were severally adopted.

Adjourned at 1:20 p.m. on motion of President KELLY in memory of Patrick O'Brien and Joe Langis to meet on Wednesday, May 17, 2000 at 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, May 17, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 12:20 p.m., President KELLY in the Chair and all members present.

INVOCATION

Pastor Carl D. Jefferson, New Covenant Christian Church International, delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

LOAN ORDER OF \$833,250 FOR PLANNING, DESIGNING, ACQUIRING LAND FOR, CONSTRUCTION AND ORIGINALLY EQUIPPING STRUCTURES AND FACILITIES AND FOR REMODELING, RECONSTRUCTING OR MAKING MAJOR ALTERATIONS, ADDITIONS AND MAJOR REPAIRS TO EXISTING FACILITIES INCLUDING ORIGINAL EQUIPMENT AND LANDSCAPING INCLUDING PLANTING OF SHADE TREES, PAVING AND OTHER SITE IMPROVEMENTS INCIDENTAL OR DIRECTLY RELATED TO SUCH REMODELING, RECONSTRUCTION OR REPAIR FOR PURPOSES OF SCHOOL DEPARTMENT*(DOCKET NO. 0693)

The following was received:

City of Boston
Office of the Mayor

May 15, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an appropriation Order in the amount of \$833,250 for the planning, designing, acquiring land for, constructing and originally equipping structures and facilities and for remodeling, reconstructing, or making major alterations, additions and major repairs to existing facilities including original equipment and landscaping, including the planting of shade trees, paving and other site improvements incidental or directly related to such remodeling, reconstruction, or repair for the purposes of the School Department.

I urge your Honorable Body to pass this Order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$833,250 be, and hereby is, appropriated for projects which may become approved school projects within the meaning of Chapter 645 of the Acts of 1948, as amended, including the planning, designing, acquiring land for, constructing and originally equipping structures and facilities and for remodeling, reconstructing, or making major alterations, additions and major repairs to existing facilities including original equipment and landscaping, including the planting of shade trees, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair for the purposes of the School Department; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Section 8 of Chapter 645 of the Acts of 1948, as amended, or under the provisions of Chapter

642 of the Acts of 1966, as amended, or under the provisions of Clauses (3) and/or (3A) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized be expended only on those projects as described by name attached herein.

Attachment

School Department

1. Mary Lyon School

Councillor HONAN moved that the order be given its first reading and passage.

The motion was carried.

The order was given its first reading and passage, yeas 13, and assigned for further action.

PRESENTATION BY COUNCILLOR FEENEY

Councillor FEENEY presented a resolution to two young women representing St. Ann's Color Guard who competed and won in Dayton, Ohio, the World Championship for the Year 2000.

NOTICE FROM CITY CLERK RE: ACTIONS TAKEN BY MAYOR ON PAPERS ACTED UPON BY CITY COUNCIL AT ITS APRIL 26, 2000 MEETING (DOCKET NO. 0694)

The following was received:

City of Boston
Office of the City Clerk

May 15, 2000

To The City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of April 26, 2000, viz:

0444 — Order approving an appropriation of \$1,300,000 from the income of the George F. Parkman Fund for the maintenance and improvement of the Boston Common and Parks.

Approved by the Mayor May 5, 2000.

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

REPORT ON ORDER TO REDUCE APPROPRIATION FOR RESERVE FOR COLLECTIVE BARGAINING BY \$64,839 IN ORDER TO FUND FY00 COST ITEMS OF COLLECTIVE BARGAINING AGREEMENT FOR SCHOOL BUS MONITORS (DOCKET NO. 0447)

Councillor DAVIS-MULLEN, on behalf of the Committee on Education and School Matters, submitted the following:

Report on Docket 0447, message of the Mayor and order to reduce the appropriation for the Reserve for Collective Bargaining by \$64,839 in order to fund the FY00 cost items of collective bargaining agreement for School Bus Monitors (referred March 29) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR SUPPLEMENTAL APPROPRIATION OF \$3,875,655 FOR SCHOOL DEPARTMENT FOR FY00 (DOCKET NO. 0448)

Councillor DAVIS-MULLEN, on behalf of the Committee on Education and School Matters, submitted

the following:

Report on Docket 0448, message of the Mayor and order for supplemental appropriation of \$3,875,655 for the School Department for FY00 (referred March 29) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER FOR HEARING ON INCIDENT THAT OCCURRED ON SHAWMUT AVENUE WHEN DAMAGED WIRES FROM TRAFFIC SIGNAL CONTROL BOX CAME IN CONTACT WITH UTILITY COVER (DOCKET NO. 0298)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 0298, order for a hearing on the incident that occurred on Shawmut Avenue when damaged wires from a traffic signal control box came in contact with a utility cover (referred February 2) — recommending the order be placed on file.

The report was accepted; **the order was placed on file.**

RESOLUTION THAT CITY COUNCIL REQUEST STATE TREASURER AND EXECUTIVE DIRECTOR OF STATE LOTTERY COMMISSION TO STUDY FEASIBILITY OF OFFERING REDEMPTION VALUE FOR USED SCRATCH TICKETS AS MEANS OF REDUCING LITTERING THROUGHOUT COMMONWEALTH (DOCKET NO. 0695)

Councillors SCAPICCHIO, CONLEY, KELLY, ROACHE, MURPHY, HONAN, HENNIGAN, FLAHERTY, FEENEY, DAVIS-MULLEN, TURNER and YANCEY offered the following:

Whereas, Litter negatively impacts the quality of life for residents throughout Boston's neighborhoods; and

Whereas, The areas surrounding convenience stores and other lottery agents are often littered with discarded lottery scratch tickets; and

Whereas, Additional efforts to combat the problem of littering and increased education regarding proper trash disposal are necessary; and

Whereas, A redemption value for used lottery tickets would greatly reduce the littering of these tickets, particularly around convenience stores et al., therefore be it

Resolved, That the Boston City Council request the State Treasurer and the Executive Director of Massachusetts State Lottery Commission to study the feasibility of offering a redemption value for used scratch tickets as a means of reducing littering throughout the Commonwealth, and be it further

Resolved, That this resolution be sent to the State Treasurer and the Executive Director of the Massachusetts State Lottery Commission.

Referred to the Committee on State and Federal Relations.

ORDER FOR HEARING TO EXAMINE CURRENT SYSTEM IN WEST END REGARDING NIGHTLY MECHANICAL STREET CLEANING PROGRAM (DOCKET NO. 0696)

Councillors SCAPICCHIO, DAVIS-MULLEN, MURPHY, ROSS, HONAN, HENNIGAN, ROACHE, TURNER and KELLY offered the following:

Whereas, The West End neighborhood is burdened with a nightly mechanical street cleaning program on its streets; and

Whereas, This program prohibits residents from parking overnight anywhere in their community; and

Whereas, In actuality, the streets are cleaned only one or two nights per week; and

Whereas, It appears that no other residential neighborhood faces this unfair situation seven nights per week, therefore be it

Ordered, That the City Council's Committee on Economic Development and Transportation hold a hearing to examine the current system and seek changes in the cleaning schedule, and be it further

Ordered, That appropriate personnel from the Public Works Department, Boston Transportation Department, and Public Improvement Commission be invited to attend.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR HEARING TO EXAMINE ISSUES SURROUNDING VALET SERVICES AND DETERMINE WHETHER FREEZE ON VALET RENEWALS IS APPROPRIATE (DOCKET NO. 0697)

Councillors SCAPICCHIO, ROSS, KELLY, FLAHERTY, YANCEY, TURNER, ROACHE, MURPHY, HONAN and HENNIGAN offered the following:

Whereas, Valet parking services for restaurants are ubiquitous on streets in our communities; and

Whereas, Traffic flow, pedestrian safety, and parking problems are major quality of life issues in our neighborhoods; and

Whereas, Valet services exacerbate existing problems causing increased delays, danger, and parking loss; and

Whereas, Valet services throughout Boston do not conduct operations in accordance with applicable laws and regulations; and

Whereas, Valet parking permits must be renewed annually, therefore be it

Ordered, That the City Council's Committee on Economic Development and Transportation hold a hearing to examine the issues surrounding valet services and determine whether a freeze on valet renewals is appropriate, and be it further

Ordered, That appropriate personnel from the Boston Transportation Department be invited to attend.

Referred to the Committee on Economic Development and Transportation.

ORDINANCE RE: CITY COMMISSIONED STUDIES AND REPORTING (DOCKET NO. 0698)

Councillor ROACHE offered the following:

Be it ordained by the City Council of Boston, as follows:

Section 1. Upon the commissioning of any study by the administration or a department, agency or board of the City of Boston, notice of the study shall be sent to each city councillor. Said notice shall contain a description of the subject of the study. The notice shall also contain an anticipated start and end date of the study.

Section 2. Upon the completion of such a study, a final report shall be sent to each city councillor. Final reports shall be delivered to each councillor's office no later than two weeks after a study is completed.

Referred to the Committee on Government Operations.

RESOLUTION THAT CITY COUNCIL URGES REPRESENTATIVE TIMOTHY TOOMEY, HOUSE CHAIRMAN FOR COMMITTEE ON PUBLIC SAFETY TO RELEASE "AN ACT TO AMEND SPEED LIMIT INSIDE THICKLY SETTLED OR BUSINESS DISTRICTS" FROM STUDY AND RECOMMEND FAVORABLE REPORT AND THAT HOUSE, SENATE AND GOVERNMENT

NOR MOVE TO PASS THIS ACT EXPEDITIOUSLY (DOCKET NO. 0699)

Councillors CONLEY, ROSS, DAVIS-MULLEN, KELLY, HONAN, MURPHY, YANCEY, HENNIGAN, FLAHERTY, FEENEY, ROACHE, SCAPICCHIO and TURNER offered the following:

Whereas, "An Act to Amend the Speed Limit Inside Thickly Settled or Business Districts" is currently in the House of Representatives' Committee on Public Safety; and

Whereas, This Act would reduce the speed limit in said areas from 30 MPH to 25 MPH; and

Whereas, The City of Boston's Transportation Department believes that a reduction in the speed limit in these areas would help to address public safety concerns; and

Whereas, At least twenty-two other states have adopted a 25 MPH speed limit in such areas; and

Whereas, Boston City Councillors receive numerous constituent calls regarding speed limits in residential areas; therefore be it

Resolved, That the Boston City Council, herein assembled, urges the Honorable Timothy Toomey, House Chairman for the Committee on Public Safety, to release this Act from study and recommend a favorable report; and be it further

Resolved, That the House, Senate and Governor move to pass this Act expeditiously; and be it further

Resolved, That a copy of this resolution be sent to the Representative Timothy Toomey, House Speaker Thomas Finneran, Senate President Thomas Birmingham, Governor Argeo Paul Cellucci, and all members of the Boston delegation in the House and Senate.

Councillor CONLEY moved that the resolution be amended by adding in the first Resolved after the word "Safety" the words "and the Honorable Angelo M. Scaccia, House Chairman for the Committee on Rules."

Councillor YANCEY moved that the resolution be further amended by adding in the last Resolved after the word "Toomey" the words "Representative Angelo M. Scaccia."

The motions were carried.

The resolution, as amended, was adopted.

MEETING OF EXECUTIVE SESSION

President KELLY moved that the City Council recess at 1:10 p.m. for a meeting of Executive Session to discuss the litigation matter of Counsel to the Council.

The motion was carried; yeas 12, nays 1.

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Roache, Ross, Scapicchio, Turner, Yancey — 12.

Nays — Councillor Murphy — 1.

RECESS

The meeting of Executive Session having adjourned, the members reassembled in the Iannella Council Chamber and were called to order by President KELLY at 2:45 p.m.

ORDER FOR HEARING TO BE ADVISED OF PROGRESS OF COUNTDOWN CROSSWALK SIGNALS INITIATIVE (DOCKET NO. 0700)

Councillor MURPHY offered the following:

Whereas, The City Council's Committee on Public Safety held a hearing on March 30th, 1999 to determine the desirability and feasibility of installing the technologically advanced countdown crosswalk signals at various locations around the City and the Committee reported favorably on the benefits of the technology; and

Whereas, Mayor Thomas M. Menino endorsed the installation of this advancement in pedestrian safety with a public announcement of implementation within the City; and

Whereas, Other cities and towns have made the transition to this technology and have seen great success with its use; and

Whereas, The Boston Transportation Department was to provide a list of intersections and crossing locations, in priority, that should have the countdown crosswalk signals installed; therefore be it

Ordered, That the appropriate committee of the Boston City Council hold a hearing to be advised of the progress of this countdown crosswalk signal initiative and that the City of Boston Transportation Department be invited to advise on this information; and be it further

Ordered, That interested members of the public be invited to attend and give testimony.

Referred to the Committee on Public Safety.

ORDER FOR HEARING INTO MATTERS OF RECONSTRUCTION OF SUMMER STREET BRIDGE OVER RESERVE CHANNEL, THE RECENTLY CONSTRUCTED NORTHERN AVENUE AND PARKING OF TOURIST BUSES ON OLD NORTHERN AVENUE NOW AND WHEN SOUTH BOSTON WATERFRONT IS DEVELOPED (DOCKET NO. 0701)

Councillors KELLY offered the following:

Ordered, That the Boston City Council conduct a public hearing into (1) the matter of reconstruction of the Summer Street Bridge over the Reserve Channel, (2) the reason why the recently constructed new Northern Avenue, that initially had been open for six weeks has been closed to traffic for the past six months; and (3) the parking of tourist buses on old Northern Avenue now, and when the South Boston Waterfront is developed; and be it further

Ordered, that a representative from the Public Works Department and the Transportation Department, be invited to attend.

Referred to the Committee on Economic Development and Transportation.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0702)

Councillor KELLY offered the following:

Ordered, That effective Saturday, May 20, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, July 28, 2000:

Danielle M. Daddahbo, secretary, \$200, part time
Passed under suspension of the rules.

ORDER FOR HEARING TO EXAMINE ECONOMIC IMPACTS OF AMENDING CHAPTER 371 AND ARTICLE 80B-7 OF ZONING CODE TO SHORTEN PAYMENT SCHEDULE OF HOUSING EXACTION (DOCKET NO. 0703)

Councillors HONAN, FLAHERTY, CONLEY, HENNIGAN, ROACHE, MURPHY and DAVIS-MULLEN offered the following:

Whereas, A serious public emergency exists in the City of Boston with respect to housing; and

Whereas, The Administration has put forth a home rule petition to amend Section 16 of Chapter 371 of the Acts of 1987, to increase the measured value of the affordable housing exaction to \$7.18 per square foot for commercial and retail developments in excess of one hundred thousand square feet; and

Whereas, There have been strong concerns expressed by housing advocacy groups that the current payment

schedule promulgated in Article 80B-7 of the Boston Zoning Code allows for a depreciation of the actual dollar value of the exaction fee over a seven or twelve year pay-in period; and

Whereas, There is an immediate need to supply affordable housing for low- and moderate-income residents of the city in conjunction with the development and construction of new large-scale commercial real estate projects; and

Whereas, In the past the city has borrowed money against the promised linkage stream, thereby incurring more than \$5 million in interest costs; and

Whereas, The City of Boston's pay-in period is out of step with the common practice followed by other municipalities that have a linkage program; therefore be it

Ordered, That the Boston City Council conduct a public hearing to examine the economic impacts of amending Chapter 371 and Article 80B-7 of the Boston Zoning Code to shorten the payment schedule of the housing exaction to mandate that one half of the exaction be paid upon issuance of the certificate of occupancy with the balance due to be paid upon the second anniversary of that date; and be it further

Ordered, That representatives of the Boston Redevelopment Authority, Massachusetts Association of Community Development Corporations, Massachusetts Affordable Housing Alliance, Citizens Housing and Planning Association, Greater Boston Interfaith Organization, Boston Tenant Coalition, private developers, and other interested parties be invited to testify.

Referred to the Committee on Economic Development and Transportation.

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT (PUBLIC FACILITIES DEPARTMENT) TO APPLY FOR FEDERAL FY2000 HOUSING OPPORTUNITIES FOR PERSON WITH AIDS (HOPWA) FUNDS OF \$1,980,000 FROM DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DOCKET NO. 0528)

Councillor HENNIGAN called Docket No. 0528 from the Committee on Housing.

Hearing no objection, the matter was before the body.

On motion of Councillor Hennigan, **the order was passed.**

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT (PUBLIC FACILITIES DEPARTMENT) TO APPLY FOR FY2000 HOME INVESTMENT PARTNERSHIPS PROGRAM GRANT OF \$6,804,000 FROM DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DOCKET NO. 0529)

Councillor HENNIGAN called Docket No. 0529 from the Committee on Housing.

Hearing no objection, the matter was before the body.

On motion of Councillor Hennigan, **the order was passed.**

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT (PUBLIC FACILITIES DEPARTMENT) TO APPLY FOR FEDERAL FY2000 EMERGENCY SHELTER GRANT OF \$882,000 FROM DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DOCKET NO. 0530)

Councillor HENNIGAN called Docket No. 0530 from the Committee on Housing.

Hearing no objection, the matter was before the body.
On motion of Councillor Hennigan, **the order was passed.**

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT (PUBLIC FACILITIES DEPARTMENT) TO APPLY FOR, ACCEPT AND EXPEND FY2000 SHELTER PLUS CARE GRANT OF \$6,236,520 FROM U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DOCKET NO. 0616)

Councillor HENNIGAN called Docket No. 0616 from the Committee on Housing.

Hearing no objection, the matter was before the body.

On motion of Councillor Hennigan, **the order was passed.**

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT (PUBLIC FACILITIES DEPARTMENT) TO APPLY FOR, ACCEPT AND EXPEND FEDERAL FY2000 LEAD-BASED PAINT HAZARD PROGRAM GRANT OF \$3,000,000 FROM U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DOCKET NO. 0617)

Councillor HENNIGAN called Docket No. 0617 from the Committee on Housing.

Hearing no objection, the matter was before the body.

On motion of Councillor Hennigan, **the order was passed.**

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT (PUBLIC FACILITIES DEPARTMENT) TO APPLY FOR FY2000 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) OF \$24,816,000 FROM DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DOCKET NO. 0531)

Councillor HENNIGAN called Docket No. 0531 from the Committee on Ways and Means.

Hearing no objection, the matter was before the body.

On motion of Councillor HENNIGAN, **the order was passed.**

ORDER AUTHORIZING PARKS AND RECREATION DEPARTMENT TO APPLY FOR, ACCEPT AND EXPEND GRANTS OF \$43,000 FROM DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO PROVIDE FUNDING FOR CAPITAL PARKS PROJECT ENTITLED "REHABILITATION OF THE PATH SYSTEM IN THE GRANARY BURYING GROUND" (DOCKET NO. 0527)

Councillor FEENEY called Docket No. 0527 from the Committee on City and Neighborhood Services.

Hearing no objection, the matter was before the body.

On motion of Councillor Feeney, **the order was passed.**

ORDER THAT CITY COUNCIL ADOPT SECTION 59A OF CHAPTER 59 OF MGL (CLEANUP AND DEVELOPMENT OF SITES ZONED FOR COMMERCIAL OR INDUSTRIAL USE WHERE THERE HAS BEEN RELEASE OF OIL OR HAZARDOUS MATERIAL) (DOCKET NO. 0704)

Councillors YANCEY, TURNER, KELLY, FEENEY, MURPHY, SCAPICCHIO and ROSS offered the following:

Whereas, There are located within the City of Boston sites that are zoned for commercial or industrial use where there has been a release of oil or hazardous material; and

Whereas, The cleanup and development of such sites will benefit the environment and economic development of the City of Boston; and

Whereas, The City of Boston can increase the likelihood of cleanup and development of such site through the adoption of a local option statute as codified in section 59A of chapter 59 of the Massachusetts General Laws; therefore be it

Ordered, That the City Council adopt section 59A of chapter 59 of the Massachusetts General Laws.

On motion of Councillor Yancey, the rules were suspended; **the order was passed.**

ORDINANCE REGARDING NEGOTIATION AND APPROVAL OF BROWNFIELD TAX ABATEMENT AGREEMENTS (DOCKET NO. 0705)

Councillors YANCEY and TURNER offered the following:

City of Boston
In the year two thousand
AN ORDINANCE REGARDING THE
NEGOTIATION AND APPROVAL OF
BROWNFIELD TAX ABATEMENT AGREEMENTS

Whereas, There are located within the City of Boston sites that are zoned for commercial or industrial use where there has been a release of oil or hazardous material; and

Whereas, The cleanup and development of such sites will benefit the environment and economic development of the City of Boston; and

Whereas, The City Council urges the acceptance of section 59A of chapter 59 of the General Laws; therefore

Be it ordained by the City Council of Boston, as follows:
Section 1. Scope:

(a) Abatement agreements negotiated under this ordinance shall apply to sites zoned for commercial or industrial use where there has been a release of oil or hazardous material, and shall be negotiated between the city and an eligible person as defined in section 2 of chapter 21 E.

(b) The abatement of outstanding interest, penalties, and payment of real estate tax obligations on such sites or portions of sites may be negotiated.

(c) The terms of such abatement agreements shall include, but shall not be limited to, the amount outstanding, the per cent of interest to accrue if determined applicable by the parties, the description of quantifiable monthly payments, the inception date of such payments, the date of final payment, late penalties, and any other contractual obligations arranged between the parties. The terms of repayment shall be set at the discretion of the Mayor or his/her designee and shall be included in the agreement between the parties.

Section 2. Persons authorized to negotiate agreements:

(a) The Mayor or his/her designee shall negotiate agreements as authorized under this ordinance.

(b) Before an agreement is negotiated, notice of the pending negotiation shall be sent to the district city councilor who represents the district where the site is located. Said notice shall include a description of the proposed development project and an invitation to attend said negotiations. A city councilor who is invited to attend may make written recommendations to the city's negotiator regarding contractual obligations to be contained in the final agreement between

the parties.

Section 3. Approval of abatement agreements:

(a) Approval of all abatement agreements shall require a majority vote of the City Council and approval by the Mayor.

On motion of Councillor Yancey, the rules were suspended; **the ordinance was passed.**

ORDER FOR HEARING TO CONSIDER STATUS OF CABLEVISION CONTRACT AND RECENTLY SIGNED RCN CONTRACT (DOCKET NO. 0706)

Councillor YANCEY offered the following:

Whereas, The City of Boston has entered into two contracts, Cablevision and RCN for the provision of cable service to the citizens of Boston; and

Whereas, The public has not been appropriately informed or consulted concerning possible changes in cost or services from these contracts, Be It

Ordered, That the appropriate committee hold hearings to consider the status of the Cablevision contract and the recently signed RCN contract, and be it further

Ordered, That representatives of the administration, Cablevision and RCN and the general public be invited to testify.

Referred to the Committee on Information Technology.

LATE-FILED MATTERS

The Chair stated that, in absence of objection, one late-filed matter would be added to the Agenda.

No objection being heard, the following matter was added:

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 0732)

Councillor KELLY offered the following:

Ordered, That effective Saturday, May 20, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, June 30, 2000:

Matthew Benedetti, administrative assistant, \$803.45, full time

Adriana Cillo, secretary, \$813.03, full time.

Alex Geourntas, secretary, \$1,148.28, full time.

Passed under suspension of the rules.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Roache: Congratulating Linda Davies (Docket No. 0707).

Councillor Turner: Congratulating Massachusetts Chapter, Teamsters' National Black Caucus (Docket No. 0708); congratulating Justo Carcia, Board Member of Casa Latina (Docket No. 0709); congratulating Casa Latina (Docket No. 0710).

Councillor Conley: Congratulating 18 Citizen School Volunteers at the Washington Irving Middle School (Docket No. 0711).

Councillor Hennigan: Congratulating Paul R. DeLaria (Docket No. 0712).

Councillor Roache: Congratulating National Association of Letter Carriers (Docket No. 0713).

Councillor Scapicchio: Congratulating Frankie Cino (Docket No. 0714).

Councillors Kelly and Flaherty: Congratulating Councillor Francis "Mickey" Roache, South Boston Boys and Girls Club Alumnus of the Year (Docket No. 0715).

Councillor Honan: Congratulating five persons for volunteering with Citizen Schools at the Garfield Elementary School (Docket No. 0716); congratulating 17 persons for their support to Citizen Schools at the Garfield Campus (Docket No. 0717); congratulating Jenny Allen (Docket No. 0718); congratulating Ife Franklin (Docket No. 0719); congratulating Bo Lembo (Docket No. 0720); congratulating Analissa Bianchi (Docket No. 0721); congratulating Tricia Ray (Docket No. 0722); congratulating Lauren Stangone (Docket No. 0723).

Councillor Roache: Declaring week of May 14-20, 2000 "Boston Emergency Medical Service Week." (Docket No. 0724).

Councillor Ross: Congratulating Mary Ann Hardenbergh (Docket No. 0725); commending Fenway Community Development Corporation (Docket No. 0726).

Councillor Yancey: Reverend Paul Schwenzfeier (Docket No. 0727); congratulating Una S.T. Clarke (Docket No. 0728); congratulating Basil K. Bryan (Docket No. 0729); congratulating Bishop Paul L. McKoy (Docket No. 0730); congratulating the Honorable Edward Gabriel, U.S. Ambassador to Morocco. (Docket No. 0731)

The Chair stated that in the absence of objection, one late-filed matter would be added to the Consent Agenda.

No objection being heard, the following matter was added:

Councillor Feeney: St. Ann's Color Guard (Docket No. 0733).

The matters contained within the Consent Agenda were severally adopted.

STATEMENT OF COUNCILLOR MURPHY

Having unanimous consent to do so, Councillor MURPHY asked when we adjourn today we do so in memory of Sergeant Michael O'Rourke, a Boston

Police Officer who died suddenly this week at the age of forty-three.

STATEMENT OF COUNCILLOR FEENEY

Having unanimous consent to do so, Councillor FEENEY wanted also to remember Sergeant O'Rourke and asked when we adjourn today we also do so in memory of Alexander "Dan" Coyne.

STATEMENT BY PRESIDENT KELLY

The Chair moved that the Council go into Executive Session on May 24, 2000 to discuss the strategy on issues pending before the Council or may be pending before the Council.

The motion was carried, yeas 9:

Yeas — Conley, Davis-Mullen, Feeney, Hennigan, Kelly, Murphy, Roache, Scapicchio, Yancey — 9.

NEXT MEETING

President KELLY moved that when the Council adjourns today, it be to meet again on Wednesday, June 7, 2000 at 12:00 noon.

The motion was carried.

Adjourned at 3:20 p.m. on motion of the Chair in memory of Sergeant Michael O'Rourke and Alexander "Dan" Coyne to meet again on Wednesday, June 7, 2000 at 12 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, June 7, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 1:55 p.m., President KELLY in the Chair and all members present.

INVOCATION

Minister Christopher G. Womack, God's Posse, delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

PRESENTATION BY COUNCILLOR FEENEY

Councillor FEENEY presented three young ladies from Dorchester with a resolution for their participation in the Little Miss Dorchester contest.

PRESENTATION BY COUNCILLOR HONAN

Councillor HONAN presented Lawrence Coolidge with a resolution of gratitude for his volunteering in keeping the banks of the Charles River clean and beautiful over the last twelve years using his own equipment and automobile.

PRESENTATION BY COUNCILLOR YANCEY

Councillor YANCEY presented a resolution to Firefighter David Ostiguy who is a hero in the eyes of all Boston residents but in particular the family of Deanna Williams, the little four-year-old twin who was rescued from a horrendous fire last weekend. Deanna was unconscious and lying limp when Firefighter Ostiguy, after hearing the pleas of help from Deanna's mother outside the burning building, went into the burning building and saved the child's life.

MESSAGE DISAPPROVING ORDER ADOPTING SECTION 59A OF CHAPTER 59 OF MGL (CLEANUP AND DEVELOPMENT OF SITES ZONED FOR COMMERCIAL OR INDUSTRIAL USE WHERE THERE HAS BEEN RELEASE OF OIL OR HAZARDOUS MATERIAL) (DOCKET NO. 0704)

The following was received:

City of Boston
Office of the Mayor

June 2, 2000

To the City Council.

Dear Councillors:

I return herewith, unsigned and disapproved, an Order passed by your Honorable Body on May 17, 2000, Docket No. 0704, which purports to accept the provisions of § 33 of Chapter 206 of the Acts of 1998, G.L. c.59, § 59A.

While I appreciate the Council's interest in environmental cleanup, an area in which my Administration has taken the lead, I believe that the procedural requirements of the Ordinance passed by your Honorable Body to implement this provision (Docket No. 0705), would complicate, rather than streamline, brownfields redevelopment.

The present statutory framework for the redevelopment of brownfields in the City of Boston is clearly working — witness the redevelopment of Modern Electroplating, the City's worst brownfield, which will soon be under way. The present scheme also forecloses the possibility that a brownfield owner could receive a windfall through property tax abatement.

Further, the involvement of your Honorable Body in the development process would blur the separation of powers principles set forth in the City Charter by involving City Councillors in the negotiation of abatement agreements, and by requiring City Council approval of abatement agreements.

Under the City Charter, the City Council and its members are expressly prohibited from taking any part in the making of contracts or in the executive or administrative business of the City. St. 1948, c.452, §17G.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Whereas, There are located within the City of Boston sites that are zoned for commercial or industrial use where there has been a release of oil or hazardous material; and

Whereas, The cleanup and development of such sites will benefit the environment and economic development of the City of Boston; and

Whereas, The City of Boston can increase the likelihood of cleanup and development of such site through the adoption of a local option statute as codified in section 59A of chapter 59 of the Massachusetts General Laws; therefore be it

Ordered, That the City Council adopt section 59A of chapter 59 of the Massachusetts General Laws.

Assigned for further action.

MESSAGE DISAPPROVING ORDINANCE REGARDING NEGOTIATION AND APPROVAL OF BROWNFIELD TAX ABATEMENT AGREEMENTS (DOCKET NO. 0705)

The following was received:

City of Boston
Office of the Mayor

June 2, 2000

To the City Council.

Dear Councillors:

I return herewith, unsigned and disapproved, an Ordinance passed by your Honorable Body on May 17, 2000, Docket No. 0705, which purports to implement the provisions of § 33 of Chapter 206 of the Acts of 1998, G.L. c.59, § 59A.

As noted in my veto of Docket No. 0704, I appreciate the Council's interest in environmental cleanup, an area in which my Administration has taken the lead. Nevertheless, I believe that the procedural requirements of this Ordinance, including City Council approval of tax abatement contracts, would complicate, rather than streamline, brownfields redevelopment.

The present statutory framework for the redevelopment of brownfields in the City of Boston is clearly working — witness the redevelopment of Modern Electroplating, the City's worst brownfield, which will soon be underway. The present scheme also forecloses the possibility that a brownfield owner could receive a windfall through property tax abatement.

The involvement of your Honorable Body in the redevelopment of brownfields would also blur the separation of powers principles set forth in the City Charter. Under the Charter, the City Council and its members are expressly prohibited from taking any part in the making of contracts or in the executive or administrative business of the City. St. 1948, c.452, §17G.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

CITY OF BOSTON
In the year two thousand

AN ORDINANCE REGARDING THE
NEGOTIATION AND APPROVAL OF
BROWNFIELD TAX ABATEMENT AGREEMENTS

Whereas, There are located within the City of Boston sites that are zoned for commercial or industrial use where there has been a release of oil or hazardous material; and

Whereas, The cleanup and development of such sites will benefit the environment and economic development of the City of Boston; and

Whereas, The City Council urges the acceptance of section 59A of chapter 59 of the General Laws; therefore

Be it ordained by the City Council of Boston, as follows:

Section 1. Scope:

(a) Abatement agreements negotiated under this ordinance shall apply to sites zoned for commercial or industrial use where there has been a release of oil or hazardous material, and shall be negotiated between the city and an eligible person as defined in section 2 of chapter 21E.

(b) The abatement of outstanding interest, penalties, and payment of real estate tax obligations on such sites or portions of sites may be negotiated.

(c) The terms of such abatement agreements shall include, but shall not be limited to, the amount outstanding, the per cent of interest to accrue if determined applicable by the parties, the description of quantifiable monthly payments, the inception date of such payments, the date of final payment, late penalties, and any other contractual obligations arranged between the parties. The terms of repayment shall be set at the discretion of the Mayor or his/her designee and shall be included in the agreement between the parties.

Section 2. Persons authorized to negotiate agreements:

(a) The Mayor or his/her designee shall negotiate agreements as authorized under this ordinance.

(b) Before an agreement is negotiated, notice of the pending negotiation shall be sent to the district city councillor who represents the district where the site is located. Said notice shall include a description of the proposed development project and an invitation to attend said negotiations. A city councillor who is invited to attend may make written recommendations to the city's negotiator regarding contractual obligations to be contained in the final agreement between the parties.

Section 3. Approval of abatement agreements:

(a) Approval of all abatement agreements shall require a majority vote of the City Council and approval by the Mayor.

Assigned for further action.

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO ACCEPT AND EXPEND FY2000 EMERGENCY SHELTER GRANT OF \$882,000 FROM U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DOCKET NO. 0734)

The following was received:
City of Boston
Office of the Mayor

May 23, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval, an Order authorizing the City of Boston to accept and expend Federal Fiscal Year 2000 Emergency Shelter Grant (ESG) funds in an amount not to exceed \$882,000 awarded to the City of Boston by the U.S. Department of Housing and

Urban Development (HUD).

I urge you to adopt this order as soon as possible so that the City may implement its City FY2001 programs in a timely manner on July 1, 2000.

Sincerely yours,

Thomas M Menino,
Mayor of Boston.

Whereas, Title IV, Subtitle B of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 1137), as amended, contains provisions authorizing the U.S. Department of Housing and Urban Development (HUD) to make grants to units of general local government under the Emergency Shelter Grants (ESG) program; and

Whereas, Funds in the amount of \$1.02 billion have been appropriated for Homeless Assistance Grants, including the Emergency Shelter Grants program, by the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 2000 (Pub. L. 106-74); and

Whereas, The City of Boston is entitled to receive a Fiscal Year 2000 Emergency Shelter Grant in an amount not to exceed \$882,000; and

Whereas, The Department of Neighborhood Development (Public Facilities Department) will administer the FY2000 Emergency Shelter Grant (ESG) funds; now, therefore, be it

Ordered, that the City of Boston, acting by and through its Department of Neighborhood Development, be and hereby is, authorized to accept from the U.S. Department of Housing and Urban Development for a FY2000 Emergency Shelter Grant in an amount not to exceed \$882,000, and to expend said funds in accordance with M.G.L.c. 44s. 53A for the purposes for which granted as stated in the City of Boston's Federal FY2000 Action Plan, and in connection therewith, to execute and deliver such documents as may be required by the U.S. Department of Housing and Urban Development.

Referred to the Committee on Housing.

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO ACCEPT AND EXPEND FY2000 HOME INVESTMENT PARTNERSHIPS GRANT OF \$6,804,000 FROM U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DOCKET NO. 0735)

The following was received:

City of Boston
Office of the Mayor

May 23, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval, an Order authorizing the City of Boston to accept and expend Federal Fiscal Year 2000 HOME Investment Partnerships (HOME) funds in an amount not to exceed \$6,804,000 awarded to the City of Boston by U.S. Department of Housing and Urban Development (HUD).

I urge you to adopt this order as soon as possible so that the City may implement its City FY2001 programs in a timely manner on July 1, 2000.

Sincerely yours,

Thomas M. Menino,
Mayor of Boston.

Whereas, Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990 (42 U.S.C. 12701-12839), as amended, contains provisions authorizing the U.S. Department of Housing and Urban Development to make grants to units of general local government under the HOME Investment Partnerships (HOME) program; and

Whereas, Funds in the amount of \$1.6 billion dollars have been appropriated for the HOME Investment Partnerships programs by the Departments of Veterans Affairs and Housing Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 2000 (Pub. L. 106-74); and

Whereas, The City of Boston is entitled to receive a Fiscal Year 2000 HOME Investment Partnerships Program grant in an amount not to exceed \$6,804,000; and

Whereas, The Department of Neighborhood Development (Public Facilities Department) will administer the FY2000 HOME Investment Partnerships funds; now, therefore, be it

Ordered, That the City of Boston, acting by and through its Department of Neighborhood Development (Public Facilities Department), be and hereby is, authorized to accept from the U.S. Department of Housing and Urban Development a FY2000 HOME Investment Partnerships Program Grant in an amount not to exceed \$6,804,000, and to expend said funds in accordance with M.G. L. c. 44s. 53A for the purposes for which granted as stated in the City of Boston's Federal FY2000 Action Plan, and in connection therewith, to execute and deliver such documents as may be required by the U.S. Department of Housing and Urban Development.

Referred to the Committee on Housing.

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO ACCEPT AND EXPEND FY2000 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) GRANT OF \$1,980,000 FROM U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) (DOCKET NO. 0736)

The following was received:

City of Boston
Office of the Mayor

May 23, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval, an Order authorizing the City of Boston to accept and expend Federal Fiscal Year 2000 Housing Opportunities for Persons With AIDS (HOPWA) funds in amount not to exceed \$1,980,000 awarded to the City of Boston by the U.S. Department of Housing and Urban Development (HUD).

I urge you to adopt this order as soon as possible so that the City may implement its City FY2001 programs in a timely manner on July 1, 2000.

Sincerely yours,

Thomas M. Menino,
Mayor of Boston.

Whereas, Title VIII, subtitle D of the Cranston-Gonzalez National Affordable Housing Act of 1990 (42 U.S.C. 12901), as amended, authorizes the U.S. Department of Housing and Urban Development to make grants to units of general local government under the Housing Opportunities for Persons With AIDS (HOPWA) program; and

Whereas, Funds in the amount of \$232 million have been appropriated for the Housing Opportunities for Persons with AIDS (HOPWA) program by the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 2000 (Pub. L. 106-74); and

Whereas, The City of Boston is entitled to receive a Fiscal Year 2000 Housing Opportunities for Person With AIDS program grant in an amount not to exceed \$1,980,000; and

Whereas, The Department of Neighborhood Development (Public Facilities Department) will administer the FY2000 Housing Opportunities for

Persons With AIDS funds; now, therefore, be it

Ordered, That the City of Boston, acting by and through its Department of Neighborhood Development (Public Facilities Department), be and hereby is, authorized to accept from the U.S. Department of Housing and Urban Development a FY2000 Housing Opportunities for Persons With AIDS Grant in an amount not to exceed \$1,980,000, and to expend said funds in accordance with M.G.L. c. 44s.53A for the purposes for which granted as stated in the City of Boston's Federal FY2000 Action Plan, and in connection therewith, to execute and deliver such documents as may be required by the U. S. Department of Housing and Urban Development.

Referred to the Committee on Housing.

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO ACCEPT AND EXPEND FY2000 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) OF \$24,816,000 FROM U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) (DOCKET NO. 0737)

The following was received:

City of Boston
Office of the Mayor

May 23, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval, an Order authorizing the City of Boston to accept and expend Federal Fiscal Year 2000 Community Development Block Grant (CDBG) funds in an amount not to exceed \$24,816,000 awarded to the City of Boston by the U.S. Department of Housing and Urban Development

I urge you to adopt this order as soon as possible so that the City may implement its City FY2001 programs in a timely manner on July 1, 2000.

Sincerely yours,

Thomas M. Menino,
Mayor of Boston.

Whereas, Title I of the Housing and Community Development Act of 1974, (42 U.S.C. 5301), as amended, contains provisions authorizing the U.S. Department of Housing and Urban Development (HUD) to make grants to units of general local government under the Community Development Block Grant (CDBG) program; and

Whereas, Funds in the amount of \$4.8 billion dollars have been appropriated for the Community Development Block Grant (CDBG) programs by the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 2000 (Pub. L. 106-74); and

Whereas, The City of Boston is entitled to receive a Fiscal Year 2000 Community Development Block Grant in an amount not to exceed \$24,816,000; and

Whereas, The Department of Neighborhood Development (Public Facilities Department) will administer the FY2000 CDBG funds; now, therefore, be it

Ordered, that the City of Boston, acting by and through its Department of Neighborhood Development (Public Facilities Department), be and hereby is, authorized to accept from the U. S. Department of Housing and Urban Development a Federal FY2000 Community Development Block Grant funds in an amount not to exceed \$24,816,000, and to expend said funds in accordance with M.G.L. c 44s.53A for the purposes for which granted as stated in the City of Boston's Federal FY2000 Action Plan, and in connection therewith, to execute and deliver such documents as may be required by the U.S. Department of Housing and Urban Development.

Referred to the Committee on Ways and Means.

ORDER AUTHORIZING COMMISSIONER OF TRANSPORTATION DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$50,000 FROM MASSACHUSETTS HIGHWAY DEPARTMENT FOR PURPOSE OF FUNDING PLANNING EFFORT FOR SOUTH COVE HARBOR TRAIL (DOCKET NO. 0738)

The following was received:
City of Boston
Office of the Mayor

May 24, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order that authorizes the City of Boston to accept and expend a grant from the Massachusetts Highway Department in the amount not to exceed \$50,000, for the purpose of funding the planning effort for the South Cove Harbor Trail, which will help to improve access to the Fort Point Channel area.

I urge your Honorable Body to pass this order as soon as possible so that the City can receive the funds and implement the program expeditiously.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the City of Boston, acting by and through its Transportation Commissioner, be, and hereby is, authorized, in accordance with Section 53A of Chapter 44 of the Massachusetts General Laws, to accept and expend a grant from the Massachusetts Highway Department in the amount not to exceed \$50,000, for the purpose of funding the planning effort for the South Cove Harbor Trail, which will help to improve access to the Fort Point Channel area.

Referred to the Committee on Economic Development and Transportation.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF STEPHEN M. UVA AS MEMBER OF BOSTON EMPLOYMENT COMMISSION FOR TERM EXPIRING AUGUST 30, 2000 (DOCKET NO. 0739)

Notice was received from the Mayor of the appointment of Stephen M. Uva as a member of the Boston Employment Commission for a term expiring August 30, 2000.

Placed on file.

NOTICE RECEIVED FROM DEPARTMENT OF TELECOMMUNICATION AND ENERGY OF HEARING ON JUNE 8, 2000 RE: RAIL FIXED GUIDEWAY SYSTEM OF MBTA (DOCKET NO. 0740)

Notice was received from the Department of Telecommunication and Energy of hearing on June 8, 2000 re: Rail Fixed Guideway System of the MBTA.

Placed on file.

COMMUNICATION RECEIVED FROM DONNA MUELLER, EXECUTIVE OFFICER OF BOSTON RETIREMENT BOARD RE: CERTIFICATION AND TRANSMITTAL TO CITY COUNCIL OF FY2001 BUDGET (DOCKET NO. 0741)

Communication was received from Donna Mueller, Executive Officer of the Boston Retirement Board re: Certification and Transmittal to City Council of FY2001 Budget

Placed on file.

NOTICE RECEIVED FROM MAYOR OF REAPPOINTMENT OF ALEXANDER H. MACLEOD TO BOARD OF EXAMINERS FOR TERM EXPIRING MAY 1, 2002 (DOCKET NO. 0742)

Notice was received from the Mayor of the reappointment of Alexander H. MacLeod to the Board of Examiners for a term expiring May 1, 2002

Placed on file.

NOTICE RECEIVED FROM MAYOR OF REAPPOINTMENT OF T. F. SCOTT DARLING III TO BOARD OF EXAMINERS FOR TERM EXPIRING MAY 1, 2003 (DOCKET NO. 0743)

Notice was received from the Mayor of the reappointment of T. F. Scott Darling III to the Board of Examiners for a term expiring May 1, 2003.

Placed on file.

LOAN ORDER OF \$833,250 FOR SCHOOL DEPARTMENT (DOCKET NO. 0693)

Councillor HONAN called Docket No. 0693 from the Assignment Sheet.

Hearing no objection, the matter was before the body.

On motion of Councillor HONAN, **the order was given its second and final reading and passage; yeas 13.**

REPORT ON ORDER FOR CONFIRMATION OF REAPPOINTMENT OF DIANNE CAVALERI AS MEMBER OF BOSTON PUBLIC HEALTH COMMISSION (DOCKET NO. 0117)

Councillor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket 0117, message of the Mayor and order for confirmation of the reappointment of Dianne Cavaleri as a member of the Boston Public Health Commission (referred November 17, 1999) — recommending passage of the order.

The report was accepted: the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF REAPPOINTMENT OF JOHN CRADDOCK AS MEMBER OF BOSTON PUBLIC HEALTH COMMISSION (DOCKET NO. 0118)

Councillor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket 0118, message of the Mayor and order for confirmation of the reappointment of John Craddock as a member of the Boston Public Health Commission (referred November 17, 1999) — recommending passage of the order.

The report was accepted: the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF REAPPOINTMENT OF DAVID H. MULLIGAN AS MEMBER OF BOSTON PUBLIC HEALTH COMMISSION (DOCKET NO. 0213)

Councillor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket 0213, message of the Mayor and order for confirmation of the reappointment of David H. Mulligan as a member of the Boston Public Health Commission (referred January 26) — recommending passage of the order.

The report was accepted: the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF REAPPOINTMENT OF JUDY ANN BIGBY AS MEMBER OF BOSTON PUBLIC HEALTH COMMISSION (DOCKET NO. 0214)

Councillor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket 0214, message of the Mayor and order for confirmation of the reappointment of Judy Ann Bigby as a member of the Boston Public Health Commission (referred January 26) — recommending passage of the order.

The report was accepted; the order was passed.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 0744)

Councillor KELLY offered the following:

Ordered, That effective Saturday, June 3, 2000, the following-named persons be, and hereby are, appointed to the position set against their names until Friday, June 23, 2000:

Janet M. Doherty, secretary, \$973.50, part time.

Annamarie Geary, secretary, \$1,249.75, part time.

Carolyn Geary, administrative assistant, \$2,096.14, full time

Paul J. Walkowski, administrative assistant, \$1,900.32, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 0745)

Councillor KELLY offered the following:

Ordered, That effective Saturday, June 24, 2000, the following-named persons be, and hereby are, appointed to the position set against their names until Friday, September 22, 2000:

Janet M. Doherty, secretary, \$307.50, part time.

Annamarie Geary, secretary, \$419.75, part time.

Carolyn Geary, administrative assistant, \$929.48, full time

Paul J. Walkowski, administrative assistant, \$901.32, full time

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 0746)

Councillor KELLY offered the following:

Ordered, That effective Saturday, July 1, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, September 29, 2000:

Mark A. Chardavoyne, secretary, \$574.72, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 0747)

Councillor KELLY offered the following:

Ordered, That effective Saturday, June 3, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, June 10, 2000:

Tracy Holt, administrative assistant, \$525, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0748)

Councillor KELLY offered the following:

Ordered, That effective Saturday, June 10, 2000, the

following named person be, and hereby is, appointed to the position set against their name until Friday, June 16, 2000:

Ann S. McGough, administrative assistant, \$1,436.80, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0749)

Councillor KELLY offered the following:

Ordered, That effective Saturday, June 3, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, June 9, 2000:

George Morancy, administrative assistant, \$825.03, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0750)

Councillor KELLY offered the following:

Ordered, That effective Saturday, June 10, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, September 22, 2000:

George Morancy, administrative assistant, \$996.17, full time

Passed under suspension of the rules.

ORDER FOR HEARING RE: SAIL BOSTON 2000 (DOCKET NO. 0751)

Councillors FLAHERTY, KELLY, MURPHY, HENNIGAN, SCAPICCHIO, FEENEY and ROACHE offered the following:

Whereas, Between July 11 and July 21, 2000, the City of Boston will celebrate Sail Boston 2000, with a magnificent international fleet of Tall Ships visiting the port of Boston as part of the International Sail Training Association's Tall Ships 2000 Race Series; and

Whereas, Boston is the only official race port in the United States for the Tall Ships 2000 Race Series and will welcome a flotilla of over 100 Tall Ships and Flag Ships from around the world; and

Whereas, An estimated 6 million spectators are expected to visit Boston to take part in the celebration of the largest and finest gathering of Tall Ships in the history of the United States; and

Whereas, The Mayor's Office of Special Events and Tourism is working in close cooperation with other city, state and federal agencies, and particularly with the Massachusetts Port Authority, on such important issues as crowd control, parking and vehicular traffic, public transportation, vendor permits, public safety, viewing areas, community benefits, et al.; and

Whereas, The City Council is desirous of being updated on current planning issues surrounding the enormous undertaking of managing such a large public event in the city; therefore be it

Ordered, That the City Council hold a public hearing for the purpose of being so updated by appropriate representatives of the Mayor's Office of Special Events and Tourism, the Massachusetts Port Authority, and other such agencies as the City Council shall see fit to invite for the purpose of delivering testimony and responding to members' questions and concerns.

Referred to the Committee on Tourism.

ORDER FOR HEARING TO REVIEW STATUS OF AND PROCESS OF HACKNEY, JITNEY AND SIGHTSEEING BUS LICENSES (DOCKET

NO. 0752)

Councillor SCAPICCHIO offered the following:

Ordered, That the appropriate Committee of the Boston City Council hold a hearing to review the present status of and the process used by the City to issue licenses to operate motor vehicles for the carriage of passengers for hire upon any public way in Boston including Hackneys, Jitneys and Sightseeing Buses and that the appropriate officials from the Boston Police Department, Boston Transportation Department and the Boston Law Department be invited to attend and testify.

Referred to the Committee on Economic Development and Transportation.

ORDER FOR HEARING TO EXAMINE POSSIBILITY OF CITY OFFERING YEARLY PARKING PERMITS FOR RENTAL VEHICLES OR OFFERING SOME OTHER PROGRAM WHICH ENCOURAGES RENTALS (DOCKET NO. 0753)

Councillor SCAPICCHIO offered the following:

Whereas, The City of Boston faces an acute parking crisis in many of its neighborhoods due to the fact that there are more registered vehicles in the city than there are parking spaces; and

Whereas, Residents are encouraged to seek alternate means of transportation; and

Whereas, We support residents who choose not to own cars in the city, yet often use rental vehicles, especially on the weekends; and

Whereas, Residents now need to obtain temporary resident parking permits for rental cars, or risk receiving parking tickets in residential areas; and

Whereas, It can be difficult to obtain these temporary permits due to time constraints and the hours of operation of the parking clerk; and

Whereas, Other municipalities, such as Cambridge and Revere, offer yearly parking permits for a small annual fee, therefore be it

Ordered, That the City Council hold a hearing to examine the possibility of the City of Boston offering yearly parking permits for rental vehicles or offering some other program which encourages rentals; and be it further

Ordered, That the appropriate personnel from the Boston Transportation Department be invited to attend.

Referred to the Committee on Economic Development and Transportation.

ORDINANCE RE: RECYCLING MECHANISMS (DOCKET NO. 0754)

Councillors ROSS and CONLEY offered the following:

City of Boston
In the year two thousand

AN ORDINANCE REGARDING RECYCLING MECHANISMS

Whereas, The City of Boston's Public Works Department makes available free recycling services to those who choose to participate; and

Whereas, Despite free recycling services, the City of Boston's targeted goals for recycling have not been realized; and

Whereas, Collection of recyclable materials from multi unit residential premises has lagged behind collections of such materials from premises of several units or less; and

Whereas, Instituting a recycling mechanism for multi unit residential premises will increase the amount of recyclable materials collected by the city; therefore
Be it ordained by the City Council of Boston, as

follows:

Section 1. City of Boston Code, Ordinances, Chapter 7-13.4 is hereby amended by adding the following after paragraph (g).

(h.) The owners of residential premises with ten (10) units or more shall submit to the Commissioner a recycling plan for their properties. The plan shall identify the respective property, and include the number of units, details for a holding facility for recyclable materials, and shall describe any structural changes that may be necessary for implementation of the holding facility. Said plans shall also include a statement by the owner that he/she will post notice, in a common area, notifying all residents of the need to place recyclable materials in the holding facility. Said notice shall include the dates and times of collections by the city.

Property owners shall cause the recyclable materials contained in holding facilities to be placed at the appropriate place of collection at the appropriate times as specified by the Commissioner. The means by which said materials will be placed for collection shall be specified in the property's recycling plan.

The Commissioner, through authority granted in this ordinance, shall approve, reject or amend said plans. Once a plan is approved and the holding facility is operational, the Commissioner shall schedule collection of materials from said holding facilities.

All recycling plans shall be delivered to the Commissioner no later than six (6) months from the date this ordinance takes effect.

Referred to the Committee on Environment and Historic Preservation.

ORDINANCE RE: TRESPASSING ON PRIVATE PROPERTY (DOCKET NO. 0755)

Councillor KELLY offered the following:

In City Council
CITY OF BOSTON

Be it ordained in the city of Boston as follows:

Whereas, The United States Postal Service recently adopted a regulation that letter carriers must cut across lawns of private property owners rather than use established sidewalks, walkways or pathways; and

Whereas, This regulation was adopted ostensibly to cut down on the time of delivery of mail; and

Whereas, A memorandum from the United States Postal Service deputy counsel states that the U.S. Postal Service may adopt broad regulations of a general character to accomplish its purpose in the most efficient manner possible; and

Whereas, The adoption of a local ordinance respecting private property interests, in no way infringes on the exercise of any duty to deliver mail; therefore be it ordained as follows:

Section 1. In the city of Boston, all delivery personnel, including letter carriers, whether employed by a private firm, a government agency, or government-supported corporation, shall use sidewalks and accepted and approved walkways when accessing private property, and, excepting for necessity or emergency, shall refrain from traversing lawns or other private property not normally used as a walkway by the general public in order to effect delivery.

Referred to the Committee on Economic Development and Transportation.

ORDER FOR HEARING RE: VACATION AND CREDIT TIME BENEFITS TO WIDOW OF JOHN ROCHE (DOCKET NO. 0756)

Councillors DAVIS-MULLEN, FEENEY, KELLY and MURPHY offered the following:

Whereas, Mr. John Roche was a 14-year veteran of the Suffolk County Sheriff's Department; and

Whereas, While Mr. Roche was ill, his colleagues

pooled their vacation and credit time; and

Whereas, Mr. Roche died unexpectedly on April 27, 2000, after his colleagues had already donated their vacation and credit time; and

Whereas, When Mr. Roche passed away, he had only used 2 of the 40 1/2 weeks of vacation and credit time that had been donated to him; and

Whereas, Mr. Roche left behind a widow and two small children; and

Whereas, There is some dispute over allowing Mr. Roche's widow, Jean Roche, to collect the outstanding benefits; therefore let it be

Ordered, That the Boston City Council conduct a public hearing concerning the paying of vacation and credit time benefits to the widow of Mr. John Roche.

Referred to the Committee on Government Operations.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0757)

Councillor KELLY offered the following:

Ordered, That effective Saturday, June 10, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, June 30, 2000:

Louis Covino, secretary, \$567.83, full time.

Passed under suspension of the rules.

LATE-FILED MATTERS

The Chair stated that, in absence of objection, seven late-filed matters would be added to the Agenda.

No objection being heard, the following matters were added:

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0797)

Councillor KELLY offered the following:

Ordered, That effective Saturday, June 10, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, June 30, 2000:

Edward Kountz, secretary, \$1,666.65, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 0798)

Councillor KELLY offered the following:

Ordered, That effective Saturday, June 3, 2000, the following-named persons be, and hereby are, appointed to the position set against their names until Friday, June 16, 2000:

Joyce L. Holland, secretary, \$1,738.37, full time.

Karen M. Pinckney, secretary, \$930.56, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 0799)

Councillor KELLY offered the following:

Ordered, That effective Saturday, June 17, 2000, the following-named persons be, and hereby are, appointed to the position set against their names until Friday, August 25, 2000:

Joyce L. Holland, secretary, \$1,015.32, full time.

Karen M. Pinckney, secretary, \$555.56, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0800)

Councillor KELLY offered the following:

Ordered, That effective Saturday, June 3, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, June 23, 2000:

Kenneth W. Yarbrough, secretary, \$1,422.61, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0801)

Councillor KELLY offered the following:

Ordered, That effective Saturday, June 24, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, August 25, 2000:

Kenneth W. Yarbrough, secretary, \$622.61, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 0802)

Councillor KELLY offered the following:

Ordered, That effective Saturday, June 10, 2000, the following-named persons be, and hereby are, appointed to the position set against their names until Friday, August 25, 2000:

Danielle M. Daddabbo, secretary, \$350, full time.

Janelle Hoffman, secretary, \$350, full time.

Passed under suspension of the rules.

ORDER RE: 17F ON SCHOOL ON MILDRED AVENUE (DOCKET NO. 0803)

Councillor YANCEY offered the following:

Ordered, That, under the provisions of Section 17F of Chapter 452 of the Acts of 1948, as amended, and under any other applicable provision of law, His Honor, the Mayor, be, and hereby is, requested to obtain and deliver to the City Council, within one week of the receipt hereof, the following information:

Itemization of all transactions made regarding the proposed development of a middle school and community center on Mildred Avenue in Mattapan, including but not limited to: all consulting fees, purchase of real estate, abatement of taxes, planning, design fees, architectural, demolition, site preparation, environment studies and cleanup, the names and addresses and amount paid to all vendors, property owners and consultants and anyone else receiving payment from the City of Boston regarding this project.

The rules were suspended; the order was passed.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Feeney: Congratulating Edward and Mary Keney (Docket No. 0758); congratulating Patricia Armstrong (Docket No. 0759).

Councillor Roache: Congratulating Mary Ann Hardenberg (Docket No. 0760).

Councillor Conley: congratulating seven recipients of the 2000 AHEPA Scholarship Athens Chapter # 24-Boston (Docket No. 0761).

Councillor Roache: Congratulating Kay Lydon (Docket No. 0762); congratulating seven persons on their graduation from the Charlestown Law Academy (Docket No. 0763).

Councillors Conley and Murphy: Congratulating

Faith Murphy (Docket No. 0764).

Councillor Murphy: Congratulating Thomas T.S. Cheng (Docket No. 0765).

Councillors Turner and Yancey: Congratulating U.S. Ambassador to the Republic of Senegal Harriet L. Elam-Thomas (Docket No. 0766).

Councillor Scapicchio: Congratulating Jan Reardon (Docket No. 0767); congratulating Richard D. O'Neil (Docket No. 0768).

Councillors Murphy and Feeney: Commending Keystone Apartments (Docket No. 0769).

Councillor Honan: Congratulating Shakeba Roberts (Docket No. 0770); congratulating Osly Flores (Docket No. 0771).

Councillor Davis-Mullen: Congratulating Mary "Nan" Tierney (Docket No. 0772).

Councillor Conley: Congratulating Mary DiNardi (Docket No. 0773); congratulating Anna Manganiello (Docket No. 0774).

Councillor Roache: Congratulating Carl Gullens (Docket No. 0775).

Councillor Murphy: congratulating Jean Dooley (Docket No. 0776).

Councillor Feeney: Congratulating five persons for their commitment to the Dorchester community (Docket No. 0777).

Councillor Scapicchio: Marion Dubrawski (Docket No. 0778).

Councillor Yancey: Congratulating the Honorable Roosevelt Douglas, Prime Minister of Dominica (Docket No. 0779).

Councillor Honan: Congratulating five recipients of the Allston-Brighton Unsung Hero Award (Docket No. 0780); congratulating Lawrence Coolidge (Docket No. 0781).

Councillors Yancey and Turner: Congratulating the Boston Chapter of the Conference of Minority Transportation Officials (COMTO) (Docket No. 0782); congratulating Ted Landsmark (Docket No. 0783); congratulating Johnnet West-Nutter (Docket No. 0784); congratulating Jack Bryant (Docket No. 0785); congratulating Robert H. Prince (Docket No. 0786); congratulating Rejasekaran Solaiappan (Docket No. 0787); congratulating Wilson Henderson (Docket No. 0788).

Councillor Yancey: Commending the Codman Square Health Center (Docket No. 0789); congratulating Maryclaire Knight (Docket No. 0790).

Councillor Conley: Congratulating Frances Levas (Docket No. 0791).

Councillor Feeney: Congratulating Samantha Barkowski (Docket No. 0792); congratulating Kelley Zaremski (Docket No. 0793); congratulating Katie Flaherty (Docket No. 0794).

Councillor Yancey: Congratulating the Boston Chapter of the National Association of Black Journalists (Docket No. 0795).

Councillor Conley: Congratulating Jerome Pitts (Docket No. 0796).

The Chair stated that in the absence of objection, three late-filed matters would be added to the Consent Agenda.

No objection being heard, the following matters were added:

Councillor Davis-Mullen: Congratulating Manny Delcarmen (Docket No. 0804).

Councillor Yancey: Congratulating Edward C. Freni (Docket No. 0805); congratulating David Ostiguy (Docket No. 0806).

The matters contained within the Consent Agenda were severally adopted.

COMMUNICATION OFFERED BY COUNCILLOR TURNER (DOCKET NO. 0807)

Having unanimous consent to do so, Councillor Turner offered the following:

May 25, 2000

Councillor Charles Turner
Boston City Council
City Hall Office
One City Hall Square
Boston, MA 02201

Dear Councillor Turner:

I would be grateful if you would convey to your fellow members of the Boston City Council our grateful appreciation for the Council's acknowledgement of the significance of the jury's verdict in the recent civil trial initiated by the family of my husband, Dr. Martin Luther King, Jr.

Since the mass media virtually embargoed the trial and the verdict, which vindicated my family's quest for truth and justice, the support of your prestigious City Council and the request to the President for the appointment of a Federal Grand Jury and a special Prosecutor, means a great deal to us. We have never believed that the government could fairly investigate itself.

I hope that you will continue to spread the word so that the people of America may gradually come to understand that Martin Luther King, Jr. was indeed taken from us by a conspiracy, which included agents of our own government.

With every best wish,

Yours sincerely,

Coretta Scott King

Placed on file.

STATEMENT OF COUNCILLOR MURPHY

Having unanimous consent to do so, Councillor MURPHY asked that when we adjourn today we do so in memory of James J. "Buddy" Callow, the father of Jim Callow, a member of his staff, who passed away last week.

STATEMENT OF COUNCILLOR MURPHY

Having unanimous consent to do so, Councillor MURPHY asked that when we adjourn today we do so also in memory of Maureen Tierney of Hyde Park, the wife of Paul Tierney, Register of Deeds.

STATEMENT OF COUNCILLOR SCAPICCHIO

Having unanimous consent to do so, Councillor SCAPICCHIO asked that when we adjourn today we do so in memory of Anthony Caggianelli, a dear friend of the Councillor's who was killed last week. Mr. Caggianelli leaves behind a young expectant wife.

STATEMENT OF PRESIDENT KELLY

President KELLY offered condolences on behalf of the Council to Councillor SCAPICCHIO realizing the close friendship the Councillor had with Anthony Caggianelli and the sadness of his untimely death.

Adjourned at 3:00 p.m., on motion of Councillor Kelly, in memory of Buddy Callow, Maureen Tierney and Anthony Caggianelli, to meet again on Wednesday, June 14, 2000 at 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, June 14, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 12:20 p.m., President KELLY in the Chair and all members present.

INVOCATION

Rabbi Shmuel Posner, delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

VISITOR TO CITY HALL

President KELLY invited Steve Ross, Councillor Mike Ross' father, to deliver a message today, June 14th, Flag Day. Mr. Ross was a Holocaust survivor and has great respect for this country and its flag. He gave a very moving account of his rescue from a concentration camp when he was fourteen years old; an American soldier came to the camp and gave him an American Flag which at that time had 48 stars on it and which he still has in his possession today. Mr. Ross stated he soon after "came to this great nation" for freedom with no knowledge of our language but a willingness and a desire to learn. He raised a family and teaches them to help others and to make a difference. He seems to be succeeding. Mr. Ross received a standing ovation.

ORDER APPROVING APPROPRIATION OF \$785,683.49 FOR LIBRARY OF LAST RECOURSE (DOCKET NO. 0808)

The following was received:
City of Boston
Office of the Mayor

May 24, 2000

To the City Council.
Dear Councillors:

I transmit for your approval an appropriation order in the amount of \$785,683.49 for the Library of Last Recourse from the funds currently held by the Collector-Treasurer.

I respectfully recommend adoption of this order by your Honorable Body.

Very truly yours,
Thomas M. Menino,
Mayor of Boston.

Ordered, That in addition to the appropriation heretofore, made, to meet salary expenses of the Library Department in the fiscal period commencing January 1, 2000 and ending March 31, 2000 that the sum of \$785,683.49 be, and the same hereby is appropriated, said sum to be met from the Commonwealth of Massachusetts under G.L. ch. 78, Sec 19c as amended by Ch. 636 Acts of 1970.

100-110000 Library Department
Personal Services \$785,683.49

The rules were suspended; the order was passed.

MESSAGE TRANSMITTING CERTAIN INFORMATION UNDER SECTION 17F RE: BOSTON HOUSING AUTHORITY (DOCKET NO. 0809)

The following was received:
City of Boston
Office of the Mayor

June 5, 2000

To The Boston City Council.
Dear Councillors:

Relative to the Section 17F information request, passed by your Honorable Body on May 10, 2000 for certain information re: Boston Housing Authority, please find the attached response.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

(Annexed hereto is the documentation referred to.)
Placed on file.

MESSAGE TRANSMITTING CERTAIN INFORMATION UNDER SECTION 17F RE: BOSTON FIRE DEPARTMENT (DOCKET NO. 0810)

The following was received:
City of Boston
Office of the Mayor

June 5, 2000

To The Boston City Council.
Dear Councillors:

Relative to the Section 17F information request passed by your Honorable Body on February 16, 2000 for certain information re: Boston Fire Department, please find the attached response.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

(Annexed hereto is the documentation referred to.)
Placed on file.

ORDER AUTHORIZING PARKS AND RECREATION DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$4,000,000 FROM COMMONWEALTH OF MASSACHUSETTS FOR REIMBURSEMENTS OF COSTS OF 2000 SUMMER YOUTH EMPLOYMENT PROGRAM (DOCKET NO. 0811)

The following was received:
City of Boston
Office of the Mayor

June 12, 2000

To the City Council.
Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Parks and Recreation Department, on behalf of the City of Boston, to accept and expend a Youth At-Risk grant award in an amount not to exceed \$4,000,000 from the Commonwealth of Massachusetts for reimbursement of the costs of the 2000 Summer Youth Employment Program.

The Youth-At-Risk grant will be administered through the Economic Development Industry Council and managed by the Parks and Recreation Department, which is coordinating the overall operational, financial management, and reporting of the Boston Youth Clean-Up Corps, the Boston Private Industry Council, and Action for Boston Community Development. The grant has been awarded for the purpose of hiring up to fifteen hundred (1,500) Boston residents, ages 14-20. The youths will be hired from the existing waiting lists of the Boston Youth Clean-Up Corps, the Boston Private Industry Council, and Action for Boston Community Development. The Boston Youth Clean-Up Corps will hire youths for positions within the Clean-Up Corps, community-based organizations, and non-profit agencies. Action for Boston Community Development is hiring youths for additional community-based organizations within the City. The Boston Private Industry Council is hiring youths for positions within the Boston

area Heath Education Consortium, the municipal court system, and other nonprofit organizations.

Administration of the 2000 Summer Youth Employment Program will not require additional full-time or part-time staffing. Existing personnel will be operating the program under the direction of the Chief of Basic City Service, Michael Galvin.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may accept and expend these funds expeditiously for the purposes for which they were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Parks and Recreation Department, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend a grant award not to exceed the amount of \$4,000,000 from the Commonwealth of Massachusetts. The purpose of said funds is for the reimbursement of the costs of the 2000 Summer Youth Employment Program.

Referred to the Committee on City and Neighborhood Services.

MESSAGE TRANSMITTING CERTAIN INFORMATION FROM POLICE DEPARTMENT RE: CRIME STATISTICS (DOCKET NO. 0812)

The following was received:

City of Boston
Office of the Mayor

June 13, 2000

To the Boston City Council.

Dear Councillors:

I transmit herewith information received from the Boston Police Department pertaining to crime statistics for the period commencing January 1, 2000 and ending May 31, 2000.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

(Annexed hereto is the documentation referred to.)

Placed on file.

COMMUNICATION FROM REPRESENTATIVE PAUL C. DEMAKIS RE: RESOLUTION PASSED BY CITY COUNCIL IN SUPPORT OF ACT TO AMEND SPEED LIMIT INSIDE THICKLY SETTLED AND BUSINESS DISTRICTS (DOCKET NO. 0813)

The following was received:

June 6, 2000

Rosaria Salerno, City Clerk
City of Boston.

Dear Ms. Salerno:

Thank you for forwarding a copy of the resolution passed by Boston City Council at its meeting on May 17, 2000 regarding an act to amend the speed limit inside thickly settled and business districts from 30 miles per hour to 25 miles per hour.

I am pleased to inform you that I also support a speed limit reduction in these areas and believe that such a reduction would help to address public safety concerns. I believe that it is imperative that we follow in the footsteps of the twenty-two other states that have already implemented similar speed limit reductions in heavily populated areas. I will work to take any action needed to ensure the well being of all pedestrians in the City of Boston.

Please communicate this information to the Boston City Council. If you have any further questions or comments, please do not hesitate to let me know.

Sincerely,

Paul C. Demakis,
State Representative.
8th Suffolk District.

Placed on file.

NOTICE RECEIVED FROM DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY RE: PROMULGATION OF REGULATIONS GOVERNING EXPEDITED DISPUTE RESOLUTION PROCESS FOR COMPLAINTS INVOLVING COMPETING TELECOMMUNICATIONS CARRIERS (DOCKET NO. 0814)

Notice was received from the Department of Telecommunications and Energy re: promulgation of regulations governing an expedited dispute resolution process for complaints involving competing telecommunications carriers.

Placed on file.

ABSENCE OF THE MAYOR
(DOCKET NO. 0815)

Notice was received from the Mayor of his absence from the City on June 8, 2000 until June 11, 2000.

Placed on file.

NOTICE FROM CITY CLERK RE: ACTIONS TAKEN BY MAYOR ON PAPERS ACTED UPON BY CITY COUNCIL AT ITS MAY 3, 2000 MEETING (DOCKET NO. 0816)

The following was received:

City of Boston
Office of the City Clerk

June 13, 2000

To The City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of May 3, 2000, viz:

0611 — Order authorizing the Commissioner of Parks and Recreation to accept and expend a grant of \$3,288 from the Department of Environment Management for pruning, fertilizing and mulching twelve beech trees in Franklin Park.
Approved by the Mayor May 11, 2000.

0612 — Order authorizing the Fire Commissioner to accept and expend a grant of \$20,000 from the Massachusetts Emergency Management Agency for local emergency planning and Hazardous Emergency Material Preparedness (HEMP) training.

Approved by the Mayor May 11, 2000.

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE: ACTIONS TAKEN BY MAYOR ON PAPERS ACTED UPON BY CITY COUNCIL AT ITS MAY 10, 2000 MEETING (DOCKET NO. 0817)

The following was received:

City of Boston
Office of the City Clerk

June 13, 2000

To The City Council.

Councillors,

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken

by the Mayor with regard to the papers acted upon by the City Council at its meeting of May 10, 2000, viz:
0446 — Order for loan of \$97,745,000 for the School Department.

Approved by the Mayor May 15, 2000.
0584 — Order approving a petition for a special law re: destruction of firearms.
No Action To Date.

0670 — Constable's Bond of Raymond Phoenix.
Approved by the Mayor May 24, 2000.

Very truly yours,
Rosaria Salerno,
City Clerk.

Placed on file.

REPORT ON ORDER FOR ANNUAL APPROPRIATION OF \$592,953,812 FOR THE SCHOOL DEPARTMENT (DOCKET NO. 0565)

Councillor DAVIS-MULLEN, on behalf of the Committee on Education and School Matters, submitted the following:

Report on Docket No. 0565, message of the Mayor and order for annual appropriation of \$592,953,812 for the School Department (referred April 26) — recommending the order be rejected without prejudice.

The report was accepted; **the order was rejected without prejudice.**

REPORT ON ORDER FOR HEARING TO REVIEW AND DISCUSS METHOD OF PROCEDURES OF COMMISSION APPOINTED TO STUDY POLICIES, PRACTICES AND ORGANIZATION OF FIRE DEPARTMENT (DOCKET NO. 0187)

Councillor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0187, order for a hearing to review and discuss the method of procedures of the Commission appointed to study the policies, practices and organization of the Fire Department (referred January 12) — recommending the order be placed on file.

The report was accepted; **the order was placed on file.**

REPORT ON ORDER FOR HEARING TO INVESTIGATE WHAT EFFECT RELEVANT STATUTES HAVE ON TAXPAYERS IN CONNECTION WITH THEIR ELECTED OFFICIALS' RESPONSIBILITIES OF BUDGETARY OVERSIGHT (DOCKET NO. 0189)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0189, order for a hearing to investigate what effect the relevant statutes have on taxpayers in connection with their elected officials' responsibilities of budgetary oversight (referred January 12) — recommending the order be placed on file.

The report was accepted; **the order was placed on file.**

REPORT ON ORDER AUTHORIZING SUFFOLK COUNTY SHERIFF TO ACCEPT AND EXPEND GRANT OF \$300,000 FROM EXECUTIVE OFFICE OF PUBLIC SAFETY FOR VIOLENT OFFENDER INCARCERATION AND TRUTH-IN SENTENCING INCENTIVE (DOCKET NO. 0554)

Councillor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0554, message of the Mayor and order authorizing the Suffolk County Sheriff to accept and expend a grant of \$300,000 from the Executive Office of Public Safety for the Violent Offender Incarceration and Truth in Sentencing Incentive (referred April 26) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER AUTHORIZING SUFFOLK COUNTY SHERIFF TO ACCEPT AND EXPEND GRANT OF \$27,018 FROM DEPARTMENT OF EDUCATION FOR PROVISION OF ADULT BASIC EDUCATION INSTRUCTIONAL GRANT PROGRAMS (DOCKET NO. 0556)

Councillor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0556, message of the Mayor and order authorizing the Suffolk County Sheriff to accept and expend a grant of \$27,018 from the Department of Education for the provision of Adult Basic Education Instructional grant programs (referred April 26) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER AUTHORIZING SUFFOLK COUNTY SHERIFF TO ACCEPT AND EXPEND GRANT \$230,000 FROM DEPARTMENT OF PUBLIC HEALTH AIDS BUREAU FOR IMPLEMENTATION OF HIV/AIDS PREVENTION, TREATMENT AND SUPPORT (DOCKET NO. 0557)

Councillor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0557, message of the Mayor and order authorizing the Suffolk County Sheriff to accept and expend a grant of \$230,000 from the Department of Public Health AIDS Bureau for the implementation of an HIV/AIDS Prevention, Treatment and Support Program (referred April 26) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER AUTHORIZING SUFFOLK COUNTY SHERIFF TO ACCEPT AND EXPEND GRANT OF \$95,000 FROM DEPARTMENT OF JUSTICE CORRECTIONS PROGRAMS IN COLLABORATION WITH EXECUTIVE OFFICE OF PUBLIC SAFETY PROGRAMS DIVISION FOR PROVISION OF RESIDENTIAL SUBSTANCE ABUSE PROGRAM (DOCKET NO. 0558)

Councillor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0558 message of the Mayor and order authorizing the Suffolk County Sheriff to accept and expend a grant of \$95,000 from the Department of Justice Corrections Programs in collaboration with the Executive Office of Public Safety Programs Division for the provision of Residential Substance Abuse Program (referred April 26) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER AUTHORIZING SUFFOLK COUNTY SHERIFF TO ACCEPT AND EXPEND GRANT OF \$388,838 FROM DEPARTMENT OF EDUCATION FOR LIFE SKILLS REINTEGRATION PROGRAM (DOCKET NO. 0559)

Councillor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0559, message of the Mayor and order authorizing the Suffolk County Sheriff to accept and expend a grant of \$388,838 from the Department of Education for the Life Skills Reintegration Program (referred April 26) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING SUFFOLK COUNTY SHERIFF TO ACCEPT AND EXPEND GRANT OF \$10,000 FROM DEPARTMENT OF CORRECTION'S DIVISION OF INMATE TRAINING AND EDUCATION AND CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY GRANT FOR OPERATION OF COMPREHENSIVE EDUCATION, TRAINING, EMPLOYMENT AND SUPPORT (DOCKET NO. 0560)

Councillor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0560, message of the Mayor and order authorizing the Suffolk County Sheriff to accept and expend a grant of \$10,000 from the Department of Correction's Division of Inmate Training and Education and Carl D. Perkins Vocational and Applied Technology grant for the operation of a Comprehensive Education, Training, Employment and Support Program (referred April 26) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING SUFFOLK COUNTY SHERIFF TO ACCEPT AND EXPEND GRANT OF \$5,835 FROM DEPARTMENT OF EDUCATION FOR PROVISION OF ADULT BASIC EDUCATION INSTRUCTIONAL PROGRAMS FOR THE INCARCERATED (DOCKET NO. 0561)

Councillor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0561, message of the Mayor and order authorizing the Suffolk County Sheriff to accept and expend a grant of \$5,835 from the Department of Education for the provision of Adult Basic Education Instructional programs for the Incarcerated (referred April 26) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING SUFFOLK COUNTY SHERIFF TO ACCEPT AND EXPEND GRANT OF \$90,000 FROM DEPARTMENT OF PUBLIC HEALTH IN COLLABORATION WITH EXECUTIVE OFFICE OF PUBLIC SAFETY PROGRAMS DIVISION FOR SUBSTANCE ABUSE COUNSELING SERVICES (DOCKET NO. 0562)

Councillor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0562, message of the Mayor and order authorizing the Suffolk County Sheriff to accept and expend a grant of \$90,000 from the Department of Public Health in collaboration with the Executive Office of Public Safety Programs Division for substance abuse counseling services (referred April 26) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING SUFFOLK

COUNTY SHERIFF TO ACCEPT AND EXPEND GRANT OF \$50,000 FROM DEPARTMENT OF PUBLIC HEALTH, BUREAU OF COMMUNICABLE DISEASE CONTROL AND CENTER FOR DISEASE CONTROL FOR IMPLEMENTATION OF SYPHILIS ELIMINATION PROGRAM (DOCKET NO. 0667)

Councillor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0667, message of the Mayor and order authorizing the Suffolk County Sheriff to accept and expend a grant of \$50,000 from the Department of Public Health, Bureau of Communicable Disease Control and the Center for Disease Control for the implementation of a Syphilis Elimination Program (referred May 10) — recommending the passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING SUFFOLK COUNTY SHERIFF TO ACCEPT AND EXPEND GRANT OF \$110,000 FROM DEPARTMENT OF EDUCATION FOR PROVISION OF ADULT BASIC EDUCATION PROGRAMS (DOCKET NO. 0555)

Councillor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0555, message of the Mayor and order authorizing the Suffolk County Sheriff to accept and expend a grant of \$110,000 from the Department of Education for the provision of Adult Basic Education programs (referred April 26) — recommending passage of the order as amended.

The report was accepted; the order was passed as amended.

REPORT ON ORDER FOR ANNUAL APPROPRIATION AND TAX ORDER FOR FY2001 (DOCKET NO. 0564)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0564, message of the Mayor and order for annual appropriation and tax order for FY2001 (referred April 26) — recommending the order be rejected without prejudice.

The report was accepted; the order was rejected without prejudice.

REPORT ON ORDER AUTHORIZING CITY TO ENTER INTO ONE OR MORE LEASE, LEASE-PURCHASE OR INSTALLMENT SALES AGREEMENTS IN FY01 IN AMOUNT NOT TO EXCEED \$13,750,000 AND FY02 IN AMOUNT NOT TO EXCEED \$ 13,750,000 TO BE USED BY DIFFERENT CITY DEPARTMENTS FOR ACQUISITION OF EQUIPMENT (DOCKET NO. 0566)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0566, message of the Mayor and order authorizing the City to enter into one or more lease, lease-purchase or installment sales agreements in FY01 in an amount not to exceed \$13,750,000 and FY02 in an amount not to exceed \$13,750,000 to be used by different City departments for the acquisition of equipment (referred April 26) — recommending the order be rejected without prejudice.

The report was accepted; the order was rejected without prejudice.

REPORT ON ORDER FOR LOAN OF \$17,172,000 FOR REMODELING, RECONSTRUCTING OR MAKING EXTRAORDINARY REPAIRS TO PUBLIC BUILDINGS OWNED BY CITY INCLUDING ORIGINAL EQUIPMENT AND LANDSCAPING, PAVING AND OTHER SITE IMPROVEMENTS INCIDENTAL OR DIRECTLY RELATED TO SUCH REMODELING, RECONSTRUCTION OR REPAIR FOR COMMUNITY CENTERS, FIRE, LIBRARY, NEIGHBORHOOD DEVELOPMENT, PARKS AND RECREATION, POLICE, PROPERTY MANAGEMENT, PUBLIC HEALTH COMMISSION, PUBLIC WORKS AND TRANSPORTATION DEPARTMENT (DOCKET NO. 0567)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0567, message of the Mayor and order for loan of \$17,172,000 for remodeling, reconstructing or making extraordinary repairs to public buildings owned by the city including original equipment and landscaping, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair for the Community Centers, Fire, Library, Neighborhood Development, Parks and Recreation, Police, Property Management, Public Health Commission, Public Works and Transportation Department (referred April 26) — recommending the order be rejected without prejudice.

The report was accepted; the order was rejected without prejudice.

REPORT ON ORDER FOR LOAN OF \$8,790,000 FOR THE ORIGINAL CONSTRUCTION OF PUBLIC WAYS OR EXTENSION OR WIDENING THEREOF INCLUDING LAND DAMAGES AND THE COST OF PAVEMENT AND SIDEWALKS LAID AT THE TIME OF SAID CONSTRUCTION OR FOR THE CONSTRUCTION OF STONE, BLOCK, BRICK, CEMENT CONCRETE, BITUMINOUS CONCRETE AND MACADAM OR OTHER PERMANENT PAVEMENT OF SIMILAR LASTING CHARACTER FOR THE PUBLIC WORKS DEPARTMENT (DOCKET NO. 0568)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0568, message of the Mayor and order for loan of \$8,790,000 for the original construction of public ways or extension or widening thereof including land damages and the cost of pavement and sidewalks laid at the time of said construction or for the construction of stone, block, brick, cement concrete, bituminous concrete and macadam or other permanent pavement of similar lasting character for the Public Works Department (referred April 26) — recommending the order be rejected without prejudice.

The report was accepted; the order was rejected without prejudice.

REPORT ON ORDER FOR LOAN OF \$202,000 FOR REMODELING, RECONSTRUCTION OR REHABILITATION OF EXISTING FIRE-FIGHTING APPARATUS AND HEAVY EQUIPMENT FOR THE FIRE DEPARTMENT (DOCKET NO. 0569)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0569, message of the Mayor and order for loan of \$202,000 for the remodeling, reconstruction or rehabilitation of existing firefighting apparatus and heavy equipment for the Fire Department (referred April 26) — recommending the order be

rejected without prejudice.

The report was accepted; the order was rejected without prejudice.

REPORT ON ORDER FOR LOAN OF \$2,590,000 FOR ACQUIRING LAND OR INTEREST IN LAND FOR ANY PURPOSE FOR WHICH CITY IS OR MAY HEREAFTER BE AUTHORIZED TO ACQUIRE LAND OR INTERESTS THEREIN; AND FOR CONSTRUCTION OF BUILDINGS OR FOR ADDITIONS TO SUCH BUILDINGS WHERE SUCH ADDITIONS INCREASE FLOOR SPACE OF SAID BUILDINGS INCLUDING COST OF ORIGINAL EQUIPMENT AND FURNISHINGS OF SAID BUILDINGS FOR LIBRARY AND POLICE DEPARTMENTS (DOCKET NO. 0570)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0570, message of the Mayor and order for loan of \$2,590,000 for acquiring land or interest in land for any purpose for which the City is or may hereafter be authorized to acquire land or interests therein; and for the construction of buildings or for additions to such buildings where such additions increase the floor space of said buildings including the cost of original equipment and furnishings of said buildings for the Library and Police departments (referred April 26) — recommending the order be rejected without prejudice.

The report was accepted; the order was rejected without prejudice.

REPORT ON ORDER FOR LOAN OF \$127,000 FOR COST OF ENGINEERING OR ARCHITECTURAL SERVICES FOR PLANS AND SPECIFICATIONS FOR BOSTON REDEVELOPMENT (DOCKET NO. 0571)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0571, message of the Mayor and order for loan of \$127,000 for the cost of engineering or architectural services for plans and specifications for the Boston Redevelopment (referred April 26) — recommending the order be rejected without prejudice.

The report was accepted; the order was rejected without prejudice.

REPORT ON ORDER FOR LOAN OF \$3,172,000 FOR COST OF DEPARTMENTAL EQUIPMENT TO SERVICE FIRE, PARKS AND RECREATION AND SCHOOL DEPARTMENT (DOCKET NO. 0572)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0572, message of the Mayor and order for loan of \$3,172,000 for the cost of departmental equipment to service the Fire, Parks and Recreation and School departments (referred April 26) — recommending the order be rejected without prejudice.

The report was accepted; the order was rejected without prejudice.

REPORT ON ORDER FOR LOAN OF \$8,171,000 FOR PURPOSE OF CONSTRUCTION OF MUNICIPAL OUTDOOR RECREATIONAL AND ATHLETIC FACILITIES INCLUDING ACQUISITION AND DEVELOPMENT OF LAND AND CONSTRUCTION AND RECONSTRUCTION OF SUCH FACILITIES FOR

PARKS AND RECREATION AND SCHOOL
DEPARTMENTS (DOCKET NO. 0573)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0573, message of the Mayor and order for loan of \$8,171,000 for the purpose of construction of municipal outdoor recreational and athletic facilities including the acquisition and development of land and the construction and reconstruction of such facilities for the Parks and Recreation and School departments (referred April 26) — recommending the order be rejected without prejudice.

The report was accepted; the order was rejected without prejudice.

REPORT ON ORDER TO AMEND LOAN ORDER ORIGINALLY PASSED ON JUNE 24, 1998 AND JULY 15, 1998 AND APPROVED BY MAYOR ON JULY 21, 1998 OF \$20,000,000 AND AMENDED ON JUNE 23, 1999 AND JULY 14, 1999 AND APPROVED BY MAYOR ON JULY 22, 1999 TO AMOUNT OF \$26,060,000 IS FURTHER AMENDED BY INSERTING IN PLACE THEREOF \$34,948,000 FOR DEVELOPMENT, DESIGN, PURCHASE AND INSTALLATION OF COMPUTER HARDWARE AND SOFTWARE AND IMPLEMENTATION AND OPERATION OF CITY-WIDE ADMINISTRATIVE INFORMATION SYSTEM FOR HUMAN RESOURCES, PAYROLL AND FINANCE FUNCTIONS (DOCKET NO. 0574)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0574, message of the Mayor and order to amend loan order originally passed on June 24, 1998 and July 15, 1998 and approved by the Mayor on July 21, 1998 of \$20,000,000 and amended on June 23, 1999 and July 14, 1999 and approved by the Mayor on July 22, 1999 to the amount of \$26,060,000 is further amended by inserting in place thereof \$34,948,000 for the development, design, purchase and installation of computer hardware and software and the implementation and operation of the city-wide administrative information system for human resources, payroll and finance functions (referred April 26) — recommending the order be rejected without prejudice.

The report was accepted; the order was rejected without prejudice.

REPORT ON ORDER FOR LOAN OF \$3,818,000 FOR PURCHASE AND INSTALLATION OF COMPUTER HARDWARE AND SOFTWARE FOR MANAGEMENT INFORMATION SERVICES AND SCHOOL DEPARTMENTS (DOCKET NO. 0575)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0575, message of the Mayor and order for loan of \$3,818,000 for the purchase and installation of computer hardware and software for the Management Information Services and School departments (referred April 26) — recommending the order be rejected without prejudice.

The report was accepted; the order was rejected without prejudice.

REPORT ON ORDER FOR LOAN OF \$1,370,000 FOR PURPOSE OF PLANNING, DESIGNING, ACQUIRING LAND FOR, CONSTRUCTING AND ORIGINALLY EQUIPPING STRUCTURES AND FACILITIES AND FOR REMOD-

ELING, RECONSTRUCTING OR MAKING MAJOR ALTERATIONS, ADDITIONS AND MAJOR REPAIRS TO EXISTING FACILITIES FOR PURPOSE OF VARIOUS CITY DEPARTMENTS INCLUDING BOSTON REDEVELOPMENT AUTHORITY, NEIGHBORHOOD DEVELOPMENT AND PARKS AND RECREATION DEPARTMENTS (DOCKET NO. 0576)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0576, message of the Mayor and order for loan of \$1,370,000 for the purpose of planning, designing, acquiring land for, constructing and originally equipping structures and facilities and for remodeling, reconstructing or making major alterations, additions and major repairs to existing facilities for the purpose of various city departments including the Boston Redevelopment Authority, Neighborhood Development and Parks and Recreation departments (referred April 26) — recommending the order be rejected without prejudice.

The report was accepted; the order was rejected without prejudice.

REPORT ON ORDER FOR LOAN OF \$ 10,087,000 FOR PURPOSE OF ACQUIRING LAND FOR, CONSTRUCTING AND ORIGINALLY EQUIPPING AND FURNISHING PUBLIC SCHOOLHOUSES AND ADDITIONS AND FOR RECONSTRUCTION, REMODELING, REHABILITATION AND MODERNIZATION OF ANY SCHOOLHOUSE OR ADDITION (DOCKET NO. 0577)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0577, message of the Mayor and order for loan of \$10,087,000 for the purpose of acquiring land for, constructing and originally equipping and furnishing public schoolhouses and additions and for the reconstruction, remodeling, rehabilitation and modernization of any schoolhouse or addition (referred April 26) — recommending the order be rejected without prejudice.

The report was accepted; the order was rejected without prejudice.

ORDER TO DECLARE SURPLUS PORTION OF HIGHWAY NAMED OLD CENTRE STREET AND TO TRANSFER CARE, CUSTODY, MANAGEMENT AND CONTROL OF SAID PROPERTY TO PUBLIC FACILITIES COMMISSION FOR SALE OR LEASE (DOCKET NO. 0614)

Councillor HENNIGAN called Docket No. 0614 from the Committee on Economic Development and Transportation.

Hearing no objection, the matter was before the body. On motion of Councillor HENNIGAN, the order was passed.

REPORT ON ORDER FOR HEARING TO DISCUSS IMPACT THAT COMMUNITY HEALTH CENTERS HAVE UPON NEIGHBORHOODS AND TO CONSIDER DEVELOPMENT OF TASK FORCE TO IDENTIFY FUTURE FUNDING OPPORTUNITIES TO SUPPORT WORK OF COMMUNITY CENTERS (DOCKET NO. 0230)

Councillor ROACHE on behalf of the Committee on Public Health, submitted the following:

Report on Docket No. 0230, order for a hearing to

discuss the impact that community health centers have upon the neighborhoods and to consider the development of a task force to identify future funding opportunities to support the work of community centers (referred January 26) — recommending the order be placed on file.

The report was accepted; the order was placed on file.

ORDER APPROVING APPROPRIATION OF \$1,555,430.29 FOR LIBRARY OF LAST RECOURSE (DOCKET NO. 0485)

Councillor HONAN called Docket No. 0485 from the Committee on Library Services.

Hearing no objection, the matter was before the body. On motion of Councillor HONAN, the order was passed.

REPORT ON PETITION OF FOX BUS LINES, INC. FOR LICENSE TO OPERATE MOTOR VEHICLES FOR CARRIAGE OF PASSENGERS FOR HIRE (DOCKET NO. 0619)

Councillor SCAPICCHIO, on behalf of the Committee on Economic Development and Transportation, submitted the following:

Report on Docket No. 0619, petition of Fox Bus Lines, Inc. for license to operate motor vehicles for the carriage of passengers for hire (referred May 3) recommending petition be granted with certain conditions.

The report was accepted; the petition was granted with certain conditions.

REPORT ON PETITION OF IQBAL BUTT FOR LICENSE TO OPERATE MOTOR VEHICLES FOR CARRIAGE OF PASSENGERS FOR HIRE (DOCKET NO. 0105)

Councillor SCAPICCHIO, on behalf of the Committee on Economic Development and Transportation, submitted the following:

Report on Docket No. 0105, petition of Iqbal Butt for license to operate motor vehicles for the carriage of passengers for hire (referred August 25, 1999) — recommending petition be denied without prejudice.

The report was accepted; the petition was denied without prejudice.

REPORT ON PETITION OF J. L. GODFREY D/B/A AFFORDABLE SHUTTLE FOR LICENSE TO OPERATE MOTOR VEHICLES FOR CARRIAGE OF PASSENGERS FOR HIRE (DOCKET NO. 0107)

Councillor SCAPICCHIO, on behalf of the Committee on Economic Development and Transportation, submitted the following:

Report on Docket No. 0107, petition of J. L. Godfrey d/b/a Affordable Shuttle for license to operate motor vehicles for the carriage of passengers for hire (referred November 17, 1999) — recommending petition be denied without prejudice.

The report was accepted; the petition was denied without prejudice.

REPORT ON PETITION OF BETHANY LIMOUSINE FOR LICENSE TO OPERATE MOTOR VEHICLES FOR CARRIAGE OF PASSENGERS FOR HIRE (DOCKET NO. 0109)

Councillor SCAPICCHIO, on behalf of the Committee on Economic Development and

Transportation, submitted the following:

Report on Docket No. 0109, petition of Bethany Limousine for license to operate motor vehicles for the carriage of passengers for hire (referred December 8, 1999) — recommending petition be denied without prejudice.

The report was accepted; the petition was denied without prejudice.

REPORT ON ORDER APPROVING PETITION FOR SPECIAL LAW TO PROVIDE MINIMUM RETIREMENT ALLOWANCE OF \$12,000 TO RETIREES OF STATE-BOSTON RETIREMENT SYSTEM WHO RETIRED WITH AT LEAST TWENTY-FIVE YEARS OF CREDITABLE SERVICE WITH EMPLOYER MEMBER OF STATE-BOSTON RETIREMENT (DOCKET NO. 0484)

Councillor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket No. 0484, message of the Mayor and order approving a petition for a special law to provide a minimum retirement allowance of \$12,000 to retirees of the State-Boston Retirement System who retired with at least twenty-five years of creditable service with an employer member of the State-Boston Retirement System (referred April 5) — recommending passage of the order.

The report was accepted; the order was passed.

ORDER APPROVING PETITION FOR SPECIAL LAW RELATIVE TO CERTAIN SCHOOL CONSTRUCTION PROJECTS (DOCKET NO. 0563)

Councillor MURPHY called Docket No. 0563 from the Committee of the Whole.

Hearing no objection, the matter was before the body.

On motion of Councillor MURPHY, the order was passed; yeas 9, nays, 3, present 1.

Yeas — Councillors Conley, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross, Scapicchio — 9.

Nays — Councillors Davis-Mullen, Turner, Yancey — 3.

Present — Councillor Feeney — 1.

RESOLUTION RE: EQUITABLE DISTRIBUTION OF LINKAGE FUNDS AND COMMUNITY BENEFITS (DOCKET NO. 0818)

Councillors TURNER and YANCEY offered the following:

Whereas, Linkage was established as a mechanism to provide gap financing for affordable housing for neighborhoods throughout the city that are directly and indirectly impacted by a particular development project; and

Whereas, The concept of community benefits was established to provide funds to mitigate the effects of development upon impacted neighborhoods as well as provide community development funds for such neighborhoods; and

Whereas, The Boston City Council needs to establish a concept for the equitable sharing of these funds that can help to mitigate the confusion surrounding linkage and community benefits relating to the Convention Center Hotel and Seaport District; therefore be it

Resolved, That the Boston City Council proposes that:

- 1) No more than twenty-five percent (25%) of the linkage funds from any one project should be available to a directly impacted neighborhood;
- 2) Community benefit negotiations be supervised and coordinated by the Boston Redevelopment Authority (BRA), the city's existing mechanism

established for such purposes; and

- 3) When large scale developments have an impact on specific neighborhoods, as well as, the City overall, such as those in the Seaport area, Fenway Park area, Parcel 18 in the Roxbury area, the BRA would ensure that:
 - a) Representatives of all neighborhoods directly or indirectly impacted by development projects are involved in the negotiations; and
 - b) Consideration be given to providing the flow of benefits to all neighborhoods throughout the City.

Councillor FLAHERTY moved the question.

Councillor FEENEY in the Chair.

President KELLY in the Chair.

The motion was carried.

The resolution was not adopted; yeas 2; nays 11:
Yeas — Councillors Turner, Yancey — 2.

Nays — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross, Scapicchio — 11.

**RESOLUTION REAFFIRMING SUPPORT FOR
CHAPTER 371 OF ACTS OF 1987 WHEREBY
HOUSING LINKAGE FUNDS DISTRIBUTED
SOLELY BY NEIGHBORHOOD HOUSING
TRUST (DOCKET NO. 0823)**

Councillors HONAN, HENNIGAN, ROSS, SCAPICCHIO, YANCEY and CONLEY offered the following:

Whereas, Chapter 371 of the Acts of 1987 enacted a legal mechanism to mitigate the effects of new large-scale commercial real estate development; and

Whereas, Chapter 371 set forth the parameters and legal guidelines whereby linkage dollars are to be disbursed; and

Whereas, Article 80B-7.4 of the Boston Zoning Code stipulates that not less than twenty percent of any Housing Contribution Grant shall be reserved for proposed projects directly affected by the housing impacts of new commercial development in the neighborhoods of Boston; and

Whereas, The Neighborhood Housing Trust was established by ordinance in 1986 and confirmed by Chapter 371 of the Acts of 1987 as the legal entity through which linkage funds are received and approved for distribution; and

Whereas, The Neighborhood Housing Trust has awarded an estimated \$48 million in linkage funds to contribute to the successful creation of over 5,000 units of housing across the city; therefore be it

Resolved, That the Boston City Council in meeting assembled hereby reaffirms its support for Chapter 371 of the Acts of 1987, whereby housing linkage funds are distributed solely by the Neighborhood Housing Trust.

Councillor FLAHERTY moved the question.

The motion was carried.

The resolution was adopted under suspension of the rules; yeas 13.

**RESOLUTION SUPPORTING SENATE BILL S573,
KINSHIP CARE BILL (DOCKET NO. 0819)**

Councillors ROACHE, ROSS, KELLY, TURNER, YANCEY and SCAPICCHIO offered the following:

Whereas, The City of Boston is experiencing an increase in the number of children being raised in the care of family members other than their parents; and

Whereas, Placement of children with their kin offers

an environment that surrounds them with family members they know and trust, while keeping them connected to their siblings and passing along a strong family identity; and

Whereas, Being the head of such a non-traditional family can alter all aspects of the relatives' lives bringing added costs to the household in the form of child care, health care, and housing, while placing enormous physical and emotional burdens on these relatives; and

Whereas, These families are fast becoming a very large and important part of the fabric of all of Boston's neighborhoods and it is of the utmost importance that we provide the maximum amount of support to ensure the successful upbringing of the children; and

Whereas, The Massachusetts State Senate, in the form of Senate Bill S573 or the Kinship Care Bill, has proposed a Family Preservation Trust Fund to provide the resources to allow these families to stay intact with the hope of keeping children out of foster care; therefore be it

Resolved, That the Boston City Council recognize the efforts of the Bill's sponsors, and, most importantly, the needs of this growing number of households that are raising non-custodial children; and be it further

Resolved, That the Boston City Council, herein assembled, supports the passage of Senate Bill S573; and be it further

Resolved, That a copy of this Resolution be sent to the Chairman of the Massachusetts Senate Committee on Ways and Means and the President of the Massachusetts State Senate.

The resolution was adopted under suspension of the rules.

**APPOINTMENT OF TEMPORARY EMPLOYEE
(DOCKET NO. 0820)**

Councillor KELLY offered the following:

Ordered, That effective Saturday, June 10, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, June 23, 2000:

Adam D. Weingarten, secretary, \$540.94, full time.
Passed under suspension of the rules.

**APPOINTMENT OF TEMPORARY EMPLOYEE
(DOCKET NO. 0821)**

Councillor KELLY offered the following:

Ordered, That effective Saturday, July 1, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, July 28, 2000:

James J. Duane IV, secretary, \$250, full time.
Passed under suspension of the rules.

**ORDER FOR HEARING TO EXAMINE ELIMINATION OF 3 P.M. TO 11 P.M. SHIFT OF
ENFORCEMENT DIVISION OF TRANSPORTATION DEPARTMENT (DOCKET NO. 0822)**

Councillors SCAPICCHIO, KELLY, MURPHY, CONLEY, DAVIS-MULLEN, FEENEY, ROSS, ROACHE, FLAHERTY, HONAN, HENNIGAN, TURNER and YANCEY offered the following:

Whereas, The Boston Transportation Department is planning to eliminate the 3 p.m. to 11 p.m. shift of the Enforcement Division, thereby eliminating the enforcement of parking rules and regulations after 8 p.m.; and

Whereas, The elimination of Enforcement Officers from nighttime shifts will negatively impact the residential neighborhoods of Boston in terms of parking, traffic, and public safety, and

Whereas, The 3 p.m. to 11 p.m. shift of the Enforcement Division has been a great asset to the City of Boston through its coverage of residential neighborhoods and its enforcement of residential parking regulations, therefore be it

Ordered, That the Boston City Council hold a hearing to examine this plan and determine its impacts on the City of Boston and its neighborhoods; and be it further

Ordered, That the appropriate personnel from the Boston Transportation Department and the Boston Police Department be invited to attend.

Referred to the Committee on Economic Development and Transportation.

ORDER APPROVING PETITION FOR SPECIAL LAW DIRECTING STATE-BOSTON RETIREMENT BOARD TO RETIRE DETECTIVE ROBERT ROGERS (DOCKET NO. 0824)

Councilor HONAN offered the following:

Ordered, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause (1) of Section Eight of Article Two, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted providing precisely as follows, except for clerical or editorial changes of form only:

Whereas, Robert Rogers sustained serious injuries while in the performance of his duties, and as a result is totally and permanently incapacitated from further service as a Boston Police Detective; the Boston City Council hereby

Petitions, that the following bill for a special law be enacted.

Section 1: Notwithstanding the provisions of any general or special law to the contrary and in order to promote the public good, the State-Boston Retirement Board is hereby authorized and directed to retire Robert Rogers, a Detective of the City of Boston who, as a result of injuries sustained while in the performance of his duties on December Twenty-Sixth, Nineteen Hundred Ninety-Eight (12/26/98), is totally and permanently incapacitated from further service as a Detective.

Robert Rogers was seriously injured on December 26, 1998, when he was en route home from work and observed a gray Infiniti sedan bearing Massachusetts Plate No. 1168 JF traveling at a high rate of speed in the vicinity of East Milton on Route 93 Southbound. The vehicle suddenly lost control and traveled from the left lane across the highway to the right lane, striking a guard rail underneath the Bates Avenue Overpass, then traveling back across the highway to the left lane, striking the jersey barriers at the HOV lane before coming to rest. Detective Rogers then pulled off the roadway to the right side of the road just before Exit 8, Furnace Brook Parkway. He exited his vehicle, called for help on his police hand-held radio, and then approached the Infiniti sedan in order to render aid. At this time, two males who had occupied the front of the vehicle were getting out via the right front door. Detective Rogers identified himself to the individuals as a Boston Police Officer and began assisting a third party who was in the back seat area of the Infiniti and appeared to be having trouble getting out of the vehicle. It is at this time, while Detective Rogers was assisting the rear seat passenger out of the vehicle, that a white 1988 Mazda 626 bearing Massachusetts Plate No. 172-FVH, operated by Mr. Craig W. Gillespie, came upon the accident scene. Gillespie stated he was traveling in the left lane at 70 mph when he came around the slight curve and observed the gray Infiniti sedan disabled in the left lane against the jersey barriers and two or three people standing in the roadway in the left lane at the right side of the disabled vehicle. Mr. Gillespie stated he attempted to slow down and change from the

left lane to the third travel lane in order to avoid hitting the vehicle or the pedestrians, however his vehicle struck the right rear quarter panel and right side and doors of the disabled vehicle, and also struck two or three pedestrians. A third vehicle, a 1993 white Volkswagen Cabriolet, bearing Massachusetts Plate No. RW 67 WB, being driven by Mrs. Renee A. Burns, was traveling behind Mr. Gillespie in the left hand lane at approximately 60 mph. She observed Mr. Gillespie run over some debris from the Infiniti and attempt to change lanes. Ms. Burns also braked and attempted to change lanes to avoid contacting the disabled vehicle, however, she was unable to avoid striking the disabled Infiniti, although not as severely as had Mr. Gillespie's vehicle.

Detective Rogers was severely and permanently injured, in the performance of his duty, while attempting to aid the victims of a traffic accident. Detective Rogers sustained compound fractures of both his lower left leg and lower right leg and multiple contusions to his head and body as a result of being struck by the vehicles as he attempted to render aid to the injured passengers of the car. The other individual who had been helping Detective Rogers was killed as a result of being struck by the car.

The annual amount of pension payable to Robert Rogers shall be in an amount equal to the regular rate of compensation which would have been paid had he continued in service as a Detective of said City at the grade held by him at the time of his retirement. Such retirement shall become effective as of the date following the last day on which he received regular compensation. Upon such retirement, the State-Boston Retirement Board shall forthwith pay to him the amount credited to him as accumulated total deductions in the annuity savings of the State-Boston Retirement System.

Section 2: Said Robert Rogers shall be entitled to receive such indemnification for all hospital, medical and related expenses that have been or may be incurred after the date of his retirement as a result of the injuries sustained by him while in the performance of his duties, according to the provisions of Chapter 41 of the General Laws.

Section 3: This act shall take effect upon its passage.

Referred to the Committee on Public Safety.

ORDER FOR HEARING IN ORDER TO FOCUS ON WORK OF COMMUNITY DISORDERS UNIT (DOCKET NO. 0825)

Councillors TURNER and YANCEY offered the following:

Whereas, The City of Boston needs to aggressively deal with crimes of racial intolerance and racial hatred in order to maintain freedom, justice and equality for all of the citizens and visitors in Boston; and

Whereas, Recent media reports have indicated that there has been an increase in the reporting of hate crimes in the City of Boston, while simultaneously a decrease in the prosecution of such crimes; therefore be it

Ordered, That Boston City Council hold a public hearing to in order to focus on among other things the work of the Community Disorders Unit and the process, criteria and factors used to determine the presence and or indication that a crime is racially motivated and process by which prosecution is sought; be it further

Ordered, That representatives of the Boston Police Department, the Mayor's Office and the public, be invited to attend and testify. Notice of said hearing is to be published in the *City Record*.

Referred to the Committee on Public Safety.

ORDER FOR HEARING TO DISCUSS FEASIBILITY OF ALLOWING PRIVATE DEVELOPERS TO REHABILITATE BOSTON HOUSING AUTHORITY UNITS AS PART OF THEIR

INCLUSIONARY ZONING RESPONSIBILITY (DOCKET NO. 0826)

June 14, 2000

Councillor SCAPICCHIO offered the following:

Whereas, The sharply increased cost of housing in the City of Boston has forced many low- and middle-income families out of the city; and

Whereas, Private developers building in excess of 100,000 square feet of space must contribute a Linkage Payment to the Neighborhood Housing Trust; and

Whereas, Private developers of market-rate housing within the City of Boston are obligated to provide certain percentages of affordable housing as part of the city's inclusionary zoning policy; and

Whereas, The Boston Housing Authority owns many dilapidated units throughout the neighborhoods of the city that could be rehabilitated at a fraction of the cost of creating new housing, therefore be it

Ordered, That the Boston City Council hold a hearing to discuss the feasibility of allowing private developers to rehabilitate Boston Housing Authority units as a part of their inclusionary zoning responsibility, and be it further

Ordered, That the appropriate personnel from the Boston Housing Authority and other agencies be invited to attend.

Referred to the Committee on Housing.

LATE-FILED MATTERS

The Chair stated that, in absence of objection, sixteen late-filed matters would be added to the Agenda.

No objection being heard, the following matters were added:

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0840)

Councillor KELLY offered the following:

Ordered, That effective Saturday, June 17, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, June 23, 2000:

Enerio Barros, secretary, \$3,300, full time.

Passed under suspension of the rules.

RESOLUTION THAT BARGE BE REMOVED FROM HARBOR DURING ARRIVAL OF TALL SHIPS (DOCKET NO.0841)

Councillor SCAPICCHIO offered the following:

Whereas, The Boston Harbor is a major point of interest for the residents of Boston and tourists alike, and will increase in visibility during the arrival of the Tall Ships; and

Whereas, A barge sits anchored in the harbor holding a 24 feet by 72 feet billboard functioning as an advertisement for Dirtpile.com; and

Whereas, The barge is unsightly and offers nothing positive to the community, therefore be it

Resolved, That the Boston City Council request that the owner of the barge remove this eyesore from the harbor; and be further

Resolved, That the Massachusetts Port Authority and the United States Coast Guard be requested to provide assistance in this matter.

The rules were suspended; **the resolution was adopted.**

ORDER FOR ANNUAL APPROPRIATION OF \$591,998,242 FOR SCHOOL DEPARTMENT (DOCKET NO. 0842)

The following was received:

City of Boston
Office of the Mayor

To the City Council.

Dear Councillors:

I transmit herewith an appropriation order for the Boston Public Schools for FY01 in the amount of \$591,998,242 submitted pursuant to the provisions of Chapter 224 of the Acts of 1936, as amended by Chapter 190 of the Acts of 1982, as further amended by Chapter 701 of the Acts of 1986, Chapter 613 of the Acts of 1987, and Chapter 108 of the Acts of 1991.

This budget, which is \$16.7 million larger than the FY00 budget, continues my commitment to improving education. The FY01 operating budget continues funding for the City's five year plan of reform, "Focus on Children" aimed at improving school performance. Among the programs and initiatives this budget funds are new resources for literacy and math programs; new instructional materials; on-going support for high schools to meet accreditation standards; and continued investment in technology in the schools.

The resubmission transfers \$955,570 from the School Budget to the City's Operating Budget in order to fund the consolidation of the School Department's legal services within the Law Department. This transfer is part of an effort to look at all city functions to improve efficiency.

My commitment to schools is also illustrated through the City's Five Year Capital Plan. The City of Boston FY01-FY05 Capital Plan includes authorization of the construction of three new schools: Orchard Gardens (grades K-8), Brunswick Gardens (grades 6-8), and Mildred Avenue (grades 6-8).

The Boston School Committee and the Superintendent have submitted a budget that balances competing priorities within available resources. This budget provides our students with the tools necessary to meet the standards that have been established by the Boston School Committee. I respectfully request your support of the FY01 appropriation for the Boston Public Schools.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That pursuant to Chapter 224 of the Acts of 1936, as amended by Chapter 190 of the Acts of 1982, and as further amended by Chapter 701 of the Acts of 1986, Chapter 613 of the Acts of 1987, and Chapter 108 of the Acts of 1991, to meet the current operating expenses of the School Department in the fiscal period commencing July 1, 2000 and ending June 30, 2001, the sum of \$591,998,242 be, and the same hereby is, appropriated, said sum to be raised by taxation pursuant to Section 23 of Chapter 59 of the General Laws:

Boston School Department \$591,998,242

Referred to the Committee on Education and School Matters.

REPORT ON ORDER FOR ANNUAL APPROPRIATION AND TAX ORDER FOR FY2001 (DOCKET NO. 0843)

The following was received:

City of Boston
Office of the Mayor

June 14, 2000

To the City Council.

Dear Councillors:

I retransmit herewith my Recommended Budget for Fiscal Year 2001 for the City of Boston and County of Suffolk. The Recommended Operating Budget totaling \$1.7 billion is 5.4 percent greater than the Fiscal Year 2000 Adopted Budget and would represent the City's 16th consecutive balanced budget.

As you are aware, the City is still awaiting final action on the State's Fiscal Year 2001 Budget — Conference Committee deliberations are underway. The Fiscal Year

2001 Budget is based on the House version of the state budget; the Senate version appropriates \$1.6 million less to the City's General Fund. We continue to work with the members of the Conference Committee to ensure that the City's needs are recognized.

Consistent with my original budget transmission submitted to you in April, this budget emphasizes the following priorities which have been deliberated and supported in the City Council over the last two months: improving the quality of residential life in the neighborhoods; accelerating the production of affordable housing; continuing the City's multi-year reform efforts in the Boston Public Schools; assisting in the healthy development of our City's youth at home, at school and in the community; and improving the public health through a variety of essential programs and services.

To finalize the issues requiring your consideration before the fiscal year begins on July 1, I am proposing an increase of \$1,290,570 to the original operating budget submission, as well as a \$955,570 reduction to the Boston Public Schools appropriation to be submitted separately today. This adjustment includes a transfer of responsibility from the School Department to the Law Department to consolidate the legal services portion of the School Department within the Law Department. This change, like others made in the original budget submission, reflects my commitment to improve city services by creating an organization that will function more effectively. To effect this transfer, \$955,570 has been taken from the School appropriation and \$955,570 is being added to the Law Department appropriation. In addition, the review of departments' budget has highlighted the need for adjustments of \$160,000 in the Emergency Shelter Commission, \$130,000 for the City Council and \$45,000 in the Licensing Board.

This budget balances competing priorities within the City's available resources. I respectfully request your favorable action on the Fiscal Year 2001 Operating Budget and the Five Year Capital Plan for FY01 to FY05.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

CITY DEPARTMENTS	Personnel Services	Contractual Services	Supplies & Materials	Current Charges & Obligations	Equipment	Special Appropriation	Structures & Improvements	Land Non-Structural Improvement	Total
Mayor's Office									
111 Mayor's Office	1,565,959	246,300	51,900	8,000	10,000	0	0	0	1,882,159
116 Boston 2 to 8	282,568	273,800	8,000	1,900	1,000	0	0	0	567,068
150 Intergovernmental Relations	593,655	198,338	8,000	133,409	0	0	0	0	933,602
151 Law Department	2,951,860	2,085,828	64,731	27,099	127,698	0	0	0	5,257,216
411 Public Information	791,091	49,600	36,400	1,750	5,500	0	0	0	884,341
412 Neighborhood Services	818,986	80,200	23,100	0	0	0	0	0	922,286
Chief Operating Officer									
142 Human Resources	2,450,448	183,063	31,440	70,398	17,557	0	0	0	2,752,906
144 Chief Operating Officer	795,661	206,220	3,000	500	3,000	0	0	0	1,008,381
145 Graphic Arts Department	1,118,283	213,700	6,800	23,569	0	110,000	0	0	1,472,352
147 Labor Relations	684,046	222,277	12,800	15,347	21,450	0	0	0	955,920
148 Health Insurance	0	0	0	89,430,000	0	0	0	0	89,430,000
149 Management & Information Sys	5,102,379	1,069,895	210,950	2,560,698	786,180	1,100,000	0	0	10,830,102
175 Management Fund	0	0	0	0	0	225,000	0	0	225,000
199 Unemployment Compensation	50,000	0	0	0	0	0	0	0	50,000
341 Workers' Compensation Fund	0	0	0	0	0	3,400,000	0	0	3,400,000
Chief Financial Officer									
131 Auditing Department	3,317,585	162,618	27,500	16,570	34,271	0	0	0	3,558,544
134 Taxpayer Referral & Assistance	375,730	31,000	31,000	1,450	2,000	0	0	0	441,180
136 Assessing Department	4,410,156	512,600	52,750	410,802	128,100	0	0	0	5,514,408
137, 138 Treasury Department	2,365,900	180,520	334,018	18,750	4,927	1,000	0	0	2,865,115
139 Medicare Payments	3,113,783	0	0	0	0	0	0	0	3,113,783
141 Budget Management	1,424,440	804,600	10,400	14,200	28,621	0	0	0	2,282,261
143 Purchasing Division	961,934	128,700	30,000	1,600	19,415	7,500	0	0	1,149,149
333 Execution of Courts	0	0	0	0	0	4,100,000	0	0	4,100,000
374 Pensions & Annuities - City	5,800,000	0	0	0	0	0	0	0	5,800,000
Public Safety									
211 Police Department	184,627,015	11,572,262	6,425,172	3,482,635	7,339,099	0	0	0	213,448,183
221 Fire Department	105,804,393	4,080,700	3,324,400	2,121,995	2,282,961	0	0	0	117,414,449
Economic Development									
156 Minority/Women Business	421,259	178,000	5,500	1,000	0	0	0	0	608,759
157 Boston Residents Job Policy	419,084	500	1,500	250	0	0	0	0	421,334
171 Boston Redevelopment Authority	0	0	0	0	0	725,000	0	0	725,000
415 Special Events & Tourism	496,070	657,685	2,500	0	30,000	608,000	0	0	1,794,255
Basic Services									
110 Library Department	18,235,249	4,371,096	3,053,719	435,170	352,981	0	0	0	26,448,215
114 Consumer Affairs & Licensing	336,602	102,000	3,500	3,000	7,500	0	0	0	452,602
121, 128 Election Department	2,505,663	329,932	282,388	70,960	6,798	0	0	0	3,195,741
163 Registry Division	749,490	58,430	12,270	1,325	8,750	0	0	0	828,265
180 Property Management	10,693,799	5,007,684	762,497	53,456	222,049	0	0	0	16,745,485
300 Parks & Recreation Department	7,483,100	2,178,950	481,550	501,650	110,495	826,970	0	0	11,580,715
311 Public Works Department	16,548,584	44,866,986	1,031,600	436,364	872,426	0	200,000	0	63,955,960
321 Central Fleet Maintenance	1,340,182	149,000	285,500	35,000	139,469	0	0	0	1,949,151
331 Snow Removal	0	4,050,000	0	355,561	0	0	0	0	4,405,561
448 Youth Fund	189,713	6,275	6,400	350	0	6,189,000	0	0	6,391,738
Environmental Services									
261, 253 Transportation Department	16,890,795	8,465,981	1,324,600	146,371	987,580	0	0	0	27,815,327
260 Inspectional Services Dept	9,960,367	1,084,173	145,390	755,766	97,192	0	0	0	12,042,888
303 Environment Department	879,723	50,000	12,200	1,800	0	0	0	0	943,723

CITY DEPARTMENTS	Personnel Services	Contractual Services	Supplies & Materials	Current Charges & Obligations	Equipment	Special Appropriation	Structures & Improvements	Land Non-Structural Improvement	Total
Human Services									
115 Community Partnership	611,145	857,624	12,500	3,000	0	0	0	0	1,584,269
190 Boston Community Centers	11,323,138	2,427,800	150,000	327,063	148,359	442,800	0	0	14,819,160
387 Elderly Commission	1,964,218	336,745	106,750	19,450	73,551	0	0	0	2,500,714
403 Civil Rights	417,558	38,600	7,500	2,805	0	0	0	0	466,461
406 Emergency Shelter Commission	255,562	333,900	4,800	1,000	0	0	0	0	595,262
417 Women's Commission	147,562	9,400	1,200	500	0	0	0	0	158,662
503 Cultural Affairs	430,414	562,080	15,500	4,000	16,400	0	0	0	1,028,374
741 Veterans Services Department	792,825	198,100	7,000	1,567,900	0	0	0	0	2,565,825
Public Health									
620 Public Health Commission	0	0	0	0	0	61,325,456	0	0	61,325,456
Housing & Neighborhood Dev									
188 Neighborhood Development	2,090,028	1,673,227	126,382	630,543	170,914	0	0	0	4,691,094
384 Rental Housing Resource Center	728,301	44,500	15,000	6,000	4,500	0	0	0	798,301
Non-Mayoral Departments									
112 City Council	3,103,260	271,000	48,500	32,950	35,000	0	0	0	3,490,710
161 City Clerk	736,978	63,950	10,500	2,450	20,832	0	0	0	834,710
193 Finance Commission	176,719	5,625	1,030	1,425	793	0	0	0	185,592
252 Licensing Board	559,569	31,950	8,100	4,500	15,000	0	0	0	619,119
Other									
999 Reserve for Collective Bargaining	13,740,672	0	0	0	0	0	0	0	13,740,672
158 Risk Retention Reserve	0	0	0	0	0	1,000,000	0	0	1,000,000
TOTAL CITY DEPARTMENTS	453,442,699	100,789,194	18,618,237	103,742,281	14,132,368	80,060,726	200,000	0	770,985,505
COUNTY DEPARTMENTS									
749 Pensions & Annuitiess - County	0	0	0	0	0	500,000	0	0	500,000
811 Suffolk County Sheriff's Dept	0	0	0	0	0	6,029,688	0	0	6,029,688
TOTAL COUNTY DEPARTMENTS	0	0	0	0	0	6,529,688	0	0	6,529,688

Ordered, I. That to meet the current expenses of the City of Boston and the County of Suffolk, in the fiscal year commencing July 1, 2000 and ending June 30, 2001, the respective sums of money specified in the schedules hereinafter set out, be, and the same hereby are, appropriated for expenditure under the direction of the respective boards and officers severally specified, for the several specific purposes hereinafter designated and, except for transfers lawfully made, for such purposes only said appropriations, to the extent they are for the maintenance and operation of parking meters, and the regulation of parking and other activities incident thereto (which is hereby determined to be \$10,000,000), being made out of the income from parking meters and, to the extent they are for other purposes, being made out of the proceeds from the sale of tax title possessions and receipts from tax title redemptions in addition to the total real and personal property taxes of prior years collected from July 1, 1999 up to and including March 31, 2000, as certified by the City Auditor under Section 23 of Chapter 59 of the General Laws and the proceeds from the sale of surplus property to be transferred in an amount not to exceed \$1,000,000 pursuant to the provisions of Section 24 of Chapter 190 of the Acts of 1982 as amended by Section 4 of Chapter 701 of the Acts of 1986, and out of available funds on hand July 1, 2000, as certified by the Director of Accounts under said Section 23, and the balance of said appropriations to be raised by taxation pursuant to said Section 23; and further

Ordered, II. That to meet so much of the expenses of maintaining, improving and embellishing in the fiscal period commencing July 1, 2000 and ending June 30, 2001, cemeteries owned by the City of Boston, or in its charge, as is not met by the income of deposits for perpetual care on hand December 31, 1999, the respective sum of money specified in the subjoined schedule be, and the same hereby is, appropriated out of the fund set up under Chapter 13 of the Acts of 1961 the same to be expended under the direction of the Commissioner of Parks and Recreation:

400100
Cemetery Division
Parks and Recreation Department
\$1,678,386

Referred to the Committee on Ways and Means.

ORDER AUTHORIZING CITY TO ENTER INTO ONE OR MORE LEASE, LEASE-PURCHASE OR INSTALLMENT SALES AGREEMENTS IN FY01 IN AMOUNT NOT TO EXCEED \$13,750,000 AND FY02 IN AMOUNT NOT TO EXCEED \$13,750,000 TO BE USED BY DIFFERENT CITY DEPARTMENTS FOR ACQUISITION OF EQUIPMENT (DOCKET NO. 0844)

The following was received:
City of Boston
Office of the Mayor

June 14, 2000

To the City Council.
Dear Councilors:

I transmit herewith for your approval an order authorizing the City of Boston to enter into one or more lease, lease-purchase or installment sales agreements in Fiscal Year 2001 in an amount not to exceed \$13,750,000 and in Fiscal Year 2002, also in an amount not to exceed \$13,750,000. These funds will be used by different City departments for the acquisition of equipment in furtherance of their respective governmental functions. The list of equipment includes: computer equipment (hardware and software); motor vehicles and trailers; firefighting equipment; office equipment; photocopying equipment; telecommunications; equipment, medical equipment; school and educational equipment; school buses; park-

ing meters; and equipment functionally related to, and components of, the foregoing.

I urge your Honorable Body to pass this order as expeditiously as possible to ensure the successful completion of the equipment acquisition program.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That pursuant to section 11 of chapter 643 of the acts of 1983, the City of Boston, acting by and through its Purchasing Agent and its Collector-Treasurer, with the approval of the Mayor, is authorized to acquire the following department equipment by entering into one or more lease, lease-purchase or installment sales agreements in Fiscal Year 2001, in an amount not to exceed \$ 13,750,000 and in Fiscal Year 2002 also in an amount not to exceed \$ 13,750,000, in such form or forms as the Purchasing Agent and the Collector-Treasurer may determine with the approval of the Mayor; computer equipment (hardware and software); motor vehicles and trailers; firefighting equipment; office equipment; photocopying equipment; telecommunication equipment; medical equipment; school and educational equipment; parking meters; and equipment functionally related to, and components of, the foregoing; and further

Ordered, That pursuant of section 9 of the Chapter 643 of the Acts of 1983, the Collector-Treasurer be, and hereby is, authorized to execute and deliver, as appropriate, on behalf of the City of Boston, with the approval of the Mayor, trust, security and/or lease agreements and/or reimbursements agreements with attached letters of credits, and to procure, as appropriate, insurance to secure the City's obligation as authorized above, all in such form or forms as the Collector-Treasurer may determine, with approval of the Mayor.

Referred to the Committee on Ways and Means.

ORDER FOR LOAN OF \$17,172,000 FOR REMODELING, RECONSTRUCTING OR MAKING EXTRAORDINARY REPAIRS TO PUBLIC BUILDINGS OWNED BY CITY INCLUDING ORIGINAL EQUIPMENT AND LANDSCAPING, PAVING AND OTHER SITE IMPROVEMENTS INCIDENTAL OR DIRECTLY RELATED TO SUCH REMODELING, RECONSTRUCTION OR REPAIR FOR COMMUNITY CENTERS, FIRE, LIBRARY, NEIGHBORHOOD DEVELOPMENT, PARKS AND RECREATION, POLICE, PROPERTY MANAGEMENT, PUBLIC HEALTH COMMISSION, PUBLIC WORKS AND TRANSPORTATION DEPARTMENT (DOCKET NO. 0845)

The following was received:
City of Boston
Office of the Mayor

June 14, 2000

To the City Council.
Dear City Councilors:

I transmit herewith for your approval an appropriation order in the amount of \$17,172,000 for remodeling, reconstructing, or making extraordinary repairs to public buildings owned by the City, including original equipment and landscaping, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair for the purposes of the Community Centers, Fire, Library, Neighborhood Development, Parks and Recreation, Police, Property Management, Public Health Commission, Public Works and Transportation Departments.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$17,172,000 be, and hereby is, appropriated for remodeling, reconstructing, or making extraordinary repairs to public buildings owned by the City, including original equipment and landscaping, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair for the purposes of the Community Centers, Fire, Library, Neighborhood Development, Parks and Recreation, Police, Property Management, Public Health Commission, Public Works, and Transportation Departments; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Clauses (3A) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized through this order be expended only on those projects as described by name attached herein.

Attachment

1. Mirabella Pool Bathhouse
 2. Paris Street Pool
 3. Vine Street Community Center
 4. Bathroom Renovation II
 5. Engine 8
 6. Engine 9
 7. Exterior Repair at 5 Fire Stations
 8. Facility Assessment Study
 9. Codman Square Branch Library
 10. Critical Repair Fund
 11. Grove Hall Branch Library
 12. Lower Mills Branch Library
 13. McKim Building Phase IIB
 14. Long Island Switchgear Design
 15. Long Island Utilities
 16. Sewer Tie-In and Treatment
 17. Strand Theater
 18. Back Bay Yard Drainage
 19. Centralized Evidence Storage Facility
 20. 43 Hawkins Street
 21. City Hall Air Balancing Report
 22. City Hall Brickwork
 23. City Hall Cooling Tower
 24. City Hall Roof
 25. City Hall Study
 26. Printing Plant Phase II
 27. Critical Facility Repairs
 28. Long Island Facilities Survey
 29. Long Island Fire Alarm/Sprinklers
 30. South Block Roof Repair
 31. Central Maintenance Facility HVAC
 32. Roxbury Maintenance Yard
 33. BTD Enforcement Facility Interior Renovations
 34. Southampton Street Maintenance Yard II
 35. Southampton Street Yard Improvements
- Referred to the Committee on Ways and Means.

ORDER FOR LOAN OF \$8,790,000 FOR THE ORIGINAL CONSTRUCTION OF PUBLIC WAYS OR EXTENSION OR WIDENING THEREOF INCLUDING LAND DAMAGES AND THE COST OF PAVEMENT AND SIDEWALKS LAID AT THE TIME OF SAID CONSTRUCTION OR FOR THE CONSTRUCTION OF STONE, BLOCK, BRICK, CEMENT CONCRETE, BITUMINOUS CONCRETE AND MACADAM OR OTHER PERMANENT PAVEMENT OF SIMILAR LASTING CHARACTER FOR THE PUBLIC WORKS DEPARTMENT (DOCKET NO. 0846)

The following was received:

City of Boston
Office of the Mayor

June 14, 2000

To the City Council.

Dear City Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$8,790,000 for the original construction of public ways or the extension or widening thereof, including land damages and the cost of pavement and sidewalks laid at the time of said construction, or for the construction of stone, block, brick, cement concrete, bituminous concrete, bituminous macadam or other permanent pavement of similar lasting character for the purpose of the Public Works Department.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$8,790,000 be, and hereby is, appropriated for the original construction of public ways or the extension or widening thereof, including land damages and the cost of pavement and sidewalks laid at the time of said construction, or for the construction of stone, block, brick, cement concrete, bituminous concrete, bituminous macadam or other permanent pavement of similar lasting character for the purpose of the Public Works Department; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Clause (5) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized through this order be expended only on those projects as described by name attached herein.

Attachment

1. Cambridge Street
2. Leather District Streets
3. Roadway Reconstruction FY2000
4. South Huntington Avenue

Referred to the Committee on Ways and Means.

ORDER FOR LOAN OF \$202,000 FOR REMODELING, RECONSTRUCTION OR REHABILITATION OF EXISTING FIREFIGHTING APPARATUS AND HEAVY EQUIPMENT FOR THE FIRE DEPARTMENT (DOCKET NO. 0847)

The following was received:

City of Boston
Office of the Mayor

June 14, 2000

To the City Council.

Dear City Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$202,000 for the remodeling, reconstruction or rehabilitation of existing firefighting apparatus and heavy equipment, for the purpose the Fire Department.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$202,000 be, and hereby is, appropriated for the remodeling, reconstruction or rehabilitation of existing firefighting apparatus and heavy equipment for the purposes of the Fire Department; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Clause (9A) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized through this order be expended only on those projects as described by name attached herein.

Attachment

1. Fire Boat Repair

Referred to the Committee on Ways and Means.

ORDER FOR LOAN OF \$2,590,000 FOR ACQUIRING LAND OR INTEREST IN LAND FOR ANY PURPOSE FOR WHICH CITY IS OR MAY HEREAFTER BE AUTHORIZED TO ACQUIRE LAND OR INTERESTS THEREIN; AND FOR CONSTRUCTION OF BUILDINGS OR FOR ADDITIONS TO SUCH BUILDINGS WHERE SUCH ADDITIONS INCREASE FLOOR SPACE OF SAID BUILDINGS INCLUDING COST OF ORIGINAL EQUIPMENT AND FURNISHINGS OF SAID BUILDINGS FOR LIBRARY AND POLICE DEPARTMENTS (DOCKET NO. 0848)

The following was received:

City of Boston
Office of the Mayor

June 14, 2000

To the City Council.
Dear City Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$2,590,000 for acquiring land, or interests in land, for any purpose for which the City is or may hereafter be authorized to acquire land or interests therein; and for the construction of buildings, or for additions to such buildings where such additions increase the floor space of said buildings, including the cost of original equipment and furnishings of said buildings, for the purposes of the Library and Police Departments.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$2,590,000 be, and hereby is, appropriated for acquiring land, or interests in land, for any purpose for which the City is or may hereafter be authorized to acquire land or interests therein; and for the construction of buildings, or for additions to such buildings where such additions increase the floor space of said buildings, including the cost of original equipment and furnishings of said buildings, for the purposes of the Library and Police Departments; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Clause (3) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized through this order be expended only on those projects as described by name attached herein.

Attachment

1. Allston Branch Library
2. Heritage Center
3. New Area D4 Station

Referred to the Committee on Ways and Means.

ORDER FOR LOAN OF \$127,000 FOR COST OF ENGINEERING OR ARCHITECTURAL SERVICES FOR PLANS AND SPECIFICATIONS FOR BOSTON REDEVELOPMENT (DOCKET NO. 0849)

The following was received:

City of Boston
Office of the Mayor

June 14, 2000

To the City Council.
Dear Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$127,000 for the cost of engineering or architectural services for plans and specifications for the purposes of the Boston Redevelopment Authority.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$127,000 be, and hereby is, appropriated for the cost of engineering or architectural services for plans and specifications for the purposes of the Boston Redevelopment Authority; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Clause (22) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized be expended only on those projects as described by name attached herein.

Attachment

1. Fenway Master Plan

Referred to the Committee on Ways and Means.

ORDER FOR LOAN OF \$3,172,000 FOR COST OF DEPARTMENTAL EQUIPMENT TO SERVICE FIRE, PARKS AND RECREATION AND SCHOOL DEPARTMENT (DOCKET NO. 0850)

The following was received:

City of Boston
Office of the Mayor

June 14, 2000

To the City Council.

Dear City Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$3,172,000 for the purpose of the cost of departmental equipment to service the Fire, Parks and Recreation, and School Departments.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$3,172,000 be, and hereby is, appropriated for the cost of departmental equipment for the purposes of the Fire, Parks and Recreation, and School Departments; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Clause (9) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized through this order be expended only on those projects as described by name attached herein.

Attachment

1. Fire Equipment FY01
2. Parks Maintenance Equipment FY01
3. Humphrey O.R.C. Vocational Equipment

Referred to the Committee on Ways and Means.

ORDER FOR LOAN OF \$8,171,000 FOR PURPOSE OF CONSTRUCTION OF MUNICIPAL OUTDOOR RECREATIONAL AND ATHLETIC FACILITIES INCLUDING ACQUISITION AND DEVELOPMENT OF LAND AND CONSTRUCTION AND RECONSTRUCTION OF SUCH FACILITIES FOR PARKS AND RECREATION AND SCHOOL DEPARTMENTS (DOCKET NO. 0851)

The following was received:

City of Boston
Office of the Mayor

June 14, 2000

To the City Council.

Dear City Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$8,171,000 for the purpose of construction of municipal outdoor recreational and

athletic facilities, including the acquisition and development of land and the construction and reconstruction of such facilities, for the purposes of the Parks and Recreation and School Departments.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$8,171,000 be, and hereby is, appropriated for the construction of municipal outdoor recreational and athletic facilities, including the acquisition and development of land and the construction and reconstruction of such facilities, for the purposes of the Parks and Recreation and School Departments; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Clause (25) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized through this order be expended only on those projects as described by name attached herein.

Attachment

1. Ball Field Renovations — Citywide FY00-FY01
2. Billings Field Play Lot
3. Chandler Pond
4. Children's Park
5. Chinatown Park
6. Commonwealth Avenue Mall
7. Court Renovation FY01
8. Defillipo Resilient Surfacing
9. General Parks Improvements FY01-04
10. Hazardous Remediation
11. Healy Field
12. Hooker/Sorrento Playground
13. Intergenerational Park
14. Jefferson Playground Renovations
15. North End Park/Puopolo Ballfield
16. Reservation Road Soccer Field
17. Ryan Ballfield
18. Ryan Playground
19. Stonehill Park
20. Titus Sparrow Park
21. Schoolyard Improvement Fund

Referred to the Committee on Ways and Means.

ORDER TO AMEND LOAN ORDER ORIGINALLY PASSED ON JUNE 24, 1998 AND JULY 15, 1998 AND APPROVED BY MAYOR ON JULY 21, 1998 OF \$20,000,000 AND AMENDED ON JUNE 23, 1999 AND JULY 14, 1999 AND APPROVED BY MAYOR ON JULY 22, 1999 TO AMOUNT OF \$26,060,000 IS FURTHER AMENDED BY INSERTING IN PLACE THEREOF \$34,948,000 FOR DEVELOPMENT, DESIGN, PURCHASE AND INSTALLATION OF COMPUTER HARDWARE AND SOFTWARE AND IMPLEMENTATION AND OPERATION OF CITY-WIDE ADMINISTRATIVE INFORMATION SYSTEM FOR HUMAN RESOURCES, PAYROLL AND FINANCE FUNCTIONS (DOCKET NO. 0852)

The following was received:

City of Boston
Office of the Mayor

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order to amend an appropriation order originally passed by your Honorable Body on June 24, 1998 and July 15, 1998 and approved by the Mayor on July 21, 1998, and amended on June 23, 1999 and July 14, 1999, and approved by the Mayor on July 22, 1999.

The proposed appropriation order would raise the

amount from \$26,060,000 to \$34,948,000 for the purpose of the development, design, purchase and installation of computer hardware and software and the implementation and operation of the city-wide administrative information system for human resources, payroll and finance functions.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That an appropriation order originally passed by the Boston City Council on June 24, 1998 and July 15, 1998, and approved by the Mayor on July 21, 1998 in the amount of \$20,000,000, and amended by your Honorable Body on June 23, 1999 and July 14, 1999, and approved by the Mayor on July 22, 1999 to the amount of \$26,060,000 is further amended by inserting in place thereof the sum of \$34,948,000, appropriated for the development, design, purchase and installation of computer hardware and software and the implementation and operation of the city-wide administrative information system for human resources, payroll, and finance functions; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Clause (28) and (29) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized be expended only on those projects as described by name attached herein.

Attachment

1. Financial Management Information System
- Referred to the Committee on Ways and Means.**

ORDER FOR LOAN OF \$3,818,000 FOR PURCHASE AND INSTALLATION OF COMPUTER HARDWARE AND SOFTWARE FOR MANAGEMENT INFORMATION SERVICES AND SCHOOL DEPARTMENTS (DOCKET NO. 0853)

The following was received:

City of Boston
Office of the Mayor

June 14, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$3,818,000 for the purchase and installation of computer hardware and software for the purpose of the Management Information Services and School Departments.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$3,818,000 be, and hereby is, appropriated for the purchase and installation of computer hardware and software; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Clause (28) and (29) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized be expended only on those projects as described by name attached herein.

Attachment

1. IBM Mainframe Disk Upgrade
2. Computer Technology FY98-FY02

Referred to the Committee on Ways and Means.

REPORT ON ORDER FOR LOAN OF \$1,370,000

FOR PURPOSE OF PLANNING, DESIGNING, ACQUIRING LAND FOR, CONSTRUCTING AND ORIGINALLY EQUIPPING STRUCTURES AND FACILITIES AND FOR REMODELING, RECONSTRUCTING OR MAKING MAJOR ALTERATIONS, ADDITIONS AND MAJOR REPAIRS TO EXISTING FACILITIES FOR PURPOSE OF VARIOUS CITY DEPARTMENTS INCLUDING BOSTON REDEVELOPMENT AUTHORITY, NEIGHBORHOOD DEVELOPMENT AND PARKS AND RECREATION DEPARTMENTS (DOCKET NO. 0854)

The following was received:

City of Boston
Office of the Mayor

June 14, 2000

To the City Council.

Dear City Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$1,370,000 for the purpose of planning, designing, acquiring land for, constructing and originally equipping structures and facilities and for remodeling, reconstructing, or making major alterations, additions and major repairs to existing facilities for the purpose of various city departments including the Boston Redevelopment Authority, Neighborhood Development and Parks and Recreation Departments.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$1,370,000 be, and hereby is, appropriated for the planning, designing, acquiring land for, constructing and originally equipping structures and facilities and for remodeling, reconstructing, or making major alterations, additions and major repairs to existing facilities including original equipment and landscaping, including the planting of shade trees, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair for the purpose of various city departments including the Boston Redevelopment Authority, Neighborhood Development and Parks and Recreation Departments, and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Chapter 642 of the Acts of 1966, as amended, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized through this order be expended only on the project as described by name attached herein.

Attachment

1. Boston East Site
2. Long Island Embankment Design
3. Street Tree Planting FY01

Referred to the Committee on Ways and Means.

ORDER FOR LOAN OF \$10,087,000 FOR PURPOSE OF ACQUIRING LAND FOR, CONSTRUCTING AND ORIGINALLY EQUIPPING AND FURNISHING PUBLIC SCHOOLHOUSES AND ADDITIONS AND FOR RECONSTRUCTION, REMODELING, REHABILITATION AND MODERNIZATION OF ANY SCHOOL HOUSE OR ADDITION (DOCKET NO. 0855)

The following was received:

City of Boston
Office of the Mayor

June 14, 2000

To the City Council.

Dear City Councillors:

I transmit herewith for your approval an appropriation order in the amount of \$10,087,000 for the purpose of acquiring land for, constructing and originally equip-

ping and furnishing public schoolhouses and additions, and for the reconstruction, remodeling, rehabilitation and modernization of any schoolhouse or addition.

I urge your Honorable Body to pass this order.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$10,087,000 be, and hereby is, appropriated for projects which may become approved school projects within the meaning of Chapter 645 of the Acts of 1948, as amended, including the acquiring land for, constructing and originally equipping and furnishing public schoolhouses and additions, and for the reconstruction, remodeling, rehabilitation and modernization of any schoolhouse or addition; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Section 8 of Chapter 645 of the Acts of 1948, as amended, or under the provisions of Chapter 642 of the Acts of 1966, as amended, or under the provisions of Clause (3) and/or (3A) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized through this order be expended only on those projects as described by name attached herein.

Attachment

1. Blackstone School Boiler
2. Burke High School Study
3. Central Kitchen Roof
4. Dorchester High School
5. Grew/E. Greenwood/Warren Prescott
6. Harvard/Kent School HVAC
7. Hennigan School HVAC
8. Holland School HVAC
9. Mission Hill School Heating System
10. Mozart School Roof, Windows, Doors
11. Murphy School
12. O'Bryant School Library/Media Center
13. Ohrenberger School Boiler
14. Technology Upgrades FY98-01

Referred to the Committee on Ways and Means.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Conley: Congratulating Eugene O'Connell (Docket No. 0827).

Councillor Murphy: Congratulating Brigid McDonough (Docket No. 0828).

Councillor Roache: Congratulating Drew McCarron (Docket No. 0829); congratulating twenty-three persons retiring from the Boston Police Department (Docket No. 0830).

Councillor Turner: Congratulating five persons on their graduation from the Greater Eggleston Community High School (Docket No. 0831).

Councillor Scapicchio: Congratulating John Green (Docket No. 0832).

Councillor Yancey: Congratulating Nina Simone (Docket No. 0833).

Councillor Conley: Congratulating Stephen Bell, Brian Lawler and Mark Murphy of the Boston School Police (Docket No. 0834); congratulating Eleanor Marie Stokinger on her 80th birthday (Docket No. 0835).

Councillor Honan: Congratulating John Murphy (Docket No. 0836).

Councillors Turner and Yancey: Congratulating the Reverend Carlton L. Jones (Docket No. 0837).

Councillor Turner: Congratulating Martha Williams (Docket No. 0838).

Councillor Ross: Declaring the week of June 12-16,

2000 "Homeownership Week" (Docket No. 0839).

The matters contained within the Consent Agenda were severally adopted.

Adjourned at 5:00 p.m., on motion of Councillor Kelly, to meet again on Wednesday, June 21, 2000 at 12 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, June 21, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 1:20 p.m., President KELLY in the chair and all the members present.

INVOCATION

Rabbi Ronne Friedman delivered the invocation, and the meeting was opened with the pledge of allegiance to the flag.

ORDER AUTHORIZING CITY TO ACCEPT AND EXPEND PRIVATE DONATIONS, CONTRIBUTIONS AND GIFTS TO BOSTON 2:00-6:00 INITIATIVE OF \$100,000 FROM COMMUNITY ORGANIZATIONS TO FUND AFTER-SCHOOL PROGRAMS (DOCKET NO. 0856)

The following was received:

City of Boston
Office of the Mayor

May 25, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an Order authorizing the Boston 2:00-to-6:00 After-School Initiative, in accordance with Chapter 44, Section 53 A of the Massachusetts General Laws, to accept and expend private donations. The Department will seek donations for the purpose of expanding afterschool opportunities for youth in Boston.

I urge your Honorable Body to approve this Order at the earliest date possible so that the Boston 2:00 to 6:00 After-School Initiative can move forward.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the Mayor's Boston 2:00-to-6:00 After-School Initiative, acting by and through its Executive Director, be and hereby is authorized in accordance with Chapter 44, Section 53 A of the Massachusetts General Laws, to accept and expend private donations, contributions, and gifts to the Boston 2:00-to-6:00 Initiative in an amount not to exceed \$100,000, exclusively for the purpose of developing programs for school-age children in Boston.

Referred to the Committee on Education and School Matters.

PRESENTATION BY COUNCILLOR FEENEY

Councillor FEENEY presented a resolution to Danny Cullinane from Dorchester who will be representing the City of Boston in a golf tournament in St. Croix.

ORDER AUTHORIZING ENVIRONMENT

DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$36,000 FROM MASSACHUSETTS HISTORICAL COMMISSION FOR PREPARATION OF NATIONAL REGISTER NOMINATION FOR CLAM POINT NEIGHBORHOOD, PHASE I OF SURVEY OF BEACON HILL AND REPRINT OF EXPLORING BOSTON'S NEIGHBORHOODS BROCHURES (DOCKET NO. 0857)

The following was received:

City of Boston
Office of the Mayor

June 20, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order authorizing the Environment Department to accept and expend an amount not to exceed \$36,000 for the period June 1, 2000 through July 30, 2001 from the Massachusetts Historical Commission.

The funds will be used to prepare a National Register Nomination for the Clam Point neighborhood in Dorchester, Phase I of a survey of Beacon Hill, and the reprint of Exploring Boston's Neighborhoods Brochures.

I urge your Honorable Body to pass this order as soon as possible in order that the City may receive and expend these funds expeditiously.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the City of Boston, acting by and through the City's Environment Department, be, and hereby is authorized, in accordance with section 53A of Chapter 44 of the Massachusetts General Laws, to accept and expend a grant in an amount not to exceed \$36,000 from the Massachusetts Historical Commission for the following projects: Preparation of a National Register Nomination for the Clam Point neighborhood in Dorchester, Phase I of a survey of Beacon Hill, and the reprint of Exploring Boston's Neighborhoods Brochures.

Referred to the Committee on Environment and Historical Preservation.

CERTAIN INFORMATION UNDER SECTION 17F
RE: MILDRED AVENUE PASSED ON JUNE 8,
2000 (DOCKET NO. 0858)

The following was received:

City of Boston
Office of the Mayor

June 20, 2000

To the City Council.

Dear Councillors:

Relative to the Section 17 F request passed by your Honorable Body on June 7, 2000 Re: Mildred Avenue, please find the attached response.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

(Annexed hereto is the documentation referred to.)
Referred to the Committee on Equity.

REPORT ON ORDER APPROVING PETITION FOR SPECIAL LAW DIRECTING STATE RETIREMENT BOARD TO RETIRE DETECTIVE ROBERT ROGERS (DOCKET NO. 0824)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0824, order approving a petition for a special law directing the State Retirement Board to retire Detective Robert Rogers (referred June 14) — recommending passage of the order.

The report was accepted; **the order was passed.**

MEETING OF EXECUTIVE SESSION

President KELLY moved that the City Council recess at 1:45 for a meeting in Executive Session to discuss litigation strategy.

The motion was carried.

The meeting in Executive Session having adjourned, the members reassembled in the City Council Chamber and were called to order by President KELLY at 3:25 p.m.

REPORT ON ORDER FOR HEARING TO DETERMINE POLICE DEPARTMENT'S CURRENT POLICY FOR SERVICE REVOLVER PURCHASES AND DISPOSAL OF SEIZED WEAPONS AND GUNS RECEIVED FROM BUYBACK PROGRAMS (DOCKET NO. 0128)

Councillor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0128, order for a hearing to determine the Police Department's current policy for service revolver purchases and the disposal of seized weapons and guns received from buyback programs (referred November 17, 1999) — recommending the order be placed on file.

The report was accepted; **the order was placed on file.**

REPORT ON ORDER FOR HEARING TO EXPLORE CREATING CITY ORDINANCE THAT WOULD MANDATE DESTRUCTION OF POLICE DEPARTMENT'S OLDER AND/OR OUTDATED GUNS AND FIREARMS (DOCKET NO. 0129)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0129, order for a hearing to explore creating a city ordinance that would mandate destruction of the Police Department's older and/or outdated guns and firearms (referred November 17, 1999) — recommending the order be placed on file.

On motion of Councillor MURPHY, **the order was referred back to the Committee on Public Safety.**

REPORT ON ORDER AUTHORIZING COMMISSIONER ON AFFAIRS OF ELDERLY TO APPLY FOR, ACCEPT AND EXPEND GRANT OF \$54,337 FROM MASSACHUSETTS OFFICE OF ELDER AFFAIRS (DOCKET NO. 0418)

Councillor ROACHE on behalf of the Committee on Elderly, submitted the following:

Report on Docket No. 0418, message and order authorizing the Commissioner on Affairs of the Elderly to apply for, accept and expend a grant of \$54,337 from the Massachusetts Office of Elder Affairs (referred March 15) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER AUTHORIZING COMMISSIONER ON AFFAIRS OF ELDERLY TO APPLY FOR, ACCEPT AND EXPEND GRANT OF \$36,225 FROM MASSACHUSETTS OFFICE OF ELDER AFFAIRS TO CONTINUE OPERATING RETIRED SENIOR VOLUNTEER PROGRAM (RSVP) (DOCKET NO. 0419)

Councillor ROACHE on behalf of the Committee on Elderly, submitted the following:

Report on Docket No. 0419, order authorizing the Commissioner on Affairs of the Elderly to apply for, accept and expend a grant of \$36,225 from the Massachusetts Office of Elder Affairs to continue operating the Retired Senior Volunteer Program (RSVP) (referred March 15) — recommending passage of the order.

The report was accepted; **the order was passed.**

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0859)

Councillor KELLY offered the following:

Ordered, That effective Saturday, July 1, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, September 29, 2000:

Katherine P. Gillen, secretary, \$670.50, full time.
Passed under suspension of the rules.

ORDER FOR HEARING RE: GUIDELINES TO DETERMINE THE EXTENT OF DEVELOPMENTAL IMPACT (DOCKET NO. 0861)

Councillors TURNER, YANCEY, FLAHERTY, HENNIGAN, DAVIS-MULLEN, ROACHE and CONLEY offered the following:

Whereas, The impacts of large commercial developments extend beyond the boundaries of any particular district within which a project is located; and

Whereas, There is no set of guidelines to determine the extent of the developmental impact; and

Whereas, The Boston Redevelopment Authority (BRA) has the responsibility as the City of Boston's planning agency to address issues such as developmental impact and linkage; and

Whereas, The issue of the extent of impact is critically important in determining the share of linkage monies and community benefits; therefore be it

Ordered, That the appropriate Boston City Council committee hold a public hearing, invite and provide representatives of the Boston Redevelopment Authority, the Mayor's Office, community organizations (Citywide) and individuals with the opportunity to share their thinking on the issue of community impact; and be it further

Ordered, That said notice of this hearing be published in the *City Record*.

Referred to the Committee on Housing and Committee on Economic Development and Transportation.

ORDER FOR HEARING TO REVIEW ACORN'S THREE-PART PROGRAM FOR STRENGTHENING SCHOOLS AND GIVE SCHOOL DEPARTMENT OFFICIALS AND COMMUNITY RESIDENTS OPPORTUNITY TO GIVE THEIR VIEWS ON VALUE OF IMPLEMENTING PROGRAM (DOCKET NO. 0862)

Councillors TURNER, YANCEY, FLAHERTY, HENNIGAN, DAVIS-MULLEN and ROACHE offered the following:

Whereas, ACORN, nationally and locally, has been the driving force behind many progressives actions; and

Whereas, ACORN members surveyed nearly 500 parents and guardians on their experiences and recommendations for the Boston Public Schools; and

Whereas, ACORN members visited over 15 Boston Public Schools and spoke with principals and teachers at all schools in the East and West Zones to assess resources, level of parental involvement and student achievement; and

Whereas, ACORN has held various one on one visits with over 200 ACORN members and friends to increase parental and community involvement; and

Whereas, ACORN has held 20 local neighborhood meetings focused around parental involvement and improving schools; therefore be it

Ordered, That the appropriate Boston City Council committee hold a public hearing to review ACORN's three part program for strengthening the schools and give school department officials and community residents an opportunity to give their views on the value of implementing the program; and be it further

Ordered, That representatives of the Boston Public School Department, the Mayor's Office, parent organizations and community residents be invited to attend and give testimony on their views of the value of implementing the program. This notice shall be published in the *City Record*.

Referred to the Committee on Education and School Matters.

ORDER FOR HEARING ON PROPOSED MUNICIPAL HARBOR PLAN (DOCKET NO. 0863)

Councillors SCAPICCHIO, HENNIGAN and DAVIS-MULLEN offered the following:

Whereas, The City in general and the waterfront area in particular, are in the midst of an unprecedented series of large-scale development proposals; and

Whereas, Much of this large-scale development is proposed for land that is on filled tidelands, under the jurisdiction of M.G.L. Chapter 91, drawing on colonial precedents that such tidelands must promote public use and enjoyment of such lands to a degree that is fully commensurate with the proprietary rights of the Commonwealth therein; and

Whereas, The regulations implementing Chapter 91 provide that non-water dependent projects on filled tidelands within the jurisdiction of Chapter 91 must ensure "that private advantages of use are not primary but merely incidental to the achievement of public pur-

poses," (310 CMR 9.53); and

Whereas, The Municipal Harbor Plan Advisory Committee has been meeting since last summer and have spent countless hours crafting a Municipal Harbor Plan which will set the standard for the city's implementation of Chapter 91; and

Whereas, The BRA is preparing for submission to the Executive Office of Environmental Affairs this Municipal Harbor Plan, which, if approved and adopted, will alter the effect of the present Chapter 91 regulations b allowing substitutions and offsets for present limits on height, setbacks, shadow and open space; and

Whereas, It is appropriate for the City Council to examine the effect of the proposed Municipal Harbor Plan on the citizens of Boston; therefore be it

Ordered, That the City Council hold a public hearing on the proposed Municipal Harbor Plan; and be it further

Ordered, That the BRA be requested not to finalize and submit the Municipal Harbor Plan to the Executive Office of Environmental Affairs until the City Council has had an opportunity to review the City's proposal.

Referred to the Committee on Environment and Historic Preservation and the Committee on Economic Development and Transportation.

ORDER TO CONDUCT PUBLIC HEARING TO DETERMINE IF STATE DIVISION OF INSURANCE HAS POLICY IN PLACE THAT FORBIDS INSURANCE CARRIERS FROM DENYING OR TERMINATING CREDIT INSURANCE TO CONSUMERS BASED ON AGE, SEX OR RACE (DOCKET NO. 0864)

Councillor DAVIS-MULLEN offered the following:

Whereas, Many financial institutions offer opportunities for consumers to apply for and receive a line of credit in the form of a credit card to be used for the electronic purchase of consumer goods and services, and

Whereas, While there are policies in place to protect the consumer against credit card theft and fraud, there are no guarantees that a consumer will receive 100% protection against unauthorized charges made to his/her credit card, and

Whereas, Most credit card companies offer optional insurance coverage, for a fee, to the consumer to protect against any unauthorized charges made to their account through theft or fraud, and

Whereas, Credit card insurance coverage is basically a contract between the consumer and the financial institution and should comply with the fair and legal principles afforded to the public under the Uniform Commercial Code, the Constitution and various state laws concerning discrimination, and

Whereas, Once a contract has been established, or once coverage has been extended from the insurance carrier to the consumer, the carrier should only be able to terminate or deny coverage where just cause exists, and

Whereas, Although it should not be allowed, some credit card insurance carriers have been known to deny or terminate coverage to some consumers based on the consumer's age, and

Whereas, Any insurance carrier who denies credit

card insurance coverage to any consumer based on age, sex or race should not be allowed to sell insurance in the Commonwealth of Massachusetts because of these discriminatory practices, therefore be it

Ordered, That the Boston City Council conduct a public hearing to determine if the State Division of Insurance has a policy in place that forbids insurance carriers from denying or terminating credit card insurance to consumers based on age, sex or race and that the Commissioner of the Insurance Division be invited to testify.

Referred to the Committee on Elderly.

LATE FILED MATTERS

The Chair stated that, in absence of objection, 4 late-filed matters would be added to the Agenda.

No objection being heard, the following matters were added:

RESOLUTION RE: MPE FUND (DOCKET NO. 0860)

Councillors ROACHE, KELLY, FEENEY, FLAHERTY, HONAN, TURNER, ROSS, DAVIS-MULLEN, MURPHY, CONLEY, HENNIGAN, SCAPICCHIO and YANCEY offered the following:

Whereas, Many employees of the City of Boston have long been faced with the burden of paying their own dental costs; and

Whereas, Nationally, oral health problems account for 3.6 Million days of lost work every year; and

Whereas, Providing dental insurance to those employees that are without coverage would not only ease the financial burden of living in the City of Boston, but also ensure a more productive workforce; and

Whereas, The City of Boston is currently in contract negotiations with AFSCME Council #93 and other Labor Unions representing City employees; and

Whereas, These negotiations provide an excellent opportunity to ensure that all City of Boston workers will have a basic dental and eye care plan; and

Whereas, It has been determined that the Massachusetts Public Employees Fund provides excellent coverage at a reasonable cost to City; therefore be it

Resolved, That the Boston City Council fully supports the efforts of the City's employees to obtain basic dental and eye care coverage and; be it further

Resolved That the City Council encourages the Administration to embrace the Massachusetts Public Employees Fund, which provides this much-needed coverage.

The rules were suspended; **the resolution was adopted.**

RESOLUTION THAT CITY COUNCIL ADOPTS AFOREMENTIONED LETTER AS PART OF CITY RECORD (DOCKET NO. 0896)

Councillor DAVIS-MULLEN offered the following:

Whereas, All thirteen members of the Boston City Council have signed on to the letter hereby attached, therefore be it;

Resolved, That the City Council adopts the aforementioned letter as part of the City Record.

Commissioner Paul Evans
Boston Police Headquarters

Dear Commissioner Evans:

We are writing you on behalf of the family of Mary

Sullivan. As you know, Mary is considered the last victim in the infamous Boston Strangler Case. No one was ever charged with or convicted of Mary Sullivan's murder and now her family is launching their own investigation into this heinous crime. The family has asked for your cooperation but has been denied at every turn. The Sullivan family is only seeking closure to a thirty-six-year-old wound. Mary Sullivan was only nineteen years old when she was brutally raped and strangled in her Charles Street apartment in January of 1964. Her family believes the real killer escaped justice.

We urge you to re-investigate the murder of Mary Sullivan. If your department does not deem Mary Sullivan's murder to be a priority at this time, we urge you to give her family access to all documentary and physical evidence in the case so they can proceed with their own investigation. There is no statute of limitation on murder and there are too many questions left unanswered in this horrible crime. The Boston City Council would like to see justice prevail for the Sullivan family, who has lived with a great pain for far too long.

Charles H. Turner,
District Seven.

Michael Ross,
District Eight.

Brian Honan,
District Nine.

Daniel Conley,
District Five.

Michael F. Flaherty,
At-Large.

Steph J. Murphy,
At-Large.

Francis M. Roach,
At-Large.

Sincerely,

Peggy Davis-Mullen,
City Council-At-Large.

Paul J. Scapicchio,
District One.

James M. Kelly,
District Two.

Maureen E. Feeney,
District Three.

Charles C. Yancey,
District Four.

Maura A. Hennigan,
District Six.

The rules were suspended; **the resolution was adopted.**

ORDER THAT BOSTON CITY COUNCIL CONDUCT PUBLIC HEARING TO DISCUSS AND CREATE LEGISLATION THAT WOULD HELP TO ACQUIRE BOSTON STATE HOSPITAL LAND IN MATTAPAN FOR PURPOSE OF BUILDING AFFORDABLE HOUSING, PUBLIC SCHOOLS AND OTHER BUILDINGS FOR PUBLIC USE AND THAT OFFICIALS FROM STATE'S OFFICE OF CAPITAL ASSET MANAGEMENT AND MEMBERS OF STATE LEGISLATURE BE INVITED TO ATTEND (DOCKET NO. 0897)

Councillor DAVIS-MULLEN offered the following:

Whereas, There is a public need for the building of affordable housing in the City of Boston, and

Whereas, There is a public need to build and locate more public schools in the City of Boston, and

Whereas, Efforts are under way by the city administration and the City Council to locate land to build affordable housing, schools and other buildings for public use, and

Whereas, The former site of the Boston State Hospital located in Mattapan is state owned land and contains approximately 167 acres of land that could be used for

housing, schools and business districts needed in the City of Boston, and

Whereas, According to a recent report in the Boston Tab, since 1981, when the Boston State Hospital site was officially closed, there have been several proposals from city, state and public advisory committees to develop the land for public use, and

Whereas, Most of these plans were discontinued or put on the shelf because of delays as to what to do with the plans and because of changes in the new Governor's administration,

Whereas, The City of Chicopee, faced with a similar land crisis in the 1980's, acquired land from the federal government to build affordable housing and commercial real estate, and

Whereas, If the City of Boston could acquire this land from the state as surplus property, to be used for the public need, this land could be used to build badly needed affordable housing and public schools, therefore be it

Ordered, That the Boston City Council conduct a public hearing to discuss and create legislation that would help to acquire the Boston State Hospital land in Mattapan for the purpose of building affordable housing, public schools and other buildings for public use and that officials from the State's Office of Capital Asset Management and members of the state legislature be invited to attend.

Councillor YANCEY moved that the Boston State Hospital Citizens Advisory Committ also be invited to testify on this hearing. The motion was carried.

Referred to the Committee on Housing.

ORDER THAT BOSTON CITY COUNCIL HOLD HEARING TO DETERMINE POTENTIAL FOR PRIVATE STUDENTS ATTEND SUMMER SCHOOL SESSIONS CONDUCTED BY BOSTON PUBLIC SCHOOLS (DOCKET NO. 0898)

Councillors DAVIS-MULLEN, CONLEY, FEENEY, MURPHY, ROACHE and FLAHERTY offered the following:

Ordered, That the Boston City Council hold a hearing to determine the potential for private school students to attend summer school sessions conducted by the Boston Public Schools.

Referred to the Committee on Education and School Matters.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Honan: Congratulating Joe Walsh (Docket No. 0865).

Councillor Scapicchio: Congratulating Michelenia D'Iorio (Docket No. 0866).

Councillor Ross: Congratulating Clarendon Street Playground (Docket No. 0867).

Councillor Feeney: Brendan Thomas Donovan (Docket No. 0868)

Councillor Turner: Congratulating New Testament Church (Docket No. 0869); congratulating Dominique Douglas (Docket No. 0870).

Councillor Scapicchio: Congratulating 101st Anniversary of the Historic Bellevue Hotel (Docket No. 0871).

Councillor Yancey: Congratulating Captain James Clairborne (Docket No. 0872); congratulating Sidrah Jackson (Docket No. 0873); congratulating Jerome Cornute (Docket No. 0874); congratulating Noble Ramdewar (Docket No. 0875).

Councillor Murphy: Declaring June 23, 2000 "James T. Curran Day" (Docket No. 0876).

Councillor Honan: Congratulating Gam Nguyen (Docket No. 0877); congratulating Ann Walter (Docket No. 0878); congratulating Khanh Bui (Docket No. 0879); congratulating Hoa Tran (Docket No. 0880); congratulating Mary Honan (Docket No. 0881).

Councillor Roache: Congratulating Mary E. Canny (Docket No. 0882); congratulating Florence A. Bonner (Docket No. 0883); congratulating Julia Corcoran (Docket No. 0884); congratulating Marie L. Ellis (Docket No. 0885); congratulating Gertrude A. Feeney (Docket No. 0886); congratulating Margaret M. Heffernan (Docket No. 0887); congratulating Helen Stephens (Docket No. 0888); congratulating Josephina Mirisola (Docket No. 0889); congratulating Margaret M. McDonnell (Docket No. 0890); congratulating Mary J. Gillis (Docket No. 0891); congratulating Mary Tracy (Docket No. 0892).

Councillor Yancey: Congratulating Leavell-Lenell Family (Docket No. 0893).

Councillor Honan: Congratulating Joan Babbins (Docket No. 0894).

Councillor Feeney: Declaring June 20, 2000 "Pat Egan Day" (Docket No. 0895).

The Chair stated that in the absence of objection, two late-filed matters would be added to the Consent Agenda.

No objection being heard, the following matters were added:

Councillor Yancey: Congratulating Sophia Haynes (Docket No. 0899).

Councillor Feeney: Congratulating Daniel Cullinane (Docket No. 0900).

The matters contained within the Consent Agenda were severally adopted.

ORDER AUTHORIZING SCHOOL DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$125,000 FROM EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS THROUGH DEPARTMENT OF ENVIRONMENTAL PROTECTION TO BE USED FOR THE STRIVE SCHOOL-TO-CAREER RECYCLING PROGRAM TO INCREASE RECYCLING EDUCATION AND PARTICIPATION IN PUBLIC SCHOOLS (DOCKET NO. 0443)

Councillor DAVIS-MULLEN called Docket No. 0443 from the Committee on Education and School Matters.

Hearing no objection, the matter was before the body.

On motion of Councillor DAVIS-MULLEN, the order was passed.

Adjourned at 4:00 p.m., on motion of Councillor Kelly, to meet again on Wednesday, June 28, 2000 at 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, June 28, 2000

Regular meeting of the City Council held in the Christopher Iannella Council Chamber, City Hall, at 12:40 p.m., President KELLY in the Chair. Absent, Councillor ROACHE.

INVOCATION

Reverend Kevin John Milton, Mission Church, delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

PRESENTATION BY COUNCILLOR FEENEY

Councillor FEENEY presented two young gentlemen from Dorchester with resolutions for their heroism in saving a woman from her car which plunged into the Neponset River after being hit by a drunk driver.

ORDER TO AMEND SALARY SCHEDULES FOR POLICE OFFICERS HOLDING CIVIL SERVICE RANK OF SERGEANT, LIEUTENANT AND CAPTAIN (DOCKET NO. 0901)

The following was received:

City of Boston
Office of the Mayor

June 27, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval, an order to amend the salary schedules for Boston police officers holding the civil service rank of sergeant, lieutenant, and captain who are represented by the Boston Police Superior Officers Federation.

This amendment is submitted pursuant to the interest arbitration award in case no. JLMC9742P dated June 1, 2000. A copy of the entire award is attached.

I respectfully request that your Honorable Body approve this request and enable the City to implement the award as soon as possible.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Whereas, The City of Boston and Boston Police Superior Officers Federation, mutually engaged in the collective bargaining process pursuant to G.L. c. 150E for the purpose of reaching a successor collective bargaining agreement to the agreement which had expired June 30, 1996; and

Whereas, The parties were unable to mutually agree through the negotiation process to an agreement and the Joint Labor-Management Committee (JLMC) assumed jurisdiction over the case; and

Whereas, The parties engaged in an interest arbitration before the JLMC and the JLMC issued an award dated June 1, 2000; and

Whereas, That award included a provision calling for the Mayor to seek adoption of G.L. c. 41, sec. 108L (Quinn Bill) for bargaining unit members;

The City Council hereby orders as follows:

Ordered, That the City of Boston, which engaged in good faith in the collective bargaining process under

G.L. c. 150E with the Boston Police Superior Officers Federation and which culminated in an interest arbitration award from the Joint Labor-Management Committee, accepts the provisions of G.L. c.41, sec. 108L, provided that said acceptance is effective as of July 5, 2000 and in no event earlier and shall be effective to bargaining unit members of the Boston Police Superior Officers Federation consistent with the terms of said award.

Referred to the Committee on Public Safety.

ORDER APPROVING MODIFICATION TO PARK PLAZA URBAN RENEWAL PLAN WITH RESPECT TO CHARLES/TREMONT SUB-PARCEL OF PARCEL 3 AND PARCEL B (DOCKET NO. 0902)

The following was received:

City of Boston
Office of the Mayor

June 27, 2000

To the City Council.

Dear Councillors:

I hereby transmit for your approval a City Council Order approving the modification to the Park Plaza Urban Renewal Plan (the "Plan") adopted by the Boston Redevelopment Authority by a resolution dated March 30, 2000. A copy of the resolution is attached. Section M.1 of the Plan entitled "Plan Modification or Amendment" states that "any change which increases any . . . height limit . . . or which alters the uses . . . shall be deemed to be substantial."

The resolution adopted by the Boston Redevelopment Authority modifies Section F.4 of the Plan entitled "Land Use and Building Requirements for Disposition Parcels" with respect to the Charles/Tremont Subparcel of Parcel 3 and Parcel B of the Park Plaza Urban Renewal Area to increase the height limitation to 155' if permitted under Section 38-7 of the Boston Zoning Code, and to add institutional use by a college or university to the Permitted Uses if permitted as of right or as a conditional use under the Boston Zoning Code. The modifications to the Plan require City Council approval.

The Emerson College Performance and Production Center, which will be constructed adjacent to Allen's Alley and will include College theaters, television studios, and rehearsal space and support facilities for the Emerson Majestic Theatre, will increase the College's presence in the Midtown Cultural District and will support the City's plans for the revitalization of the area as a center for the visual and performing arts.

I therefore urge the approval of the attached Council Order that will approve the modification to the Park Plaza Urban Renewal Plan thereby allowing the Emerson College Performance and Production Center project to proceed.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Whereas, The Urban Renewal Plan for the Park Plaza Urban Renewal Area (the "Urban Renewal Area") was adopted by the Boston Redevelopment Authority (the "Authority") on July 15, 1971; approved by the City Council of the City of Boston, with certain modifications, on December 6, 1971; and confirmed and accepted by vote of the Authority on December 6, 1971 (said plan, as heretofore amended, being herein referred to as the "Plan");

Whereas, Section M.1 of the Plan, entitled "Modification and Termination," provides that the Plan may be modified or amended from time by the Authority, and that certain amendments, including increases in permitted height for any parcel and changes in use, require approvals as for a new urban renewal plan;

Whereas, The Massachusetts legislature has authorized the Commissioner of the Division of Capital Asset Management to grant Emerson College (the "College") a right to construct a building, which the College intends to use as a Performance and Production Center (the "Center"), on land (the "Easement") currently used as the loading area for the State Transportation Building, which land lies adjacent to Allen's Alley and partially within the Charles/Tremont Subparcel of Parcel 3 of the Urban Renewal Area and partially within Parcel "B" of the Urban Renewal Area;

Whereas, The proposed amendments to the Plan are necessary to effectuate the redevelopment of the Easement Parcel and the Allen's Alley area and the use thereof for educational purposes by the College;

Whereas, It is the opinion of the Authority that the modifications hereinafter provided with respect to the Charles/Tremont Subparcel of Parcel 3 and Parcel "B" are consistent with the objectives of the Plan;

Whereas, The Authority is cognizant of the requirements of Massachusetts General Laws Chapter 30, Sections 61 through 62H, as amended and its implementing regulations (collectively, "MEPA") with respect to minimizing and preventing damage to the environment.

Now, therefore, be it resolved by the Authority as follows:

1. Pursuant to Section M.1 thereof, that the Plan be and hereby is amended as follows:
 - a. Section F.4, PARCEL3 — Charles/Tremont Subparcel of Parcel 3, Height is hereby amended by inserting the following at the end thereof:

"— that a height of 155' shall be allowed if permitted under Section 38-7 of the Boston Zoning Code."
 - b. Section F.4, PARCEL"B", Height is hereby amended by inserting the following at the end thereof:

"except that a height of 155' shall be allowed if permitted under Section 38-7 of the Boston Zoning Code."
 - c. Section F.4, PARCEL3 — Charles/Tremont Subparcel of Parcel 3, Permitted Uses is hereby amended by inserting the following at the end of the second line thereof:

" , institutional use by college or university permitted as of right or as a conditional use under Article 6 and Section 38-18.6(k) of the Boston Zoning Code,"
 - d. Section F.4, PARCEL"B", Permitted Uses is hereby amended by inserting the following at the end of the first line thereof:

" , institutional use by college or university permitted as of right or as a conditional use under Article 6 and Section 38-1 8.6(k) of the Boston Zoning Code,"
2. That all other provisions of the Plan not inconsistent herewith be and hereby are continued in full force and effect.
3. That it is hereby found and determined pursuant to MEPA that the foregoing modification of the Plan, and any proposed development undertaken pursuant thereto, will not result in significant damage to or impairment of the environment, and further that all practicable and feasible means and measures have been taken and are being utilized to avoid or minimize damage to the environment.
4. That the Secretary be and hereby is authorized to file the aforesaid amendments to the Plan with the minutes of this meeting and that said amendments shall be conclusively deemed to be the official amendments to the Plan;
5. That the Director be and hereby is authorized to submit to the Mayor for his approval and submission to the City Council and the Massachusetts Department of Housing and Community Development for their respective approvals the

foregoing amendments to the Plan approved by the Authority on this date.

Whereas, The Park Plaza Urban Renewal Plan was adopted by the Boston Redevelopment Authority (the "Authority") on July 25, 1971 and approved by the City Council on December 6, 1971; and

Whereas, The Authority by vote of December 16, 1971, accepted and effected certain changes voted by the City Council in approving the Park Plaza Urban Renewal Plan; and

Whereas, The Mayor approved the Park Plaza Urban Renewal Plan, as previously approved by the City Council and the Authority, on December 22, 1971; and

Whereas, The Department of Community Affairs of the Commonwealth of Massachusetts, after extensive citizen and governmental review, gave its approval of said urban renewal plan and also approved certain further controls on development; and

Whereas, Amendments to the Park Plaza Urban Renewal Plan were adopted on May 12, 1977 and approved by the City Council on June 6, 1977; and

Whereas, A modification to Section F.4 of the Park Plaza Urban Renewal Plan with respect to height and use restrictions pertaining to Parcel 3 Charles/Tremont Subparcel and to Parcel B were adopted by the Authority on March 30, 2000; and

Whereas, Said modification is set forth in a resolution of the Authority dated March 30, 2000, which resolution has been submitted to the council by his Honor, the Mayor, for approval, together with a certificate from the Secretary of the Authority evidencing the adoption of said modification: now, therefore, be it

Ordered by the Boston City Council:

(A) That the modification to the Park Plaza Urban Renewal Plan duly adopted by the Boston Redevelopment Authority by a resolution dated March 30, 2000, be and the same are hereby, approved.

(B) That the city clerk is hereby directed to file a copy of said resolution with the minutes of this meeting, and that the modification set forth therein shall be conclusively deemed to be an official amendment to the Park Plaza Urban Renewal Plan.

Referred to the Committee on Economic Development and Transportation.

ORDER FOR CONFIRMATION OF REAPPOINTMENT OF JOHN FREEMAN AS ALTERNATE MEMBER OF BOSTON LANDMARKS COMMISSION FOR TERM EXPIRING 6-30-2001 (DOCKET NO. 0903)

The following was received:

City of Boston
Office of the Mayor

June 21, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order regarding the reappointment of John Freeman, of 6 Mendum Street, Roslindale, MA 02131, as an alternate member of the Boston Landmarks Commission for a term expiring June 30, 2001. Mr. Freeman has been nominated for this position by the Boston Society of Architects.

I urge your Honorable Body to pass this Order at the earliest possible date so that Mr. Freeman may continue serving his appointment without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 3, the reappointment of John Freeman, of 6 Mendum Street, Roslindale, MA 02131, as an alternate member of the Boston Landmarks Commission for a term expiring

June 30, 2001, be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF REAPPOINTMENT OF RICHARD SCHMIDT AS ALTERNATE MEMBER OF BOSTON LANDMARKS COMMISSION FOR TERM EXPIRING 6-30-2004 (DOCKET NO. 0904)

The following was received:

City of Boston

Office of the Mayor

June 21, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order regarding the reappointment of Richard Schmidt, of 25 Malcolm Road, Jamaica Plain, MA 02130, as an alternate member of the Boston Landmarks Commission for a term expiring June 30, 2002. Mr. Schmidt has been nominated for this position by the Boston Society of Architects.

I urge your Honorable Body to pass this Order at the earliest possible date so that Mr. Schmidt may continue serving his appointment without delay.

Sincerely,

Thomas M. Menino,

Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 3, the reappointment of Richard Schmidt, of 25 Malcolm Road, Jamaica Plain, MA 02130, as an alternate member of the Boston Landmarks Commission for a term expiring June 30, 2002, be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF THOMAS GREEN AS MEMBER OF BOSTON LANDMARKS COMMISSION FOR TERM EXPIRING 6-20-2003 (DOCKET NO. 0905)

The following was received:

City of Boston

Office of the Mayor

June 21, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order regarding the reappointment of Thomas Green, of 41 Beacon Street, # 5, as a full member of the Boston Landmarks Commission for a term expiring June 30, 2003. Mr. Green has been nominated for this position by the Boston Society of Architects.

I urge your Honorable Body to pass this Order at the earliest possible date so that Mr. Green may continue serving his appointment without delay.

Sincerely,

Thomas M. Menino,

Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 3, the reappointment of Thomas Green, of 41 Beacon Street, # 5, as a full member of the Boston Landmarks Commission for a term expiring June 30, 2003, be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF CARMELO M. GARUFO AS ALTERNATE MEMBER OF BACK BAY ARCHITECTURAL COMMISSION FOR TERM EXPIRING DECEMBER 31, 2004

(DOCKET NO. 0906)

Notice was received from the Mayor of the appointment of Carmelo M. Garufo as an alternate member of the Back Bay Architectural Commission for a term expiring December 31, 2004.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF REAPPOINTMENT OF DELL MITCHELL AS MEMBER OF BACK BAY ARCHITECTURAL COMMISSION FOR TERM EXPIRING DECEMBER 31, 2004 (DOCKET NO. 0907)

Notice was received from the Mayor of the reappointment of Dell Mitchell as a member of the Back Bay Architectural Commission for a term expiring December 31, 2004.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF S. ALI RIZVI AS MEMBER OF BACK BAY ARCHITECTURAL COMMISSION FOR TERM EXPIRING DECEMBER 31, 2004 (DOCKET NO. 0908)

Notice was received from the Mayor of the appointment of S. Ali Rizvi as a member of the Back Bay Architectural Commission for a term expiring December 31, 2004.

Placed on file.

COMMUNICATION FROM CITY CLERK OF FILING OF BRA OF "POST OFFICE SQUARE PARK AND GARAGE CHAPTER 121A PROJECT; DETERMINATION THAT THE STOCK REPURCHASE AND ADDITIONAL FINANCING ARE CONSISTENT WITH APPROVED REFINANCING PLAN FOR THE PROJECT" (DOCKET NO. 0909)

The following was received:

City of Boston

Office of the City Clerk

June 27, 2000

To the City Council.

Dear Councillors:

In compliance with order passed by your Honorable Body December 6, 1976, this is to inform you that the following was filed by the Boston Redevelopment Authority with the City Clerk on June 14, 2000:

"Post Office Square Park and Garage Chapter 121A Project; Determination that the Stock Repurchase and Additional Financing are Consistent with the Approved Refinancing Plan for the Project."

Very truly yours,

Rosaria Salerno,

City Clerk.

Placed on file.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENTS OF CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING ON BOND (DOCKET NO. 0525)

Councillor FEENEY on behalf of the Committee on Government Operations submitted the following:

Report on Docket No. 0525, message of the Mayor and order for confirmation of the appointments of Constables authorized to serve civil process upon filing on bond (referred April 12) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENTS OF CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING ON BOND (DOCKET NO. 0668)

Councillor FEENEY on behalf of the Committee on Government Operations submitted the following:

Report on Docket No. 0668, message of the Mayor and order for confirmation of the appointments of Constables authorized to serve civil process upon filing on bond (referred May 10) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENTS OF CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING ON BOND (DOCKET NO. 0526)

Councillor FEENEY on behalf of the Committee on Government Operations submitted the following:

Report on Docket No. 0526, message of the Mayor and order for confirmation of the appointments of Constables authorized to serve civil process upon filing on bond (referred April 12) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENTS OF CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING ON BOND (DOCKET NO. 0669)

Councillor FEENEY on behalf of the Committee on Government Operations submitted the following:

Report on Docket No. 0669, message of the Mayor and order for confirmation of the appointments of Constables authorized to serve civil process upon filing on bond (referred May 10) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER AUTHORIZING FIRE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$50,000 FROM EXECUTIVE OFFICE OF PUBLIC SAFETY PROGRAMS DIVISION AND STATE FIRE MARSHAL'S STUDENT AWARENESS FIRE EDUCATION (S.A.F.E.) GRANT FOR PURPOSE OF FIRE SAFETY EDUCATION (DOCKET NO. 0551)

Councillor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0551, message of the Mayor and order authorizing the Fire Commissioner to accept and expend a grant of \$50,000 from the Executive Office of Public Safety Programs Division and State Fire Marshal's Student Awareness Fire Education (S.A.F.E.) grant for the purpose of fire safety education (referred April 26) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER AUTHORIZING FIRE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$199,000 FROM DEPARTMENT OF JUSTICE FOR PURPOSE OF "DOMESTIC PREPAREDNESS EQUIPMENT SUPPORT" (DOCKET NO. 0552)

Councillor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0552, message of the Mayor and order authorizing the Fire Commissioner to accept and expend a grant of \$199,639 from the Department of Justice for the purpose of "Domestic Preparedness Equipment Support" (referred April 26) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER AUTHORIZING FIRE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$195,000 FROM UNITED STATES OF AMERICA AS REIMBURSEMENT FOR EXPENSES INCURRED BY DEPARTMENT DURING ITS 1999 AND 2000 FISCAL YEARS FOR CIVIL DEFENSE RELATED ACTIVITIES (DOCKET NO. 0553)

Councillor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0553, message of the Mayor and order authorizing the Fire Commissioner to accept and expend a grant of \$195,000 from the United States of America as reimbursement for expenses incurred by the department during its 1999 and 2000 fiscal years for Civil Defense related activities (referred April 26) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON PETITION OF AFFORDABLE SHUTTLE FOR LICENSE TO OPERATE MOTOR VEHICLES FOR CARRIAGE OF PASSENGERS FOR HIRE OVER CERTAIN STREETS (DOCKET NO. 0618)

Councillor SCAPICCHIO, on behalf of the Committee on Economic Development and Transportation, submitted the following:

Report on Docket No. 0618, petition of Affordable Shuttle for license to operate motor vehicles for the carriage of passengers for hire over certain streets (referred May 3) — recommending petition be granted with certain conditions.

The report was accepted; **the petition was granted with certain conditions.**

REPORT ON ORDER FOR ANNUAL APPROPRIATION AND TAX ORDER FOR FY01 (DOCKET NO. 0843)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0843, message of the Mayor and order for annual appropriation and tax order for FY01 (referred June 14) — recommending passage of the order.

The report was accepted; **the order was passed.**

ORDER FOR LOAN OF \$57,000,000 FOR PURPOSE OF PLANNING, DESIGNING, ACQUIRING LAND FOR, CONSTRUCTING AND ORIGINALLY EQUIPPING STRUCTURES AND FACILITIES AND FOR REMODELING, RECONSTRUCTING OR MAKING MAJOR ALTERATIONS, ADDITIONS AND MAJOR REPAIRS TO EXISTING FACILITIES FOR PURPOSE INCLUDING ORIGINAL EQUIPMENT AND LANDSCAPING INCLUDING PLANTING OF SHADE TREES, PAVING AND OTHER SITE IMPROVEMENTS INCIDENTAL OR DIRECTLY RELATED TO SUCH REMODELING, RECONSTRUCTION OR REPAIR FOR PURPOSES OF SCHOOL DEPARTMENT FOR HIGH SCHOOL IN MATTAPAN (DOCKET NO. 0640)

Councillor YANCEY called Docket No. 0640 from the Committee on Ways and Means.

No objection being heard, the matter was before the body.

Councillor FEENEY in the Chair.

President KELLY in the Chair.

On motion of Councillor YANCEY, Docket No. 0640 was referred back to the Committee on Ways and Means.

ORDER FOR ANNUAL APPROPRIATION OF \$591,998,242 FOR SCHOOL DEPARTMENT FOR FY01 (DOCKET NO. 0842)

Councillor DAVIS-MULLEN called Docket No. 0842 from the Committee on Education and School Matters.

No objection being heard, the matter was before the body.

On motion of Councillor DAVIS-MULLEN, the order was passed; yeas 11, nays 1:

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Murphy, Ross, Scapicchio, Turner, Yancey — 11.

Nays — Councillor Kelly — 1.

REPORT ON ORDER AUTHORIZING CITY TO ENTER INTO ONE OR MORE LEASE, LEASE-PURCHASE OR INSTALLMENT SALES AGREEMENTS IN FY01 IN AMOUNT NOT TO EXCEED \$13,750,000 AND FY02 IN AMOUNT NOT TO EXCEED \$ 13,750,000 TO BE USED BY DIFFERENT CITY DEPARTMENTS FOR ACQUISITION OF EQUIPMENT (DOCKET NO. 0844)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0844, message of the Mayor and order authorizing the City to enter into one or more lease, lease-purchase or installment sales agreements in FY01 in an amount not to exceed \$13,750,000 and FY02 in an amount not to exceed \$13,750,000 to be used by different City departments for the acquisition of equipment (referred June 14) — recommending the order be given its first reading and passage.

The report was accepted; the order was given its first reading and passage, yeas 12.

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Ross, Scapicchio, Turner, Yancey — 12.

Assigned for further action.

REPORT ON ORDER FOR LOAN OF \$17,172,000 FOR REMODELING, RECONSTRUCTING OR MAKING EXTRAORDINARY REPAIRS TO PUBLIC BUILDINGS OWNED BY CITY INCLUDING ORIGINAL EQUIPMENT AND LANDSCAPING, PAVING AND OTHER SITE IMPROVEMENTS INCIDENTAL OR DIRECTLY RELATED TO SUCH REMODELING, RECONSTRUCTION OR REPAIR FOR PURPOSES OF COMMUNITY CENTER, FIRE, LIBRARY, NEIGHBORHOOD DEVELOPMENT, PARKS AND RECREATION, POLICE, PROPERTY MANAGEMENT, PUBLIC HEALTH COMMISSION, PUBLIC WORKS AND TRANSPORTATION DEPART-

MENT (DOCKET NO. 0845)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0845, message of the Mayor and order for loan of \$17,172,000 for remodeling, reconstructing or making extraordinary repairs to public buildings owned by the city including original equipment and landscaping, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair for the purposes of the Community Center, Fire, Library, Neighborhood Development, Parks and Recreation, Police, Property Management, Public Health Commission, Public Works and Transportation Department (referred June 14) — recommending the order be given its first reading and passage.

The report was accepted; the order was given its first reading and passage, yeas 12.

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Ross, Scapicchio, Turner, Yancey — 12.

Assigned for further action.

REPORT ON ORDER FOR LOAN OF \$8,790,000 FOR THE ORIGINAL CONSTRUCTION OF PUBLIC WAYS OR EXTENSION OR WIDENING THEREOF INCLUDING LAND DAMAGES AND THE COST OF PAVEMENT AND SIDEWALKS LAID AT THE TIME OF SAID CONSTRUCTION OR FOR THE CONSTRUCTION OF STONE, BLOCK, BRICK, CEMENT CONCRETE, BITUMINOUS CONCRETE AND MACADAM OR OTHER PERMANENT PAVEMENT OF SIMILAR LASTING CHARACTER FOR THE PUBLIC WORKS DEPARTMENT (DOCKET NO. 0846)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0846, message of the Mayor and order for loan of \$8,790,000 for the original construction of public ways or extension or widening thereof including land damages and the cost of pavement and sidewalks laid at the time of said construction or for the construction of stone, block, brick, cement concrete, bituminous concrete and macadam or other permanent pavement of similar lasting character for the Public Works Department (referred June 14) — recommending the order be given its first reading and passage.

The report was accepted; the order was given its first reading and passage, yeas 12.

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Ross, Scapicchio, Turner, Yancey — 12.

Assigned for further action.

REPORT ON ORDER FOR LOAN OF \$202,000 FOR REMODELING, RECONSTRUCTION OR REHABILITATION OF EXISTING FIRE FIGHTING APPARATUS AND HEAVY EQUIPMENT FOR FIRE DEPARTMENT (DOCKET NO. 0847)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0847, message of the Mayor and order for loan of \$202,000 for the remodeling, reconstruction or rehabilitation of existing fire fighting apparatus and heavy equipment for the Fire Department (referred June 14) — recommending the order be given its first reading and passage.

The report was accepted; the order was given its first reading and passage, yeas 12.

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Ross,

Scapicchio, Turner, Yancey — 12.
Assigned for further action.

ORDER FOR LOAN OF \$2,590,000 FOR ACQUIRING LAND OR INTERESTS IN LAND FOR ANY PURPOSE FOR WHICH CITY IS OR MAY HEREAFTER BE AUTHORIZED TO ACQUIRE LAND OR INTERESTS THEREIN; AND FOR CONSTRUCTION OF BUILDINGS OR FOR ADDITIONS TO SUCH BUILDINGS WHERE SUCH ADDITIONS INCREASE FLOOR SPACE OF SAID BUILDINGS INCLUDING COST OF ORIGINAL EQUIPMENT AND FURNISHINGS OF SAID BUILDINGS FOR LIBRARY AND POLICE DEPARTMENTS (DOCKET NO. 0848)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0848, message of the Mayor and order for loan of \$2,590,000 for acquiring land or interests in land for any purpose for which the City is or may hereafter be authorized to acquire land or interests therein; and for the construction of buildings or for additions to such buildings where such additions increase the floor space of said buildings including the cost of original equipment and furnishings of said buildings for the Library and Police departments (referred June 14) — recommending the order be given its first reading and passage.

The report was accepted; the order was given its first reading and passage, yeas 12.

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Ross, Scapicchio, Turner, Yancey — 12.

Assigned for further action.

ORDER FOR LOAN \$127,000 FOR COST OF ENGINEERING OR ARCHITECTURAL SERVICES FOR PLANS AND SPECIFICATIONS FOR BOSTON REDEVELOPMENT AUTHORITY (DOCKET NO. 0849)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0849, message of the Mayor and order for loan of \$127,000 for the cost of engineering or architectural services for plans and specifications for the Boston Redevelopment Authority (referred June 14) — recommending the order be given its first reading and passage.

The report was accepted; the order was given its first reading and passage, yeas 12.

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Ross, Scapicchio, Turner, Yancey — 12.

Assigned for further action.

REPORT ON ORDER FOR LOAN OF \$3,172,000 FOR COST OF DEPARTMENTAL EQUIPMENT TO SERVICE FIRE, PARKS AND RECREATION AND SCHOOL DEPARTMENTS (DOCKET NO. 0850)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0850, message of the Mayor and order for loan of \$3,172,000 for the cost of departmental equipment to service the Fire, Parks and Recreation and School departments (referred June 14) — recommending the order be given its first reading and passage.

The report was accepted; the order was given its first reading and passage, yeas 12.

Yeas — Councillors Conley, Davis-Mullen, Feeney,

Flaherty, Hennigan, Honan, Kelly, Murphy, Ross, Scapicchio, Turner, Yancey — 12.
Assigned for further action.

REPORT ON ORDER FOR LOAN OF \$8,171,000 FOR PURPOSE OF CONSTRUCTION OF MUNICIPAL OUTDOOR RECREATIONAL AND ATHLETIC FACILITIES INCLUDING ACQUISITION AND DEVELOPMENT OF LAND AND CONSTRUCTION AND RECONSTRUCTION OF SUCH FACILITIES FOR PARKS AND RECREATION AND SCHOOL DEPARTMENTS (DOCKET NO. 0851)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0851, message of the Mayor and order for loan of \$8,171,000 for the purpose of construction of municipal outdoor recreational and athletic facilities including the acquisition and development of land and the construction and reconstruction of such facilities for the Parks and Recreation and School departments (referred June 14) — recommending the order be given its first reading and passage.

The report was accepted; the order was given its first reading and passage, yeas 12.

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Ross, Scapicchio, Turner, Yancey — 12.

Assigned for further action.

REPORT ON ORDER TO AMEND LOAN ORDER ORIGINALLY PASSED ON JUNE 24, 1998 AND JULY 15, 1998 AND APPROVED BY MAYOR ON JULY 21, 1998 OF \$20,000,000 AND AMENDED ON JUNE 23, 1999 AND JULY 14, 1999 AND APPROVED BY MAYOR ON JULY 22, 1999 TO AMOUNT OF \$26,060,000 IS FURTHER AMENDED BY INSERTING IN PLACE THEREOF \$34,948,000 FOR DEVELOPMENT, DESIGN, PURCHASE AND INSTALLATION OF COMPUTER HARDWARE AND SOFTWARE AND IMPLEMENTATION AND OPERATION OF CITY-WIDE ADMINISTRATIVE INFORMATION SYSTEM FOR HUMAN RESOURCES, PAYROLL AND FINANCE FUNCTIONS (DOCKET NO. 0852)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0852, message of the Mayor and order to amend loan order originally passed on June 24, 1998 and July 15, 1998 and approved by the Mayor on July 21, 1998 of \$20,000,000 and amended on June 23, 1999 and July 14, 1999 and approved by the Mayor on July 22, 1999 to the amount of \$26,060,000 is further amended by inserting in place thereof \$34,948,000 for the development, design, purchase and installation of computer hardware and software and the implementation and operation of the city-wide administrative information system for human resources, payroll and finance functions — (referred June 14) — recommending the order be given its first reading and passage.

The report was accepted; the order was given its first reading and passage, yeas 11 nays 1.

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Ross, Scapicchio, Turner — 11.

Nays — Councillor Yancey — 1.

Assigned for further action.

RESOLUTION CALLING UPON MASSACHUSETTS LEGISLATURE AND TREASURER OF COMMONWEALTH TO EXPLORE POSSI-

BILITY OF CREATING ONE-TIME ONLY SPECIAL LOTTERY GAME TICKET THAT WILL FUND TAXPAYERS' PORTION OF BUILDING NEW BALLPARK FOR RED SOX (DOCKET NO. 0910)

On motion of Councillor SCAPICCHIO, Docket No. 0910 was taken out of order.

Councillors SCAPICCHIO and MURPHY offered the following:

Whereas, The Boston Red Sox have been a part of the history and tradition of the City of Boston since they were organized in 1901; and

Whereas, The Boston Red Sox and Fenway Park provide an important cultural, recreational and entertainment value to the City of Boston; and

Whereas, Fenway Park has been the home ballpark of the Boston Red Sox since the opening of its doors in 1912; and

Whereas, Fenway Park in its current state is outdated, dilapidated and has reached the point where it no longer provides a serviceable home for the Red Sox; and

Whereas, Over the past year proponents have offered a number of proposals addressing methods whereby the State of Massachusetts and City of Boston might fund a new ballpark; and

Whereas, State and City taxpayers should not be burdened unfairly with further taxes or increased debt service; and

Whereas, The Massachusetts State Lottery last year issued a special Millennium Spectacular lottery ticket that sold approximately 25 Million tickets in a span of 8 weeks, grossing a total of \$250,000,000; therefore be it

Resolved, That the Boston City Council call on the Massachusetts Legislature and the Treasurer of the Commonwealth to explore the possibility of creating a one-time only special lottery game ticket that will fund the taxpayers' portion of building a new ballpark for the Red Sox.

Referred to the Committee of the Whole.

MEETING OF EXECUTIVE SESSION

President KELLY moved that the City Council recess at 2:50 p.m. for a meeting in Executive Session.

The motion was carried; yeas 12:

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Ross, Scapicchio, Turner, Yancey — 12.

RECESS

The Executive Session meeting having adjourned, the members reassembled in the City Council Chamber and were called to order by President KELLY at 3:30 p.m.

REPORT ON ORDER FOR LOAN OF \$3,818,000 FOR PURCHASE AND INSTALLATION OF COMPUTER HARDWARE AND SOFTWARE FOR MANAGEMENT INFORMATION SERVICES AND SCHOOL DEPARTMENTS (DOCKET NO. 0853)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0853, message of the Mayor and order for loan of \$3,818,000 for the purchase and installation of computer hardware and software for the Management Information Services and School departments (referred June 14) — recommending the order be given its first reading and passage.

The report was accepted; the order was given its first reading and passage, yeas 12.

Yeas — Councillors Conley, Davis-Mullen, Feeney,

Flaherty, Hennigan, Honan, Kelly, Murphy, Ross, Scapicchio, Turner, Yancey — 12.

Assigned for further action.

ORDER APPROVING PETITION FOR SPECIAL LAW AUTHORIZING CERTAIN AMENDMENTS TO HOUSING AND EMPLOYMENT EXACTION REQUIREMENTS (LINKAGE) WITH RESPECT TO LARGE SCALE COMMERCIAL REAL ESTATE DEVELOPMENT (DOCKET NO. 0482)

Councillor HONAN called Docket No. 0482 from the Committee on Economic Development and Transportation.

Hearing no objection, the matter was before the body.

Councillor HONAN moved that the order be passed in the following new draft:

City of Boston
In City Council

AN ACT AUTHORIZING CERTAIN
AMENDMENTS TO THE HOUSING AND
EMPLOYMENT EXACTION REQUIREMENTS
(LINKAGE) WITH RESPECT TO LARGE-SCALE
COMMERCIAL REAL ESTATE DEVELOPMENT

Ordered, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under clause (1) of Section eight of Article two, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

Whereas, The General Court finds and declares that a serious public emergency exists in the City of Boston with respect to the housing and also the employment of a substantial number of the citizens of said city, as further described below; and

Whereas, There is not an adequate supply of affordable housing for low- and moderate-income residents of the city; and

Whereas, The construction of new large-scale commercial real estate developments in the city tends to reduce the supply of affordable housing available to low- and moderate-income residents; and

Whereas, In order to supply affordable housing for low- and moderate-income residents in the city in conjunction with the construction of new large-scale commercial real estate developments, an act was adopted by the General Court as Chapter 371 of the acts of 1987, which imposed an obligation on large-scale commercial real estate developments to mitigate their adverse impacts on the availability of such affordable housing by making development impact project exactions to provide revenue to meet the public exigency of the provision of affordable housing in the city; and

Whereas, Section 16 of Chapter 371 of the acts of 1987 provides that the measured value of the affordable housing exaction to be imposed is to be determined on the basis of a fixed dollar amount per square foot of gross floor area devoted to exaction uses in excess of one hundred thousand square feet of gross floor area devoted to exaction uses, exclusive in both cases of all accessory parking garage space, as determined by the zoning commission of the city upon recommendation by the Boston Redevelopment Authority, and further provides that the zoning commission of the city is authorized to increase said measured value three years after the effective date of Chapter 371 and no more frequently than at three year intervals thereafter, but any such increase shall not exceed the per cent of the increase in the combined index for the prior thirty-six month period; and

Whereas, The measured value of the affordable housing exaction was set at five dollars per square foot upon the effective date of Chapter 371 of the acts of 1987 and has not been increased since then; and

Whereas, There is a not an adequate supply of employment opportunities for low- and moderate-income residents of the city; and

Whereas, The construction of new large-scale commercial real estate developments in the city tends to reduce the number of jobs for which low- and moderate-income residents of the city are qualified; and

Whereas, In order to supply job opportunities to low- and moderate-income residents in the city in conjunction with the construction of new large-scale commercial real estate developments, Chapter 371 of the acts of 1987 also imposed an obligation on large-scale commercial real estate developments to mitigate their adverse impacts on the availability of such employment opportunities by making an employment exaction to provide revenue to meet the public exigency of the provision of job training for low and moderate income residents of the city; and

Whereas, Section 17 of Chapter 371 of the acts of 1987 provides that the measured value of the employment exaction to be imposed is to be determined on the basis of a fixed dollar amount per square foot of gross floor area devoted to exaction uses in excess of one hundred thousand square feet of gross floor area devoted to exaction uses, exclusive in both cases of all accessory parking garage space, as determined by the zoning commission of the city upon recommendation by the Boston Redevelopment Authority, and further provides that the zoning commission of the city is authorized to increase said measured value three years after the effective date of Chapter 371 and no more frequently than at three year intervals thereafter, but any such increase shall not exceed the per cent of the increase in the combined index for the prior thirty-six month period; and

Whereas, The measured value of the employment exaction was set at one dollar per square foot upon the effective date of Chapter 371 of the acts of 1987 and has not been increased since then; and

Whereas, The City of Boston is currently in the midst of a "hot" real estate and economic market in which the cost of housing and job training has increased faster than the rate of increase in inflation and the consumer price index.

Now, therefore, be it enacted as follows:

Section 1: Chapter 371 of the acts of 1987 is hereby amended by inserting after Section 16 thereof the following new Section 16A:

Section 16A. Notwithstanding any general or special law to the contrary, the zoning commission shall be authorized to increase the measured value of the affordable housing exaction by the per cent of the increase in the combined index for the period commencing as of the effective date of Chapter 371 of the acts of 1987 and ending as of the most recent anniversary date of such effective date occurring prior to the enactment of this act, notwithstanding that such period is in excess of the thirty-six month period described in Section 16; provided, however, that the zoning commission shall not be authorized to set the measured value of the affordable housing exaction for the period described above at more than seven dollars and eighteen cents per square foot of gross floor area devoted to exaction uses in excess of one hundred thousand square feet devoted to exaction uses, exclusive in both cases of all accessory parking garage space, and thereafter increases shall be in accordance with Section 16 above.

Section 2: Chapter 371 of the acts of 1987 is hereby amended by inserting after Section 17 thereof the following new Section 17A:

Section 17A. Notwithstanding any general or special law to the contrary, the zoning commission shall be authorized to increase the measured value of the

employment exaction by the per cent of the increase in the combined index for the period commencing as of the effective date of Chapter 371 of the acts of 1987 and ending as of the most recent anniversary date of such effective date occurring prior to the enactment of this act notwithstanding that such period is in excess of the thirty-six month period described in Section 17; provided, however, that the zoning commission shall not be authorized to set the measured value of the employment exaction for the period described above at more than one dollar and forty-four cents per square foot of gross floor area devoted to exaction uses in excess of one hundred thousand square feet devoted to exaction uses, exclusive in both cases of all accessory parking garage space, and thereafter increases shall be in accordance with Section 17 above.

Section 3: Chapter 371 of the acts of 1987 is hereby amended by inserting after Section 17 thereof the following new Section 18A:

Section 18A. Notwithstanding any general or special law to the contrary, including the provisions of Section 18(b) above, for the period commencing as of the effective date of Chapter 371 of the acts of 1987 and ending as of the most recent anniversary date of such effective date occurring prior to the enactment of this act notwithstanding that such period is in excess of the thirty-six month period described in Section 18(b), the zoning commission shall be authorized to increase the present and future economic burden of any such improvements or amenities to the present value of seven dollars and eighteen cents per square foot paid in equal and annual installments over a seven year period plus the present value of one dollar and forty-four cents per square foot paid in equal and annual installments over a two year period, each commencing on the date of the issuance of the building permit. and after the period described above increases to the present and future economic burden of any such improvements or amenities shall be in accordance with Section 18(b) above.

Section 4: The zoning commission is hereby authorized to adopt such regulations or rules as will effectuate the provisions of the amendment described in Sections 1 and 2 above, including without limitation, such regulations and rules as may be required to amend Section 80B-7 of the Boston Zoning Code to reflect such provisions.

Section 5: This act shall take effect immediately upon its enactment.

On motion of Councillor HONAN, the order in the new draft was passed.

REPORT ON ORDER FOR LOAN OF \$1,370,000 FOR PURPOSE OF PLANNING, DESIGNING, ACQUIRING LAND FOR, CONSTRUCTING AND ORIGINALLY EQUIPPING STRUCTURES AND FACILITIES AND FOR REMODELING, RECONSTRUCTING OR MAKING MAJOR ALTERATIONS, ADDITIONS AND MAJOR REPAIRS TO EXISTING FACILITIES FOR PURPOSE OF VARIOUS CITY DEPARTMENTS INCLUDING BOSTON REDEVELOPMENT AUTHORITY, NEIGHBORHOOD DEVELOPMENT AND PARKS AND RECREATION DEPARTMENT (DOCKET NO. 0854)

Councillor HENNIGAN, on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0854, message of the Mayor and order for loan of \$1,370,000 for the purpose of planning, designing, acquiring land for, constructing and originally equipping structures and facilities and for remodeling, reconstructing or making major alterations, additions and major repairs to existing facilities for the purpose of various city departments including the Boston Redevelopment Authority, Neighborhood

Development and Parks and Recreation Departments (referred June 14) — recommending the order be given its first reading and passage.

The report was accepted; the order was given its first reading and passage, yeas 12.

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Ross, Scapicchio, Turner, Yancey — 12.

Assigned for further action.

REPORT ON ORDER FOR LOAN OF \$10,087,000 FOR PURPOSE OF ACQUIRING LAND FOR, CONSTRUCTING AND ORIGINALLY EQUIPPING AND FURNISHING PUBLIC SCHOOLHOUSES AND ADDITIONS AND FOR RECONSTRUCTION, REMODELING, REHABILITATION AND MODERNIZATION OF ANY SCHOOLHOUSE OR ADDITION (DOCKET NO. 0855)

Councillor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 0855, message of the Mayor and order for loan of \$10,087,000 for the purpose of acquiring land for, constructing and originally equipping and furnishing public schoolhouses and additions and for the reconstruction, remodeling, rehabilitation and modernization of any schoolhouse or addition (referred June 14) — recommending the order be given its first reading and passage.

The report was accepted; the order was given its first reading and passage, yeas 12.

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Ross, Scapicchio, Turner, Yancey — 12.

Assigned for further action.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0911)

Councillor KELLY offered the following:

Ordered: That effective Saturday, July 1, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, September 29, 2000:

Teresa Ford, secretary, \$500, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 0912)

Councillor KELLY offered the following:

Ordered, That effective Saturday, July 1, 2000, the following-named persons be, and hereby are, appointed to the position set against their names until September 22, 2000:

Diane Albano, administrative assistant, \$670.50, full time.

Felix Arroyo-Montano, administrative assistant, \$536.50, full time.

Matthew Benedetti, administrative assistant, \$603.45, full time.

Leann Bowman, secretary, \$785.44, full time.

Maria S. Bunuan, secretary, \$300, full time.

James J. Carroll, Jr., secretary, \$110, part time.

Adriana Cillo, secretary, \$613.03, full time.

Jean M. Conti, secretary, \$143.60, part time.

Samuel S. Conti, secretary, \$344.85, part time.

Helena Creamer, administrative assistant, \$881.23, full time.

Janet M. Doherty, secretary, \$307.50, part time.

Andrew R. Donovan, administrative assistant, \$517.24, full time.

Dennis P. Dwyer, administrative assistant, \$651.34, full time.

Patricia S. Flaherty, secretary, \$708.82, full time.

Sean Flaherty, secretary, \$574.72, full time.

Lorraine E. Fowlkes, secretary, \$804.60, full time.

Anmarie Geary, secretary, \$419.75, part time.

Carolyn Geary, administrative assistant, \$929.48, full time.

Alex Geourtas, secretary, \$948.28, full time.

James P. Gordon, secretary, \$843.57, full time.

John P. Hannigan, administrative assistant, \$1,005.75, full time.

Joyce L. Holland, secretary, \$1,015.32, full time.

Tracy Holt, administrative assistant, \$525.00, full time.

Martin J. Keogh, secretary, \$1,053.64, full time.

Vincent A. LaBella, administrative assistant, \$957.85, full time.

Bernadette Lally, secretary, \$210, part time.

Michael F. Larkin, secretary, \$987.27, full time.

Jonathan M. Marsh, secretary, \$350, part time.

Aoibhean McDermott, secretary, \$326, part time.

Thomas M. McDonough, administrative assistant, \$574.72, full time.

Michael Moran, secretary, \$766.29, full time.

George Morancy, administrative assistant, \$996.17, full time.

Mary Mulvey Jacobson, administrative assistant, \$854.60, full time.

Laura O'Brien, secretary, \$574.72, full time.

Karen M. Pinckney, secretary, \$555.56, full time.

Marta E. Rivera, administrative assistant, \$708.82, full time.

Irene M. Smith, administrative assistant, \$708.81, full time.

Lesley B. Smith, administrative assistant, \$670.50, full time.

Constance Sullivan, administrative assistant, \$150, part time.

Kathleen Sullivan, administrative assistant, \$766.29, full time.

Paul J. Walkowski, administrative assistant, \$901.32, full time.

Brian P. Wallace, administrative assistant, \$301.84, part time.

Danielle Williams, administrative assistant, \$350, part time.

Kenneth W. Yarbrough, secretary, \$622.61, full time.

Angela S. Yarde, administrative assistant, \$785.44, full time.

Marilyn Brambilla, business manager, \$878.18, full time.

Ron Cobb, city messenger, \$788.47, full time.

Gail Hackett, budget director, \$1,022.64, full time.

Jennifer Kelley, receptionist, \$576.93, full time.

Juan Lopez, legislative assistant, \$852.49, full time.

Cora F. Montrond, legislative assistant, \$766.28, full time.

Shawn P. Murphy, staff director, \$1,130.77, full time.

James J. O'Donnell, legislative assistant, \$788.47, full time.

Patricia Sartori Braid, research director, \$919.54, full time.

Lincoln Smith, assistant, research director, \$862.06, full time.

Passed under suspension of the rules.

ORDER THAT APPROPRIATE SIGNS INDICATING WEIGHT ALLOWANCES, NO PARKING, SLIPPERY WHEN WET, NO TRUCKS, NO BUSES, NO VANS BE PLACED ON BOTH SIDES OF BABSON STREET BRIDGE IN MATTAPAN (DOCKET NO. 0913)

Councillor YANCEY offered the following:

Ordered, That appropriate signage, indicating "Weight Allowances", "No Parking", "Slippery When Wet", "No Trucks", "No Buses", "No Vans" be placed on both sides of the Babson Street Bridge in Mattapan.

On motion of Councillor YANCEY, the rules were suspended; the order was passed.

**ORDER FOR HEARING RE: ENHANCED 911
EMERGENCY SYSTEM (DOCKET NO. 0914)**

Councillors FEENEY, KELLY, DAVIS-MULLEN, HONAN, TURNER, YANCEY, HENNIGAN, CONLEY and FLAHERTY offered the following:

Whereas, The use of an enhanced 911 Emergency System by the Boston Police Department is considered the first line of defense for any resident of the City of Boston, especially the elderly population, in an emergency situation; and

Whereas, The Boston Police Department only breaks down the type of emergency call by assigning a numerical digit, 1-9, to the type of emergency and not by the age or fragility of the caller; and

Whereas, The elderly residents in the City of Boston are often considered an at-risk population yet they are not given a higher priority code when making a 911 emergency call; and

Whereas, It seems that other states around the nation do in fact give a higher priority to 911 emergency calls placed by their Senior Citizen population; therefore be it

Ordered, That the Boston City Council requests the Boston Police Department to research this procedure used by other states and hereby invite the Police Department officials to attend a public hearing concerning this matter.

Referred to the Committee on Public Safety.

**ORDER FOR LOAN ORDER OF \$1,010,000 FOR
PLANNING, DESIGNING, ACQUIRING
LAND FOR CONSTRUCTING AND ORIGINAL-
LY EQUIPPING STRUCTURES AND
FACILITIES AND FOR REMODELING,
RECONSTRUCTING OR MAKING MAJOR
ALTERATIONS, ADDITIONS AND MAJOR
REPAIRS TO EXISTING FACILITIES
INCLUDING ORIGINAL EQUIPMENT AND
LANDSCAPING INCLUDING PLANTING OF
SHADE TREES, PAVING AND OTHER SITE
IMPROVEMENTS INCIDENTAL OR
DIRECTLY RELATED TO SUCH REMODEL-
ING, RECONSTRUCTING OR REPAIR FOR
PURPOSES OF SCHOOL DEPARTMENT
DOCKET NO. 0915)**

Councillors CONLEY, DAVIS-MULLEN, FEENEY, FLAHERTY, KELLY, HENNIGAN, HONAN, MURPHY, ROACHE, ROSS, SCAPICCHIO, TURNER and YANCEY offered the following:

Ordered, That the sum of \$1,010,000 be, and hereby is, appropriated for projects which may become approved school projects within the meaning of Chapter 645 of the Acts of 1948, as amended, including the planning, designing, acquiring land for, constructing and originally equipping structures and facilities and for remodeling, reconstructing, or making major alterations, additions and major repairs to existing facilities including original equipment and landscaping, including the planting of shade trees, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair for the purposes of the School Department; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Section 8 of Chapter 645 of the Acts of 1948, as amended, or under the provisions of Chapter 642 of the Acts of 1966, as amended, or under the provisions of Clauses (3) and/or (3A) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized be expended only on those projects as described by name

attached herein.

Attachment

School Department

1. Boston Arts Academy

Referred to the Committee on Ways and Means.

**RESOLUTION CALLING UPON MAYOR TO CON-
VENE EQUITY COMMISSION TO DEVELOP
PROCESS FOR ASSURING EQUITABLE
DISTRIBUTION OF LINKAGE AND COM-
MUNITY BENEFITS FROM CONVENTION
CENTER AND SEAPORT DISTRICT
(DOCKET NO. 0916)**

Councillor TURNER offered the following:

Whereas, Linkage agreements and community benefits packages need to take into consideration the broad impacts of large scale developments; and

Whereas, There is a consensus that the agreements, negotiated in 1998, regarding the Seaport District and the Convention Center, were too narrowly conceived; and

Whereas, There is a need for an appropriate cross-section of public officials to join with Mayor Menino, Senator Lynch, Representative Hart and Council President Kelly in reconstructing the agreements; and

Whereas, The Convention Center development is based on state legislation; and

Whereas, The Convention Center and Seaport development will have major effect on City Council Districts 1 and 3 as well as 2; and

Whereas, The Convention Center is being financed by the residents of Boston; and

Whereas, The Seaport District will have a major impact on the City as a whole; and

Whereas, The 1998 agreement has created an extraordinary situation requiring extraordinary means to resolve. Therefore Be It

Resolved, That the Boston City Council call upon Mayor Menino to convene a Commission composed of all State Senators representing Boston City Councillors representing Districts 1, 2 & 3; the two at-large councillors who do not reside in district 1, 2 and 3, and the State Representative for South Boston. Be It Further

Resolved, That the Commission has the responsibility, in conjunction with the BRA, to develop a process for assuring an equitable distribution of linkage and community benefits from the Convention center and Seaport District for those neighborhoods directly impacted by the development as well as for the City as a whole.

Referred to the Committee on Housing.

**ORDER THAT ADMINISTRATION TAKE IMMEDIATE
STEPS TO EQUIP MATTAHUNT COM-
MUNITY CENTER WITH NETWORKED
COMPUTERS AND CONDUCT STUDY OF
ALL COMMUNITY CENTERS FUNDED BY
CITY TO INSURE THAT EACH CENTER IS
EQUIPPED WITH ACCESSIBLE NET-
WORKED COMPUTERS (DOCKET NO. 0917)**

Councillor YANCEY offered the following:

Whereas, Boston Community Centers provide a variety of services to Boston residents; and

Whereas, Many residents of Boston do not have access to the Internet in their homes; and

Whereas, Access to the internet is becoming as essential as the telephone and other communication systems; and

Whereas, The Mattahunt Community Center does not have networked computers that are accessible to the public. Therefore Be It

Ordered, That the Administration take immediate steps to equip the Mattahunt Community Center with networked computers; be it further

Ordered, That that the administration conduct a study of all community centers funded by the City of Boston to insure that each center is equipped with accessible networked computers.

On motion of Councillor YANCEY, the rules were suspended; **the order was passed.**

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO ACCEPT AND EXPEND FY2000 EMERGENCY SHELTER GRANT OF \$882,000 FROM U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) (DOCKET NO. 0734)

Councillor HENNIGAN called Docket No. 0734 from the Committee on Housing.

Hearing no objection, the matter was before the body.

On motion of Councillor HENNIGAN, **the order was passed.**

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO ACCEPT AND EXPEND FY2000 HOME INVESTMENT PARTNERSHIPS GRANT OF \$6,804,000 FROM U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) (DOCKET NO. 0735)

Councillor HENNIGAN called Docket No. 0735 from the Committee on Housing.

Hearing no objection, the matter was before the body.

On motion of Councillor HENNIGAN, **the order was passed.**

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO ACCEPT AND EXPEND FY2000 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) GRANT OF \$1,980,000 FROM U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) (DOCKET NO. 0736)

Councillor HENNIGAN called Docket No. 0736 from the Committee on Housing.

Hearing no objection, the matter was before the body.

On motion of Councillor HENNIGAN, **the order was passed.**

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO ACCEPT AND EXPEND FY2000 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) OF \$24,816,000 FROM U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DOCKET NO. 0737)

Councillor HENNIGAN called Docket No. 0737 from the Committee on Housing.

Hearing no objection, the matter was before the body.

RECESS

Later in the session, the following transpired:

Councillor DAVIS-MULLEN in the Chair.

President KELLY in the Chair.

Councillor DAVIS-MULLEN in the Chair.

President KELLY in the Chair.

President KELLY moved to divide the question. The motion was carried.

President KELLY moved that \$4,237,796 of the \$24,816,000 from Docket No. 0737 be approved for Human Services. **The motion was carried.**

President KELLY moved that the balance of \$20,578,204 be referred to the Committee on Ways and Means. **The motion was carried.**

LATE-FILED MATTERS

The Chair stated that, in absence of objection, seven late-filed matters would be added to the Agenda.

No objection being heard, the following matters were added:

ORDER TO IMPLEMENT AWARD OF JOINT LABOR-MANAGEMENT COMMITTEE IN MATTER OF BOSTON POLICE SUPERIOR OFFICERS FEDERATION AND CITY OF BOSTON (DOCKET NO. 0931)

The following was received:

City of Boston
Office of the Mayor

June 27, 2000

To The City Council.

Dear Councillors:

I transmit herewith for your approval, an order to implement the award of the Joint Labor-Management Committee in the matter of the Boston Police Superior Officers Federation and the City of Boston, Case No. JLMC97-42P, dated June 1, 2000.

I respectfully request that your Honorable Body approve this request so that the award may be implemented at the earliest possible date.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the award of the Joint Labor-Management Committee in the matter of Boston Police Superior Officers Federation and the City of Boston, JLMC-97-42P, be and the same hereby is, approved.

Referred to the Committee on Public Safety.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0932)

Councillor KELLY offered the following:

Ordered: That effective Saturday, July 1, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, September 29, 2000:

Kelly M. Walsh, secretary, \$350, full time.

Passed under suspension of the rules.

RESOLUTION THAT BOSTON CITY COUNCIL CALL UPON SPEAKER FINNERAN AND HOUSE WAYS AND MEANS COMMITTEE CHAIRMAN PAUL HALEY TO ALLOW S. 1946 TO COME TO VOTE ON HOUSE FLOOR (DOCKET NO. 0933)

Councillors TURNER, ROSS, DAVIS-MULLEN, ROACHE, CONLEY, HONAN and FLAHERTY offered the following:

Whereas, More than 1,350 units of affordable, government-subsidized or insured apartments have already been lost in Boston due to owner decisions to opt out of federal subsidy programs; and

Whereas, More than 9,000 additional governmentally-involved affordable housing units in Boston remain at similar risk today; and

Whereas, More than 300 units of affordable units in Mattapan, Dorchester, Hyde Park, Roxbury and Jamaica Plain are at immediate risk due to Jonathan Realty's decision to not renew expiring project-based Section 8 contracts with HUD; and

Whereas, More than 320 households at Back Bay Manor, a formerly HUD-insured development, are at immediate risk of displacement due to exorbitant rent increases far in excess of limits agreed to by the owner with the City of Boston in 1985; and

Whereas, A state legislative proposal, S. 1946, entitled "An Act Authorizing Municipalities to Protect Low- and Moderate-Income Tenants and Units of Governmentally-Involved Housing," would enable Boston voters to adopt a local referendum to preserve affordable housing units which were previously subsidized and/or regulated by federal or state government; and

Whereas, S. 1946 would provide immediate protection to residents and buildings threatened with conversion to market rate housing throughout Boston, at no cost to the residents and taxpayers of Boston or the Commonwealth; and

Whereas, The protections outlined in S. 1946 are similar to a Home Rule Petition were adopted by the Boston City Council in 1996, signed by Mayor Thomas Menino and submitted to the legislature in 1997; and

Whereas, The Massachusetts legislature unanimously passed a measure similar to S. 1946 in July 1998, supported by Speaker Finneran and Senate President Birmingham, but vetoed by Acting Governor Cellucci after the legislative session ended; and

Whereas, S. 1946 was unanimously passed by the Massachusetts Senate in August 1999, and is currently pending before the House Ways and Means Committee; and

Whereas, At present 101 Members of the House of Representatives are pledged to vote for S. 1946 when it reaches the House floor; and

Whereas, Governor Cellucci has indicated his intention to veto S. 1946; and

Whereas, It is the intention of the Boston City Council to place the referendum authorized by S. 1946 on the ballot for Boston voters in the State election to be held on November 7, 2000. Therefore Be It

Resolved, That the Boston City Council:

- 1) Calls upon House Speaker Thomas Finneran and House Ways and Means Committee Chairman Paul Haley to allow S. 1946 to come to a vote on the House Floor as soon as possible, with sufficient time to allow for a veto override, if necessary; and
- 2) Calls upon Governor Paul Cellucci to support and sign S. 1946; and
- 3) Calls upon the legislature to override the Governor's veto, should it occur, before the end of the year 2000 legislative session.

Councillor TURNER moved suspension of the rules and adoption of the resolution,

The motion did not prevail; yeas 7, nays 3:

Yeas — Councillors Davis-Mullen, Flaherty, Hennigan, Honan, Murphy, Ross, Turner — 7.

Nays — Councillors Feeney, Kelly, Scapicchio — 3.

Referred to the Committee on Housing.

ORDER RE: DEATH BENEFITS OF LIEUTENANT MINGOLELLI (DOCKET NO. 0934)

Councillors HONAN and MURPHY offered the following:

Ordered, That a petition to the General Court, accompanied by a bill for special law relating to the City of Boston, be filed with an attested copy of this order be, and hereby is, approved under Clause (1) of Section

Eight of Article Two, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted providing precisely as follows, except for clerical or editorial changes of form only:

Whereas, Richard D. Mingolelli sustained injury while in the performance of his duties and such injuries resulted in his death, the Boston City Council hereby

Petitions, that the following bill for a special law be enacted.

Section 1: Notwithstanding the provisions of any general or special law to the contrary and in order to promote the public good, the Boston Retirement Board is hereby authorized and directed to provide "Line of Duty" death benefits to Mrs. Anne Mingolelli, the surviving spouse of Richard D. Mingolelli, a Lieutenant in the Boston Fire Department who, on March 28, 1999, sustained injury while in the performance of his duties, and such injury resulted in his death on August 6, 1999.

On March 28, 1999, Richard D. Mingolelli suffered chest pains and neck pains while responding to an alarm at the Italian Home for Children, 1125 Centre Street, Jamaica Plain. Upon arrival at the location, an employee of the Italian Home for Children was pointing up to the front stairs of the building where the fire alarm was going off. Firefighter Magrath, who accompanied Lieutenant Mingolelli to the Italian Home for Children, and Lieutenant Mingolelli did a floor by floor search of the premises to investigate for a possible source of the fire alarm. Lieutenant Mingolelli, dressed in full gear (a total weight in excess of 55 pounds), ran to the top floor of the three story building to start his portion of the search. Firefighter Magrath began his search on the first floor and worked his way up the building. After completing his portion of the search, Firefighter Magrath met up with Lieutenant Mingolelli on the second floor of the building. According to Firefighter Magrath, Lieutenant Mingolelli did not look well, he was very pale and was short of breath. Lieutenant Mingolelli told Firefighter Magrath that he felt a burning sensation in his throat and that his chest felt tight. As a result, Lieutenant Mingolelli was taken to Milton Hospital where he was seen by Dr. John Cronin. Dr. Cronin told Lieutenant Mingolelli that he could not return to work for the Boston Fire Department until further tests were done.

As a result of the incidents which transpired on March 23, 1999, Lieutenant Mingolelli was placed on leave for a heart injury. Lieutenant Mingolelli remained on injured leave until he suffered a fatal heart attack on August 6, 1999. The fatal heart attack sustained by Lieutenant Mingolelli on August 6, 1999 was a natural and proximate cause of the heart injury sustained by Lieutenant Mingolelli on March 28, 1999.

Lieutenant Mingolelli was injured in the line of duty of March 28, 1999. As a result, Lieutenant Mingolelli was placed on injured leave. On August 6, 1999, Lieutenant Mingolelli subsequently died of the injury when he suffered a fatal heart attack.

The annual amount of pension payable to Mrs. Anne Mingolelli, as the surviving spouse of Lieutenant Mingolelli, shall be equal to the amount of salary which would have been paid to Lieutenant Mingolelli had he continued in service as a Lieutenant of the Boston Fire Department.

Section 2: This act shall take effect upon its passage.
Referred to the Committee on Public Safety.

ORDER FOR HEARING TO DISCUSS MERITS AND MEANS OF REORGANIZING BOSTON REDEVELOPMENT AUTHORITY (DOCKET NO. 0935)

Councillors DAVIS-MULLEN, KELLY, TURNER and YANCEY offered the following:

Whereas: The Boston Redevelopment Authority (BRA) was established by the Boston City Council in

1957, "for the purpose of engaging in urban renewal and land assembly and redevelopment projects" (August 15, 1957 Order by Boston City Council, voted August 19, 1957), under State enabling legislation Chapter 150 of the Acts of 1957 at a time when development in Boston was purported to be in decline, and

Whereas, The purpose of this Federally subsidized Urban Renewal program was to eliminate "slums" and "blighted, decadent and substandard areas" using public resources and public police powers, including eminent domain, zoning exception, and tax concessions to stimulate replacement with economic development, and

Whereas, The BRA absorbed the Boston Planning Board in 1960, by Chapter 652 of the Acts of 1965 as amended, and has retained all planning responsibilities for the City, with the resulting conflict of interest between the Authority's development and the planning mandates, and

Whereas, Changed economic conditions have eliminated "blighted, decadent and substandard" areas, yet sections of the city are still designated urban renewal areas, and properties within them could be subject to BRA action on a BRA finding that they are "blighted, decadent or substandard", and

Whereas, The BRA is empowered to delegate Urban Redevelopment powers of zoning exception, tax concessions, and eminent domain to private development corporations to implement projects outside of the urban renewal areas, and

Whereas, Urban renewal/development by use of public resources and police powers is no longer justifiable, and continued use of such measures may constitute an abuse of authority and a violation of constitutional protections against seizure of private property without public purpose, and

Whereas, The City of Boston may be losing tax revenues due to concessions to developers under Chapter 121 A agreements, the documentation of which is needed from the Tax Assessment Department (and any other department containing such relative agreements; and

Whereas, Federal financial subsidy to Urban Renewal ended in 1974, and the Urban Renewal plans, of 40 year terms, are beginning to expire, therefore be it

Ordered, That the Boston City Council conduct a public hearing to discuss and gather testimony from the BRA, the City, the business community, the Tax Assessment Department, Citizens of Boston, and others regarding:

- the merits and means of reorganizing the BRA,
- repealing the Urban Renewal and Urban Redevelopment legislation,
- alternatives for restructuring Boston's city planning and public property management functions into agencies more appropriate for future city growth.

Referred to the Committee on Economic Development and Transportation.

ORDER RE: PERMITS FOR CITY HALL PLAZA
ON WEDNESDAYS BETWEEN 11:00 A.M.
AND 4:00 P.M. (DOCKET NO. 0936)

Councillor KELLY offered the following:

Ordered, That no permit allowing access to City Hall Plaza for any event be granted for any Wednesday, between the hours of 11:00 a.m. and 4:00 p.m., without the written approval of the President of the Boston City Council.

On motion of the Chair, the rules were suspended; the order was passed.

RESOLUTION THAT BOSTON CITY COUNCIL
REQUEST KENNETH CONLEY BE PUT
BACK TO STATUS HELD PRIOR TO ORIGINAL TRIAL AND HE RECEIVE ALL BACK
PAY HE WOULD HAVE RECEIVED AT THAT

STATUS (DOCKET NO. 0937)

Councillors DAVIS-MULLEN, KELLY, FLAHERTY, HONAN, CONLEY, FEENEY, MURPHY, HENNIGAN, SCAPICCHIO and ROACHE offered the following:

Whereas, Kenneth Conley has been granted a new trial on the basis that crucial information was withheld from his defense; and

Whereas, The court has, by granting a new trial, overturned the jury's decision; and

Whereas, It is possible that the prosecution may not go forward or, if a new trial does take place, a finding of not guilty may be returned; therefore be it

Resolved, That the Boston City Council, herein assembled, respectfully requests that Kenneth Conley be put back to the status he held prior to his original trial, and that he receive all back pay that he would have received at that status; and be it further

Resolved, That he be returned at his former rank and salary level as a Boston Police Officer, and receive all back pay and benefits if the prosecution does not proceed, or if a new trial is held and a finding of not guilty is returned.

On motion of Councillor DAVIS-MULLEN, the rules were suspended; the resolution was adopted; yeas 9, nays 1:

Yeas — Councillors Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Ross, Scapicchio — 9.

Nays — Councillor Yancey — 1.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Turner: Congratulating Lance Carter (Docket No. 0918); congratulating Mary Belle Brown (Docket No. 0919).

Councillor Hennigan: Congratulating Phyllis Sheldon (Docket No. 0920).

Councillor Scapicchio: Congratulating Michael McCord (Docket No. 0921); congratulating Ron Richard (Docket No. 0922).

Councillors Scapicchio and Murphy: Congratulating Michelena D'lorio (Docket No. 0923); congratulating Deborah Lang (Docket No. 0924).

Councillor Turner: Recognizing the 6 One 7 group (Docket No. 0925).

Councillor Honan: Congratulating Lawrence Morrison (Docket No. 0926).

Councillors Turner, Roache, Yancey, Davis-Mullen, Ross, Hennigan and Flaherty: Extending sympathy on death of Mary Hoyt Bigelow Thomson (Docket No. 0927).

Councillors Turner and Yancey: Congratulating Rebecca Hill (Docket No. 1928).

Councillor Feeney: Congratulating John Burke (Docket No. 1929); congratulating Peter Needham (Docket No. 1930).

The Chair stated that in the absence of objection, two late-filed matters would be added to the Consent Agenda.

No objection being heard, the following matters were added:

Councillors Yancey and Turner: Dr. Hage Geingob (Docket No. 0938).

The matters contained within the Consent Agenda were severally adopted.

STATEMENT OF COUNCILLOR TURNER

Having unanimous consent to do so, Councillor TURNER asked that when we adjourn today we do so

in memory of Mary Thomson.

STATEMENT OF PRESIDENT KELLY

President KELLY asked that when we adjourn today we do so also in memory of Charlie MacGillivray who was a decorated World War II veteran and friend of the Council President.

NEXT MEETING

Adjourned at 6:17 p.m., on motion of President KELLY, in memory of Mary Thomson and Charlie MacGillivray, to meet again on Wednesday, July 12, 2000 at 12:00 Noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, July 12, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 12:25 p.m., President KELLY in the chair and all members present.

INVOCATION

Reverend Gareth Saunders delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

VISITORS TO CITY COUNCIL

President KELLY introduced former School Committee woman Elvira "Pixie" Palladino to the Council.

PRESENTATION BY COUNCILLOR ROACHE

Councillor ROACHE presented a resolution to Project Harmony and visitors from former Soviet Union Black Sea resort town of Kobuleti, Georgia.

ORDER TO FACILITATE DISPOSITION AND REDEVELOPMENT OF FOLEY BUILDING AND E BUILDING BOTH LOCATED AT FORMER BOSTON SPECIALTY AND REHABILITATION HOSPITAL (DOCKET NO. 0939)

The following was received:

City of Boston
Office of the Mayor

July 29, 2000

To The City Council;
Dear Councillors:

I transmit herewith for your approval an Order to facilitate the disposition and redevelopment of the Foley Building and the E Building, both located at the former Boston Specialty and Rehabilitation Hospital in Mattapan.

Rehabilitation of the two buildings will produce a total of 116 housing units including mixed-income, assisted and independent senior housing in the Foley Building and permanent housing for Entre Familia in Building E.

As this housing is sorely needed and has strong community support, I urge your Honorable Body to adopt this Order at the earliest possible date.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Be it ordered by the City Council of Boston, as follows:

Whereas, The Boston Public Health Commission ("Commission") was created by Chapter 147 of the Acts of 1995; and

Whereas, The Commission has developed a reuse plan for the Foley building and the E Building located at the former Boston Specialty and Rehabilitation Hospital in Mattapan, based upon the report of the Mattapan

Community Advisory Board to Mayor Thomas M. Menino and the Commission dated November 1999; and

Whereas, The Commission has determined that the highest and best use for the Foley building is its rehabilitation into a facility for affordable elder assisted and independent living, with financing which will include the low income housing tax credit program, and, with the approval of the Boston Redevelopment Authority, redevelopment under the provisions of M.G.L. Chapter 121A; and

Whereas, The Commission has determined that the highest and best use for the E Building is to rehabilitate the E Building for use by the Entre Familia Program, with financing which will include the low income housing tax credits program, and, with the approval of the Boston Redevelopment Authority, redevelopment under the provisions of M.G.L. Chapter 121A; and

Whereas, A development team led by Trinity Financial, Inc. was selected by the Commission pursuant to a request for proposals issued by the Commission and the Boston Redevelopment Authority; and

Whereas, Ownership of the buildings and a long term lease of the surrounding land is required in order to secure affordable housing funds, including the low income housing tax credit program; and

Whereas, Any lease or conveyance of real property by the Commission, other than in the ordinary course of business, requires approval of the City Council and the Mayor under the provisions of Chapter 147 of the Acts of 1995 and Chapter 486 of the Acts of 1909.

Therefore, be it ordered that:

Pursuant to the provisions of Chapter 147 of the Acts of 1995 and Chapter 486 of the Acts of 1909, the City Council hereby approves (a) the conveyance by the Boston Public Health Commission to an affiliated corporation to be created by the Commission (the "PHC Affiliated Entity") of the Foley building and the E Building located at the former Boston Specialty and Rehabilitation Hospital in Mattapan and surrounding land, approximately as shown on the plan attached hereto, together with such easements as may be necessary or appropriate for the redevelopment of the Foley Building and the E Building, (b) the conveyance by the PHC Affiliated Entity of fee title to the Foley Building and the E Building to Trinity Foley Limited Partnership, a Massachusetts limited partnership organized by Trinity Financial, Inc. under the provisions of M.G.L. Chapter 121A and approved by the PHC Affiliated Entity to undertake the project (the "Partnership"), and (c) the entry by the PHC Affiliated Entity into a long term ground lease of the surrounding land, approximately as shown on the plan attached hereto, and easements with the Partnership, each of the foregoing conveyances being for nominal consideration (or, as to the conveyances to the Partnership, such consideration as may be required to maximize low income housing tax credits for the redevelopment), in recognition of the public purpose being served by the creation of affordable elder assisted and independent living and in recognition of the restrictions as to affordability of the redevelopment under the provisions of the low income tax credit program and the provisions of M.G.L. Chapter 121A.

Referred to the Committee on Government Operations.

COMMUNICATION RECEIVED FROM CITY CLERK OF FILING BY BRA OF "FIRST AMENDMENT TO CONTRACT BETWEEN SYMPHONY PLAZA EAST COMPANY AND THE CITY OF BOSTON PURSUANT TO M.G.L. C. 121, 6A" (DOCKET NO. 0940)

The following was received:

City of Boston

Office of the City Clerk

July 5, 2000

To the City Council.

Dear Councillors:

In compliance with order passed by your Honorable Body December 6, 1976, this is to inform you that the following was filed by the Boston Redevelopment Authority with the City Clerk on July 3, 2000:

"First Amendment to Contract Between Symphony Plaza East Company and the City of Boston Pursuant to M.G.L. c.121A. s.6A".

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

COMMUNICATION RECEIVED FROM SENATORS WILKERSON, WALSH, TRAVAGLINI AND TOLMAN RE: NEGOTIATIONS AND AGREEMENTS RELATED TO WATERFRONT WHETHER PUBLIC OR PRIVATE, FORMAL OR INFORMAL (DOCKET NO. 0941)

Communication was received from Senators Wilkerson, Walsh, Travaglini and Tolman re: negotiations and agreements related to the Waterfront, whether public or private, formal or informal.

Placed on file.

APPROVAL OF CONSTABLE'S BONDS
(DOCKET NO. 0942)

The Constable's Bonds of the following having been duly approved by the Collector-Treasurer were received and approved:

Deborah Aponte, John J. Beggan, Daniel L. Brower, Stephen A. Cristofono, Carmen A. Ciampi, Mark J. Connolly, Luis M. Cruz, Pasquale Defeo Jr., Alan G. Duffy, Barry W. Gaughran, Richard B. Hogan, Harold Jones, Christopher J. Kelley, Robert E. Lee, Burton Malkofsy, Robert Mangott, Jeffrey P. Mathieson, Richard E. McKeen Sr., William F. McKeen Sr., Mark McLaughlin, Thomas McNair Jr., James V. McNamara, Robert J. Messina, Lawrence Neves, Bryan W. Reardon, Antonio N. Reese, George N. Reese, Charles B. Sherer, Maria C. Souto, Frank J. Sylvester, Wilfred P. Suozo, Robert Tyszkowski, Elijah A. Wigon, Marcia S. Weisman

REPORT ON ORDER ACCEPTING THE PROVISIONS OF G.L. C.41, SECTION 108L PROVIDED THAT SAID ACCEPTANCE IS EFFECTIVE AS OF JULY 5, 2000 AND IN NO EVENT EARLIER AND SHALL BE EFFECTIVE TO BARGAINING UNIT MEMBERS OF THE BOSTON POLICE SUPERIOR OFFICERS FEDERATION CONSISTENT WITH THE TERMS OF SAID AWARD (DOCKET NO. 0901)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0901, message of the Mayor and order accepting the provisions of G.L. c.41, section 108L provided that said acceptance is effective as of July 5, 2000 and in no event earlier and shall be effective to bargaining unit members of the Boston Police Superior Officers Federation consistent with the terms of said award (referred June 28) - recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER TO IMPLEMENT THE AWARD OF THE JOINT-LABOR MANAGEMENT COMMITTEE IN THE MATTER OF BOSTON POLICE SUPERIOR OFFICERS FEDERATION AND THE CITY, CASE NO. JLMC97-42P DATED JUNE 1, 2000 (DOCKET NO. 0931)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0931, message of the Mayor and order to implement the award of the Joint-Labor Management Committee in the matter of Boston Police Superior Officers Federation and the City, Case No. JLMC97-42P dated June 1, 2000 (referred June 28) — recommending passage of the order.

The report was accepted; **the order was passed.**

PRESENTATION BY COUNCILLOR ROACHE

Councillors ROACHE, FLAHERTY and TURNER presented a resolution to the Latino Health Policy Council.

ORDER AUTHORIZING CITY TO ENTER INTO ONE OR MORE LEASE, LEASE-PURCHASE OR INSTALLMENT SALES AGREEMENTS IN FY01 IN AMOUNT NOT TO EXCEED \$13,750,000 AND FY02 IN AMOUNT NOT TO EXCEED \$13,750,000 TO BE USED BY DIFFERENT CITY DEPARTMENTS FOR ACQUISITION OF EQUIPMENT (DOCKET NO. 0844)

Councillor HENNIGAN called Docket No. 0844 from the Assignment Sheet.

Hearing no objection, the matter was before the body. On motion of Councillor HENNIGAN, **the order was given its second and final reading; yeas 13.**

ORDER FOR LOAN OF \$17,172,000 FOR REMODELING, RECONSTRUCTING OR MAKING EXTRAORDINARY REPAIRS TO PUBLIC BUILDINGS OWNED BY CITY INCLUDING ORIGINAL EQUIPMENT AND LANDSCAPING, PAVING AND OTHER SITE IMPROVEMENTS INCIDENTAL OR DIRECTLY RELATED TO SUCH REMODELING, RECONSTRUCTION OR REPAIR FOR PURPOSES OF COMMUNITY CENTER, FIRE, LIBRARY, NEIGHBORHOOD DEVELOPMENT, PARKS AND RECREATION, POLICE, PROPERTY MANAGEMENT, PUBLIC HEALTH COMMISSION, PUBLIC WORKS AND TRANSPORTATION DEPARTMENT (DOCKET NO. 0845)

Councillor HENNIGAN called Docket No. 0845 from the Assignment Sheet.

Hearing no objection, the matter was before the body. On motion of Councillor HENNIGAN, **the order was given its second and final reading; yeas 13.**

ORDER FOR LOAN OF \$8,790,000 FOR THE ORIGINAL CONSTRUCTION OF PUBLIC WAYS OR EXTENSION OR WIDENING THEREOF INCLUDING LAND DAMAGES AND THE COST OF PAVEMENT AND SIDEWALKS LAID AT THE TIME OF SAID CONSTRUCTION OR FOR THE CONSTRUCTION OF STONE, BLOCK, BRICK, CEMENT CONCRETE, BITUMINOUS CONCRETE AND MACADAM OR OTHER PERMANENT PAVEMENT OF SIMILAR LASTING CHARACTER FOR THE PUBLIC WORKS DEPARTMENT

(DOCKET NO. 0846)

Councillor HENNIGAN called Docket No. 0846 from the Assignment Sheet

Hearing no objection, the matter was before the body.

On motion of Councillor HENNIGAN, the order was given its second and final reading; yeas 13.

ORDER FOR LOAN OF \$202,000 FOR REMODELING, RECONSTRUCTION OR REHABILITATION OF EXISTING FIRE FIGHTING APPARATUS AND HEAVY EQUIPMENT FOR FIRE DEPARTMENT (DOCKET NO. 0847)

Councillor HENNIGAN called Docket No. 0847 from the Assignment

Hearing no objection, the matter was before the body.

On motion of Councillor HENNIGAN, the order was given its second and final reading; yeas 13.

ORDER FOR LOAN OF \$2,590,000 FOR ACQUIRING LAND OR INTERESTS IN LAND FOR ANY PURPOSE FOR WHICH CITY IS OR MAY HEREAFTER BE AUTHORIZED TO ACQUIRE LAND OR INTERESTS THEREIN; AND FOR CONSTRUCTION OF BUILDINGS OR FOR ADDITIONS TO SUCH BUILDINGS WHERE SUCH ADDITIONS INCREASE FLOOR SPACE OF SAID BUILDINGS INCLUDING COST OF ORIGINAL EQUIPMENT AND FURNISHINGS OF SAID BUILDINGS FOR LIBRARY AND POLICE DEPARTMENTS (DOCKET NO. 0848)

Councillor HENNIGAN called Docket No. 0848 from the Assignment Sheet

Hearing no objection, the matter was before the body.

On motion of Councillor HENNIGAN, the order was given its second and final reading, yeas 13.

ORDER FOR LOAN \$127,000 FOR COST OF ENGINEERING OR ARCHITECTURAL SERVICES FOR PLANS AND SPECIFICATIONS FOR BOSTON REDEVELOPMENT AUTHORITY (DOCKET NO. 0849)

Councillor HENNIGAN called Docket No. 0849 from the Assignment Sheet.

Hearing no objection, the matter was before the body.

On motion of Councillor HENNIGAN, the order was given its second and final reading; yeas 13.

ORDER FOR LOAN OF \$3,172,000 FOR COST OF DEPARTMENTAL EQUIPMENT TO SERVICE FIRE, PARKS AND RECREATION AND SCHOOL DEPARTMENTS (DOCKET NO. 0850)

Councillor HENNIGAN called Docket No. 0850 from the Assignment Sheet

Hearing no objection, the matter was before the body.

On motion of Councillor HENNIGAN, the order was given its second and final reading; yeas 13.

ORDER FOR LOAN OF \$8,171,000 FOR PURPOSE OF CONSTRUCTION OF MUNICIPAL OUTDOOR RECREATIONAL AND ATHLETIC FACILITIES INCLUDING ACQUISITION AND DEVELOPMENT OF LAND AND CONSTRUCTION AND RECONSTRUCTION OF

SUCH FACILITIES FOR PARKS AND RECREATION AND SCHOOL DEPARTMENTS (DOCKET NO. 0851)

Councillor HENNIGAN called Docket No. 0851 from the Assignment Sheet

Hearing no objection, the matter was before the body.

On motion of Councillor HENNIGAN, the order was given its second and final reading; yeas 13.

ORDER TO AMEND LOAN ORDER ORIGINALLY PASSED ON JUNE 24, 1998 AND JULY 15, 1998 AND APPROVED BY MAYOR ON JULY 21, 1998 OF \$20,000,000 AND AMENDED ON JUNE 23, 1999 AND JULY 14, 1999 AND APPROVED BY MAYOR ON JULY 22, 1999 TO AMOUNT OF \$26,060,000 IS FURTHER AMENDED BY INSERTING IN PLACE THEREOF \$34,948,000 FOR DEVELOPMENT, DESIGN, PURCHASE AND INSTALLATION OF COMPUTER HARDWARE AND SOFTWARE AND IMPLEMENTATION AND OPERATION OF CITY-WIDE ADMINISTRATIVE INFORMATION SYSTEM FOR HUMAN RESOURCES, PAYROLL AND FINANCE FUNCTIONS (DOCKET NO. 0852)

Councillor HENNIGAN called Docket No. 0852 from the Assignment Sheet.

Hearing no objection, the matter was before the body.

On motion of Councillor HENNIGAN, the order was given its second and final reading; yeas 11, nays 2:

Yeas - Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross, Scapicchio, - 11.

Nays - Councillors Turner and Yancey - 2.

ORDER FOR LOAN OF \$3,818,000 FOR PURCHASE AND INSTALLATION OF COMPUTER HARDWARE AND SOFTWARE FOR MANAGEMENT INFORMATION SERVICES AND SCHOOL DEPARTMENT (DOCKET NO. 0853)

Councillor HENNIGAN called Docket No. 0853 from the Assignment Sheet.

Hearing no objection, the matter was before the body.

On motion of Councillor HENNIGAN, the order was given its second and final reading; yeas 13.

ORDER FOR LOAN OF \$1,370,000 FOR PURPOSE OF PLANNING, DESIGNING, ACQUIRING LAND FOR, CONSTRUCTING AND ORIGINALLY EQUIPPING STRUCTURES AND FACILITIES AND FOR REMODELING, RECONSTRUCTING OR MAKING MAJOR ALTERATIONS, ADDITIONS AND MAJOR REPAIRS TO EXISTING FACILITIES FOR PURPOSE OF VARIOUS CITY DEPARTMENTS INCLUDING BOSTON REDEVELOPMENT AUTHORITY, NEIGHBORHOOD DEVELOPMENT AND PARKS AND RECREATION DEPARTMENT (DOCKET NO. 0854)

Councillor HENNIGAN called Docket No. 0854 - from the Assignment Sheet.

Hearing no objection, the matter was before the body.

On motion of Councillor HENNIGAN, the order was given its second and final reading; yeas 13.

ORDER FOR LOAN OF \$10,087,000 FOR PURPOSE

OF ACQUIRING LAND FOR, CONSTRUCTING AND ORIGINALLY EQUIPPING AND FURNISHING PUBLIC SCHOOLHOUSES AND ADDITIONS AND FOR RECONSTRUCTION, REMODELING, REHABILITATION AND MODERNIZATION OF ANY SCHOOLHOUSE OR ADDITION (DOCKET NO. 0855)

Councillor HENNIGAN called Docket No. 0855 from the Assignment Sheet.

Hearing no objection, the matter was before the body.

On motion of Councillor HENNIGAN, the order was given its second and final reading; yeas 13.

ORDER FOR LOAN OF \$1,010,000 FOR PLANNING, DESIGNING, ACQUIRING LAND FOR, CONSTRUCTING AND ORIGINALLY EQUIPPING STRUCTURES AND FACILITIES AND FOR REMODELING, RECONSTRUCTING OR MAKING MAJOR ALTERATIONS, ADDITIONS AND MAJOR REPAIRS TO EXISTING FACILITIES INCLUDING ORIGINAL EQUIPMENT AND LANDSCAPING INCLUDING THE PLANTING OF SHADE TREES, PAVING AND OTHER SITE IMPROVEMENTS INCIDENTAL OR DIRECTLY RELATED TO SUCH REMODELING, RECONSTRUCTING OR REPAIR FOR PURPOSE OF SCHOOL DEPARTMENT (DOCKET NO. 0915)

Councillor HENNIGAN, called Docket No. 0915 from the Committee on Ways and Means.

Hearing no objection, the matter was before the body.

On motion of Councillor HENNIGAN, the order received its first reading and passage and was assigned for further action; yeas 13.

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO ACCEPT AND EXPEND FY2000 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) OF \$20,578,204 FROM U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DOCKET NO. 0737)

Councillor HENNIGAN called Docket No. 0737 from the Committee on Ways and Means.

Hearing no objection, the matter was before the body.

Councillor FEENEY in the Chair.

President KELLY in the Chair.

On motion of President KELLY, the matter was referred back to the Committee on Ways and Means.

REPORT ON RESOLUTION SUPPORTING S. 1946 "AN ACT AUTHORIZING MUNICIPALITIES TO PROTECT LOW AND MODERATE INCOME TENANTS AND UNITS OF GOVERNMENTALLY-INVOLVED HOUSING" (DOCKET NO. 0933)

Councillor HENNIGAN, on behalf of the Committee on Housing submitted the following:

Report on Docket No. 0933, resolution supporting S. 1946 "An Act Authorizing Municipalities to Protect Low and Moderate Income Tenants and Units of Governmentally-Involved Housing"—(referred June 28)

—recommending passage of the order.

The report was accepted; the order was passed.

ORDER AUTHORIZING PUBLIC WORKS DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$750,000 FROM EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS, DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR PUBLIC EDUCATION AND TECHNICAL SUPPORT FOR IMPROVING EFFECTIVENESS OF RECYCLING THROUGH RECYCLING PROGRAM (DOCKET NO. 0386)

Councillor HONAN called Docket No. 0386 from the Committee on Environment and Historic Preservation.

Hearing no objection, the matter was before the body. On motion of Councillor Honan, the order was passed.

ORDER AUTHORIZING PUBLIC WORKS DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$165,000 FROM EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS, DEPARTMENT OF ENVIRONMENTAL PROTECTION TO BE UTILIZED BY MUNICIPAL RECYCLING INITIATIVE PROGRAM COORDINATOR (DOCKET NO. 0387)

Councillor Honan called Docket No. 0387 from the Committee on Environment and Historic Preservation.

Hearing no objection, the matter was before the body. On motion of Councillor Honan, the order was passed.

ORDER AUTHORIZING PUBLIC WORKS DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$150,000 FROM EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS, DEPARTMENT OF ENVIRONMENTAL PROTECTION, TO EDUCATE PUBLIC ON AND ENCOURAGE RESIDENTS TO PARTICIPATE IN RECYCLING SERVICES (DOCKET NO. 0388)

Councillor Honan called Docket No. 0388 from the Committee on Environment and Historic Preservation.

Hearing no objection, the matter was before the body. On motion of Councillor Honan, the order was passed.

On motion of Councillor SCAPICCHIO Docket No. 0947 was taken out of order.

RESOLUTION REQUESTING FAA ADMINISTRATOR JANE GARVEY TO AUTHORIZE COMMENCEMENT OF AIR TRAVEL SERVICES TO HANSCOM FIELD (DOCKET NO. 0947)

Councillors SCAPICCHIO, MURPHY, CONLEY, HENNIGAN, FEENEY, KELLY, ROACHE DAVIS-MULLEN and HONAN offered the following:

Whereas, Over the past thirty years the demand for air travel by the citizens of the Commonwealth of Massachusetts has continued to grow on an annual basis; and

Whereas, The brunt of this burden has been shouldered by those citizens living in neighborhoods of the City of Boston and other communities surrounding Logan International Airport; and

Whereas, Forty-seven percent of Logan's passengers emanate from beyond the Route 128 area; and

Whereas, Thirty-three percent of Logan's passengers emanate from between Route 128 and Route 495; and

Whereas, Worcester, T. F. Green, Manchester and Hanscom Field are a much shorter vehicle trip for many

of those passengers than driving to Boston's Logan Airport; and

Whereas, The tons of harmful pollutants needlessly added to our atmosphere field and Worcester Airport threatens the health and well being of citizens of the Commonwealth; and

Whereas, The additional noise and traffic congestion imposed on Boston and surrounding communities created by those citizens commuting to and flying out of Logan is manifestly unfair to all citizens of the Commonwealth not blinded by their own self interest; and

Whereas, For the first time in years it may be possible to alleviate some of this unfair burden because airlines are actively seeking to provide service to Hanscom Field; and

Whereas, The FAA Administrator, Jane Garvey, has yet to grant approval for those airlines to commence new service at Hanscom Field; and

Whereas, Support of regionalization would be rendered totally meaningless if Administrator Garvey does not authorize commencement of those services; therefore be it

Resolved, That the Boston City Council hereby requests that FAA Administrator Garvey authorize commencement of those services forthwith; and therefore be it further

Resolved, That copies of this resolution be sent to FAA Administrator Garvey, Secretary of Transportation Slater, Congressmen Joseph Moakley, Michael Capuano, and the entire Boston Delegation of state office holders.

Councillor SCAPICCHIO moved that the resolution be passed in the following new draft:

Official Resolution of Councillors Paul Scapicchio, Stephen Murphy, Daniel Conley, Michael Ross, Maureen Feeney, James Kelly, Mickey Roache, Peggy Davis-Mullen, Brian Honan and Michael Flaherty

Whereas, Over the past thirty years the demand for air travel by the citizens of the Commonwealth of Massachusetts has continued to grow on an annual basis; and

Whereas, The brunt of this burden has been shouldered by those citizens living in neighborhoods of the City of Boston and other communities surrounding Logan International Airport; and

Whereas, Forty-seven percent of Logan's passengers originate from beyond the Route 128 area; and

Whereas, Thirty-three percent of Logan's passengers originate from between Route 128 and Route 495; and

Whereas, Worcester, T. F. Green, Manchester and Hanscom Field are a much shorter vehicle trip for many of those passengers than driving to Boston's Logan Airport; and

Whereas, The additional noise and traffic congestion imposed on Boston and surrounding communities created by passengers commuting to and flying out of Logan is manifestly unfair to all citizens of the Commonwealth; and

Whereas, For the first time in years it may be possible to alleviate some of this burden because airlines are actively seeking to provide service to Hanscom Field; and

Whereas, The FAA Administrator, Jane Garvey, has yet to grant approval for those airlines to commence new service at Hanscom Field; and

Whereas, Support of "regionalization" would be rendered totally meaningless if Administrator Garvey does not authorize commencement of those services; therefore be it

Resolved, That the Boston City Council hereby requests that FAA Administrator Garvey authorize commencement of those services forthwith; and therefore be it further

Resolved, That copies of this resolution be sent to FAA Administrator Garvey, Secretary of Transportation Slater, Congressmen Joseph Moakley, Michael

Capuano, and the entire Boston Delegation of state office holders.

The resolution was adopted; yeas 12, nays 1:

Yeas - Councillors Conley, Davis-Mullen, Feeney, Flaherty, Honan, Kelly, Murphy, Roache, Ross, Scapicchio, Turner, Yancey - 12.

Nays - Councillor Hennigan - 1.

ORDER FOR CONFIRMATION OF REAPPOINTMENT OF WILLIAM MARCHIONE AS ALTERNATE MEMBER OF BOSTON LANDMARKS COMMISSION FOR TERM EXPIRING JUNE 30, 2001 (DOCKET NO. 0212)

Councillor HONAN called Docket No. 0212 from the Committee on Environment and Historic Preservation.

Hearing no objection, the matter was before the body.

On motion of Councillor HONAN, the **reappointment was confirmed.**

ORDER FOR CONFIRMATION OF APPOINTMENT OF MARK STEVENS AS MEMBER OF BAY VILLAGE HISTORIC DISTRICT COMMISSION FOR TERM EXPIRING APRIL 1, 2002 (DOCKET NO. 0397)

Councillor HONAN called Docket No. 0397 from the Committee on Environment and Historic Preservation.

Hearing no objection, the matter was before the body.

On motion of Councillor HONAN, the **appointment was confirmed.**

ORDER FOR CONFIRMATION OF REAPPOINTMENT OF LEON JACKLIN AS ALTERNATE MEMBER OF BOSTON LANDMARKS COMMISSION FOR TERM EXPIRING JUNE 30, 2001 (DOCKET NO. 0449)

Councillor HONAN called Docket No. 0449 from the Committee on Environment and Historic Preservation.

Hearing no objection, the matter was before the body.

On motion of Councillor HONAN, the **reappointment was confirmed.**

ORDER FOR HEARING RE: KENNETH CONLEY (DOCKET NO. 0943)

Councillors DAVIS-MULLEN, KELLY, FLAHERTY, ROACHE, HONAN, HENNIGAN, MURPHY, SCAPICCHIO and FEENEY offered the following:

Whereas, Kenneth Conley has been granted a new trial on the basis that crucial information was withheld from his defense; and

Whereas, The court has, by granting a new trial, overturned the jury's decision; and

Whereas, It is possible that the prosecution may not go forward or, if a new trial does take place, a finding of not guilty may be returned; therefore be it

Resolved, That the Boston City Council, herein assembled, respectfully requests that Kenneth Conley be put back to the status he held prior to his original trial, and that he receive all back pay that he would have received at that status; and be it further

Resolved, That he be returned at his former rank and salary level as a Boston Police Officer, and receive all back pay and benefits if the prosecution does not proceed, or if a new trial is held and a finding of not guilty is returned; and therefore be it

Ordered, That the Boston City Council hold a public hearing on this matter and that the Police Commissioner

be requested to attend and testify.

Referred to the Committee on Public Safety.

APPOINTMENT OF TEMPORARY EMPLOYEE
(DOCKET NO. 0944)

Councillor KELLY offered the following:

Ordered, That effective Saturday, July 8, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, September 29, 2000:

Tulani Elisa, secretary, \$250, part time.

Passed under suspension of the rules.

ORDINANCE REGARDING PRIVATELY MAN-
AGED SENIOR AND HANDICAPPED HOUS-
ING (DOCKET NO. 0945)

Councillors MURPHY, SCAPICCHIO, HONAN, HENNIGAN, ROACHE, FEENEY, KELLY and ROSS offered the following:

City of Boston

In The Year Two Thousand

AN ORDINANCE REGARDING PRIVATELY MAN-
AGED SENIOR AND HANDICAPPED HOUSING

Be it ordained by the City Council of Boston, as follows:

SECTION 1. Purpose: As evidenced by the numerous communications made to city government, access to a full-time, on-site manager is necessary to better address the concerns of senior and handicapped housing facility residents. This ordinance will promote better communication between such residents and management.

SECTION 2. Application: The City of Boston has a legitimate interest in the management of senior and handicapped housing facilities. The city provides public safety and other services to such facilities. Many of these facilities were developed through the I21A process. This ordinance shall apply to all privately managed senior and/or handicapped housing facilities located in the City of Boston.

SECTION 3. Corporations doing business in the City of Boston via the management of housing facilities that maintain residences specifically for senior and/or handicapped persons shall employ, at a minimum, one forty (40) hour per week on-site building manager for each separate facility.

Referred to the Committee on Public Safety.

MESSAGE DISAPPROVING ORDER ADOPTING
SECTION 59A OF CHAPTER 59 OF MGL
(DOCKET NO. 0704)

Councillor YANCEY called Docket No. 0704 from the Assignment Sheet.

No objection, being heard, the matter was before the body.

On motion of Councillor YANCEY, the order was passed notwithstanding the disapproval of the Mayor; yeas 13.

Later in the session, Councillor MURPHY moved reconsideration.

Councillor FEENEY in the Chair.

Councillor KELLY in the Chair.

Councillor MURPHY moved the question.

Reconsideration prevailed.

The matter was referred to the Committee on Environment and Historic Preservation.

MESSAGE DISAPPROVING ORDINANCE RE:
NEGOTIATION AND APPROVAL OF
BROWNFIELDS TAX ABATEMENT AGREE-
MENTS (DOCKET NO. 0705)

Councillor YANCEY called Docket No. 0705 from the Assignment Sheet.

No objection being heard, the matter was before the body.

On motion of Councillor YANCEY, the ordinance was passed notwithstanding the disapproval of the Mayor; yeas 13.

Later in the session, Councillor MURPHY moved reconsideration.

Councillor FEENEY in the Chair.

Councillor KELLY in the Chair.

Councillor MURPHY moved the question.

Reconsideration prevailed.

The matter was referred to the Committee on Environment and Historic Preservation.

RESOLUTION CALLING ON EXECUTIVE AND
LEGISLATIVE BRANCHES OF COMMON-
WEALTH TO FORMALLY ADOPT GOAL OF
ELIMINATING DISPARITIES IN HEALTH
STATUS ON OR BEFORE YEAR 2010,
GRANT OFFICIAL RECOGNITION AND SUP-
PORT TO LATINO HEALTH POLICY COUN-
CIL AND TO IDENTIFY AND ALLOCATE
SUFFICIENT RESOURCES (DOCKET NO.
0946)

Councillors FLAHERTY, ROACHE, TURNER, HENNIGAN, SCAPICCHIO, FEENEY, DAVIS-MULLEN, MURPHY and YANCEY offered the following:

Whereas, Latinos represent approximately 6% of Massachusetts' population and contribute their work, tax dollars and cultural values to the well being of the Commonwealth and the City of Boston; and

Whereas, The federal government has launched Health People 2010, a national initiative to eliminate in this decade racial and ethnic disparities in health; and

Whereas, Available data demonstrate that Massachusetts Latinos have disproportionately higher rates of preventable illness and death due to excess prevalence of risk factors related to poor health and barriers to access to care; and

Whereas, In Latino health data, inadequate collection systems and procedures, irregular and inconsistent analysis, and poor dissemination mechanisms conceal the extent and importance of these disparities; and

Whereas, Current interventions based on available data may be insufficiently informed and improperly focused; and

Whereas, Latino public health and health care experts and activists have organized a Latino Health Policy Council to analyze existing data, identify gaps, recommend corrections, and develop a unified agenda to accomplish the goals of eliminating excess morbidity and mortality among Latinos and Latinas of all ages, national origins, races, faiths and sexual orientations in Massachusetts; and

Whereas, The sustained rapid growth of the Latino population guarantees that the future health of Massachusetts as a whole will be influenced substantially by the Commonwealth's success in improving the health of Latinos; now therefore be it

Resolved, That the Boston City Council, in Meeting Assembled, call on the Executive and Legislative branches of the government of the Commonwealth of Massachusetts to:

1. Formally adopt the goal of eliminating disparities in health status on or before the year 2010; and

2. Grant official recognition of and support to the Latino Health Policy Council in planning, implementing and monitoring the systematic reduction and progressive elimination of excess Latino morbidity and mortality in the Commonwealth; and

3. Identify and allocate sufficient resources throughout the decade to accomplish this goal; and be it further

Resolved, That a true copy of the foregoing be delivered upon the Governor of Massachusetts, the Speaker of the Massachusetts House of Representatives and the President of the Massachusetts Senate.

Referred to the Committee on Public Health.

Later in the session, on motion of Councillor YANCEY, the rules were suspended; the resolution was adopted.

LATE FILED MATTERS

The Chair stated that, in absence of objection, 5 late-filed matters would be added to the Agenda.

No objection being heard, the following matters were added:

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0965)

Councillor KELLY offered the following:

Ordered, That effective Saturday, July 1, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, September 29, 2000:

Helena Creamer, administrative asst., \$957.86, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0966)

Councillor KELLY offered the following:

Ordered, That effective Saturday, July 1, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, September 29, 2000:

Michele Connors, secretary, \$525, full time.

Passed under suspension of the rules.

ORDER FOR HEARING TO ACCEPT TESTIMONY FROM EMPLOYEES OF CITY OF BOSTON ELECTION DEPARTMENT TO DETERMINE NATURE OF COMPLAINTS AND DETER-

MINE IF ACTIONS TAKEN BY MANAGEMENT ARE IN VIOLATION OF CODE OF CITY OF BOSTON (DOCKET NO. 0967)

Councillors ROACHE and FEENEY offered the following:

Whereas, The Boston Elections Department and its Commissioners have the tremendous responsibility of ensuring that all elections held in the City of Boston are fair, proper and efficient; and

Whereas, These responsibilities are best carried out in an environment that does not bring any additional pressure to the employees of the department; and

Whereas, The Commissioner of the Elections Department as well as the Department managers have an obligation to their subordinates and the residents of the City to provide such an environment; and

Whereas, It has been reported that there has been continued harassment of certain Department employees that has created a disruption of the work environment as well as threatened the physical health of certain employees; and

Whereas, Under such conditions Department employees are allowed to file grievances with their Labor representative or discuss the circumstances with a City Council Committee Chairperson without fear of reprisal; and

Whereas, It has been reported that these actions have been met with further harassment and intimidation thereby exacerbating the matter and infringing on the employees' right to a stress-free working environment; therefore be it

Ordered, That the Boston City Council hold a hearing to accept testimony from the employees of the City of Boston Election Department to determine the nature of these complaints and also to determine if actions taken by management are in violation of the Code of the City of Boston.

Referred to the Committee on Government Operations.

ORDER TO HOLD HEARING REGARDING PLANS OF BOSTON REDEVELOPMENT AUTHORITY FOR REDESIGN AND RECONSTRUCTION OF CITY HALL PLAZA AND REPRESENTATIVES OF MAYOR'S OFFICE, BRA AND PUBLIC BE INVITED TO TESTIFY (DOCKET NO. 0968)

Councillors FEENEY, TURNER and YANCEY offered the following:

Ordered, That the City Council hold a hearing regarding the plans of the Boston Redevelopment Authority for the redesign and reconstruction of City Hall Plaza and that representatives of the Mayor's Office, the B.R.A., and the public be invited to testify.

Referred to the Committee on City and Neighborhood Services.

ORDER REQUESTING CERTAIN INFORMATION UNDER SECTION 17F RE: CITY HALL PLAZA (DOCKET NO. 0969)

Councillors FEENEY, DAVIS-MULLEN, CONLEY, HENNIGAN, HONAN, KELLY, MURPHY, ROACHE, ROSS and SCAPICCHIO offered the following:

Ordered, That under the provisions of Section 17F of Chapter 452 of the Acts of 1948, as amended, and under any other applicable provision of law, His Honor, the Mayor, be and hereby is, requested to obtain and deliver to the City Council, within one week of receipt thereof, the following information:

1. Independent attorney's opinion on the legal basis for the BRA's taking of the Plaza.

2. BRA documents recording a finding of blight or

other basis for eminent domain taking.

3. Map of all designated urban renewal areas in Boston, and information about other BRA urban redevelopment powers relevant to taking of property (chapters 121A & 121B, 79, 80A).

4. Copy of original cooperation agreement between BRA & City, stipulating use of Plaza land.

5. Copy of original urban renewal plan showing purpose for parcel used for Plaza.

6. Full Plaza plan to be submitted for Council approval before Phase I is approved.

7. Written legal statement of the ownership, control, zoning and other regulatory status of the Plaza after expiration of the urban renewal plan.

8. Full audit of all public money given to the Trust, including money given through the BRA Economic Development Fund, and detailed accounting of expenditures.

9. Detailed cost estimate for proposed arcade.

10. Ten year record of funding sources for expenditures from the BRA Economic Development Fund.

11. Minutes & other records of Trust's Board of Directors & Board of Advisors meetings.

The rules were suspended; the order was passed.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Scapicchio: Congratulating Rocco Petrolo (Docket No. 0948); congratulating Frank Chirripa (Docket No. 0949); congratulating Rocco Chirripa (Docket No. 0950).

Councillor Honan: Declaring Thursday, July 13, 2000 "Pickle Institute Day" (Docket No. 0951).

Councillors Turner and Yancey: Extending sympathy on death of Derek Gonzalves (Docket No. 0952).

Councillor Murphy: Congratulating Ellen Morrell (Docket No. 0953).

Councillor Turner: Congratulating the High Family on their 24th Reunion celebration (Docket No. 0954).

Councillor Hennigan: Congratulating Jorge Zambrano Cedeno (Docket No. 0955).

Councillor Feeney: Congratulating Buddy and Mary Christopher (Docket No. 0956).

Councillor Kelly for all the Councillors: Congratulating Project Harmony (Docket No. 0957).

Councillors Yancey and Turner: Congratulating Sister Audrey Isles (Docket No. 0958); congratulating Brother Ludie D. DeVaughn (Docket No. 0959); congratulating Heroine Barbara J. DeVaughn (Docket No. 0960); congratulating 5 members of the Roberts' Family Reunion (Docket No. 0961); declaring September 16-18, 2000 "272nd Field Artillery Battalion Recognition" weekend (Docket No. 0962); congratulating Marcus J. Mitchell, Sr. (Docket No. 0963).

Councillors Roache, Flaherty and Turner: Recognizing the efforts of the Latino Health Policy Council (Docket No. 0964).

The Chair stated that in the absence of objection, one late-filed matter would be added to the Consent Agenda.

No objection being heard, the following matter was added:

Councillor Conley: Congratulating Anna Jeanette Martin (Docket No. 0970).

The matters contained within the Consent Agenda were severally adopted.

NEXT MEETING

President KELLY moved that when the Council adjourns today it be to meet again on Wednesday, August 2, 2000 at 12:00 noon.

The motion was carried.

Adjourned at 4:55 P.M., on motion of President Kelly to meet again on Wednesday, August 2, 2000 at 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, August 2, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 1:20 p.m., President KELLY in the chair and all members present.

INVOCATION

Former City Councilor Gareth Saunders delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.-

PRESENTATION BY COUNCILOR HENNIGAN

Councilor Hennigan presented the Counselors In Training Program director Judy McIntyre and the "future counselors" with a resolution. The Counselors In Training Program is funded in part by Project Hope through the City of Boston and also by the Safe Neighborhood Youth Fund.

On motion of Councilor YANCEY, Docket No. 0993 was taken out of order.

ORDER FOR THE HEARING TO DETERMINE
CITY'S PROPERTY DISPOSITION PROCESS,
COMMUNITY INPUT AND SITE SELECTION
FOR HACKNEY DIVISION OF POLICE
DEPARTMENT (DOCKET NO. 0993)

Councilor YANCEY offered the following:

Whereas, The Codman Square community has worked hard and diligently for a number of years developing a vision for rebuilding and revitalization of the commercial district in Codman Square through inclusive and collaborative processes, such as the Codman Square Customer Intercept Survey and the Millennium Plan; and

Whereas, At a city-sponsored meeting in February, 2000, the community specifically voiced opposition to the use of the building at 305 Talbot Avenue for auto repair and/or garaging; and

Whereas, With total disregard for the community's expressed opposition that the hackney inspection operation, with proposed "light maintenance" for the BPD's Hackney Division and Area B-3 police vehicles, would be detrimental to developing housing and retail outlets in the area, representatives from the Mayor's office pushed for this use of this building; and

Whereas, On June 14, 2000, at a meeting of the Codman Square Combined Organizations, residents/attendees were informed by the Mayor's representative, Eric Hill, this was a "done deal" and work was already under way to house the BPD Hackney Division at 305 Talbot Avenue; and

Whereas, This decision was reached without sufficient input and with much opposition from the broader Codman Square community, including civic groups that represent the residents in that area and who had expressed concern that Codman Square already has too many auto related businesses; and

Whereas, On Friday, July 7, more than a dozen people picketed in front of the site to express disapproval at the City's "done deal" policy which ignores community residents and abutters;

Ordered, That this Order be referred to the appropriate committee to convene a hearing to determine the City's Property Disposition Process, community input

and site selection for the Hackney Division of the Boston Police Department, and be it further

Ordered, That the Director of the Department of Neighborhood Development, the Boston Police Department's designee, and the public be invited to testify.

Referred to the Committee on Economic Development and Transportation and the Committee on Equity.

MESSAGE DISAPPROVING ORDER REGARDING
MATTAHUNT COMMUNITY CENTER (DOC-
KET NO. 0917)

The following was received:

City of Boston
Office of the Mayor

July 14, 2000

To the Boston City Council.
Dear Councillors:

I return herewith unsigned and disapproved, Docket Number 0917 An Order Regarding the Mattahunt Community Center, passed by your Honorable Body on June 28, 2000. The order outlines projects under way by the Administration.

Specifically, the Mattahunt Community Center is slated to be on-line by February 2001, with wiring and installation beginning this September. In addition to the twelve networked computer learning centers located in community centers, we are actively securing funds for five new computer learning centers in the City.

As you are aware, technology is an important issue for me and has been a priority for my Administration. This year we were recognized for bringing Internet access to 65,000 Boston Public School students in our efforts to close the "digital divide". We continually find creative solutions to bring our schools, libraries, community centers, and families on-line with state-of-the-art computer technology.

I appreciate the intentions of this order. However, I feel confident that the administration is proactively addressing the technology needs of all Bostonians through our existing and ambitious plans.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Whereas, Boston Community Centers provide a variety of services to Boston residents; and

Whereas, Many residents of Boston do not have access to the Internet in their homes; and

Whereas, Access to the Internet is becoming as essential as the telephone and other communication systems; and

Whereas, The Mattahunt Community Center does not have networked computers that are accessible to the public; therefore be it

Ordered, That the Administration take immediate steps to equip the Mattahunt Community Center with networked computers and be it further

Ordered, That the administration conduct a study of all community centers funded by the City of Boston to insure that each center is equipped with accessible networked computers.

Assigned for further action.

ORDER FOR CONFIRMATION OF HARRON
ELLENSON AS MEMBER OF BOSTON
LANDMARKS COMMISSION FOR TERM
EXPIRING 6-30-2003 (DOCKET NO. 0971)

The following was received:

City of Boston
Office of the Mayor

July 12, 2000

To the City Council.
Dear Councillors:

I transmit herewith for your confirmation an Order regarding the at-large appointment of Harron Ellenson, of 286 Beacon Street, Boston, MA 02116, as a member of the Boston Landmarks Commission for a term expiring June 30, 2003.

I urge your Honorable Body to pass this Order at the earliest possible date so that Ms. Ellenson may begin serving her appointment without delay.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 3, the appointment of Harron Ellenson, of 286 Beacon Street, Boston, MA 02116, as a member of the Boston Landmarks Commission for a term expiring June 30, 2003, be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF APPOINTMENT
OF MARK VERKENNIS AS MEMBER OF
BOSTON LANDMARKS COMMISSION FOR
TERM EXPIRING 6-30-2003 (DOCKET NO.
0972)

The following was received:

City of Boston
Office of the Mayor

July 12, 2000

To the City Council.
Dear Councillors:

I transmit herewith for your confirmation an Order regarding the appointment of Mark Verkennis, of 8 Glade Avenue, Jamaica Plain, MA 02130, as a full member of the Boston Landmarks Commission for a term expiring June 30, 2003, vice Hodges. Mr. Verkennis has been nominated for this position by the American Planning Association.

I urge your Honorable Body to pass this Order at the earliest possible date so that Mr. Verkennis may begin serving his appointment without delay.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 3, the appointment of Mark Verkennis, of 8 Glade Avenue, Jamaica Plain, MA 02130, as a full member of the Boston Landmarks Commission for a term expiring June 30, 2003, vice Hodges, be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF APPOINTMENT
OF CYRUS FIELD AS ALTERNATE MEMBER
OF BOSTON LANDMARKS COMMISSION
FOR TERM EXPIRING 6-30-2001 (DOCKET
NO. 0973)

The following was received:

City of Boston
Office of the Mayor

July 12, 2000

To the City Council.
Dear Councillors:

I transmit herewith for your confirmation an Order regarding the appointment of Cyrus Field, of 19 Dunster Road, Jamaica Plain, MA 02130, as an alternate member of the Boston Landmarks Commission for a term expiring June 30, 2001, vice Verkennis, who will resign if appointed as a full member to said Commission. Mr. Field has been nominated for this position by the American Planning Association.

I urge your Honorable Body to pass this Order at the earliest possible date so that Mr. Field may begin serving his appointment without delay.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 3, the appointment of Cyrus Field, of 19 Dunster Road, Jamaica Plain, MA 02130, as an alternate member of the Boston Landmarks Commission for a term expiring June 30, 2001, vice Verkennis, who will resign if appointed as a full member to said Commission, be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF APPOINTMENT
OF THERESA O'NEILL AS ALTERNATE
MEMBER OF BOSTON LANDMARKS COM-
MISSION FOR TERM EXPIRING 6-30-2002
(DOCKET NO. 0974)

The following was received:

City of Boston
Office of the Mayor

July 12, 2000

To the City Council.
Dear Councillors:

I transmit herewith for your confirmation an Order regarding the appointment of Theresa O'Neill, of 59 Hillsdale Street, Dorchester, MA 02124, as an alternate member of the Boston Landmarks Commission for a term expiring June 30, 2002, vice Baer. Ms. O'Neill has been nominated for this position by the Greater Boston Real Estate Board.

I urge your Honorable Body to pass this Order at the earliest possible date so that Ms. O'Neill may begin serving her appointment without delay.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 3, the appointment of Theresa O'Neill, of 59 Hillsdale Street, Dorchester, MA 02124, as an alternate member of the Boston Landmarks Commission for a term expiring June 30, 2002, vice Baer, be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF APPOINTMENT
OF LISA SERAFIN AS ALTERNATE MEMBER
OF BOSTON LANDMARKS COMMISSION
FOR TERM EXPIRING 6-30-2003 (DOCKET)

The following was received:

City of Boston
Office of the Mayor

July 12, 2000

To the City Council.
Dear Councillors:

I transmit herewith for your confirmation an Order regarding the reappointment of Lisa Serafin, of 279 Athens Street, #2, South Boston, MA 02127, as an alternate member of the Boston Landmarks Commission for a term expiring June 30, 2003. Ms. Serafin has been nominated for this position by the Greater Boston Chamber of Commerce.

I urge your Honorable Body to pass this Order at the earliest possible date so that Ms. Serafin may continue serving her appointment without delay.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 3, the reappointment of Lisa Serafin, of 279 Athens Street, #2, South Boston, MA 02127, as an alternate member of the Boston Landmarks Commission for a term expiring June 30, 2003, be, and hereby is, approved.

Referred to the Committee on City and Neighborhood Services.

ORDER AUTHORIZING COMMISSIONER OF PARKS AND RECREATION TO ACCEPT AND EXPEND GRANT OF \$90,000 FROM COMMONWEALTH FROM MASSACHUSETTS CONVENTION CENTER AUTHORITY TO BE UTILIZED TO INSTALL IRRIGATION SYSTEM IN BOSTON COMMON (DOCKET NO. 0975)

The following was received:

City of Boston
Office of the Mayor

June 26, 2000

To the City Council.
Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Commissioner of the Parks and Recreation Department, on behalf of the City of Boston, to accept and expend an award in an amount not to exceed \$90,000 from the Commonwealth of Massachusetts, through the Massachusetts Convention Center Authority, to the City of Boston for the period June 1, 2000 through January 1, 2001. The monies will be utilized to install an irrigation system in the Boston Common.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may accept and expend these funds expeditiously for the purposes for which they were granted.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Commissioner of the Parks and Recreation Department, on behalf of the City of Boston, be and hereby is authorized to accept and expend an award in an amount not to exceed \$90,000 from the Commonwealth of Massachusetts, through the Massachusetts Convention Center Authority, for the period June 1, 2000 through January 1, 2001. The purpose of said funds is for the installation of an irrigation system in the Boston Common.

Referred to the Committee on City and Neighborhood Services.

ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$5,000 FROM THE JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY TO SUPPORT THE DRUG ABUSE RESISTANCE EDUCATION (DARE) PROGRAM IN PUBLIC ELEMENTARY SCHOOLS (DOCKET NO. 0976)

The following was received:

City of Boston
Office of the Mayor

July 13, 2000

To the City Council.
Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Commissioner of the Police Department, on behalf of the City of Boston, to accept and expend a grant award in the amount of \$5,000 from the John Hancock Mutual Life Insurance Company. The purpose of said funds is to support the Drug Abuse Resistance Education (DARE) program in public elementary schools throughout Boston.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may accept and expend these funds expeditiously for the purposes for which they were granted.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Commissioner of the Police Department, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend a grant award not to exceed the amount of \$5,000 from the John Hancock Mutual Life Insurance Company for the purpose of supporting the Drug Abuse Resistance Education (DARE) program in public elementary schools within the City of Boston.

On motion of Councilor MURPHY, the rules were suspended; the order was passed.

ORDER APPROPRIATING \$2,690,000 FROM EDWARD INGERSOLL BROWNE FUND FOR VARIOUS PROJECTS (DOCKET NO. 0977)

The following was received:

City of Boston
Office of the Mayor

August 1, 2000

To the City Council.
Dear Councillors:

I transmit herewith, for your approval an order appro-

priating from the Edward Ingersoll Browne Fund the sum of \$2,690,000 for projects described in the attached order. The Edward I. Browne Fund Commission met on May 26, 2000, and voted to approve these projects. It is my belief and that of the Commission that these projects will "ornament the City's streets, ways, squares and parks" as Mr. Browne directed in his will in the year 1892.

Respectfully,
Thomas M. Menino,
Mayor of Boston

Ordered, That the sum of \$2,690,000 be, and the same hereby is appropriated, from the income of the Edward Ingersoll Browne Fund, pursuant to a vote of the Edward Ingersoll Browne Fund Commission and further that the said sum be expended as follows:

To the Alexander Hamilton Elementary School Site Council, toward a total project cost of \$275,000, for the creation of a multi-use neighborhood park at this school in Brighton, including play structures, landscaping, an artistic fence with an ornamental arch and an outdoor classroom.....\$50,000

For the Hobart Street Park in Brighton, for the design, fabrication and installation of an arched gateway and decorative steel fence with inlaid interpretive image panels\$50,000

For the Boston Women's Memorial in the Back Bay, toward a total project cost of \$425,000, for the design, fabrication and installation of a work of public art in bronze and granite within the Commonwealth Avenue Mall dedicated to the lives and deeds of Abigail Adams, Lucy Stone and Phillis Wheatley.....\$200,000

For the John Singleton Copley Memorial in the Back Bay's Copley Square, toward a total project cost of \$150,000, for the design, fabrication and installation of a life size work of public art in bronze and granite honoring 18th century Boston painter John Copley\$10,000

For the Garden of Peace Park on Beacon Hill, toward a total project cost of \$150,000, for the design, fabrication and installation of a work of public art in bronze within a new landscaped passive park memorializing those who have lost their lives through violence ...\$35,000

For the Community Garden in Charlestown, for the design, fabrication and installation of a 19th century ornamental steel picket fence\$30,000

For the Chinese Cultural Institute in Boston's Theater District, for the design, fabrication and installation of an ornamental lighted marquee in aluminum and steel ...\$40,000

For Liberty Tree Square in Chinatown, toward a total project cost of \$450,000, for the reconstruction of a blighted square into a multi-use community park including brick and granite pavers, landscaping, a new elm tree (Liberty Tree) and a 15' - 20' artistic light beacon\$150,000

To the Dorchester Historical Society for landscape design fees to develop a plan for ornamental improvements for Dorchester's historic Town Commons and Mayor Lyman Square in the Meeting House Hill neighborhood of Dorchester\$15,000

To the John P. Holland School Site Council, toward a total project cost of \$300,000, for the creation of a multi-use neighborhood park at this elementary school in Dorchester including puddingstone entranceways, landscaping, paving, play structures and an ornamental

fence with children inspired artwork\$50,000

To the John Marshall Elementary School Site Council for design fees to develop a plan for the construction of an outdoor garden and ornamental entranceway with artwork at this school in Dorchester\$15,000

For the Nonquit Street Park in Dorchester's Upham's Corner neighborhood, toward a total project cost of \$750,000 for the creation of a multi-use neighborhood park including extensive landscaping, play structures and an outdoor plaza in brick and granite along with a work of public art\$125,000

For the Elmhurst Street Community Park in Dorchester's Codman Square neighborhood, toward a total project cost of \$500,000, for the design, fabrication and installation of a work of public art in stone and steel within a new passive park\$75,000

For the Savin Hill Mural Project in Dorchester, toward a total project cost of \$25,000, for the design, fabrication and installation of a community inspired mural commemorating the history of Savin Hill ...\$15,000

For Edward Everett Square in Dorchester, toward a total project cost of \$850,000, for the creation of a series of ornamental and functional improvements, including lighting, benches, landscaping, brick sidewalks historic tablets and markers\$150,000

For the Paul R. McLaughlin Youth Center "Kids" Campus in Dorchester, toward a total project cost of \$75,000, for the design, fabrication and installation of an ornamental artistic fence\$65,000

To the Vietnamese American Initiative for Development, Inc. (Viet-Aid) in Dorchester's Fields Corner neighborhood, for design fees to develop a plan for the creation of a neighborhood park next to their new community center.....\$15,000

To the Friends of the Adams Street Library in Dorchester's Neponset neighborhood, for landscape design and art development fees to develop a plan for the creation of an outdoor reading garden next to this neighborhood library\$15,000

To the Neponset/Precinct 10 Neighborhood Association for landscape design and art fees to develop a plan for ornamental enhancements to John P. O'Connor Park in the Port Norfolk neighborhood of Dorchester\$15,000

To the Boston Reverend Dr. Martin Luther King Jr. Memorial Committee for artistic design fees for the creation of a memorial honoring the life and deeds of Dr. King, a Nobel Peace Prize recipient and human rights champion\$15,000

To the Trust for City Hall Plaza for the design, fabrication and installation of work of public art in stainless steel honoring the life and deeds of Boston's 44th Mayor, John Collins\$55,000

For Statler Park in Boston's Bay Village neighborhood, toward a total project cost of \$450,000, for the restoration and enhancement of this early 20th century passive park including new ornamental fencing, landscaping, brick and granite paving and a refurbished central fountain and artwork\$75,000

To the James Otis School Site Council, toward a total project cost of \$275,000, for the creation of a multi-use neighborhood park at this elementary school in East Boston including an outdoor classroom/amphitheater, landscaping and an artistic entranceway with ornamental fencing\$50,000

To the Dante Alighieri School Site Council, toward a total project cost of \$250,000, for the creation of a multi-use neighborhood park at this elementary school in East Boston including an outdoor classroom, amphitheater, play structures, landscaping and a community sponsored work of public art \$50,000

For the Condor Street Beach Urban Wild in East Boston, toward a total project cost of \$925,000, for the rehabilitation of a former industrial site into a passive recreational park including wetlands restoration, landscaping and an accessible boardwalk and observation deck overlooking the Chelsea River \$125,000

For Border Street Lane in East Boston, toward a total project cost of \$150,000, for the reconstruction of a blighted pedestrian passageway into a landscaped green space including ornamental fencing, landscaping and gateways \$50,000

For the East Boston Greenway, toward a total project cost of \$75,000, for the design, fabrication and installation of a series of orientational signs, maps, kiosks and interpretive panels, \$20,000

To the Boston Arts Academy in Boston's Fenway neighborhood, toward a total project cost of \$155,000, for the design, fabrication and installation of a work of public art in polished steel and bronze on the facade of this public high school building, \$75,000

For the Fenway Artists Studio for the restoration this historic early 20th century Arts and Crafts building's ornamental iron entranceway and artistic metal work, \$25,000

For the Riverside Theater in Hyde Park, for the design fabrication and installation of an ornamental lighted marquee in steel at this historic century theater/opera house, \$35,000

For the Winthrop Street Library Park in Hyde Park, toward a total project cost of \$250,000, for the creation of a passive pedestrian park including specialized paving, landscaping, benches lighting and a series of bronze inlaid art panels depicting Hyde Park's history, \$150,000

To the Ellis Mendell Schoolyard Committee, toward a total project cost of \$275,000, for the creation of a multi-use neighborhood park at this elementary school in Jamaica Plain including an outdoor learning plaza with a sundial compass and poem/storywall, landscaping, inscribed pavers, and a playstructure, ... \$50,000

For Mattapan Square, toward a total project cost of \$350,000, for the design, fabrication and installation of two 18' tall bronze pieces of public art on granite bases at the Boston entrance to Mattapan along with a series of bronze inlaid poetry inscriptions within the business district's sidewalks, \$150,000

To the Chinese Historical Society of New England for artistic design development fees for the creation of a memorial honoring the contributions Chinese immigrants have made to Boston and New England at Boston's Mount Hope Cemetery in Mattapan, \$15,000

For the Copp's Hill Cemetery in Boston's North End neighborhood for the design, fabrication and installation of a series of ornamental interpretive signs, .. \$20,000

For the Roslindale Public Gardens, toward a total project cost of \$275,000, for the creation of a multi-use neighborhood passive park including landscaping, granite and brick paving, benches and a decorative fountain with a senior's garden, \$75,000

To the Roslindale Village Main Street Committee for landscape and artistic design development fees for the creation of an outdoor bistro courtyard within this neighborhood business district including a central ornamental fountain, \$25,000

To the Friends of the George Conley Schoolyard, toward a total project cost of \$200,000, for the creation of multi-use neighborhood park at this elementary school in Roslindale including an amphitheater/outdoor classroom with granite capstones, landscaping, trees and an ornamental "alphabet fence" \$50,000

To the Forest Hills Cemetery Educational Trust, toward a total project cost of \$15,575, for the repair and restoration of two works of public art by 19th century artist and sculptor A. Robert Kraus, \$10,000

To the Nathan Hale Schoolyard Committee, toward a total project cost of \$275,000, for the creation of a multi-use neighborhood park at this elementary school in Roxbury including an outdoor classroom/amphitheater with inlaid student artwork, artistic fencing, landscaping, lighting and a playstructure, \$50,000

For the Shirley-Eustis House in Roxbury, towards a total project cost of \$350,000, for the restoration of this 18th Century historic structure's landscaping including hedge gardens, stonework fencing and a new orchard for native Boston fruit, \$50,000

To the Ralph Waldo Emerson Schoolyard Committee, toward a total project cost of \$275,000, for the creation of a multi-use neighborhood park at this elementary school in Roxbury including an ornamental entranceway with art columns, steel fencing with children designed art panels, landscaping, trees and an outdoor classroom/amphitheater, \$50,000

To the William Monroe Trotter Elementary School Site Council, for the design, fabrication and installation of a series of artistic benches within the school's new park, \$25,000

To the Grove Hall Board of Trade for the development of an design plan for ornamental signage, plaques and markers which will highlight the significance of various sites along the proposed Roxbury Historical Trail, \$15,000

For the Dudley Square Civic Plaza for the development of a landscape and artistic design plan for the creation of an urban village pedestrian park and outdoor performance area, \$15,000

For Justice Edward O. Gourdin Park for the development of a landscape and artistic design plan for the creation of a passive pedestrian park in honor of Justice Gourdin's many life achievements, \$15,000

For the Mary Ellen McCormack Housing Development in South Boston, toward a total project cost of \$185,000, for the creation of a landscaped pedestrian park between two pocket parks including decorative fencing, paving, historic plaques, landscaping, trees and an artistic "solar system" walk, \$150,000

To the Rutland Square Association in the South End, toward a total project cost of \$115,000, for the restoration of the 17th century ornamental park in Rutland Square including fencing repair, new bollards, landscaping, paving and decorative urns, \$30,000

For the Villa Victoria/Torre Unidad Plaza in the South End, for the development of a landscape and artistic design plan for the reconstruction of this underused green space into a multi-use community park and per-

formance area, \$20,000

July 17, 2000

To the Washington Main Streets Program in the South End, for the development of a design for a work of public art which highlights the importance of the historical connection between Boston and Roxbury, . . . \$15,000

For the Deer Island Memorials project for the development of a design for the creation of a series of distinct yet connected memorials which commemorate the Native Americans and Irish Immigrants who died while forcibly interned and quarantined respectively on this Boston Harbor Island during the 17th and 19th centuries, \$15,000

Referred to the Committee on City and Neighborhood Services.

Later in the session, Councilor FEENEY moved on reconsideration of the referral.

The motion was carried.

The order was before the body.

On motion of Councilor FEENEY, the rules were suspended; the order was passed.

ORDER FOR CONFIRMATION OF APPOINTMENT
OF RENEE FRANKS AS MEMBER OF
BOSTON HOUSING AUTHORITY MONITORING
COMMITTEE FOR TERM EXPIRING 12-31-2001 (DOCKET NO. 0978)

The following was received:

City of Boston
Office of the Mayor

July 17, 2000

To the City Council.
Dear Councillors:

I transmit herewith for your confirmation an Order regarding the appointment of Ms. Renee Franks of 1109 Harrison Avenue #1, Roxbury, MA 02119 as a full member of the Boston Housing Authority Monitoring Committee for a term expiring on December 31, 2001.

I urge your Honorable Body to pass this Order at the earliest possible date.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1989 c. 88, § 2, the appointment of Ms. Renee Franks of 1109 Harrison Avenue, #1, Roxbury, MA 02119, as a full member of the Boston Housing Authority Monitoring Committee for a term expiring December 31, 2001, be, and hereby is, approved.

Referred to the Committee on Housing

ORDER FOR CONFIRMATION OF APPOINTMENT
OF SHIRLEY LEE AS MEMBER OF BOSTON
HOUSING AUTHORITY MONITORING
COMMITTEE FOR TERM EXPIRING 12-31-2001 (DOCKET NO. 0979)

The following was received:

City of Boston
Office of the Mayor

To the City Council.
Dear Councillors:

I transmit herewith for your confirmation an Order regarding the appointment of Ms. Shirley Lee of 346 Tremont Street #C-301, Boston, MA 02116 as a full member of the Boston Housing Authority Monitoring Committee for a term expiring on December 31, 2001.

I urge your Honorable Body to pass this Order at the earliest possible date.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1989 c. 88, § 2, the appointment of Ms. Shirley Lee of 346 Tremont Street #C-30 1, Boston, MA 02116 as a full member of the Boston Housing Authority Monitoring Committee for a term expiring December 31, 2001 be, and hereby is, approved.

Referred to the Committee on Housing.

ORDER FOR CONFIRMATION OF APPOINTMENT
OF JEFFREY SANCHEZ AS MEMBER OF
BOSTON HOUSING AUTHORITY MONITORING
COMMITTEE FOR TERM EXPIRING 12-31-2001 (DOCKET NO. 0980)

The following was receiving:

City of Boston
Office of the Mayor

July 17, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order regarding the appointment of Mr. Jeffrey Sanchez of 1334 Commonwealth Avenue # 16, Allston, MA 02134 as a full member of the Boston Housing Authority Monitoring Committee for a term expiring on December 31, 2001.

I urge your Honorable Body to pass this Order at the earliest possible date.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1989 c. 88, § 2, the appointment of Mr. Jeffrey Sanchez of 1334 Commonwealth Avenue #16, Allston, MA 02134, as a full member of the Boston Housing Authority Monitoring Committee for a term expiring December 31, 2001, be, and hereby is, approved.

Referred to the Committee on Housing.

ORDER APPROVING PETITION FOR SPECIAL
LAW THAT WOULD EXPEDITE USE OF
STATE FUNDS FOR REDEVELOPMENT OF
SEVERELY DISTRESSED PORTION BOSTON
HOUSING AUTHORITY'S (BHA) WEST
BROADWAY DEVELOPMENT AND USE OF
HOPE VI FEDERAL FUNDS FOR REDEVELOPMENT
OF SEVERELY DISTRESSED
MAVERICK DEVELOPMENT (DOCKET NO.
0981)

The following was received:

City of Boston
Office of the Mayor

August 1, 2000

To the City Council.
Dear Councillors:

I transmit herewith for your approval a petition to the General Court for a special law that would expedite the use of state funds for redevelopment of a severely distressed portion of the Boston Housing Authority's (BHA) West Broadway development and the use of HOPE VI federal funds for redevelopment of the severely distressed Maverick development.

You will recall that your Honorable Body passed a similar measure in 1997 with regard to the BHA's redevelopment of its Mission Main and Orchard Park developments which was subsequently approved by the General Court.

As the need to restore our public housing stock has become even more critical since 1997, I respectfully urge your Honorable Body to pass this measure at the earliest possible date.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause (1) of Section eight of Article two, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted providing precisely as follows, except for clerical or editorial changes of form only:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the conveyance by the Boston Housing Authority of the federally funded Maverick public housing project or the state funded West Broadway public housing project, or any part thereof, whether by leasehold or fee estate, to an urban revitalization corporation organized pursuant to Chapter 121A of the General Laws or to a non-profit state and federally tax-exempt corporation organized for the purpose of revitalizing such project; provided such conveyance shall be subject to chapter 30B of the General Laws to the extent such project is conveyed to an entity which is not owned, controlled or managed by the Boston Housing Authority on the date of said conveyance; and provided such conveyance has been funded in part by a federal government Hope VI grant, or pursuant to issuance of tax-exempt bonds authorized under the General Laws, shall not be subject to the requirements of any general or special law related to the procurement and award of contracts for the construction, reconstruction, installation, demolition, maintenance or repair of any building by a public agency, but shall remain subject to the requirements of sections 26 to 27H, inclusive of chapter 149 of the General Laws; provided, however, that contracts for the construction reconstruction, alteration, remodeling or repair of any publicly owned public works which service such projects and would otherwise be subject to the requirements of section 39M of chapter 30 of the General Laws shall not be exempted by the provisions of this act from the requirements of said statute.

SECTION 2. This act shall take effect upon its passage.

Referred to the Committee on Government Operations and Committee on Housing.

ORDER FOR LOAN OF \$1,565,500 FOR FIRE ALARM COMMUNICATION INSTALLATIONS AND FOR PURPOSE OF EXTENDING AND IMPROVING SUCH INSTALLATIONS (DOCKET NO. 0982)

The following was received:

City of Boston
Office of the Mayor

July 31, 2000

To the City Council.
Dear City Councilors:

I transmit herewith for your approval an appropriation order in the amount of \$1,565,500 for fire alarm communication installations and for the purpose of extending and improving such installations.

I urge your Honorable Body to pass this order.

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$1,565,500 be, and hereby is, appropriated for fire alarm communication installations and for the purpose of extending and improving such installations; and that to meet said appropriation the Collector/Treasurer be, and hereby is, authorized under the provisions of Clause (14) of Section 7 of Chapter 44 of the General Laws, to issue from time to time, on request of the Mayor, bonds, notes or certificates of indebtedness of the City up to said amount, provided that the appropriation authorized through this order be expended only on those projects as described by name attached herein.

Attachment
1. Radio System

Councilor MURPHY moved suspension of the rules and passage of the order.

RECESS

Later in the session, on the motion of Councilor MURPHY, the order was given its first reading and assigned for further action; yeas 12:

Yeas - Councilors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross, Scapicchio, Yancey - 12.

Nays - 0.

VISITORS TO CITY COUNCIL

President KELLY introduced members of the Carpenters Union, young labor leaders and their agents.

VISITORS TO CITY COUNCIL

President KELLY wanted to also welcome the John William Ward Fellows of the Boston Latin School.

ABSENCE OF THE MAYOR
(DOCKET NO 0983)

Notice was received from the Mayor of his absence from the City July 20, 2000 until July 21, 2000.

Placed on file.

ABSENCE OF THE MAYOR
(DOCKET NO. 0984)

Notice was received from the Mayor of his absence from the City on July 26, 2000.

Placed on file.

NOTICE RECEIVED BY CITY CLERK FROM BRA
OF FILING "SECOND REPORT AND "DECISION
AMENDMENT ON THE APARTMENTS,
DORCHESTER, CHAPTER 121A PROJECT"
(DOCKET NO. 0985)

The following was received:

City of Boston
Office of the City Clerk

July 31, 2000

To the City Council.

Dear Councillors:

In compliance with order passed by your Honorable Body December 6, 1976, this is to inform you that the following was filed by the Boston Redevelopment Authority with the City Clerk on July 26, 2000:

Second Report and Decision Amendment on the Adtemp Apartments, Dorchester, Chapter 121A Project.

Very truly yours,
Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE: ACTIONS
TAKEN BY MAYOR ON PAPERS ACTED
UPON BY CITY COUNCIL AT ITS MAY 17,
2000 MEETING (DOCKET NO. 0986)

The following was received:

City of Boston
Office of the City Clerk

July 31, 2000

To the City Council.
Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of May 17, 2000, viz:

0447 Order to reduce the appropriation for the Reserve for Collective Bargaining by \$64, 839 in order to fund the FY00 cost items of a collective bargaining agreement for School Bus Monitors.

Approved by the Mayor May 23, 2000.

0448 Order for supplemental appropriation of \$3, 875, 655 for the School Department for FY00.

Approved by the Mayor May 23, 2000.

0527 Order authorizing the Parks and Recreation Department to apply for, accept and expend grants of \$43,000 from the Department of Environmental Management, to provide funding for the capital parks project entitled the "Rehabilitation of the Path System in the Granary Burying Ground".

Approved by the Mayor May 23, 2000.

0528 Order authorizing the Department of Neighborhood Development (Public Facilities Department) to apply for Federal FY2000 Housing Opportunities for Persons With AIDS (HOPWA) funds of \$1,980,000, from the Department of Housing and Urban Development (HUD).

Approved by the Mayor May 23, 2000.

0529 Order authorizing the Department of Neighborhood Development (Public Facilities Department) to apply for a FY2000 HOME Investment Partnerships Program grant of \$6,804,000, from the Department of Housing and Urban Development.

Approved by the Mayor May 23, 2000.

0530 Order authorizing the Department of Neighborhood Development (Public Facilities Department) to apply for a Federal FY2000 Emergency Shelter Grant of \$882,000, from the Department of Housing and Urban Development.

Approved by the Mayor May 23, 2000.

0531 Order authorizing the Department of Neighborhood Development (Public Facilities Department) to apply for a Federal FY2000 Community Development Block Grant (CDBG) of \$24,816,000, from the Department of Housing and Urban Development.

Approved by the Mayor May 23, 2000.

0616 Order authorizing the Department of Neighborhood Development (Public Facilities Commission) to apply for, accept and expend a FY00 Shelter Plus Care grant of \$6,236, 520 from the Department of Housing and Urban Development.

Approved by the Mayor May 23, 2000.

0617 Order authorizing the Department of Neighborhood Development (Public Facilities Commission) to apply for, accept, and expend a Federal FY00 Lead-Based Paint Hazard Program grant of \$3,000,000 from the Department of Housing and Urban Development.

Approved by the Mayor May 23, 2000.

0704 Order that the City Council adopt Section 59A of Chapter 59 of the MGL, (cleanup and development of sites that are zoned for commercial or industrial use where there has been a release of oil or hazardous material).

Message disapproving filed June 5, 2000.

0705 Ordinance regarding the negotiation and approval of brownfield tax abatement agreements.

Message disapproving filed June 5, 2000.

Very truly yours,
Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE: ACTIONS
TAKEN BY MAYOR ON PAPERS ACTED
UPON BY CITY COUNCIL AT ITS JUNE 7,
2000 MEETING (DOCKET NO. 0987)

The following was received:

City of Boston
Office of the City Clerk

July 31, 2000

To the City Council.
Councilors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of June 7, 2000, viz:

0693 Order for loan of \$833,250 for planning, designing, acquiring land for, construction and originally equipping structures and facilities and for remodeling reconstructing, or making major alterations, additions and major repairs to existing facilities including original equipment and landscaping, including the planting of shade trees, paving and other site improvements incidental or directly related to such remodeling, reconstruction, or repair for the purposes of the School Department

Approved by the Mayor June 13, 2000.

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

APPROVAL OF CONSTABLE'S BONDS
(DOCKET NO. 0988)

The Constable's Bonds of the following, having been duly approved by the Collector-Treasurer, were received and approved:

George Adjemian	William A. Jones
Joseph F. Allen	Herbert Kashmanian
Barbara L. Bedugnis	Marie A. Kashmanian
David G. Bedugnis	Thomas C. Kitas
John T. Burke	Frank A. Kravitsky
John Cammarata	Mark J. Kravitsky
Vincent J. Carbone	Daniel F. Long
Russell C. Castagna	Denise C. Long
Willie E. Chester	William P. Malone
Robert D. Clemons	James J. McCarthy
Ron Cobb	David E. Melvin
John C. Consolo	Dino V. Mucci
Christopher E. Creed	Frank J. Mucci
Francis R. Davis	John Nee
John J. DiBlasi	Robert F. O'Sullivan
John P. Di Natale	Andres Otero
James L. Dolliver	Tracey C. Ragland
John T. Fasanello	Franklin N. Redd
Michael A. Forman	Rodger D. Renwick
Anthony Giannetti	Juan A. Rodriguez
Charles V. Grillo	John J. Roscoe
Douglas D. Hansen	Ralph Salerno
Keith S. Hershenson	Vidal Santia
Joel B. Hurwitz	Arthur Smith
John J. Jansky	John W. Taylor
Gerard O. Jodrey	Albert B. Tranquillino

OF \$36,255 FROM MASSACHUSETTS
OFFICE OF ELDER AFFAIRS TO OPERATE
SERVING HEALTH INFORMATION NEEDS
OF ELDERS (SHINE) PROGRAM (DOCKET
NO. 0416)

Councilor ROACHE on behalf of the Committee on Elderly, submitted the following:

Report on Docket No. 0416, message of the Mayor and order authorizing the Commissioner on Affairs of the Elderly to apply for, accept and expend a grant of \$36,225 from the Massachusetts Office of Elder Affairs to operate the Serving Health Information Needs of Elders (SHINE) Program (Referred March 15) - recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING COMMISSIONER ON AFFAIRS OF ELDERLY TO APPLY FOR, ACCEPT AND EXPEND GRANT OF \$532,507 FROM U.S. DEPARTMENT OF LABOR FOR EMPLOYMENT, TRAINING AND OTHER SERVICES OF PERSONS WHO PARTICIPATE IN THE SENIOR AIDES PROGRAM (DOCKET NO. 0417)

Councilor ROACHE on behalf of the Committee on Elderly, submitted the following:

Report on Docket No. 0417, message of the Mayor and order authorizing the Commissioner on Affairs of the Elderly to apply for, accept and expend a grant of \$532,507 from the U.S. Department of Labor for employment, training and other services of persons who participate in the Senior Aides Program (referred March 15) - recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING COMMISSIONER ON AFFAIRS OF ELDERLY TO APPLY FOR, ACCEPT AND EXPEND GRANT OF \$507,150 FROM MASSACHUSETTS OFFICE OF ELDER AFFAIRS FOR CONTINUED OPERATION OF COMMISSION'S HEALTH AND HOUSING UNITS (DOCKET NO. 0420)

Councilor ROACHE on behalf of the Committee on Elderly, submitted the following:

Report on Docket No. 0420, message of the Mayor and order authorizing the Commissioner on Affairs of the Elderly to apply for, accept and expend a grant of \$507,150 from the Massachusetts Office of Elder Affairs for the continued operation of the Commission's Health and Housing Units (referred March 15) - recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING COMMISSIONER ON AFFAIRS OF ELDERLY TO APPLY FOR, ACCEPT AND EXPEND GRANT OF \$105,000 FROM NATIONAL SENIOR SERVICE CORPS, A FEDERAL VOLUNTEER AGENCY AUTHORIZED UNDER DOMESTIC VIOLENCE ACT OF 1973 (42 U.S.C.5013) FOR CONTINUING RETIRED SENIOR VOLUNTEER PROGRAM AND PAYING SALARIES OF MANAGEMENT STAFF (DOCKET NO. 0421)

REPORT ON ORDER AUTHORIZING COMMISSIONER ON AFFAIRS OF ELDERLY TO APPLY FOR, ACCEPT AND EXPEND GRANT

Councilor ROACHE on behalf of the Committee on Elderly, submitted the following:

Report on Docket No. 0421, message of the Mayor and order authorizing the Commissioner on Affairs of the Elderly to apply for, accept and expend a grant of \$105,000 from the National Senior Service Corps, a federal volunteer agency authorized under the Domestic Violence Act of 1973 (42 U.S.C.5013) for continuing the Retired Senior Volunteer Program and paying salaries of management staff (referred March 15) - recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING COMMISSIONER ON AFFAIRS OF ELDERLY TO APPLY FOR, ACCEPT AND EXPEND GRANT OF \$325,000 FROM NATIONAL SENIOR SERVICE CORPS, A FEDERAL VOLUNTEER AGENCY AUTHORIZED UNDER DOMESTIC VIOLENCE ACT OF 1973 (42 U.S.C.5013) FOR THE SALARIES, STIPENDS, MEALS, TRANSPORTATION AND OTHER SERVICES FOR PERSONS ENROLLED IN SENIOR COMPANION PROGRAM (DOCKET NO. 0422)

Councilor ROACHE on behalf of the Committee on Elderly, submitted the following:

Report on Docket No. 0422, message of the Mayor and order authorizing the Commissioner on Affairs of the Elderly to apply for, accept and expend a grant of \$325,000 from the National Senior Service Corps, a federal volunteer agency authorized under the Domestic Violence Act of 1973 (42 U.S.C.5013) for the salaries, stipends, meals, transportation and other services for persons enrolled in the Senior Companion Program (referred March 15) recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON PETITION OF BOSTON BEATS LIMO FOR LICENSE TO OPERATE MOTOR VEHICLES FOR CARRIAGE OF PASSENGERS FOR HIRE OVER CERTAIN STREETS (DOCKET NO. 0143)

Councilor SCAPICCHIO, on behalf of the Committee on Economic Development and Transportation, submitted the following:

Report on Docket No. 0143, petition of Boston Beats Limo for license to operate motor vehicles for the carriage of passengers for hire over certain streets (referred January 3) - recommending petition be denied without prejudice.

The report was accepted; the petition was denied without prejudice.

REPORT ON PETITION OF J.C. TRANSPORTATION FOR LICENSE TO OPERATE MOTOR VEHICLES FOR CARRIAGE OF PASSENGERS FOR HIRE OVER CERTAIN STREETS (DOCKET NO. 0578)

Councilor SCAPICCHIO, on behalf of the Committee on Economic Development and Transportation, submitted the following:

Report on Docket No. 0578, petition of J.C.

Transportation for license to operate motor vehicles for the carriage of passengers for hire over certain streets (referred April 26) - recommending petition be denied without prejudice.

The report was accepted; the petition was denied without prejudice.

REPORT ON PETITION OF AIR SHUTTLE FOR LICENSE TO OPERATE MOTOR VEHICLES FOR CARRIAGE OF PASSENGERS FOR HIRE OVER CERTAIN STREETS (DOCKET NO. 0579)

Councilor SCAPICCHIO, on behalf of the Committee on Economic Development and Transportation, submitted the following:

Report on Docket No. 0579, petition of Air Shuttle for license to operate motor vehicles for the carriage of passengers for hire over certain streets (referred April 26) - recommending petition be denied without prejudice.

The report was accepted; the petition was denied without prejudice.

ORDER FOR HEARING TO DISCUSS ADOPTING CHAPTER 127, SECTION 159 OF MGL "VOLUNTEER ELDER PROPERTY TAX CREDIT" (DOCKET NO. 0989)

Councilor DAVIS-MULLEN offered the following:

Whereas, Chapter 127, Section 159, of the Massachusetts General Laws, the "Volunteer Elder Property Tax Credit" law was recently amended to allow cities and towns to establish a tax exemption program that would allow persons over the age of 60 to volunteer to provide service to the city or town they reside, in exchange for a reduction in their real property tax bill, and

Whereas, In addition to any other tax abatement or exemption that eligible residents may already receive, the person seeking to take advantage of this program would be credited on their tax bill at a rate not to exceed the current hourly minimum wage, and at a sum not to exceed \$500 in a tax year, and

Whereas, The amount of credit shall not be considered income, wages or employment for purposes of taxation, and

Whereas, Chapter 127, Section 159, the "Volunteer Property Tax" is state enabling language that must be adopted by the municipal governments of each city and town in order for that city or town's eligible residents to take advantage of the program,

Whereas, If this enabling law is adopted by the City of Boston, it will bring much needed property tax relief to residents over the age of 60 who want to live in the City of Boston but who cannot afford the rising cost of living and taxes that have besieged Boston over the last few years, therefore be it

Ordered, That the Boston City Council, in meeting assembled, hold an immediate public hearing to discuss, explore and adopt this legislation for the benefit of residents over the age of 60, and that members of the public, the administration, the tax assessing department, the elderly department and the office of intergovernmental affairs be invited to attend and testify.

Referred to the Committee on Government Operations and Committee on Elderly.

ORDER FOR LOAN OF \$1,010,000 FOR SCHOOL DEPARTMENT (DOCKET NO. 0915)

Councilor HENNIGAN called Docket No. 0915 from the Assignment Sheet.

Hearing no objection, the matter was before the body.

On motion of Councilor HENNIGAN, the order was given its second reading and final passage, yeas 13.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0990)

Councilor KELLY offered the following:

Ordered, That effective Saturday, July 1, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, September 29, 2000:

Tracy Holt, Administrative Asst., \$670.50, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 0991)

Councilor KELLY offered the following:

Ordered, That effective Saturday, July 22, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, September 29, 2000:

Christa Hawkins, Administrative Asst., \$1,053.64, full time.

Passed under suspension of the rules.

ORDER FOR HEARINGS IN DIFFERENT PARTS OF THE CITY TO ENABLE AND ENCOURAGE RESIDENTS AND ORGANIZATIONS TO ATTEND AND GIVE THEIR PERSPECTIVE AS TO WHY RESIDENTS DON'T VOTE AS WELL AS GIVE SUGGESTIONS AS TO WHAT MAYOR AND CITY COUNCIL CAN DO TO INCREASE VOTER PARTICIPATION (DOCKET NO. 0992)

Councilors TURNER and YANCEY offered the following:

Whereas, Voter registration and voter participation rates have fallen across the City of Boston in every neighborhood over the course of the last thirty years; and

Whereas, Simplified voter registration techniques have helped to increase voter registration in many neighborhoods, but has not increased the rates of voter participation; and

Whereas, Voter participation will strengthen accountability on the part of elected officials; therefore be it

Ordered, That the Boston City Council hold two public hearings in different parts of the City to enable and encourage residents and organizations to attend and give their perspective as to why residents don't vote, as well

as, give suggestions as to what the Mayor and the City Council can do to increase voter participation; be it further

Ordered, That representatives from the Mayor's Office, the Office of Neighborhood Services, the Election Commission, the Elderly Commission, the Commission for Persons with Disabilities, the Boston Housing Authority, Veterans' Services, as well as, the public, be invited to attend and testify. Notice of said hearing is to be published in the City Record.

Councilor YANCEY moved that the order be amended by striking the word two in the fourth paragraph, first line.

The motion was carried.

Referred to the Committee on Government Operations.

ORDER FOR HEARING TO RECEIVE UPDATE FROM PUBLIC HEALTH COMMISSION AND ADMINISTRATION ABOUT STEPS ALREADY TAKEN AND ALSO FUTURE STEPS THAT WILL BE TAKEN TO PROTECT RESIDENTS FROM WEST NILE VIRUS (DOCKET NO. 0994)

Councilors HENNIGAN and MURPHY offered the following:

Whereas, The West Nile Virus was found in a dead crow at Willow Pond in Jamaica Plain; and

Whereas, Last year seven residents of New York died after being infected by West Nile Virus; and

Whereas, Under the supervision of Mayor Thomas M. Menino and the Public Health Commission, Willow Pond and land in a 3 mile radius of Willow Pond was sprayed with insecticide in order to protect the health of residents from the threat of being bitten by a mosquito carrying the West Nile Virus; and

Whereas, Since the discovery of the crow, no human cases of West Nile Virus have been found in Massachusetts; and

Whereas, Many residents of the Boston area are very concerned about the possibility of contracting West Nile Virus from an infected mosquito; and

Whereas, Many residents are also concerned about the impact of spraying insecticide on the environment and wildlife such as the Three Spined Stickleback fish that is easily affected by such insecticides; therefore be it

Ordered, The appropriate City Council committee will hold a hearing for an update from the Public Health Commission and the Administration about the steps already taken and also future steps that will be taken to protect the residents of Boston from this disease, and that this will be an opportunity for concerned residents to be invited to the hearing and voice their concerns about West Nile Virus and the effects of the insecticides on the environment and wildlife.

Referred to the Committee on Public Health.

RESOLUTION REQUESTING MAYOR TO DIRECT BOSTON REPRESENTATIVE ON MBTA BOARD OF DIRECTORS TO VOTE AGAINST MBTA'S PROPOSED FARE INCREASE (DOCKET NO. 0995)

Councilors TURNER, DAVIS-MULLEN, ROACHE, CONLEY, FLAHERTY, HENNIGAN, FEENEY, YANCEY, MURPHY, HONAN and SCAPICCHIO offered the following:

Whereas, According to Massachusetts General Law, Chapter 161A, the Massachusetts Bay Transit Authority (MBTA) must meet certain procedural requirements before it can implement a fare increase, including demonstrating that they have made efforts to increase ridership and improve fare collection practices prior to the increase; and

Whereas, The MBTA must demonstrate that they have maximized all other sources of non-transportation revenue and will implement a free or reduced transfer policy; and

Whereas, The MBTA has made no attempt to meet these requirements before proposing a fare increase; and

Whereas, A fare increase would further burden residents in lower income neighborhoods of which a large portion of the residents in those neighborhoods of Boston are people of color; and

Whereas, Low income residents, in particular, who do not have alternative modes of transportation will be forced to use income needed for other expenses to meet the MBTA's 25% increase in fares; and

Whereas, The current level of service being provided by the MBTA does not and has not met the needs of riders, particularly on overly-crowded, late and dysfunctional MBTA buses; and

Whereas, The MBTA has a history of dis-investment in the inner city neighborhoods of Boston where people are most dependent upon MBTA service. We, the Boston City Council, find that the increase of fares system-wide without any improvements to MBTA service unjust; therefore be it

Resolved, That the Boston City Council requests that the Mayor direct the Boston Representative on the MBTA Board of Directors to vote against the MBTA's proposed fare increase.

On motion of Councilor TURNER, the rules were suspended; the resolution was adopted.

RESOLUTION CALLING UPON LEGISLATURE TO ACT IMMEDIATELY TO REVERSE DECISION TO VETO SUMMER JOB FUNDING (DOCKET NO. 0996)

Councilors ROSS, FEENEY, KELLY, SCAPICCHIO, TURNER, ROACHE, MURPHY, HONAN, HENNIGAN, FLAHERTY, DAVIS-MULLEN and YANCEY offered the following:

Whereas, The Summer Job program in Boston results in numerous benefits to our communities including a low crime rate and invaluable work experience; and

Whereas, The State has been an important partner with the City and the private sector in funding the cost of the Summer Job program; and

Whereas, The overwhelming majority of the Boston Legislative Delegation has supported legislation that would continue to finance this essential program; and

Whereas, The governor vetoed over 2 million dollars in Summer Job funding for Boston, effectively jeopardizing this vital service; and a veto override vote was not taken by the House of Representatives, now there-

fore be it

Resolved, That the Boston City Council calls upon the legislature and the governor to act immediately to reverse this unexpected decision.

The rules were suspended, the resolution was adopted.

ORDER REGARDING ACT RELATIVE TO CONSTRUCTION AND FINANCING OF INFRASTRUCTURE AND OTHER IMPROVEMENT IN CITY AND AROUND FENWAY PARK (DOCKET NO. 0997)

Councilors KELLY, ROSS, TURNER, FEENEY, DAVIS-MULLEN, ROACHE and HENNIGAN offered the following:

Whereas, The state legislature has determined that "the acquisition and financing by the City of Boston of a suitable site within the city for the new ballpark is in furtherance of a public purpose and shall provide an essential stimulus to the development of the ballpark and the economic health and development of the city and the community adjacent to the ballpark"; and

Whereas, The taking of private land by eminent domain is a serious undertaking that, because it implicates important constitutional rights, should be reserved to accomplish a genuine and legitimate public purpose; and

Whereas, The courts have long recognized it is a fundamental principle of law that government should only exercise eminent domain for a public purpose because the use of eminent domain is one of the highest powers of government in that it affords the general public use of private property against an owner's will; and

Whereas, Because the government has the power to exercise this right does not make the taking just unless it can be clearly shown that other means have been fully exhausted, and the taking of private property is the last refuge of government; and

Whereas, Because there are a number of concerns regarding the legitimacy of public purpose in taking private land from one person or entity, and turning it over to another person or entity for their private use, and whether the acquisition and financing arrangements envisioned by the state legislature are reinforced by adequate statutory safeguards that have been mandated by the Supreme Judicial Court in Opinion of the Justices, 356 Mass. 775 (1969), and whether the residents of Boston support a public financed ballpark at the proposed site; and

Whereas, A delay in voting on council acceptance of the necessary land taking and bonding issues, as well as the confusion that will arise should the council delay in signaling its interest on behalf of the residents of the City of Boston, is not in the best interest of any party and will only confuse investors who may be asked to financially support a plan under the assumption that council approval of the necessary measures is a given; be it therefore

Ordered, That the Boston City Council shall conduct a public hearing, or series of public hearings, into the above matter, and that representatives of the mayor's office, the Boston Red Sox, and the general public be invited to attend; and be it further

Ordered, That the appropriate committee shall conduct expedited public hearings and at the conclusion of this public process, shall recommend to the full council

the following order:

Ordered, Consistent with the land taking provisions of the City of Boston charter, as amended, the Boston City Council, by a required two-thirds vote, hereby authorizes, after full public hearings, the city to begin appropriate land takings, inasmuch as the public interest in a land taking for the purposes outlined in "An act relative to the construction and financing of infrastructure and other improvements in the City of Boston and around Fenway Park" is found to be a legitimate public purpose.

On motion of the Chair, the following language was substituted:

Mass. 775 (1969), and whether the residents of Boston support a public financed ballpark at the proposed site; and

Whereas, A delay in voting on council acceptance of the necessary land taking and bonding issues, as well as the confusion that will arise should the council delay in signaling its interest on behalf of the residents of the City of Boston, is not in the best interest of any party and will only confuse investors who may be asked to financially support a plan under the assumption that council approval of the necessary measures is a given; be it therefore

Ordered, That the Boston City Council shall conduct a public hearing, or series of public hearings, into the above matter, and that representatives of the mayor's office, the Boston Red Sox, and the general public be invited to attend; and be it further

Ordered, Consistent with the loan authorization provisions of the City of Boston charter, as amended, the Boston City Council, by a required two-thirds vote, hereby declares as a legitimate public purpose, and approves under its power as the legislative branch of city government, the necessary loan authorizations to accomplish the purposes for which, "An act relative to the construction and financing of infrastructure and other improvements in the City of Boston and around Fenway Park" has been enacted.

Councilor YANCEY moved the question.

The motion was carried.

Referred to the Committee on Ways and Means and Committee on Economic Development and Transportation.

ORDINANCE THAT CITY COUNCIL SHALL NOT CONSIDER ANY SPECIAL LAW THAT WOULD HAVE THE EFFECT OF GRANTING EMPLOYEE ANNUAL PENSION OF AMOUNT EQUAL TO REGULAR RATE OF COMPENSATION THAT WOULD HAVE BEEN PAID HAD EMPLOYEE CONTINUED IN SERVICE OF CITY AT GRADE HELD BY EMPLOYEE AT TIME OF HIS/HER RETIREMENT UNLESS SAID SPECIAL LAW IS ACCOMPANIED BY COPY OF WRITTEN REPORT OF "REGIONAL MEDICAL PANEL" IN ACCORDANCE WITH PROVISIONS OF M.G.L. C.32, S.6, CL.(3) (DOCKET NO. 0998)

Councilors CONLEY, MURPHY, KELLY, HENNIGAN, HONAN and FLAHERTY offered the following:

Be it ordained in the City of Boston as follows:

The Boston City Council shall not consider any spe-

cial law that would have the effect of granting a city employee an annual pension of an amount equal to the regular rate of compensation that would have been paid had the employee continued in the service of the City of Boston at the grade held by the employee at the time of his/her retirement, unless said special law is accompanied by a copy of the written report of a "Regional Medical Panel" in accordance with the provisions of M.G.L. c.32 s.6, cl.(3).

Referred to the Committee on Government Operations.

MEETING OF EXECUTIVE SESSION

President KELLY moved that the City Council recess at 4:12 p.m. for a meeting Executive Session to discuss the Council's legal standing regarding an issue of importance.

The motion was carried; yeas 11, nays 1:

Yeas - Councilors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Kelly, Murphy, Roache, Ross, Turner, Yancey - 11.

Nays - Councilor Scapicchio - 1.

RECESS

The meeting of Executive Session having adjourned, the members reassembled in the Iannella Chamber and were called to order by President Kelly at 4:50 p.m.

LATE FILED MATTERS

The Chair stated that, in absence of objection, 3 late-filed matters would be added to the Agenda.

No objection being heard, the following matters were added:

RESOLUTION FOR EXTENSION OF PUBLIC COMMENT PERIOD ON MUNICIPAL HARBOR PLAN (DOCKET NO. 1010)

Councilors HENNIGAN, MURPHY, SCAPICCHIO, CONLEY, YANCEY, FEENEY, TURNER and ROACHE offered the following:

Whereas, The Boston City Council's Committee on Economic Development and Transportation held a hearing on the South Boston Waterfront District Municipal Harbor Plan released by the Boston Redevelopment Authority on July 24th, 2000; and

Whereas, At the hearing the Boston Redevelopment Authority made a summary presentation of this extensive and detailed plan recommending that the implementation of this project will have a permanent and significant impact on the destiny of the City of Boston for many generations to come; and

Whereas, Highly Respected Representatives of local organizations, concerned citizens of Boston and Boston City Councilors, expressed great interest and enthusiasm in participating in the process of Open Public Comment; and

Whereas, The Boston Redevelopment Authority informed the Boston City Council that the period allowed for Open Public Comment is Thirty (30) Days commencing on the 24th of July and ending on August 25th, 2000 and that this would be followed by a period of consultation by the Executive Office of

Environmental Affairs and the Boston Redevelopment Authority until approval with no further open public process; and

Whereas, The Boston City Council supports the primary planning principles of the Municipal Harbor Plan which includes: Promoting access to Boston Harbor as a shared natural resource that connects people, land and water and that the South Boston residential community and All the neighborhoods of the City are not only protected from potential impacts from development, but share in the benefits of private investment; and

Whereas, At the request of Boston City Councilors, The Boston Redevelopment Authority agreed at the hearing to make a formal request to the Environmental Secretary to extend the public comment period; and

Whereas, This is an unique and historic opportunity to mold the future of our City and all efforts should be made to consider and include the best ideas available and that any citizen filing to comment on the Municipal Harbor Plan should be given reasonable time and opportunity; therefore be it

Resolved, That the Boston City Council respectfully requests that the Public Comment Period to be extended ninety (90) days and that additional hearings be held in the neighborhoods of Boston and that the Boston City Clerk send a copy of this resolution to the Director of the Boston Redevelopment Authority and to the Environment Secretary to formally request extending for 90 days the public comment period.

The rules were suspended; the resolution was adopted.

ORDER FOR PUBLIC HEARING BY APPROPRIATE COMMITTEE TO CONSIDER PROPOSED TRANSFER OF LICENSE FROM CABLEVISION TO AT&T (DOCKET NO. 1011)

Councilor YANCEY offered the following:

Be It Ordered, That a public hearing be held by the appropriate City Council Committee to consider the proposed transfer of license from Cablevision to AT&T; and

Be it further Ordered, That representatives of Cablevision, AT&T, the Cable Office for the City of Boston, The Cable Access Foundation and the general public be invited to testify.

Referred to the Committee on Information Technology.

ORDER TO FACILITATE DISPOSITION AND REDEVELOPMENT OF FOLEY BUILDING AND E BUILDING BOTH LOCATED AT FORMER BOSTON SPECIALTY AND REHABILITATION HOSPITAL (DOCKET NO. 0939)

Councilor FEENEY called Docket No. 0939 from the Committee on Government Operations.

Hearing no objection, the matter was before the body.

Councilor MURPHY moved the question.

The motion was carried.

On motion of Councilor FEENEY, the order was given its first reading and passage, yeas 13.

Assigned for further action.

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO ACCEPT

AND EXPEND FY2000 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) OF \$20, 578, 204 FROM U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DOCKET NO. 0737)

Councilor HENNIGAN called Docket No. 0737 from the Committee on Ways and Means.

Hearing no objection, the matter was before the body.

On motion of Councilor HENNIGAN, the order was passed.

ORDER AUTHORIZING CITY TO ACCEPT AND EXPEND PRIVATE DONATIONS, CONTRIBUTIONS AND GIFTS TO BOSTON 2:00 TO 6:00 INITIATIVE OF \$100,000 FROM COMMUNITY ORGANIZATIONS TO FUND AFTER-SCHOOL PROGRAMS (DOCKET NO. 0856)

Councilor DAVIS-MULLEN called Docket No. 0856 from the Committee on Education and School Matters.

Hearing no objection, the matter was before the body.

On motion of Councilor DAVIS-MULLEN, the order was passed.

ORDER THAT THE BOSTON CITY COUNCIL HOLD PUBLIC HEARING IN ORDER TO INVESTIGATE AND ASCERTAIN IMPACT OF PROPOSED FARE INCREASE (DOCKET NO. 1012)

Councilor TURNER offered the following:

Whereas, According to Massachusetts General Law, Chapter 161A, the Massachusetts Bay Transit Authority (MBTA) must meet certain procedural requirements before it can implement a fare increase, including demonstrating that they have made efforts to increase ridership and improve fare collection practices prior to the increase; and

Whereas, The MBTA must demonstrate that they have maximized all other sources of non-transportation revenue and will implement a free or reduced transfer policy; and

Whereas, The MBTA has made no attempt to meet these requirements before proposing a fare increase; and

Whereas, A fare increase would further burden residents in lower income neighborhoods of which a large portion of the residents in those neighborhoods of Boston are people of color; and

Whereas, Low income residents, in particular, who do not have alternative modes of transportation will be forced to use income needed for other expenses to meet the MBTA's 25% increase in fares; and

Whereas, The current level of service being provided by the MBTA does not and has not met the needs of riders, particularly on overly-crowded, late and dysfunctional MBTA buses; and

Whereas, The MBTA has a history of dis-investment in the inner city neighborhoods of Boston where people are most dependent upon MBTA service. We, the Boston City Council, find that the increase of fares system-wide without any improvements to MBTA service unjust; therefore be it

Ordered, That the Boston City Council hold a public hearing in order to investigate and ascertain the impact of this proposed fare increase; be it further

Ordered, That representatives from the MBTA, the MBTA Advisory Board, Mayor's Office, Office of Neighborhood Services, the Commission for Persons with Disabilities and the general public be invited to attend and testify.

Referred to the Committee on State and Federal Relations.

STATEMENT OF COUNCILOR MURPHY

Councilor MURPHY asked that when we adjourn today, we do so in memory of two individuals, Jaqueline Horgan and Dan Rea, Sr., both friends of the Councilor.

STATEMENT OF COUNCILOR CONLEY

Councilor CONLEY asked when we adjourn today, we do so also in memory of Robert Kelley, loving brother of Assistant City Clerk Ed Kelley, and a decorated Veteran of World War II and member of the Hyde Park community.

STATEMENT OF PRESIDENT KELLY

President KELLY offered condolences to Assistant Clerk Ed Kelley and his family for the loss of his brother.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councilors offered resolutions of a condolence or congratulatory nature as set forth after each Councilor's name:

Councilor Murphy: Congratulating Chinatown Business Association (Docket No. 0999).

Councilors Turner and Yancey: Congratulating the Negro Leagues Baseball Museum (Docket No. 1000). Declaring August 20 through August 26, 2000 "Caribbean Culture Week" (Docket No. 1001).

Councilors Roache, Turner and Yancey: Congratulating Ramsay Park Advisory Board for its

efforts to bring awareness of Negro Baseball (Docket No. 1002).

Councilor Roache: Congratulating Judy Weber (Docket No. 1003).

Councilor Feeney: Congratulating James M. Fahey (Docket No. 1004).

Councilor Honan: Congratulating Sharon Rosenblum (Docket No. 1005).

Councilor Turner: Congratulating Mrs. Sybil A. Phillips (Docket No. 1006).

Councilor Conley: Congratulating Hyde Park Neighborhood Association (Docket No. 1007). Congratulating Washington-Beech Crime Watch Group (Docket No. 1008).

The Chair stated that in the absence of objection, one late-filed matter would be added to the Consent Agenda.

No objection being heard, the following matter was added:

Councilors Yancey and Turner: Congratulating Theirse Family Reunion (Docket No. 1013)

The matters contained within the Consent Agenda were severally adopted.

NEXT MEETING

President KELLY moved that when the Council adjourns today it be in memory of Jacqueline Horgan, Dan Rea, Sr. and Robert Kelley, to meet again on Wednesday, August 30, 2000 at 1:00 p.m.

The motion was carried.

Adjourned at 5:10 p.m. on motion of President Kelly to meet again on Wednesday, August 30, 2000 at 1:00 p.m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, August 30, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 1:15 p.m., President KELLY in the Chair. Absent, Councillor Conley.

INVOCATION

Sister Maria Ignazia Bunuan, delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

PRESENTATION BY COUNCILLOR YANCEY

Councillor YANCEY presented Richard Soul with a resolution for his heroism in saving the lives of three young girls who were attacked by two pit bull dogs.

MEETING IN EXECUTIVE SESSION

President KELLY moved that the City Council recess at 1:30 p.m. for a meeting in Executive Session to discuss matters relative to litigation regarding City Council.

The motion was carried, yeas 12, nays 0:

Yeas — Councillors Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross, Scapicchio, Turner, Yancey — 12.

Nays — 0.

RECESS

The meeting in Executive Session having adjourned, the members reassembled in the City Council Chamber and were called to order by President Kelly at 2:30 p.m.

ORDER APPROVING SUPPLEMENTAL APPROPRIATION OF \$1,199,556 FOR PUBLIC SCHOOLS (DOCKET NO. 1014)

The following was received:

City of Boston
Office of the Mayor

August 28, 2000

To the City Council.

Dear Councillors:

I transmit herewith a supplemental appropriation order for the Boston Public Schools for FY01 in the amount of \$1,199,556, submitted pursuant to the provisions of Chapter 150E, Section 7 of the Massachusetts General Laws and Chapter 224 of the Acts of 1936, as amended by Chapter 190 of the Acts of 1982, as further amended by Chapter 701 of the Acts of 1986, Chapter 613 of the Acts of 1987, and Chapter 108 of the Acts of 1991.

The supplemental appropriation funds the FY01 cost of the collective bargaining agreements between the Boston School Committee and the Boston School Police Patrolmen's Association and SEIU 285, Planning and Engineering Unit. The supplemental will also fund the FY01 cost of increases for principals, headmasters and other non-union managerial employees. The cost of the collective bargaining contracts for FY99 and FY00 and

the FY00 cost of the principal/headmasters/managerial increases will be funded with available appropriations and collective bargaining reserves established for those fiscal years.

I respectfully request your support of this supplemental appropriation for the Boston Public Schools.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That pursuant to Chapter 224 of the Acts of 1936, as amended by Chapter 190 of the Acts of 1982, as further amended by Chapter 701 of the Acts of 1986, Chapter 613 of the Acts of 1987, Chapter 108 of the Acts of 1991, and Chapter 150E of the Massachusetts General Laws, to meet the current operating expenses of the School Department in the fiscal period commencing July 1, 2000 and ending June 30, 2001, the sum of \$1,199,556 be, and the same hereby is appropriated, said sum to be raised from taxation pursuant to Section 23 of Chapter 59 of the General Laws: -

School Department \$1,199,556

Referred to the Committee on Education and School Matters.

ORDER AUTHORIZING OFFICE OF CONSUMER AFFAIRS AND LICENSING TO ACCEPT AND EXPEND GRANT OF \$49,000 FROM MASSACHUSETTS ATTORNEY GENERAL LOCAL CONSUMER AID FUND FOR CHANGES IN CONSUMER PROTECTION REGULATION AND LAWS (DOCKET NO. 1015)

The following was received:

City of Boston
Office of the Mayor

August 28, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an Order authorizing the Office of Consumer Affairs and Licensing to accept and expend an amount not to exceed \$49,000, for the period January 1, 2000 through December 31, 2000, from the Commonwealth of Massachusetts Attorney General Local Consumer Aid Fund.

The funds will be used to assist Boston consumers by providing information regarding consumer rights and methods to resolve disputes between the consumer and business or contractor, advocating for new or changes in consumer protection regulations and laws which are of benefit to consumers and mediating disputes between consumers and business entities.

I urge your Honorable Body to pass this Order as expeditiously as possible so that the City may receive and expend the funds as intended.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the Mayor's Office of Consumer Affairs and Licensing, acting on behalf of the City of Boston, be, and the same hereby is, authorized in accordance with M.G.L. c. 44, § 53A, to accept and expend a grant award from the Commonwealth of Massachusetts Attorney General Local Consumer Aid Fund in an amount not to exceed \$49,000.

Referred to the Committee on Economic Development and Transportation.

ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$4,000 FROM GOVERNOR'S HIGHWAY SAFETY BUREAU FOR PURPOSE OF REDUCING SAFETY BELT VIOLATION THROUGH ENFORCING OCCUPANT PROTECTION

AND EDUCATING RESIDENTS OF CITY
(DOCKET NO. 1016)

The following was received:

City of Boston
Office of the Mayor

August 9, 2000

To the City Council.

Dear Councillors:

I hereby transmit for your approval an order authorizing the City of Boston to accept and expend a grant in the amount of \$4,000 from the Governor's Highway Safety Bureau. This award is made for the purpose of reducing safety belt violations through enforcing occupant protection and educating the residents of the City of Boston.

I urge your Honorable Body to adopt this order as soon as possible so that the City of Boston may accept the funds expeditiously and expend them for the purposes for which they were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Police Commissioner, acting on behalf of the City of Boston, be, and the same hereby is, authorized to accept and expend a grant award from the Governor's Highway Safety Bureau in an amount not to exceed \$4,000.

Referred to the Committee on Public Safety.

ORDER AUTHORIZING COMMISSIONER OF PUBLIC WORKS TO ACCEPT AND EXPEND GRANT OF \$70,000 FROM TOWN OF WINTHROP TO BE USED TOWARD COST OF DESIGN SERVICES ASSOCIATED WITH RECONSTRUCTION AND REHABILITATION OF BELL ISLE BRIDGE (SARATOGA STREET BRIDGE PROJECT) (DOCKET NO. 1017)

The following was received:

City of Boston
Office of the Mayor

August 2, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order authorizing the City of Boston to accept and expend a grant in an amount not to exceed \$70,000 from the Town of Winthrop, Massachusetts to be used toward the cost of design services associated with the reconstruction and rehabilitation of the Bell Isle Bridge, also known as the Saratoga Street Bridge Project.

I urge your honorable body to adopt this Order as soon as possible so that the City of Boston may accept and expend these funds expeditiously.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Commissioner of the Public Works Department, acting on behalf of the City of Boston, be, and hereby is, authorized to accept and expend a grant award from the Town of Winthrop, Massachusetts, in an amount not to exceed \$70,000 to be used toward the design services associated with the reconstruction and rehabilitation of the Bell Isle Bridge, also known as the Saratoga Street Bridge Project.

Referred to the Committee on Environment and Historic Preservation.

ORDER AUTHORIZING COMMISSIONER OF PUBLIC WORKS DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$25,000 FROM

U.S. FOREST SERVICE AND ENVIRONMENTAL PROTECTION AGENCY FOR RECYCLING PROGRAM (DOCKET NO. 1018)

The following was received:

City of Boston
Office of the Mayor

March 1, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order authorizing the Public Works Department to accept and expend an amount of \$25,000, for the period of July 1, 2000 through June 30, 2001, from the U.S. Forest Service and the Environmental Protection Agency.

The funds will be used for the Boston Public Works Department Recycling Program for City's composting educational services.

Very truly yours,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Commissioner of the Public Works Department, acting on behalf of the City of Boston, be, and hereby is, authorized to accept and expend an award in the amount of \$25,000, for the period of July 1, 2000 through June 30, 2001, from the U.S. Forest Service and the Environmental Protection Agency.

The funds will be used for the Boston Public Works Department Recycling Program for City's composting educational services.

Referred to the Committee on Environment and Historic Preservation.

ORDER AUTHORIZING COMMISSIONER OF PARKS AND RECREATION DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$773,750 FROM COMMONWEALTH OF MASSACHUSETTS FOR REIMBURSEMENT OF COSTS OF 2000 SUMMER YOUTH EMPLOYMENT PROGRAM (DOCKET NO. 1019)

The following was received:

City of Boston
Office of the Mayor

August 24, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Parks and Recreation Department on behalf of the City of Boston, to accept and expend a Summer Jobs Challenge grant award in an amount not to exceed \$773,750 from the Commonwealth of Massachusetts for reimbursement of the costs of the 2000 Summer Youth Employment Program.

The Summer Challenge grant will be administered through the Economic Development Industry Council and managed by the Parks and Recreation Department, which is coordinating the overall operational, financial management, and reporting of the Boston Youth Clean-Up Corps, the Boston Private Industry Council, and Action for Boston Community Development. The grant has been awarded for the purpose of providing young people with productive and meaningful summer job experiences, which afford them the opportunity to develop the skills necessary to become productive members of the workforce and positive contributors to their communities. By providing additional staffing to small not-for-profit community based organizations, such as day care centers and summer camps, Boston's Summer Jobs Program also helps to provide much needed services to thousands of Boston residents.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may accept

and expend these funds expeditiously for the purposes for which they were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Parks and Recreation Department, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend a grant award not to exceed the amount of \$773,750 from the Commonwealth of Massachusetts. The purpose of said funds is for the reimbursement of the costs of the 2000 Summer Youth Employment Program.

Referred to the Committee on City and Neighborhood Services.

CERTAIN INFORMATION UNDER SECTION 17F
RE: BRA AND CITY HALL PLAZA (DOCKET
NO. 1020)

The following was received:

City of Boston
Office of the Mayor

August 29, 2000

To The City Council.

Dear Councillors:

Relative to Section 17F request, passed by your Honorable Body on July 12, 2000, for certain information re: BRA and City Hall Plaza, please find the attached response.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

(Annexed hereto is the documentation referred to.)
Placed on file.

ORDER AUTHORIZING OFFICE OF COMMUNITY PARTNERSHIPS TO ACCEPT AND EXPEND GRANT OF \$800,000 FROM COMMONWEALTH OF MASSACHUSETTS TO DEVELOP STRONG SCHOOL AND COMMUNITY ALLIANCES TO STRENGTHEN OPPORTUNITIES FOR CHILDREN DURING AFTER-SCHOOL HOURS (DOCKET NO. 1021)

The following was received:

City of Boston
Office of the Mayor

August 29, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order authorizing the Office of Community Partnerships to accept and expend a grant from the Commonwealth of Massachusetts in an amount not to exceed \$800,000. These funds will be used to develop strong school and community alliances to strengthen opportunities for children in Boston during after-school hours.

I urge your Honorable Body to pass this order at its earliest convenience so that these funds may be expended as soon as possible.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Office of Community Partnerships, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend from the Commonwealth of Massachusetts, Department of Education, funds not to exceed the amount of \$800,000 for the purpose of developing strong school and community alliances to strengthen opportunities for children in Boston during after-school hours.

Referred to the Committee on Education and School Matters.

ORDER AUTHORIZING COMMISSIONER OF PUBLIC WORKS DEPARTMENT TO ACCEPT AND EXPEND \$125,000 FROM MASSACHUSETTS EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS FOR PUBLIC WORKS DEPARTMENT RECYCLING PROGRAM (DOCKET NO. 1022)

The following was received:

City of Boston
Office of the Mayor

August 15, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order authorizing the Public Works Department to accept and expend an amount of \$125,000, for the period of July 1, 2000 through June 30, 2002, from the Commonwealth of Massachusetts, Executive Office of Environmental Affairs through the Department of Environmental Protection.

The funds will be used for the Boston Public Works Department Recycling Program for public education to encourage residents to participate in the City's recycling services.

Very truly yours,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Public Works Department, acting on behalf of the City of Boston, be, and hereby is, authorized to accept and expend an award in the amount of \$125,000 for the period of July 1, 2000 through June 30, 2002, from the Commonwealth of Massachusetts, Executive Office of Environmental Affairs through the Department of Environmental Protection.

The funds will be used for the Boston Public Works Department Recycling Program for public education to encourage residents to participate in the City's recycling services.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF APPOINTMENTS OF HOUSING INSPECTORS AS CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING OF BOND FOR PERIOD ENDING APRIL 30, 2001 (DOCKET NO. 1023)

The following was received:

City of Boston
Office of the Mayor

July 28, 2000

To The City Council.

Dear City Councillors:

Subject to confirmation by your Honorable Body, I hereby appoint the following named people on the attached order as Constables of the City of Boston, authorized to serve civil process upon filing of bond, for the period commencing May 1, 2000 and ending April 30, 2001.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the appointment of the following-named people as Constables of the City of Boston authorized to serve civil process upon filing of bond for the period commencing May 1, 2000 and ending April 30, 2001 be and the same hereby is approved.

2000-2001
New Constable Application List
Recommended Approval

The following recommendation for approval are new applicants from the Inspectional Services Department.
Boucher, Leo C., Jr., 12 Allston St. Charlestown 02129

Chan, Robert, 12 Ryder Hill Rd., Brighton 02135
Grant, Jason R., 121 Highcrest Rd., Boston 02131
Kenny, Peter F., 141 Welles Ave., Dorchester 02124
McNally, Christopher, 645 Washington St., Brighton 02135

Oliveri, Brian, 468 Shawmut Ave., Boston 02118
Powers, John, 31 Guinnett St., Hyde Park
Scott, Julia M., 131 Shirley St. Roxbury 02119
Slavin, Michael, 3923 Washington St., Roslindale 02131

Walsh, Linda J., 1 K Street, # 1, South Boston
Referred to the Committee on Government Operations.

ORDER FOR CONFIRMATION OF APPOINTMENTS OF CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING OF BOND FOR PERIOD ENDING APRIL 30, 2001 (DOCKET NO. 1024)

The following was received:
City of Boston
Office of the Mayor

July 28, 2000

To the City Council.
Dear City Councillors:

Subject to confirmation by your Honorable Body, I hereby appoint the following named people on the attached order as Constables of the City of Boston, authorized to serve civil process upon filing of bond, for the period commencing May 1, 2000 and ending April 30, 2001.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That the appointment of the following-named people as Constables of the City of Boston authorized to serve civil process upon filing of bond for the period commencing May 1, 2000 and ending April 30, 2001 be and the same hereby is approved.

2000-2001
Renewal Constable Applications List
Recommended Approval

The following recommendation for approval are renewal applicants from the Inspectional Services Department.

Beaulieu, Richard A., 1757 Dorchester Ave. Dorchester 02124

Bruno, Peter, 530 Bennington St. East Boston 02128
Buttiglieri, James P., 56 Beachview Rd. East Boston 02128

Cappuccio, Francis, 838 East Second St. South Boston 02127

Christos, Lesley S., 24 Matchett St., Brighton 02135
Connors, John J., 50 Tremont St. Charlestown 02129
Croke, Shawn F., 122 Edgemere Rd. West Roxbury 02132

Davis, Evangeline, 102 Talbot Ave. Dorchester 02124
Denson, Alfonso Jr., 26 Sedgewick St. Boston 02130
Dorato, Joseph R., 110 Russell St. Peabody 01960
Figueroa, Iris, 24 Barry St. Dorchester 02125
Fitzmaurice, Joseph T., 35 Grenbrook Dr. Stoughton 02072

Forde, Michael B., 26 Fayette St., Boston 02117
Grady, William F., 27 Bourndale Rd. Jamaica Plain 02130

Handley, Joshua S., 1000 Harvard St. #11, Mattapan 02126

Hanson, Regina, 89 Bennett St. Brighton 02135
Holmes, James T., Jr., 83 Hollingsworth St. Mattapan 02126

Hurley, Carol, 25 Manor St., Dorchester 02122
Jacques, Raoul, 539 Hyde Park Ave., Roslindale 02131

Jones, Toney, 24 Barry St. #2, Dorchester 02125
Keaney, Sheila J., 1632 Dorchester Ave., Dorchester 02122

Kennedy, Edward M., 875 East Second St. #3, South Boston 02127

Keough, Thomas M., 1515 VFW Pkwy. Boston 02132

Lam, Binh Q., 17 McBride St. #1, Jamaica Plain 02130

Lee, Harrison, 866 Huntington Ave., Boston 02115
Major, Allen T., 28 Mather St. Dorchester 02122

Matt, Francis, 12 Helden St. West Roxbury 02132
O'Donnell, Steven G., 135 Concord St. Rockland 02370

Puccia, Leonard F., 6 Rendall Rd. West Roxbury 02132

Reane, William F., 46 Edgemere Rd. Quincy 02169
Spiegel, Samuel, 91 Stedman St. Brookline 02146

Suarez, Marta, 9 Elm St. #2, Dorchester 02122
Titus, Paula A., 79 Fort Ave. Roxbury 02119

Yancey, Terrance L., 73 Dale St. Roxbury 02119
Referred to the Committee on Government Operations.

ORDER FOR CONFIRMATION OF APPOINTMENTS OF CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING OF BOND FOR PERIOD ENDING APRIL 30, 2001 (DOCKET NO. 1025)

The following was received:
City of Boston
Office of the Mayor

July 28, 2000

To The City Council.
Dear City Councillors:

Subject to confirmation by your Honorable Body, I hereby appoint the following-named people on the attached order as Constables of the City of Boston, authorized to serve civil process upon filing of bond, for the period commencing May 1, 2000 and ending April 30, 2001.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That the appointment of the following-named people as Constables of the City of Boston authorized to serve civil process upon filing of bond for the period commencing May 1, 2000 and ending April 30, 2001 be and the same hereby is approved.

2000-2001
New Constable Application List
Recommended Approval

The following recommendation for approval are new applicants.

Bailey, Patrick A., 3 Presby Pl. Roxbury 02119
Carius, Richartelin, 1162 Adams St. Dorchester
Referred to the Committee on Government Operations.

ORDER FOR CONFIRMATION OF APPOINTMENTS OF CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILLING OF BOND FOR PERIOD ENDING APRIL 30, 2001 (DOCKET NO. 1026)

The following was received:
City of Boston
Office of the Mayor

July 28, 2000

To The City Council.
Dear City Councillors:

Subject to confirmation by your Honorable Body, I hereby appoint the following-named people on the attached order as Constables of the City of Boston, authorized to serve civil process upon filing of bond, for the period commencing May 1, 2000 and ending April 30, 2001.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That the appointment of the following-named people as Constables of the City of Boston authorized to serve civil process upon filing of bond for the period commencing May 1, 2000 and ending April 30, 2001 be and the same hereby is approved.

2000-2001
Renewal Constable Applications List
Recommended Approval

The following recommendations for approval are renewal applicants.

Baez, Ruth, 375 Hyde Park Ave. Roslindale 02131
Connolly, Thomas J., 77 Farragut Rd. South Boston 02128
Conroy, Patrick, 25 Manor St., Dorchester 02122
Correia, Antonio G., 20 Dix St. Dorchester 02122
Cronin, Edward, 16 Lyall St. West Roxbury 02132
DeLuca, Biagio, 14 Nancia St. East Boston 02128
DiGirolamo Joseph E., 1215 Bennington St. East Boston 02128
Jackson, William D., 64 Thatcher St. Hyde Park 02136
Meier, William III, 337 Huntington Ave. Boston 02115
Melendez, Teresa, 23 Dunlap St. Dorchester 02124
Minor, Marvin D. Sr., 187 Glenway St. #3, Dorchester 02121
Murad, John J. 4 Hawthorne Terr. Roslindale 02131
Murad, Marie B., 4 Hawthorne Terr., Roslindale 02131
Santry, Thomas F., 114 Richmond St., Dorchester 02124
Smith, Joseph M., 183 Leyden St. East Boston 02128
Sonego, Richard H., 15 Seaview Ave. East Boston 02128
White, James E., 112 Norfolk St., Dorchester 02124
Williams, Willie J., 309 Huntington Ave. Hyde Park 02136
Wilson, Moses E., Jr., 52 Withington St. Dorchester 02124

Referred to the Committee on Government.

ORDER FOR CONFIRMATION OF REAPPOINTMENT OF ANGELO BUONOPANE AS MEMBER OF ZONING BOARD OF APPEALS FOR TERM EXPIRING MAY 1, 2002 (DOCKET NO. 1027)

The following was received:
City of Boston
Office of the Mayor

August 23, 2000

To the City Council.
Dear Councillors:

I transmit herewith for your confirmation an order regarding the reappointment of Angelo Buonopane of 3 Webster Place, Boston as a member of the Zoning Board of Appeals for a term expiring May 1, 2002. I am appointing Mr. Buonopane pursuant to the authority

invested in me by Chapter 461 of the Acts of 1993, and subject to your confirmation. Mr. Buonopane is a member of the Building Trade Employer's Association. I urge your Honorable Body to pass this order.

Respectfully,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1993, c. 461, the reappointment of Angelo Buonopane of 3 Webster Place, Boston, as a member of the Zoning Board of Appeals for a term to expire on May 1, 2002, be and the same hereby is approved.

Referred to the Committee on Economic Development and Transportation.

ORDER FOR CONFIRMATION OF REAPPOINTMENT OF ANTHONY M. PISANI AS MEMBER OF ZONING BOARD OF APPEALS FOR TERM EXPIRING MAY 1, 2003 (DOCKET NO. 1028)

The following was received: ~
City of Boston
Office of the Mayor

August 23, 2000

To the City Council.
Dear Councillors:

I transmit herewith for your confirmation an order regarding the reappointment of Anthony M. Pisani of 95 Robinwood Avenue, Jamaica Plain as a member of the Zoning Board of Appeals for a term expiring May 1, 2003. I am appointing Mr. Pisani pursuant to the authority invested in me by Chapter 461 of the Acts of 1993, and subject to your confirmation. Mr. Pisani is a member of the Boston Society of Architects.

I urge your Honorable Body to pass this order.

Respectfully,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1993, c. 461, the reappointment of Anthony M. Pisani, of 95 Robinwood Avenue, Jamaica Plain, as a member of the Zoning Board of Appeals for a term to expire on May 1, 2003, be and the same hereby is approved.

Referred to the Committee on Economic Development and Transportation.

ORDER FOR CONFIRMATION OF APPOINTMENT OF EUGENE F. KELLY AS ALTERNATE MEMBER OF ZONING BOARD OF APPEALS FOR TERM EXPIRING MAY 1, 2003 (DOCKET NO. 1029)

The following was received:
City of Boston
Office of the Mayor

August 23, 2000

To the City Council.
Dear Councillors:

I transmit herewith for your confirmation an order regarding the appointment of Eugene F. Kelly of 223 Commonwealth Avenue, Boston, as an alternate member of the Zoning Board of Appeals for a term expiring May 1, 2003. I am appointing Mr. Kelly pursuant to the authority invested in me by Chapter 461 of the Acts of 1993, and subject to your confirmation. Mr. Kelly is a member of the Greater Boston Real Estate Board.

I urge your Honorable Body to pass this order.

Respectfully,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1993, c. 461, the appointment of Eugene F. Kelly of 223 Commonwealth

Avenue, Boston, as an alternate member of the Zoning Board of Appeals for a term to expire on May 1, 2003, be and the same hereby is approved.

Referred to the Committee on Economic Development and Transportation.

ORDER FOR CONFIRMATION OF REAPPOINTMENT OF HERMAN W. DALEY AS MEMBER OF BOSTON INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY FOR TERM EXPIRING APRIL 1, 2005 (DOCKET NO. 1030)

The following was received:

City of Boston
Office of the Mayor

August 23, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an order regarding the reappointment of Herman W. Daley of 55 East Concord Street, Boston as a member of the Boston Industrial Development Financing Authority for a term expiring April 1, 2005. I am appointing Mr. Daley pursuant to the authority invested in me by Chapter 495 of the Acts of 1978, and subject to your confirmation.

I urge your Honorable Body to pass this order.

Respectfully,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to G.L. c. 40D, § 2, as most recently amended by St. 1987, c. 525, § 51, the reappointment of Herman W. Daley of 55 East Concord Street, Boston, as a member of the Boston Industrial Development Financing Authority for a term to expire on April 1, 2005, be and the same hereby is approved.

Referred to the Committee on Economic Development and Transportation.

ORDER FOR HEARING TO INVESTIGATE RECENT PIT BULL ATTACK ON TEN-YEAR-OLD AND DETERMINE IF OWNERS OF PIT BULL TERRIERS SHOULD BE SUBJECT TO ADDITIONAL REGULATIONS, LICENSING AND REQUIREMENTS OF RESPONSIBILITY (DOCKET NO. 1048)

On motion of Councillor MURPHY, Docket No. 1048 was taken out of order.

Councillors MURPHY, HENNIGAN, KELLY, HONAN, ROACHE, FEENEY, FLAHERTY and TURNER offered the following:

Whereas, A ten-year-old girl sustained injury along with members of her family and neighbors when they were attacked by two Pit Bull Terriers; and

Whereas, The popularity of this type of dog and is increasing as are the reported incidents of attack; and

Whereas, Though many Pit Bull Terriers may not exhibit aggressive tendencies, they are bred for aggressive behavior and also have the physical potential to inflict serious harm; and

Whereas, Because of their aggressive nature and their ability to cause injury, this type of dog requires more training, care and supervision than other less aggressive breeds; therefore be it

Ordered, That the Boston City Council hold a hearing to investigate this recent dog attack and other similar incidents to determine if owners of Pit Bull Terriers should be subject to additional regulations, licensing, and requirements of responsibility; and be it further

Ordered, That representatives from the City of Boston Animal Control Unit, representatives from the MSPCA and interested members of the public be invited to attend.

Referred to the Committee on Public Safety.

**JITNEY APPLICATION
(DOCKET NO. 1031)**

Petition was received from Air Shuttle for license to operate motor vehicles for the carriage of passengers for hire over certain streets in Boston.

Referred to the Committee on Economic Development and Transportation.

**ABSENCE OF THE MAYOR
(DOCKET NO. 1032)**

Notice was received from the Mayor of his absence from the City on August 4, 2000 until August 6, 2000.
Placed on file.

**ABSENCE OF THE MAYOR
(DOCKET NO. 1033)**

Notice was received from the Mayor of his absence from the City on August 10, 2000 until August 18, 2000.
Placed on file.

NOTICE FROM CITY CLERK RE: ACTIONS TAKEN BY MAYOR ON PAPERS ACTED UPON BY CITY COUNCIL AT ITS JUNE 14, 2000 MEETING (DOCKET NO. 1034)

The following was received:

City of Boston
Office of the City Clerk

August 14, 2000

To The City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of June 14, 2000, viz:

0484 Order approving a petition for a special law to provide a minimum retirement allowance of \$12,000 to retirees of the State-Boston Retirement System who retired with at least twenty-five years of creditable service with an employer member of the State-Boston Retirement System.

Approved by the Mayor June 21, 2000.

0485 Order approving an appropriation of \$1,555,430.29 for the Library of Last Recourse.
Approved by the Mayor June 20, 2000.

0554 Order authorizing the Suffolk County Sheriff to accept and expend a grant of \$300,000 from the Executive Office of Public Safety for the Violent Offender Incarceration and Truth-in Sentencing Incentive.

Approved by the Mayor June 20, 2000.

0555 Order authorizing the Suffolk County Sheriff to accept and expend a grant of \$110,000 from the Department of Education for the provision of Adult Basic Education programs.

Approved by the Mayor June 20, 2000.

0556 Order authorizing the Suffolk County Sheriff to accept and expend a grant of \$27,018 from the Department of Education for the provision of Adult Basic Education Instructional grant programs.

Approved by the Mayor June 20, 2000.

0557 Order authorizing the Suffolk County Sheriff to accept and expend a grant of \$230,000 from the Department of Public Health AIDS Bureau for the implementation of an HIV/AIDS Prevention, Treatment and Support Program.

Approved by the Mayor June 20, 2000.

0558 Order authorizing the Suffolk County Sheriff to

accept and expend a grant of \$95,000 from the Department of Justice Corrections Programs in collaboration with the Executive Office of Public Safety Programs Division, for the provision of the Residential Substance Abuse Program.

Approved by the Mayor June 20, 2000.

- 0559 Order authorizing the Suffolk County Sheriff to accept and expend a grant of \$388,838 from the Department of Education for the Life Skills Reintegration Program.

Approved by the Mayor June 20, 2000.

- 0560 Order authorizing the Suffolk County Sheriff to accept and expend a grant of \$10,000 from the Department of Correction's Division of Inmate Training and Education and Carl D. Perkins Vocational and Applied Technology grant for the operation of a Comprehensive Education, Training, Employment and Support Program.

Approved by the Mayor June 20, 2000.

- 0561 Order authorizing the Suffolk County Sheriff to accept and expend a grant of \$5,835 from the Department of Education for the provision of Adult Basic Education Instructional programs for the Incarcerated.

Approved by the Mayor June 20, 2000.

- 0562 Order authorizing the Suffolk County Sheriff to accept and expend a grant of \$90,000 from the Department of Public Health in collaboration with the Executive Office of Public Safety Programs Division, for substance abuse counseling services.

Approved by the Mayor June 20, 2000.

- 0563 Order approving a petition for a Special Law relative to certain school construction and projects.

Approved by the Mayor June 21, 2000.

- 0614 Order to declare surplus portion of highway named old Centre Street and to transfer care, custody, management and control of said property to Public Facilities Commission for sale or lease.

Approved by the Mayor June 20, 2000.

- 0619 Petition of Fox Bus Lines, Inc. for license to operate motor vehicles for the carriage of passengers for hire.

Approved by the Mayor June 20, 2000.

- 0667 Order authorizing the Suffolk County Sheriff to accept and expend a grant of \$50,000 from the Department of Public Health, Bureau of Communicable Disease Control and the Center for Disease Control, for the implementation of a Syphilis Elimination Program.

Approved by the Mayor June 20, 2000.

- 0808 Order approving an appropriation of \$785,683.49 for the Library of Last Recourse.

Approved by the Mayor June 20, 2000.

Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE: ACTIONS TAKEN BY MAYOR ON PAPERS ACTED UPON BY CITY COUNCIL AT ITS JUNE 21, 2000 MEETING (DOCKET NO. 1035)

The following was received:

City of Boston
Office of the City Clerk

August 17, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of June 21, 2000, viz:

- 0418 Order authorizing the Commissioner on Affairs of the Elderly to apply for, accept and expend a grant of \$54,337 from the Massachusetts Office of

Elder Affairs.

Approved by the Mayor June 27, 2000.

- 0419 Order authorizing the Commissioner on Affairs of the Elderly to apply for, accept and expend a grant of \$36,225 from the Massachusetts Office of Elder Affairs, to continue operating the Retired Senior Volunteer Program (RSVP).

Approved by the Mayor June 27, 2000.

- 0443 Order authorizing the School Department to accept and expend a grant of \$125,000 from the Executive Office of Environmental Affairs for the STRIVE School-To-Career Recycling Program to increase recycling education and participation in the public schools.

Approved by the Mayor June 27, 2000.

- 0824 Order approving a petition for a special law directing the State Boston Retirement Board to retire Detective Robert Rogers.

Approved by the Mayor June 27, 2000.

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

**APPROVAL OF CONSTABLES' BONDS
(DOCKET NO. 1036)**

The Constables' Bonds of the following, having been duly approved by the Collector-Treasurer, were received and approved under the usual terms and conditions:

Carroll R. Allston	Peter J. Gallimore
Trevor C. Bailey	William G. Joyce
Sandra T.M. Blake	Derick Joyner
James F. Burke	Michael A. Lopes
Diane M. Butler	Robert James Manning
Joseph P. Butler	Juaquin C. Marchando
Juan De Los Santo	Arthur E. Montgomery
Robert M. Ford	James A. Powers
Mark C. Gaisford	Patrick A. Ward
Edward J. Witten	

**REPORT ON ORDINANCE RE: TRESPASSING
ON PRIVATE PROPERTY (DOCKET NO. 0755)**

Councillor SCAPICCHIO, on behalf of the Committee on Economic Development and Transportation, submitted the following:

Report on Docket No. 0755, ordinance re: trespassing on private property (referred June 7) — recommending passage of ordinance.

The report was accepted; the ordinance was passed.

**REPORT ON ORDINANCE RE: RECYCLING
MECHANISMS (DOCKET NO. 0754)**

Councillor HONAN, on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 0754, ordinance re: recycling mechanisms (referred June 7) — recommending passage of the ordinance in the following new draft,

City of Boston
In the Year Two Thousand
AN ORDINANCE

REGARDING RECYCLING MECHANISMS

Whereas, The City of Boston's Public Works Department makes available free recycling services to those who choose to participate; and

Whereas, Despite free recycling services, the City of Boston's targeted goals for recycling have not been realized; and

Whereas, Collection of recyclable materials from large multi unit residential premises has lagged behind collections of such materials from single and small

apartment building premises; and

Whereas, Instituting a recycling mechanism for multi unit residential premises will increase the amount of recyclable materials collected by the city; therefore

Be it ordained by the City Council of Boston, as follows:

City of Boston Code. Ordinances, Chapter 7-13.4 is hereby amended by adding the following after paragraph (g).

h. The owners of residential premises of large apartment buildings as determined by the Commissioner of Public Works shall submit to the Commissioner a recycling plan for their properties. The plan shall identify the respective property, and include the number of units, details for a holding facility for recyclable materials, and shall describe any structural changes that may be necessary for implementation of the holding facility. Said plans shall also include a statement by the owner that he/she will post notice, in common area, notifying all residents of the need to place recyclable materials in the holding facility. Said notice shall include the dates and times of collections by the city.

Property owners shall cause the recyclable materials contained in holding facilities to be placed at the appropriate place of collection at the appropriate times as specified by the Commissioner. The means by which said materials will be placed for collection shall be specified in the property's recycling plan.

The Commissioner, through authority granted in this ordinance, shall approve, reject or amend said plans. Once a plan is approved and the holding facility is operational, the Commissioner shall schedule collection of materials from said holding facilities.

ENFORCEMENT

The enforcement of this ordinance shall refer to § 7-13.6

Notice of this ordinance shall be provided to all regulatory and/or licensing agencies and/or department by the City Clerk upon passage, and all recycling plans shall be delivered to the Commissioner no later than six (6) months from the date this ordinance has been signed into law.

On motion of Councillor Ross, the matter was laid on the table until a date certain, to wit: **October 11, 2000.**

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF HARRON ELLENSON AS MEMBER OF BOSTON LANDMARKS COMMISSION (DOCKET NO. 0971)

Councillor HONAN on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 0971, message of the Mayor and order for confirmation of the appointment of Harron Ellenson as a member of the Boston Landmarks Commission (referred August 2) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF MARK VERKENNIS AS MEMBER OF BOSTON LANDMARKS COMMISSION (DOCKET NO. 0972)

Councillor HONAN on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 0972, message of the Mayor and order for confirmation of the appointment of Mark Verkennis as a member of the Boston Landmarks Commission (referred August 2) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF CYRUS FIELD AS ALTERNATE MEMBER OF BOSTON LANDMARKS COMMISSION (DOCKET NO. 0973)

Councillor HONAN on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 0973, message of the Mayor and order for confirmation of the appointment of Cyrus Field as an alternate member of the Boston Landmarks Commission (referred August 2) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF THERESA O'NEILL AS ALTERNATE MEMBER OF BOSTON LANDMARKS COMMISSION (DOCKET NO. 0974)

Councillor HONAN on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 0974, message of the Mayor and order for confirmation of the appointment of Theresa O'Neill as an alternate member of the Boston Landmarks Commission (referred August 2) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF LISA SERAFIN AS MEMBER OF BOSTON LANDMARKS COMMISSION (DOCKET NO. 1009)

Councillor HONAN on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket:1009, message of the Mayor and order for confirmation of the appointment of Lisa Serafin as a member of the Boston Landmarks Commission (referred August 2) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF RUTH KNOPF AS ALTERNATE MEMBER OF BAY VILLAGE HISTORIC DISTRICT COMMISSION (DOCKET NO. 0215)

Councillor HONAN on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 0215, message of the Mayor and order for confirmation of the appointment of Ruth Knopf as an alternate member of the Bay Village Historic District (referred January 26) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF LISA S. SERAFIN AS MEMBER OF ABERDEEN STUDY COMMITTEE (DOCKET NO. 0391)

Councillor HONAN on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 0391, message of the Mayor and order for confirmation of the appointment of Lisa S. Serafin as a member of the Aberdeen Study Committee

(referred March 8) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF MARK A. VERKENNIS AS MEMBER OF ABERDEEN STUDY COMMITTEE (DOCKET NO. 0392)

Councillor HONAN on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 0392, message of the Mayor and order for confirmation of the appointment of Mark A. Verkennis as a member of the Aberdeen Study Committee (referred March 8) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF RICHARD F. SCHMIDT AS A MEMBER OF ABERDEEN STUDY COMMITTEE (DOCKET NO. 0393)

Councillor HONAN on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 0393, message of the Mayor and order for confirmation of the appointment of Richard F. Schmidt as a member of the Aberdeen Study Committee (referred March 8) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF WILLIAM P. MARCHIONE AS MEMBER OF ABERDEEN STUDY COMMITTEE (DOCKET NO. 0394)

Councillor HONAN on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 0394, message of the Mayor and order for confirmation of the appointment of William P. Marchione as a member of the Aberdeen Study Committee (referred March 8) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF SUSAN D. PRANGER AS MEMBER OF ABERDEEN STUDY COMMITTEE (DOCKET NO. 0395)

Councillor HONAN on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 0395, message of the Mayor and order for confirmation of the appointment of Susan D. Pranger as a member of the Aberdeen Study Committee (referred March 8) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF SUSAN WATERS AS ALTERNATE MEMBER OF BOSTON LANDMARKS COMMISSION (DOCKET NO. 0396)

Councillor HONAN on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 0396, message of the Mayor

and order for confirmation of the appointment of Susan Waters as an alternate member of the Boston Landmarks Commission (referred March 8) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF JOHN FREEMAN AS ALTERNATE MEMBER OF BOSTON LANDMARKS COMMISSION (DOCKET NO. 0903)

Councillor HONAN on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 0903, message of the Mayor and order for confirmation of the appointment of John Freeman as an alternate member of the Boston Landmarks Commission (referred June 28) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF RICHARD SCHMIDT AS ALTERNATE MEMBER OF BOSTON LANDMARKS COMMISSION (DOCKET NO. 0904)

Councillor HONAN on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 0904, message of the Mayor and order for confirmation of the appointment of Richard Schmidt as an alternate member of the Boston Landmarks Commission (referred June 28) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF THOMAS GREEN AS MEMBER OF BOSTON LANDMARKS COMMISSION (DOCKET NO. 0905)

Councillor HONAN on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 0905, message of the Mayor and order for confirmation of the appointment of Thomas Green as a member of the Boston Landmarks Commission (referred June 28) — recommending passage of the order.

The report was accepted; the order was passed.

ORDER FOR HEARING TO DISCUSS ALTERNATE FUNDING TO PROHIBIT CLOSING OF PROGRAMS AFFECTED BY VETO OF CHAPTER 636 (PARENT INFORMATION CENTER, LITERACY CENTER, MUSIC AND ART, AND AFTER SCHOOL PROGRAMS) (DOCKET NO. 1037)

Councillors DAVIS-MULLEN, TURNER, YANCEY, FEENEY and HONAN offered the following:

Whereas, Chapter 636 was vetoed by Governor Cellucci and not overridden by the State Legislature; and

Whereas, Chapter 636 veto will result in a reduction of \$5.2 million dollars; and

Whereas, Chapter 636 was the economic source for the Parent Information Center, Literacy Center, Music and Art, and After School Programs; and

Whereas, Chapter 636 veto will result in the closing of Parent Information Centers effective September 30, 2000; and

Whereas, Chapter 636 veto will result in the loss of many programs for students and families of the Boston

Public Schools; therefore be it

Ordered, That a hearing be held to discuss alternate funding to prohibit the closing of the programs affected by the veto of Chapter 636; and therefore be it

Ordered, That representatives of the Boston Public Schools and the Mayor's Office be invited to attend and give testimony.

Referred to the Committee on Education and School Matters.

ORDER FOR HEARING TO DETERMINE FEASIBILITY OF IMPLEMENTING STRICT PARKING FREEZE IN FENWAY NEIGHBORHOOD FOR PURPOSE OF PROTECTING ENVIRONMENTAL AND PUBLIC HEALTH OF COMMUNITY IN WAKE OF PENDING NEW DEVELOPMENT (DOCKET NO. 1038)

Councillors ROACHE and ROSS offered the following:

Whereas, The City of Boston, in conjunction with the Commonwealth of Massachusetts and the Boston Red Sox Organization has reached an agreement to finance the acquisition and preparation of the site for a proposed new baseball park in the Fenway neighborhood; and

Whereas, The proposed ballpark will bring an increase of approximately one million people into the Fenway neighborhood during a six-month period each year; and

Whereas, In order to accommodate this increase, and in addition to the site preparation costs, the City has also agreed to finance the construction, operation, and maintenance of a parking facility with a capacity for as many as three thousand vehicles per day; and

Whereas, The Fenway neighborhood is already overburdened by the volume of traffic that travels through the community everyday, bringing unacceptably high levels of auto emissions and many other harmful pollutants; and

Whereas, Any increase in traffic through the community will be detrimental to the public and environmental health of the neighborhood; and

Whereas, For the purpose of protecting the community from the hazards of increased congestion due to projected development, the Fenway IPOD has recommended a freeze on non-accessory parking spaces; and

Whereas, The configuration of the proposed three-thousand unit public parking garage may produce an unacceptably large number of non-accessory parking spaces which would offset precautions that the community has taken to protect the quality of life in their neighborhood; therefore be it

Ordered, That the Boston City Council hold a public hearing to determine the feasibility of implementing a strict parking freeze in the Fenway neighborhood for the purpose of protecting the environmental and public health of the community in the wake of pending new development; be it further

Ordered, That representatives from the Boston Transportation Department, the Environment Department, the State Executive Office of Environmental Affairs, the Environmental Protection Agency, and other relevant departments be invited to provide testimony.

Referred to the Committee on Economic Development and Transportation.

ORDER TO FACILITATE DISPOSITION AND REDEVELOPMENT OF FOLEY BUILDING AND E BUILDING, BOTH LOCATED AT FORMER BOSTON SPECIALTY AND REHABILITATION HOSPITAL (DOCKET NO. 0939)

Councillor FEENEY called Docket No. 0939 from the Assignment Sheet.

The matter was before the body.

Councillor FEENEY moved that the order be given its second reading and final passage.

The order was given its second reading and final passage; yeas 12; nays 0:

Yeas — Councillors Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross, Scapicchio, Turner, Yancey — 12.

Nays — 0.

ORDER FOR LOAN OF \$1,565,000 FOR FIRE ALARM COMMUNICATION INSTALLATIONS (DOCKET NO. 0982)

Councillor MURPHY called Docket No. 0982 from the Assignment Sheet.

The matter was before the body.

Councillor MURPHY moved that the order be given its second reading and final passage.

The order was given its second reading and final passage; yeas 12; nays 0:

Yeas — Councillors Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross, Scapicchio, Turner, Yancey — 12.

Nays — 0.

ORDER FOR HEARING RE: CHANGE IN DEPARTURE PROCEDURES FOR RUNWAY 27 AT LOGAN AIRPORT (DOCKET NO. 1039)

Councillors TURNER, ROACHE, ROSS, KELLY, YANCEY, DAVIS-MULLEN, MURPHY, FEENEY FLAHERTY and HONAN offered the following:

Whereas, In August 1996 the Federal Aviation Administration issued a record of decision to formally alter the turbo jet departure procedures for Runway 27 at Logan Airport to include a 235 degree turn; and

Whereas, The change in departure procedures for Runway 27 at Logan Airport channels all traffic from the runway into a narrow air corridor over parts of South Boston, South End, Back Bay, Dorchester, Roxbury and Mattapan; and

Whereas, The Federal Aviation Administration has provided no mitigation measures to limit the affects of increased noise and air pollution created by this change. Therefore be it

Ordered, That the appropriate Boston City Council committee hold a public hearing to determine the basis of the 1996 record of decision and why there are no mitigation measures accompanying the decision. And be it further

Ordered, That representatives of the Federal Aviation Administration, Massachusetts Port Authority/Logan International Airport, City of Boston Transportation Department, Mayor's Office, impacted community residents and organizations be invited to attend and give testimony. This notice shall be published in the *City Record*.

Referred to the Committee on Economic Development and Transportation.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 1040)

Councillor KELLY offered the following:

Ordered, That effective Saturday, July 1, 2000, the following-named persons be, and hereby are, appointed to the position set against their name until Friday, September 22, 2000:

Janet M. Doherty, secretary, \$345.65, part time.

Annmarie Geary, secretary, \$457.75, part time.

Carolyn Geary, administrative assistant, \$986.73, full time.

Paul J. Walkowski, administrative assistant, \$958.57, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES
(DOCKET NO. 1041)

Councillor KELLY offered the following:

Ordered, That effective Saturday, August 26, 2000, the following named person be, and hereby is, appointed to the position set against their name until Friday, November 10, 2000:

Sean Flaherty, secretary, \$622.60, full time.

Laura O'Brien, secretary, \$622.60, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEE
(DOCKET NO. 1042)

Councillor KELLY offered the following:

Ordered, That effective Saturday, August 26, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, November 10, 2000:

Timothy Stack, secretary, \$287.40, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES
(DOCKET NO. 1043)

Councillor KELLY offered the following:

Ordered, That effective Saturday, August 26, 2000, the following-named persons be, and hereby are, appointed to the position set against their name until Friday, September 1, 2000:

Leann Bowman, secretary, \$2,001.44, full time.

Dennis P. Dwyer, administrative assistant, \$1,651.34, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES
(DOCKET NO. 1044)

Councillor KELLY offered the following:

Ordered, That effective Saturday, September 2, 2000, the following-named persons be, and hereby are, appointed to the position set against their name until Friday, November 10, 2000:

Leann Bowman, secretary, \$785.44, full time.

Dennis P. Dwyer, administrative assistant, \$699.24, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES
(DOCKET NO. 1045)

Councillor KELLY offered the following:

Ordered, That effective Saturday, August 26, 2000, the following-named persons be, and hereby are, appointed to the position set against their name until Friday, November 10, 2000:

Jean M. Conti, secretary, \$188.60, part time.

Bernadette Lally, secretary, \$300, part time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES
(DOCKET NO. 1046)

Councillor KELLY offered the following:

Ordered, That effective Saturday, August 12, 2000, the following-named persons be, and hereby are, appointed to the position set against their name until Friday, November 10, 2000:

James P. Gordon, secretary, \$891.46, full time.

Michael F. Larkin, secretary, \$1,035.16, full time.

Aoibhean McDermott, secretary, \$358, part time.
Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES
(DOCKET NO. 1047)

Councillor KELLY offered the following:

Ordered, That effective Saturday, August 5, 2000, the following-named persons be, and hereby are, appointed to the position set against their name until Friday, November 3, 2000:

Patricia S. Flaherty, secretary, \$766.28, full time.

Marta E. Rivera, administrative assistant, \$766.28, full time.

Passed under suspension of the rules.

ORDER FOR HEARING TO INVESTIGATE HIGH
PARKING RATES (DOCKET NO. 1049)

Councillor SCAPICCHIO offered the following:

Whereas, The parking rates in Boston are among the highest in the country and have doubled in less than a decade; and

Whereas, Since 1975, The Environmental Protection Agency has limited the number of parking spaces in Boston to 35,503; and

Whereas, The number of vehicles travelling into Boston each day has at least doubled since the cap on spaces has been put into affect; and

Whereas, The current parking freeze needs to be examined to determine its impact on the prevailing rates; and

Whereas, Lifting the cap that limits the number of parking spaces may have an adverse effect on the air quality in Boston; therefore be it

Ordered, That The Boston City Council hold a hearing to investigate the high rates and their effect on the quality of life, economic vitality, and growth of the City of Boston.

Referred to the Committee on Economic Development and Transportation.

ORDER CALLING FOR EVENING HEARINGS IN
CERTAIN AREAS OF CITY WHERE RESI-
DENTS ARE UNDER SIEGE BY RISING
RATES OF CRIMES (DOCKET NO. 1050)

Councillors FLAHERTY, ROACHE, DAVIS-MULLEN, TURNER, MURPHY, ROSS, HONAN, CONLEY, KELLY and FEENEY offered the following:

Whereas, The City of Boston is enjoying its lowest recorded levels of crime, including violent crime and domestic crime, in decades; and

Whereas, June 2000 Boston Police Office of Research and Evaluation data show that serious crime in the city is at its third lowest level since 1968, at 48% of the 1990 level, with 15,632 fewer victims than ten years ago; and

Whereas, Much of the credit for this reduction in reported crime owes to the efforts of the Boston Police Department and its heightened focus on crime prevention, enforcement, community policing, education and early intervention; the prosecutorial efforts of the Suffolk County District Attorney's office; and the incarceration and rehabilitation services of the Suffolk County Sheriff's Department; and

Whereas, Despite this decade-long trend of reduced criminal activity in the City of Boston, there exist several areas or "clusters" of unacceptably high rates of crime, particularly violent crime; and

Whereas, Boston Police have identified eight clusters where residents are under siege by rising rates of crime in the six categories of homicide, robbery, aggravated assault, firearms arrests, recovered firearms and other general crime, of which there were 306 total incidents between February and May of this year; and

Whereas, It is in the interests of the city and its residents to examine the issues and circumstances causing or contributing to the existence of high-crime clusters in Boston, as part of an effort to provide appropriate and effective ameliorative resources; therefore be it hereby

Ordered, That the Boston City Council conduct a series of evening public hearings in areas encompassing the eight high-crime clusters, to hear from representatives of the Boston Police, the Suffolk County District Attorney's office, other law enforcement agencies, human service organizations, neighborhood residents, and any other interested parties, and to thereby gain a better understanding of the phenomenon of crime clusters.

Referred to the Committee on Public Safety.

Councillor FEENEY in Chair.

**APPOINTMENT OF TEMPORARY EMPLOYEE
(DOCKET NO. 1051)**

Councillor KELLY offered the following:

Ordered, That effective Saturday, September 16, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, November 24, 2000:

Kelly Prapuolenis, secretary, \$200, part time.

Passed under suspension of the rules.

**ORDER REQUESTING CERTAIN INFORMATION
UNDER SECTION 17F RE: UNCOLLECTED
CODE ENFORCEMENT FINES (DOCKET NO.
1052)**

Councillor ROSS offered the following:

Ordered, That, under the provisions of Section 17F of Chapter 452 of the Acts of 1948, as amended, and under any other applicable provision of law, His Honor, the Mayor, be, and hereby is, requested to obtain and deliver to the City Council, within one week of the receipt hereof, the following information:

- Uncollected code enforcement fines from February 16, 2000 to present organized comprehensively by order of violator
- Uncollected code enforcement fines from February 16, 2000 to present organized comprehensively by order of address of violation

On motion of Councillor ROSS, the rules were suspended, **the order was passed.**

RESOLUTION URGING GOVERNOR AND LEGISLATURE TO TAKE APPROPRIATE MEASURES TO RESTORE 636 FUNDING THROUGH SUPPLEMENTAL BUDGET LEGISLATION (DOCKET NO. 1053)

Councillors HONAN, MURPHY and FEENEY offered the following:

Whereas, Chapter 636 was established by the Commonwealth of Massachusetts to ensure education enrichment monies for the support of such activities as the establishment of parent information centers and various cultural initiatives for youth; and

Whereas, While Boston's students are laboring to meet the higher academic standards imposed by the State Board of Education through improved performance on MCAS tests, this loss of funding would cut programs that are vital to our students' educational experience; and

Whereas, Cultural enrichment is a significant factor in student growth and personal development; and

Whereas, The City of Boston has received annual state funding for more than two decades including approximately \$5.4 million last year; and

Whereas, Governor Celluci vetoed this important line item and the Massachusetts Legislature did not consider the veto before its adjournment on July 31; therefore be it

Resolved, That the Boston City Council in meeting assembled urge the Governor and Legislature to take appropriate measures to restore this funding through consideration of a supplemental budget legislation.

On motion of Councillor HONAN, the rules were suspended; **the resolution was adopted.**

**RESOLUTION SUPPORTING ADDITION OF TWO
NEW STOPS TO FAIRMOUNT COMMUTER
RAIL (DOCKET NO. 1054)**

Councillor YANCEY offered the following:

Whereas, Members of the Greater Four Corners Action Coalition (GFCAC) are requesting that the Massachusetts Bay Transportation Authority (MBTA) reopen two rail stations in Dorchester; and

Whereas, These two stations, that would be on the existing Fairmount Commuter Rail Line, could be the first step toward later implementation of the "Indigo Line," a plan to make better use of this rail route which is being advocated by a diverse coalition of neighborhood and environmental groups, local City Councillors, State Senators, and Representatives, Congressman Capuano, members of the business community, and the MBTA Advisory Board; and

Whereas, Nearly 1,500 residents of Dorchester, Roxbury and Mattapan have signed a petition in support of reopening the rail stations; and

Whereas, One station will be near Park Street and Norwell Street (allowing people from Codman Square and the southern part of Four Corners access), and the other will be at Washington Street and Erie Street with an additional entrance at Norwell Street and Carmen Street (allowing access to people from Grove Hall and the northern part of Four Corners); and

Whereas, The new stations along with increased frequency will create a sufficient rapid transit system for Dorchester, Roxbury and Mattapan residents traveling to and from downtown Boston; and

Whereas, Boston Transportation Department Commissioner, Andrea d'Amato (following examples of other urban transportation agencies, such as those in San Francisco, Denver and Salt Lake City) is stressing rail as an effective option for public transit; and

Whereas, The new stations would help alleviate the growing problem of vehicular traffic congestion in Grove Hall, Codman Square and Four Corners; and

Whereas, Opening the new rail would add to the quality of life in a neighborhood that has struggled to survive through white flight, crime, and disinvestment; and

Whereas, The capital cost for adding stations to an existing, fully functional rail line in regular operation will be minimal particularly in comparison to the \$56.5 million spent to add two stations and extend service 9.6 miles from Ipswich to Newburyport or the \$400+ million proposed to complete the Greenbush extension; be it therefore

Resolved, That the Boston City Council, in meeting assembled, support adding the two new stops to the Fairmount Commuter Rail.

Referred to the Committee on Economic Development and Transportation.

Councillor KELLY in the Chair.

LATE-FILED MATTERS

The Chair stated that, in absence of objection, two late-filed matters would be added to the Agenda.

No objection being heard, the following matters were

added:

ORDER FOR HEARING TO INVESTIGATE MAGNITUDE OF TAX VIOLATIONS AND PROPOSE LEGISLATION THAT WILL ENACT CIVIL AND/OR CRIMINAL PENALTIES TO DETER SUCH ACTIONS (DOCKET NO. 1077)

Councillors ROSS, SCAPICCHIO, KELLY, YANCEY, TURNER, MURPHY, FEENEY, FLAHERTY and DAVIS-MULLEN offered the following:

Whereas, The City of Boston is responsible for the collection of residential and commercial taxes; and

Whereas, In an effort to assist residents and make tax payments more affordable, the City has implemented a residential exemption tax policy where owner-occupied residents are eligible to receive an exemption of \$499.12 toward their taxes; and

Whereas, The City's Assessing department has been tracking and monitoring tax violators who are fraudulently claiming residential exemptions; and

Whereas, These violators are responsible for siphoning hundreds of thousands of dollars from our City while residents and businesses suffer the consequences; and

Whereas, Currently no civil or criminal penalties exist today to deter potential violators from claiming a residential exemption or in some cases multiple exemptions; Therefore be it

Ordered, That the City Council convene a public hearing to investigate the magnitude of tax violations and propose legislation that will enact civil and/or criminal penalties to deter such actions; and be it further

Ordered, That the City's Chief Financial Officer, the Assessing Commissioner and their designees are invited to testify; and be it further

Ordered, That neighborhood residents and businesses concerned about this issue be invited to attend.

Referred to the Committee on Ways and Means.

ORDER THAT CITY COUNCIL SEEK LEGAL OPINION REGARDING POWER OF BRA TO TAKE ACTIONS RE: CITY HALL PLAZA (DOCKET NO. 1078)

Councillors TURNER, KELLY, DAVIS-MULLEN, ROACHE, MURPHY, HONAN, FLAHERTY and YANCEY offered the following:

Whereas, In 1996, the Boston Redevelopment Authority (BRA) took by eminent domain, the Boston City Hall Plaza from the City of Boston by order of the Mayor; and

Whereas, Concerns have been raised by many parties regarding the BRA's authority to take such action. Therefore be it

Ordered, That the Boston City Council seek a legal opinion regarding the power of the Boston Redevelopment Authority to take such actions.

The rules were suspended; the order was passed.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Ross: Congratulating Rosalie Levy-Warren (Docket No. 1055).

Councillor Yancey: Congratulating the Daley Family (Docket No. 1056).

Councillor Honan: Congratulating Ann Marie Griffin (Docket No. 1057); congratulating Edna Lieberman (Docket No. 1058).

Councillor Feeney: Congratulating James Driscoll (Docket No. 1059).

Councillor Honan: Recognizing Swim Across America (Docket No. 1060).

Councillor Turner: Congratulating entire Hal/Jones Family (Docket No. 1061).

Councillor Conley: Congratulating P. W. Reed, Apostle and Bishop Prelate, Total Deliverance International Ministries (Docket No. 1062).

Councillor Yancey: Congratulating Hermine Boyd (Docket No. 1063).

Councillor Murphy: Declaring August 26, 2000 "George Regan Day" (Docket No. 1064); declaring September 4, 2000 "Michael Murphy Day" (Docket No. 1065).

Councillor Roache: Congratulating William "Bill" Delaney (Docket No. 1066).

Councillor Conley: Declaring August 31, 2000 "Vernice Younger Day" (Docket No. 1067).

Councillor Yancey: Congratulating Richard Soul (Docket No. 1068).

Councillor Scapicchio: Congratulating Junior Vice Commander Nicholas Bua (Docket No. 1069); congratulating Sergeant-at-Arms Raymond Barry (Docket No. 1070); congratulating Chaplain John Cotter (Docket No. 1071); congratulating Commander Kevin J. Fallis (Docket No. 1072); congratulating Adjutant Al Ashmanskas (Docket No. 1073); congratulating Finance Officer William J. Chisholm (Docket No. 1074); congratulating Historian Anthony Cerullo (Docket No. 1075); congratulating Senior Vice Commander Paul Cuzzi (Docket No. 1076).

The matters contained within the Consent Agenda were severally adopted.

STATEMENT OF COUNCILLOR SCAPICCHIO

Councillor SCAPICCHIO asked that when we adjourn today we do so in memory of Danny McGoff of Charlestown who recently died suddenly. Danny had four children and was active with the Charlestown Youth Hockey League and will be missed by many.

NEXT MEETING

President KELLY moved that when the Council adjourns today, it be in memory of Danny McGoff, to meet again on Wednesday, September 13, 2000 at 12:00 noon.

The motion was carried.

Adjourned at 4:56 p.m. on motion of President Kelly, in memory of Danny McGoff, to meet again on Wednesday, September 13, 2000 at 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, September 13, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 1:15 p.m., President KELLY in the Chair and all members present.

INVOCATION

Reverend Robert T. Kickham, Saint Mark's Church, delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

PRESENTATION BY COUNCILLOR HONAN

Councillor HONAN presented resolutions to five people from Public Works Sanitation, Basic City Services and Code Enforcement in appreciation for their extraordinary efforts on behalf of residents in their respective neighborhoods.

STATEMENT OF COUNCILLOR FEENEY

Councillor FEENEY wanted to state her gratitude to the people from the Public Works Department for their efforts on behalf of her constituents in Dorchester who were yesterday affected by a flood which caused tremendous damage to homes and streets, but with the combined efforts of emergency services from the City and the Red Cross, a bad situation was kept from becoming a horrific situation.

ORDER FOR CONFIRMATION OF APPOINTMENT OF ROBERT H. SHORTSLEEVE JR., AS MEMBER OF THE ZONING BOARD OF APPEALS FOR TERM EXPIRING MAY 1, 2003 (DOCKET NO. 1079)

The following was received:

City of Boston
Office of the Mayor

September 11, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order regarding the appointment of Robert H. Shortsleeve, Jr., of 7 Harris Avenue, Jamaica Plain, as a member of the Zoning Board of Appeals for a term expiring May 1, 2003. I am appointing Mr. Shortsleeve pursuant to the authority invested in me by Chapter 461 of the Acts of 1993, and subject to your confirmation. Mr. Shortsleeve will begin his term effective upon the retirement of Richard Dennis. Mr. Shortsleeve is a member of the Greater Boston Real Estate Board.

I urge your Honorable Body to pass this order at the earliest possible date so that Mr. Shortsleeve may begin serving his appointed term without delay.

Sincerely,
Thomas M. McNino,
Mayor of Boston.

Ordered, That, pursuant to St. 1993, c. 461, the appointment of Robert H. Shortsleeve, Jr., of 7 Harris

Avenue, Jamaica Plain, as a member of the Zoning Board of Appeals for a term to expire on May 1, 2003, be and the same hereby is approved.

Referred to the Committee of Economic Development and Transportation.

ORDER FOR CONFIRMATION OF APPOINTMENT OF THOMAS J. FLYNN AS A MEMBER OF ZONING COMMISSION FOR TERM EXPIRING MAY 1, 2003 (DOCKET NO. 1080)

The following was received:

City of Boston
Office of the Mayor

August 23, 2000

To the City Council.

Dear Councillors:

Pursuant to St. 1958, c. 77, as amended, I transmit herewith for your approval an Order confirming the appointment of Thomas J. Flynn of 15 Clark Road, Milton, Massachusetts, as a member of the Zoning Commission, for a term to expire May 1, 2003. Mr. Flynn is the nominee of the Greater Boston Labor Council, AFL-CIO.

I urge your Honorable Body to approve this Order at the earliest possible date so that Mr. Flynn may begin his appointed term without delay.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1958, c. 77, as amended, the appointment of Thomas J. Flynn of 15 Clark Road, Milton, Massachusetts, as a member of the Zoning Commission, for a term to expire May 1, 2003, be and the same hereby is approved.

Referred to the Committee on Economic Development and Transportation.

ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO ACCEPT AND EXPEND SUPPLEMENTAL FEDERAL FY99 SHELTER PLUS CARE GRANT OF \$649,920 FROM U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DOCKET NO. 1081)

The following was received:

City of Boston
Office of the Mayor

September 12, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval, an Order authorizing the City of Boston to accept and expend Supplemental Federal Fiscal Year 1999 Shelter Plus Care grant in an amount not to exceed \$649,920 awarded to the City by the U.S. Department of Housing and Urban Development (HUD).

I urge you to adopt this order as soon as possible so that the City may encumber its funds expeditiously.

Sincerely yours,
Thomas M. McNino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, s 53A, the

Department of Neighborhood Development, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend a Supplemental Federal Fiscal Year 1999 Shelter Plus Care grant award not to exceed the amount of \$649,920 from the U.S. Department of Housing and Urban Development (HUD), and, in connection therewith, to execute and deliver such documents as may be required by HUD.

Referred to the Committee on Housing.

**CRIME STATISTICS FOR PERIOD 4/1/2000
THROUGH 7/31/00 (DOCKET NO. 1082)**

The following was received:

City of Boston
Office of the Mayor

September 8, 2000

To the City Council.

Dear Councillors:

I transmit herewith communication received from the Police Department pertaining to crime statistics for the period commencing April 1, 2000 and ending July 31, 2000.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

(Annexed hereto is the documentation referred to.)
Placed on file.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF MICHAEL CHINETTI AS MEMBER OF ELECTION COMMISSION FOR TERM EXPIRING MARCH 31, 2004 (DOCKET NO. 1083)

Notice was received from the Mayor of the appointment of Michael Chinetti as a member of the Election Commission for a term expiring March 31, 2004.

Placed on file.

NOTICE RECEIVED FROM DEPARTMENT OF TELECOMMUNICATION AND ENERGY OF APPROVAL AND AUTHORIZATION OF ISSUE AND SALE OF \$500,000,000 OF LONG-TERM DEBT SECURITIES AND EXEMPTION FROM COMPETITIVE BIDDING REQUIREMENTS OF GL C.164, S.15 (DOCKET NO. 1084)

Notice was received from the Department of Telecommunication and Energy of the approval and authorization of the issue and sale of \$500,000,000 of long-term Debt Securities and Exemption from the Competitive Bidding Requirements of GL c.164, s15.

Placed on file.

**APPROVAL OF CONSTABLE'S BONDS
(DOCKET NO. 1085)**

The Constable's Bonds of Brian Manganello and Vincent Mangello having been duly approved by the Collector-Treasurer were received under the usual terms and conditions.

**REPORT ON ORDER FOR HEARING REGARDING
43 MELROSE STREET (DOCKET NO. 0492)**

Councillor HONAN, on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 0492, order for a hearing regarding 43 Melrose Street (referred April 5) — recommending the order be placed on file and a copy of this report be transmitted to John Flaherty, Operation Support Service, School Department.

The report was accepted; **the order was placed on file** and a copy of this report will be transmitted to John Flaherty, Operation Support Service, School Department.

REPORT ON ORDER FOR HEARING TO INVESTIGATE RECENT PIT BULL ATTACK ON TEN-YEAR-OLD AND DETERMINE IF OWNERS OF PIT BULL TERRIERS SHOULD BE SUBJECT TO ADDITIONAL REGULATIONS, LICENSING AND REQUIREMENT OF RESPONSIBILITY (DOCKET NO. 1048)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 1048, order for a hearing to investigate the recent pit bull attack on a ten-year-old and to determine if owners of Pit Bull Terriers should be subject to additional regulations, licensing and requirement of responsibility (referred August 30) — recommending order be placed on file and passage of the following ordinance:

ORDINANCE RELATING TO REGISTRATION OF DOGS AND FURTHER REGULATING DANGEROUS OR VICIOUS DOGS (DOCKET NO. 1105)

City of Boston

In The Year Two Thousand

Be it ordained by the City Council of Boston, in accordance with the provisions of Massachusetts General Laws Chapter 43B, Section 13, and any other applicable law, as follows:

Whereas, Vicious dogs are so dangerous that they constitute a threat to children and others in the city; and

Whereas, Vicious dogs occasionally escape from the yard or building in which they are kept, by slipping under a fence, jumping over a fence, slipping out through a door or gate temporarily opened or unlatched, breaking the leash or chain, or pulling up the anchor for the chain or leash; and

Whereas, Children too young to read may wander too close to a dog, even in the presence of "beware of dog" signs; and

Whereas, It is the policy of the City that children and others should not have to assume the risk of a vicious dog having an opportunity to attack or to kill, and

Whereas, The benefits to a dog owner in owning a dangerous dog are outweighed by dangers to children and to the general public.

Now therefore be it ordained:

Section 1: Chapter 16 of the City of Boston Ordinances is hereby amended by inserting the following new section, after Section 1.9A:

16-1.9B Dangerous or Vicious Dogs

a) A "dangerous or vicious" dog as the term is used in this section shall mean any dog that has bitten or attacked any person or animal, and any dog that has attempted to bite or attack any person or animal. A dog shall be deemed to be attempting to attack if it is restrained by a leash, fence or other means, and it is clear from the dog's excited actions that only the presence of the leash, fence or other means of restraint is

preventing the dog from making an immediate attack. Such incidents shall be evidenced by verified reports of the Dog Officer and shall be governed by the procedures delineated in G.L. c. 140, § 157.

When a dog is deemed to be vicious, the Office of Animal Control may order any or all of the following:

- 1) Spay or neutering
- 2) Microchip Identification
- 3) Behavior Training

b) An "owner or keeper" of a vicious dog shall mean an individual who is the registered owner as well as an individual who keeps, harbors, or possesses a vicious dog.

c) While on the owner's or keeper's property, a dangerous or vicious dog must be securely confined indoors or in a securely enclosed and locked pen or structure of a type meeting standards established by the Dog Officer, suitable to prevent the entry of young children, and designed to prevent the animal from escaping. Such pen or structure must have a minimum dimension of five feet by ten feet and must be securely enclosed. If it has no bottom secured to the sides, the sides must be imbedded into the ground no less than two feet. The enclosure must also provide protection from the elements for the dog.

The owner or keeper shall display a sign or signs on his or her premises facing out from all sides of the premises warning that there is a dangerous or vicious dog on the property the location and design of which shall be determined by the Dog Officer. This sign should be visible and capable of being read from a public way or within 20 feet of its placement. In addition, the owner shall conspicuously display a sign with a symbol warning children who cannot read of the presence of a dangerous or vicious dog.

The Dog Officer may permit a dangerous or vicious dog to be off the owner's or keeper's premises if it is muzzled and restrained by a lead or chain approved by the Dog Officer not exceeding three feet in length and is under the control of an adult, able-bodied person. The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration, but must prevent it from biting any person or animal.

The provisions of this Ordinance regarding dangerous or vicious dogs shall not apply to animals owned by law enforcement agencies and used for law enforcement purposes.

(d) The owner or keeper of any dangerous or vicious dog who fails to comply with the requirements as set forth in paragraph (c) shall be subject to a fine of two hundred fifty dollars (\$250.00) for a first offense and five hundred dollars (\$500.00) for any subsequent offense. If said animal is found on property not owned or controlled by its owner or keeper, or not restrained in a secure area per paragraph (c) of this section on two separate occasions within a twelve-month period as documented by the Dog Officer, said animal shall be forever banned from within the limits of the City of Boston.

(e) Each day there exists a violation of any of the provisions of this ordinance shall constitute and be punishable as a separate offense.

(f) A dog shall not be considered legally licensed, pursuant to G.L. c. 140 §§ 137, 147, unless the owner is in full compliance with this ordinance.

(g) Compliance with the requirements of this section shall not be a defense to an order of disposal of a vicious dog pursuant to G.L. c. 140, § 157.

Section 2: To the extent permitted by G.L. c. 140 § 172, fines collected pursuant to the provisions of this ordinance and Chapter 16 of the City of Boston Ordinance, Section 1.9A and all dog registration and licensing fees collected pursuant to Chapter 18 of the City of Boston Ordinances, Section 1.4 (6-10) shall be deposited into a revolving fund within the Animal

Control Unit of the Property Management Department with disbursement at the direction of the Commissioner of Property Management, pursuant to the provisions of G.L. c. 44, § 53E1/2, and shall be subject to annual authorization by the City Council with the approval of the Mayor. Said fund shall be utilized as follows: to reimburse for administrative costs to those City agencies which enforce this ordinance and Chapter 16 of the City of Boston Ordinances, Section 1.9 and for costs associated with licensing and registration. The total amount which may be expended from such fund in fiscal year 1997 shall not exceed amounts authorized under the aforesaid Section 53E1/2.

Section 3: The title of Chapter 16 of the City of Boston Ordinances, section 32.3 is hereby amended to read as follows:

16-32.3 Alternative Noncriminal Disposition of Violations of Subsections 16-19, 16-32.4 16- 1.9B and 16-12.7.

Section 4: The first sentence of Chapter 16 of the City of Boston Ordinance, Section 32.3 is hereby amended by inserting after 16-1.9 the following: ,16-1.9B

Section 5: The first sentence of Chapter 16 of the City of Boston Ordinances, Section 32.3 is hereby further amended by inserting the following after the last word of the sentence: and the Animal Control Unit of the Property Management Department.

Section 6: pursuant to the provision of St. 1909, c. 486, §5, as amended by St. 1953, c. 473, chapter 16 of the City of Boston Ordinances is hereby amended by inserting the following new section, after Section 1.9B: 16-1.9C Dog Registration & Licensing.

All the powers and duties associated with dog registration and licensing in the City of Boston, heretofore exercised by the Police Commissioner of the City of Boston and the Inspectional Services Department pursuant to G.L. c. 140 are hereby transferred to the Animal Control Unit of the Property Management Department. The following positions in the Property Management Department and the Inspectional Services Department shall be reclassified or transferred to and within the Property Management Department: the incumbent Executive Assistant responsible for Animal Control in the Property Management Department shall be reclassified to the position of Executive Assistant (Director of Animal Control); the incumbent Dog Officers in the Inspectional Services Department shall each be transferred to the position of Animal Control Officer to the Property Management Department; the incumbent Administrative Assistant in the Animal Control Unit of the Inspectional Services Department shall be transferred to the Property Management Department to the position of Administrative Assistant (Animal Control). Each of the aforementioned positions and each subject employee who immediately prior to such transfer or reclassification held and office or position subject to Civil Service Laws and Rules shall be appointed without examination or registration and shall upon such appointment retain all rights to retirement with pension that shall or would have accrued, and each such employee's service shall be deemed to be continuous to the same extent as if this transfer or reclassification had not taken place.

Section 7: Chapter 18 of the City of Boston Ordinances, Sections 1.4 (6-10) are hereby amended by deleting the several references to "the Police Commissioner" and inserting in place thereof: the Animal Control Unit of the Property Management Department.

Section 8: All of the fees appearing in Chapter 18 of the City of Boston Ordinances, Sections 1.4(6)-(10) are hereby increased by the amount of two dollars (\$2.00).

The report was accepted; the order was placed on file.

The ordinance was not passed, yeas 2, nays 11;

Yeas - Councillors Turner, Yancey - 2.

Nays - Councillors Conley, Davis-Mullen, Fecney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache,

Ross, Scapicchio - 11.

RESOLUTION CALLING ON ADMINISTRATION TO APPROPRIATE NECESSARY MONIES TO ADD EIGHT ANIMAL CONTROL OFFICERS TO STAFF (DOCKET NO. 1088)

Councillor MURPHY called Docket No. 1088 out of order. Hearing no objection, the matter was before the body.

Councillors MURPHY, HONAN, ROACHE, FLAHERTY, FEENEY, YANCEY, SCAPICCHIO, HENNIGAN, CONLEY, KELLY and DAVIS-MULLEN offered the following:

Whereas, Recent incidents involving vicious dogs have prompted hearings, meetings and an examination of the City's Vicious Dog ordinance; and

Whereas, The City of Boston has an estimated 35,000 dogs living in the City, and only 11,500 are licensed; and

Whereas, The City's Animal Control Office currently has a staff of 12 with only 3 Officers available for city wide monitoring and enforcement scheduled on the night shift only; and

Whereas, The City of Boston Animal Control Office does an outstanding job and augmenting their good work with additional staff would more adequately address the City's animal problems and lead to a safer city and better protected residents and animals; therefore be it

Resolved, That the Boston City Council call on the Administration to appropriate the necessary monies to add 8 Animal Control Officers to the Office of Animal Control to staff a day shift that would aggressively monitor the City's animal problems and enforce the dog licensing laws; and be it further

Resolved, That the Boston City Council is standing ready to assist the Administration in the allocation of this funding.

The rules were suspended; **the resolution was adopted**; yeas 12, nays 1:

Yeas - Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross, Scapicchio, Yancey - 12.

Nays - Councillor Turner - 1.

ORDER APPROVING MODIFICATION TO PARK PLAZA URBAN RENEWAL PLAN WITH RESPECT TO CHARLES/TREMONT SUB-PARCEL OF PARCEL 3 AND PARCEL B (DOCKET NO. 0902)

Councillor SCAPICCHIO called Docket No. 0902 from the Committee on Economic Development and Transportation.

Hearing no objection, the matter was before the body.

On motion of Councillor SCAPICCHIO, the rules were suspended; **the order was passed**.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 0186)

Councillor KELLY offered the following:

Ordered, That effective Saturday, September 09, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, November 24, 2000:

Diane Albano, administrative asst., \$699.24, full time.

Vincent A. LaBella, administrative asst., \$1,015.33, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 1087)

Councillor KELLY offered the following:

Ordered, That effective Saturday, September 02, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, November 24, 2000:

Jonathan M. Marsh, secretary, \$100, part time.

Passed under suspension of the rules.

ORDER FOR HEARING TO EXAMINE STATUS OF BATTERY WHARF PROJECT AND DETERMINE IF ARTICLE 80 AND CHAPTER 91 PROCESS WILL BE FOLLOWED IN REGARD TO THIS PROJECT (DOCKET NO. 1089)

Councillors SCAPICCHIO and KELLY offered the following:

Whereas, The parcel of land numbered as 379-395 Commercial Street, known as Battery Wharf, has been sold by the Raymond Property Company LLC, and

Whereas, The new owner has not publicly notified the affected neighborhood, the North End/Waterfront community, nor its elected officials of its plans for development of the site, and

Whereas, Article 80 consolidates the zoning process for both large and small project reviews and requires public notification, public comment periods, and public viewing, and

Whereas, The new owner has not undertaken the Article 80 process nor followed Chapter 91 regulations as relates to this new project, and

Whereas, Residents and elected officials in the North End have unanswered questions regarding building heights, pedestrian access, open space, traffic impacts, affordable housing, job creation, and construction impacts, therefore be it

Ordered, That the Boston City Council hold a hearing to examine the status of the Battery Wharf project and determine the Article 80 and Chapter 91 process will be followed in regards to this project.

Referred to the Committee on Economic Development and Transportation.

ORDER AUTHORIZING PARKS AND RECREATION COMMISSION TO SET APART SUITABLE LOT NOW KNOWN AS WORLD WAR II VETERANS LOT IN MOUNT HOPE CEMETERY TO BE USED FOR BURIAL OF VETERANS (DOCKET NO. 1090)

Councillors ROACHE, FLAHERTY, HONAN, MURPHY, HENNIGAN, CONLEY, DAVIS-MULLEN, KELLY, TURNER, YANCEY, SCAPICCHIO and FEENEY offered the following:

Ordered, That the Parks and Recreation Department be, and hereby is, authorized to set apart a suitable lot now known as World War II Veterans Lot in Mount Hope Cemetery to be used for the burial of Veterans, as defined by Chapter 4, section 7 of the Massachusetts General Law, whose wartime service is credited to the City of Boston or who were residents of the City of Boston for a period of five years next preceding the date of application, including the burial of a spouse, mother, father or dependent child under eighteen years of age in the same grave with such veteran and in the above order of priority, unless said veteran shall, previous to his or her demise, specify in writing his or her preference. In the event that the spouse predeceases such veteran, per-

mission may be given for said spouse to be buried first, providing that the veteran shall submit an affidavit stating that he or she wishes to be buried in Mount Hope Cemetery when deceased; that the order of January 4, 1965, approved by the Mayor on January 6, 1965, be, and the same hereby is, amended.

On motion of Councillor ROACHE, the rules were suspended; the order was passed.

ORDER FOR HEARING TO EXAMINE CURRENT PROCESS FOR MONITORING CAPITAL PROJECT COMPLETION AND DETERMINE WHETHER CHANGES SHOULD BE MADE TO POST AUDIT AND OVERSIGHT PROCESS (DOCKET NO. 1091)

Councillors SCAPICCHIO, DAVIS-MULLEN, KELLY, ROACHE, YANCEY, TURNER, FLAHERTY, CONLEY, HENNIGAN, MURPHY, FEENEY and HONAN offered the following:

Whereas, The City of Boston undertakes many capital improvement projects annually, and

Whereas, These projects are publicly bid and contracted to the lowest qualifying bidder, and

Whereas, Many projects have not been satisfactorily completed due to slapdash workmanship, use of cheap materials, or delayed work schedules, and

Whereas, Capital expenditures on these projects are important to the quality of life of the city's residents, and

Whereas, Unsatisfactory construction severely impacts the lives of local communities, especially our youth and elderly, therefore be it

Ordered, That the Boston City Council conduct a hearing to examine the current process for monitoring capital project completion and to determine whether changes should be made to the post audit and oversight process.

Referred to the Committee on Economic Development and Transportation.

ORDER FOR HEARING TO REVIEW STATUS OF LOGAN AIRSIDE IMPROVEMENT PLANNING PROJECT INCLUDING PROPOSED RUNWAY 14/32 AND REVIEW ANY REGIONAL TRANSPORTATION PLAN THAT IS AVAILABLE (DOCKET NO. 1092)

Councillors SCAPICCHIO, ROACHE, HENNIGAN, MURPHY, HONAN, FLAHERTY, CONLEY, KELLY, TURNER, YANCEY, FEENEY and DAVIS-MULLEN offered the following:

Whereas, Massport is moving forward on its plans to build Runway 14/32 at Logan Airport, and

Whereas, The proposed runway would increase the hardships already endured by local cities and towns, including most of Boston proper, and

Whereas, Many large questions remain regarding future transportation policies for all of Massachusetts, therefore be it

Whereas, It is in the best interests of all residents and businesses of greater Boston, as well as users of Logan Airport, that there be further public discussion on Massport's plans for Logan Airport, and

Ordered, That the Boston City Council hold a hearing to review the status of the Logan Airside Improvement Planning Project including the proposed Runway 14/32 and to review any regional transportation plan that is available, and be it further

Ordered, That the City Council invite representatives from Massport, MEPA, and the FAA to attend the hearing.

Referred to the Committee on Economic Development and Transportation.

ORDER THAT CITY COUNCIL SUBMIT PROPOSAL TO JOHN F. KENNEDY SCHOOL OF GOVERNMENT FOR POLICY ANALYSIS EXERCISE TO EXAMINE AND EVALUATE APPROACHES OF CHOICE/NO-FAULT AND OF REGULATED COMPETITION AS THEY COULD BE APPLIED TO MASSACHUSETTS AUTOMOBILE: INSURANCE SYSTEM (DOCKET NO. 1093)

Councillors TURNER, DAVIS-MULLEN, MURPHY, SCAPICCHIO, ROACHE, YANCEY, ROSS, CONLEY, KELLY, HENNIGAN and FEENEY offered the following:

Whereas, Massachusetts automobile insurance rates are among the highest in the nation; and

Whereas, Rates for inner-city residents of Boston and other urban areas are two and three times higher than the state average rates; and

Whereas, Costs of automobile insurance in Boston are so high that as many as one-third of Boston Motorists drive illegally uninsured; and

Whereas, The rigidity and severity of the state's "Safe Driver Incentive Plan" engender considerable hostility on the part of Massachusetts motorists; and

Whereas, Since the use of an automobile is vital to many of our citizens, and since the Commonwealth of Massachusetts requires that automobile insurance coverage be compulsory, it is only fitting that the state seek to provide the means whereby its citizens can meet that requirement; and

Whereas, Affordable automobile transportation can help to solve the welfare-to-work transportation problem of access to entry-level jobs in suburban retail establishments; and

Whereas, A change to a so-called "choice/no-fault" system could produce annual savings for Massachusetts motorists on an average of \$285 a year, and for the motorists of Boston, as much as \$700 a year, based on a 1998 report of the Joint Economic Committee of the United States Congress; and

Whereas, Total annual savings for Massachusetts motorists could be as much as \$800 million, an annual amount greater than the projected current one-time cost of the recently-proposed new Red Sox stadium; and

Whereas, Total annual savings for the 180,000 Boston area motorists could approach \$70 million, an annual amount over six times the annual debt repayment schedule for the proposed Red Sox stadium;

Whereas, Other benefits of a choice/no-fault system, would include not only broader coverage of single-car accidents but also far quicker compensation for personal injuries, especially beneficial for those victims who cannot afford delays as long as two, three or four years before financial restitution is made available; and

Whereas, In addition to the savings a choice/no-fault system, a more competitive insurance market could provide more flexible incentives for safe driving than available under the Commonwealth's current "Safe Driver Incentive Program"; and

Whereas, Any move toward a more competitive system would need to include provisions to avoid the problems that characterized the prior 1977 attempt at competition; and

Whereas, Any proposed major change to our automobile insurance system should be subjected to as much study and analysis as possible; and

Whereas, The extent of the potential benefits for citizens of Boston warrants a full consideration of these approaches by the Boston City Council; and

Whereas, A study of major changes to our automobile insurance system, including the concepts of choice/no-fault and of competition, was included as a budget item in the recent legislative budget presented to the Governor, an item which the Governor saw fit to veto;

and

Whereas, The John F. Kennedy School of Government of Harvard University, through its Policy Analysis Exercise program, makes available the services of graduate students, under the guidance of faculty advisors, to analyze public policy issues at nominal costs, and said program commences in October of each year and concludes with a written report the following April; and

Whereas, A private citizen has offered to provide the funds to cover the costs of such a Policy Analysis Exercise study; and

Whereas, Such a program could provide the Boston City Council with considerable relevant information with which to evaluate the benefits to the citizens of Boston and of the entire state, of the incorporation of choice/no-fault and competition into the Massachusetts automobile insurance system; therefore be it

Ordered, That the Boston City Council submit a proposal to the John F. Kennedy School of Government for a Policy Analysis Exercise to examine and evaluate the approaches of choice/no-fault and of regulated competition as they could be applied to the Massachusetts automobile insurance system, with special focus on the needs of and benefits for the motorists of Boston and other urban areas, and to furnish to the Boston City Council a full report of the results of this effort, the costs to be born by the above-mentioned donor.

On motion of Councillor TURNER, the rules were suspended; the order was passed

MEETING IN EXECUTIVE SESSION

President KELLY moved that the City Council recess at adjournment for a meeting in Executive Session for the purpose of discussion of a personal matter and the meeting would be concluded and not reconvene. The motion was carried: yeas 13.

STATEMENT OF PRESIDENT KELLY

President KELLY stated that at the request of Councillor ROACHE and on behalf of all the Councillors we adjourn today in memory of Mary

Costello who worked for many years in the Elderly Affairs Commission, and we also adjourn in memory of Victoria Jones who was 90 years old and will be dearly missed.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillors Conley and Hennigan: Congratulating Carole While (Docket No. 1094); congratulating Bill Smith (Docket No. 1095)

Councillors Yancey and Turner: Congratulating Boston Housing Authority (Docket No. 1096).

Councillor Yancey: Congratulating U.S. Department of Commerce (Docket No. 1097); declaring September 22, 2000 "Victoria Rowell Day" (Docket No. 1098).

Councillor Scapicchio: Congratulating Donna and Anthony Columbo (Docket No. 1099); congratulating Vito Orlando (Docket No. 1100).

Councillor Conley for all Councillors: Congratulating the Blake Estates (Docket No. 1101).

Councillor Roache: Congratulating Louise F. Greeley (Docket No. 1102).

Councillor Yancey: Congratulating 9 members of Boston Afro-American Artist Association (Docket No. 1103); congratulating 13 recipients of Zodiac Sports and Cultural Organization's Community Award (Docket No. 1104).

On motion of President Kelly, the matters contained within the Consent Agenda were severally adopted.

Adjourned at 3:15 p.m., on motion of President KELLY, in memory Mary Costello and in memory of Victoria James, to meet on Wednesday, September 20, 2000 at 12:00 noon.

Note: All debate of the City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, September 20, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 12:20 p.m., President KELLY in the Chair and all members present.

INVOCATION

No clergy being present, President Kelly opened the meeting with a moment of silence followed by the pledge of allegiance to the flag.

ORDER APPROVING APPROPRIATION OF \$175,771.14 FOR LIBRARY OF LAST RECOURSE (DOCKET NO. 1106)

The following was received:

City of Boston
Office of the Mayor

September 14, 2000

To the City Council.

Dear Councillors:

I transmit for your approval an appropriation order in the amount of \$175,771.14 for the Library of Last Recourse from the funds currently held by the Collector Treasurer.

I respectfully recommend adoption of this order by your Honorable Body.

Very truly yours

Thomas M. Menino
Mayor of Boston

Ordered, That in addition to the appropriation heretofore, made, to meet salary expenses of the Library Department in the fiscal period commencing April 1, 2000 and ending June 30, 2000 that the sum of \$175,771.14 be, and the same hereby is appropriated, said sum to be met from the Commonwealth of Massachusetts under G.L. ch. 78, Sec 19c as amended by Ch. 636 Acts of 1970.

100-110000 Library Department

Personnel Services \$175,771.14

Referred to the Special Committee on Library Services.

ORDER AUTHORIZING POLICE DEPARTMENT TO ACCEPT AND EXPEND MASSACHUSETTS EXECUTIVE OFFICE OF PUBLIC SAFETY, VIOLENCE AGAINST WOMEN ACT GRANT OF \$22,000 FOR PURPOSE OF CONTINUING STOP SEXUAL ASSAULT TRAINING PROJECT (DOCKET NO. 1107)

The following was received:

City of Boston
Office of the Mayor

September 12, 2000

To the City Council

Dear Councillors:

I hereby transmit for your approval an order authorizing the City of Boston to accept and expend an award in the amount of \$22,000 in the form of a Commonwealth of Massachusetts Executive Office of Public Safety, Violence Against Women Act (V.A.W. A.) grant award to the Boston Police Department, for the purpose of continuing our STOP Sexual Assault training project - a curriculum for police officers on in effectively dealing with incidents of sexual assault.

I urge your Honorable Body to adopt this order as soon as possible so that the City of Boston may accept the funds expeditiously and expend them for the purposes for which these funds were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Whereas, The Commonwealth of Massachusetts' Executive Office of Public Safety, has authorized the issuance of funds to the Boston Police Department; and

Whereas, The funds in the amount of \$22,000 will be utilized by the Boston Police Department to continue the STOP Sexual Assault training project; now, therefore be it

Ordered, That the Mayor, acting on behalf of the City of Boston be, and hereby is authorized, to accept and expend the Commonwealth of Massachusetts' Executive Office of Public Safety's award not to exceed the amount of \$22,000

On motion on Councilor MURPHY, the rules were suspended; the order was passed.

NOTICE FROM CITY CLERK RE: FILING OF "SEVENTH REPORT AND DECISION AMENDMENT ON MISSION REVITALIZATION CHAPTER 121A PROJECT" (DOCKET NO. 1108)

The following was received:

City of Boston
Office of the City Clerk

September 18, 2000

To the City Council.

Dear Councillors:

In compliance with order passed by your Honorable Body December 6, 1976, this is to inform you that the following was filed by the Boston Redevelopment Authority with the City Clerk on September 13, 2000:

"Seventh Report and Decision Amendment on The Mission Revitalization Chapter 121A Project".

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

ABSENCE OF THE MAYOR (DOCKET NO. 1109)

Notice was received from the Mayor of his absence from the City on September 14, 2000 until September 17, 2000.

Placed on file.

NOTICE FROM CITY CLERK RE: ACTIONS TAKEN BY MAYOR ON PAPERS ACTED UPON BY CITY COUNCIL AT ITS JULY 12, 2000 MEETING (DOCKET NO. 1110)

The following was received

City of Boston
Office of the City Clerk

September 19, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of July 12, 2000, viz:

0386 Order authorizing the Public Works Department to accept and expend a grant of \$750,000 from the Executive Office of Environmental Affairs Department of Environmental Protection for public education and technical support for improving

- effectiveness of recycling through recycling program.
Approved by the Mayor July 14, 2000.
- 0387 Order authorizing the Public Works Department to accept and expend a grant of \$165,000 from the Executive Office of Environmental Affairs, Department of Environmental Protection, to be utilized by the Municipal Recycling Initiative Program Coordinator for travel and overhead expenses.
Approved by the Mayor July 14, 2000.
- 0388 Order authorizing the Public Works Department to accept and expend a grant of \$150,000 from the Executive Office of Environmental Affairs, Department of Environmental Protection, to educate the public on and encourage residents to participate in the City's recycling services.
Approved by the Mayor July 14, 2000.
- 0844 Order authorizing the City to enter into one or more lease, lease-purchase or installment sales agreements in FY01 in an amount not to exceed \$13,750,000 and FY02 in an amount not to exceed \$13,750,000 to be used by different City departments for the acquisition of equipment.
Approved by the Mayor July 14, 2000.
- 0845 Order for loan of \$ 17,172,000 for remodeling, reconstructing, or making extraordinary repairs to public buildings owned by the City, including original equipment and landscaping, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair for the purposes of the Community Center, Fire, Library, Neighborhood Development, Parks and Recreation, Police, Property Management, Public Health Commission, Public Works and Transportation Departments.
Approved by the Mayor July 17, 2000.
- 0846 Order for loan of \$8,790,000 for the original construction of public ways or extension or widening thereof, including land damages and the cost of pavement and sidewalks laid at the time of said construction, or for the construction of stone, block, brick, cement concrete, bituminous concrete and macadam or other permanent pavement of similar lasting character for the Public Works Department
Approved by the Mayor July 17, 2000.
- 0847 Order for loan of \$202,000 for the remodeling, reconstruction or rehabilitation of existing fire fighting apparatus and heavy equipment for the Fire Department.
Approved by the Mayor July 17, 2000.
- 0848 Order for loan of \$2,590,000 for acquiring land, or interests in land, for any purpose for which the City is or may hereafter be authorized to acquire land or interests therein; and for the construction of buildings, or for additions to such buildings where such additions increase the floor space of said buildings, including the cost of original equipment and furnishings of said buildings, for the Library and Police Departments.
Approved by the Mayor July 17, 2000.
- 0849 Order for loan of \$127,000 for the cost of engineering or architectural services for plans and specifications for the Boston Redevelopment Authority.
Approved by the Mayor July 17, 2000.
- 0850 Order for loan of \$3,172,000 for the cost of departmental equipment to service the Fire, Parks and Recreation and School Departments.
Approved by the Mayor July 17, 2000.
- 0851 Order for loan of \$8,171,000 for the purpose of construction of municipal outdoor recreational and athletic facilities, including the acquisition and development of land and the construction and reconstruction of such facilities, for the Parks and Recreation and School Departments.
Approved by the Mayor July 17, 2000.
- 0852 Order to amend loan order of \$20,000,000 originally passed on June 24, 1998 and July 15 1998 and approved by the Mayor on July 21, 1998 and amended on June 23, 1999 and July 14, 1999 and approved by the Mayor on July 22, 1999 to the amount of 26,060,000 is further amended by inserting in place thereof \$34,948,000 for the development, design, purchase and installation of computer hardware and software and the implementation and operation of the city-wide administrative information system for human resources, payroll, and finance functions.
Approved by the Mayor July 17, 2000.
- 0853 Order for loan of \$3,818,000 for the purchase and installation of computer hardware and software for Management Information Services and the School Department.
Approved by the Mayor July 17, 2000.
- 0854 Order for loan of \$1,370,000 for the purpose of planning, designing, acquiring land for, constructing and originally equipping structures and facilities and for remodeling, reconstructing or making major alterations, additions and major repairs to existing facilities for the purpose of various city departments including the Boston Redevelopment Authority, Neighborhood Development and Parks and Recreation Departments.
Approved by the Mayor July 17, 2000.
- 0855 Order for loan of \$10,087,000 for the purpose of acquiring land for, constructing and originally equipping and furnishing public schoolhouses and additions, and for the reconstruction, remodeling, rehabilitation and modernization of any schoolhouse or addition.
Approved by the Mayor July 17, 2000.
- 0901 Order accepting provisions of G.L. c.41, section 108L provided that said acceptance is effective as of July 5, 2000 and in no event earlier and shall be effective to bargaining unit members of the Boston Police Superior Officers Federation consistent with the terms of said award.
Approved by the Mayor July 17, 2000.
- 0931 Order to implement the award of the Joint-Labor Management Committee in the matter of Boston Police Superior Officers Federation and the City, Case No. JLMC97-42P, dated June 1, 2000.
Approved by the Mayor July 17, 2000.
- 0942 34 Constable's Bonds.
Approved by the Mayor July 17, 2000.

Very truly yours,
Rosaria Salerno,
City Clerk.

Placed on file.

APPROVAL OF CONSTABLE'S BOND (DOCKET NO. 1111)

The Constable's Bonds of Allen Curry and Benny Edge having been duly approved by the Collector-Treasurer, were received and approved.

ORDER FOR HEARING REGARDING CONTRACTS BETWEEN SCHOOL COMMITTEE AND SCHOOL POLICE PATROLMAN'S ASSOCIATION AND LOCAL 285 SEIU (DOCKET NO. 1112)

Councillor DAVIS-MULLEN offered the following:
Ordered, That the Education & School Matters Committee hold a public hearing regarding the contracts between the School Committee of the City of Boston and the Boston School Police Patrolman's Association, and hold a public hearing regarding the contracts between the School Committee of the City of Boston and Local 285, Service Employees International Union (SEIU).

Referred to the Committee on Education and School Matters.

**APPOINTMENT OF TEMPORARY EMPLOYEES
(DOCKET NO. 1113)**

Councillor KELLY offered the following:

Ordered, That effective Saturday, September 29, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, December 29, 2000:

Andrew R. Donovan, administrative assistant, \$546, full time.

John P. Hannigan, administrative assistant, \$1,024.90, full time.

Irene M. Smith, administrative assistant, \$785.44, full time.

Constance Sullivan, administrative assistant, \$172.42, part time.

Passed under suspension of the rules.

**APPOINTMENT OF TEMPORARY EMPLOYEES
(DOCKET NO 1114)**

Councillor KELLY offered the following:

Ordered, That effective Saturday, September 16, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, December 29, 2000:

Richard Wood, administrative assistant, \$220, part time.

Passed under suspension of the rules.

ORDER FOR HEARING TO DISCUSS STATUS OF DISCUSSIONS ON LAND OWNED BY MASSACHUSETTS PORT AUTHORITY REFERRED TO AS FARGO TERMINAL AND LAND OWNED BY CITY REFERRED TO AS NORTH JETTY (DOCKET NO. 1115)

Councillor KELLY offered the following:

Whereas, For some time the city of Boston has expressed an interest in the land owned by the Massachusetts Port Authority, referred to as Fargo Terminal in the general area of Summer Street, E Street, West First Street and Pappas Way, South Boston; and

Whereas, The Massachusetts Port Authority has expressed a similar interest in the land owned by the city of Boston, referred to as the North Jetty, which is located within the Boston Marine Industrial Park, South Boston; and

Whereas, It is believed that meetings are taking place between representatives of the city and Massport to discuss a possible land swap of the aforementioned properties; and

Whereas, The future use of these properties is not only of interest, but also of concern to the neighborhood of South Boston, and to residents across the city; be it therefore

Resolved, That a public hearing be held to discuss the status of these discussions and that Jim Rooney of the mayor's office, Mark Maloney of the BRA, and Lowell Richards of Massport be invited to attend.

Referred to the Committee on Economic Development and Transportation.

ORDINANCE RELATIVE TO BANNING SALE OF MERCURY THERMOMETERS (DOCKET NO. 1116)

Councillors ROACHE, KELLY, FLAHERTY, DAVIS-MULLEN, FEENEY and MURPHY offered the following:

City of Boston
In the Year Two Thousand

**AN ORDINANCE RELATIVE TO
BANNING THE SALE OF
MERCURY THERMOMETERS IN THE
CITY OF BOSTON**

Be it ordained by the City Council of Boston, in accordance with the provisions of Massachusetts General Laws Chapter 43B, Section 13, and any other applicable law, as follows:

(a) Mercury is a persistent and toxic pollutant that bioaccumulates in the environment and the food chain

(b) Incineration of medical and municipal waste, which contains whole or broken thermometers, is a major source of atmospheric deposition of mercury in the Northeast resulting in mercury contamination of air and water.

(c) Mercury from mercury thermometers can also directly enter the environment through vaporization and/or spillage when a thermometer breaks during use, transportation or disposal. The United States Environmental Protection Agency (US EPA) estimated that for the year 2000, 17 tons of elemental mercury from thermometers will be disposed of as municipal solid waste - this does not include additional mercury that finds its way into the medical waste stream.

(d) Accidental mercury spills, breakages, and releases have occurred at schools throughout the Northeast. In addition to the threat of health risks to students and staff and potential for adverse environment impact, these discharges are costly. Harvard University has sited that it costs \$110 to properly clean up a single thermometer breakage in a laboratory. If the mercury is accidentally spread through tracking, HVAC or cleaning, costs rapidly escalate. This does not reflect the cost to replace contaminated items and in some cases it can reach into multiple thousands of dollars. These incidences have proven costly to clean up and have exposed students, teachers and/or administrators to mercury emissions.

(e) Due to the bioaccumulation of mercury in fish, the Massachusetts Department of Public Health has issued a statewide native fresh water fish advisory, warning pregnant women, women of childbearing age and children not to consume any fish.

(f) Pharmacy chains of Rite-Aid, K-Mart, Brooks, Target, Wal-Mart, Albertson, Kinney, Toys 'R' Us, Safety First, The First Years and Meijers amongst others have joined a Mercury Free Thermometer campaign, pledging to discontinue the sale of mercury basal and fever thermometers.

(g) There are accurate and safe alternatives to mercury thermometers that are readily available and comparable in cost.

(h) Local take back programs have already demonstrated the ease and effectiveness of removing mercury products. The Town of Burlington, MA successfully collected more than 1425 mercury thermometers. Unexpectedly, Burlington's program also received over 60 pounds of raw elemental mercury. Oakland County in Michigan is also rounding up mercury thermometers to get the toxic metal out of medicine cabinets. Beth Israel Deaconess Medical Center, New England Medical Center, and Dana Farber Cancer Institute and Newton-Wellesley Medical Center are among many hospitals and clinics that have participated in mercury thermometers 'round-ups' and have taken a pledge to virtually eliminate mercury waste from the health care waste stream by 2003.

(i) The Massachusetts Water Resources Authority (MWRA) has strictly limited the amount of mercury in effluent water to 1 part per billion. For every one-gram of mercury from a single mercury thermometer that goes down the drain, 5 million gallons of Boston Harbor seawater is contaminated.

(j) Mercury discharged into the sewers ultimately is released into the ocean with the treated effluent at the MWRA's Deer Island Treatment Plant. Or it can become

part of the sewage sludge that the MWRA turns into fertilizer that is then spread onto agricultural fields.

(k) In 1998 the American Poison Control Center received 18,000 phone calls regarding broken mercury thermometers. The average cost of handling each call was \$30, plus the added cost to the caller of cleaning up the mercury spill.

(l) In the state of New Hampshire, a person shall not sell or supply mercury fever thermometers to consumers and patients, except by prescription. The County of San Francisco; the City of Duluth, Minnesota; the City of Ann Arbor, Michigan and Dane County Wisconsin are among many government bodies that have already passed legislation to ban the sale of mercury thermometers.

(m) The New England States and Eastern Canadian Provinces are implementing a bi-national mercury plan, which was unanimously adopted in June of 1998 by the Conference of New England Governors and Eastern Canadian Premiers (and signed by Governor Cellucci in June 1998). The mercury action plan is an ambitious program to virtually eliminate the emissions of mercury in the region. The regional goal of this action plan supports the virtual elimination of anthropogenic mercury. The plan consistent with the prohibition of mercury thermometers sales.

(n) The "Massachusetts Zero Mercury Strategy", formed by Environmental Affairs Secretary, Robert Durand, adopted in the summer of 2000 an ambitious strategy that calls for virtual elimination of the use and discharge of mercury including mercury thermometers.

(o) The American Hospital Association (AHA) - US Environmental Protection Agency (EPA) memorandum of Understanding calls for "virtual elimination" of mercury from healthcare facilities. Over 500 hospitals and clinics across the country have already taken a pledge to remove mercury thermometers and replace them with safe alternatives.

(p) The New England states are in the process of individually introducing model mercury legislation that would severely restrict the sale of mercury fever thermometers.

Section 2 The Municipal Code of the City of Boston is amended as follows:

Section 2.1. Definitions.

A. City means the City of Boston.

B. Mercury thermometer means a mercury-containing product that is used to measure body temperature. A mercury-containing product is a product, device, instrument or equipment into which elemental mercury or mercury compounds are intentionally added during its formulation or manufacture and in which the continued presence of mercury is desired to provide a specific characteristic or to permit a specific function.

C. Health care facility means any hospital, nursing home, extended care facility, long-term facility, clinic or medical laboratory, state or private health or mental institution, clinic, physician's office or health maintenance organization.

D. Manufacturer means any person, firm, association, partnership, corporation, governmental entity, organization, combination, or joint venture that produces a mercury fever thermometer. If the mercury thermometer is produced in a foreign country, the manufacturer is the importer or domestic distributor.

Section 2.2. Retail Sale Prohibited. A person shall not sell or supply (including online retail) mercury fever thermometers to consumers and patients, except by prescription. The manufacturers of mercury fever thermometers shall supply clear instructions on the careful handling of the thermometer to avoid breakage and proper cleanup should a breakage occur with all mercury fever thermometers sold through prescriptions.

Section 2.3. Manufacturing Prohibited. It shall be unlawful for any person to manufacture a mercury thermometer in the City.

Section 2.4. Importation Prohibited. It shall be unlawful for any facility to import, purchase, or distribute a

mercury thermometer in the City.

Section 2.5. Restriction on the Sale of Mercury Thermometers. Six months after the adoption of this ordinance, a person may not sell or supply mercury fever thermometers to consumers and patients.

Section 2.6. Penalty. Any person who violates this ordinance shall be guilty of a misdemeanor, punishable by a fine of not more than \$700, or by imprisonment for not more than 6 months, or by both such fine and imprisonment.

Referred to the Committee on Public Health.

ORDINANCE RELATING TO REGISTRATION OF DOGS AND FURTHER REGULATING DANGEROUS OR VICIOUS DOGS (DOCKET NO. 1117)

Councillor MURPHY offered the following:

City of Boston
In the Year Two Thousand

AN ORDINANCE RELATING TO THE REGISTRATION OF DOGS AND FURTHER REGULATING DANGEROUS OR VICIOUS DOGS

Be it ordained by the City Council of Boston, in accordance with the provisions of Massachusetts General Laws Chapter 43B, Section 13, and any other applicable law, as follows:

Whereas, Vicious dogs are so dangerous that they constitute a threat to children and others in the city; and

Whereas, Vicious dogs occasionally escape from the yard or building in which they are kept, by slipping under a fence, jumping over a fence, slipping out through a door or gate temporarily opened or unlatched, breaking the leash or chain, or pulling up the anchor for the chain or leash; and

Whereas, Children too young to read may wander too close to a dog, even in the presence of "beware of dog" signs; and

Whereas, It is the policy of the City that children and others should not have to assume the risk of a vicious dog having an opportunity to attack or to kill, and

Whereas, The benefits to a dog owner in owning a dangerous dog are outweighed by dangers to children and to the general public; now therefore be it ordained:

Section 1: Chapter 16 of the City of Boston Ordinances is hereby amended by inserting the following new section, after Section 1.9A:

16-1.9B Dangerous or Vicious Dogs

a) A "dangerous or vicious" dog as the term is used in this section shall mean

1) Any dog that has bitten or attacked any person and any dog that has attempted to bite or attack any person. A dog shall be deemed to be attempting to attack if it is restrained by a leash, fence or other means, and it is clear from the dog's excited actions that only the presence of the leash, fence or other means of restraint is preventing the dog from making an immediate attack.

2) Any dog with a known propensity, tendency or disposition to attack, to cause injury to, or to otherwise threaten the safety of domestic animals.

Such incidents shall be evidenced by verified reports of the Dog Officer and shall be governed by the procedures delineated in G.L. c. 140, § 157.

When a dog is deemed to be vicious, the Office of Animal Control may order any or all of the following: 1) Spay or neutering 2) Microchip Identification 3) Behavior Training

b) An "owner or keeper" of a vicious dog shall mean an individual who is the registered owner as well as an individual who keeps, harbors, or possesses a vicious dog.

c) While on the owner's or keeper's property, a dangerous or vicious dog must be securely confined indoors or in a securely enclosed and locked pen or structure of a type meeting standards established by the Dog Officer,

suitable to prevent the entry of young children, and designed to prevent the animal from escaping. Such pen or structure must have a minimum dimension of five feet by ten feet and must be securely enclosed. If it has no bottom secured to the sides, the sides must be imbedded into the ground no less than two feet. The enclosure must also provide protection from the elements for the dog.

The owner or keeper shall display a sign or signs on his or her premises facing out from all sides of the premises warning that there is a dangerous or vicious dog on the property the location and design of which shall be determined by the Dog Officer. This sign should be visible and capable of being read from a public way or within 20 feet of its placement. In addition, the owner shall conspicuously display a sign with a symbol warning children who cannot read of the presence of a dangerous or vicious dog.

The Dog Officer may permit a dangerous or vicious dog to be off the owner's or keeper's premises if it is muzzled and restrained by a lead or chain approved by the Dog Officer not exceeding three feet in length and is under the control of an adult, able-bodied person. The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration, but must prevent it from biting any person or animal.

The provisions of this Ordinance regarding dangerous or vicious dogs shall not apply to animals owned by law enforcement agencies and used for law enforcement purposes.

(d) The owner or keeper of any dangerous or vicious dog who fails to comply with the requirements as set forth in paragraph (c) shall be subject to a fine of two hundred fifty dollars (\$250.00) for a first offense and five hundred dollars (\$500.00) for any subsequent offense. If said animal is found on property not owned or controlled by its owner or keeper, or not restrained in a secure area per paragraph (c) of this section on two separate occasions within a twelve-month period as documented by the Dog Officer, said animal shall be forever banned from within the limits of the City of Boston.

(e) Each day there exists a violation of any of the provisions of this ordinance shall constitute and be punishable as a separate offense.

(f) A dog shall not be considered legally licensed, pursuant to G.L. c. 140 §§ 137, 147, unless the owner is in full compliance with this ordinance.

(g) Compliance with the requirements of this section shall not be a defense to an order of disposal of a vicious dog pursuant to G.L. c. 140, § 157.

Section 2: To the extent permitted by G.L. c. 140 § 172, fines collected pursuant to the provisions of this ordinance and Chapter 16 of the City of Boston Ordinance, Section 1.9A and all dog registration and licensing fees collected pursuant to Chapter 18 of the City of Boston Ordinances, Section 1.4 (6-10) shall be deposited into a revolving fund within the Animal Control Unit of the Property Management Department with disbursement at the direction of the Commissioner of Property Management, pursuant to the provisions of G.L. c. 44, §53E1/2, and shall be subject to annual authorization by the City Council with the approval of the Mayor. Said fund shall be utilized as follows: to reimburse for administrative costs to those City agencies which enforce this ordinance and Chapter 16 of the City of Boston Ordinances, Section 1.9 and for costs associated with licensing and registration. The total amount which may be expended from such fund in fiscal year 1997 shall not exceed amounts authorized under the aforesaid Section 53E1/2.

Section 3: The title of Chapter 16 of the City of Boston Ordinances, section 32.3 is hereby amended to read as follows: 16-32.3 Alternative Noncriminal Disposition of Violations of Subsections 16- 19, 16-32.4 16-1.9B and 16-12.7.

Section 4: The first sentence of Chapter 16 of the City of Boston Ordinance, Section 32.3 is hereby amended

by inserting after 16-1.9 the following: ,16-1.9B

Section 5: The first sentence of Chapter 16 of the City of Boston Ordinances, Section 32.3 is hereby further amended by inserting the following after the last word of the sentence: and the Animal Control Unit of the Property Management Department.

Section 6: pursuant to the provision of St. 1909, c. 486, §5, as amended by St. 1953, c. 473, chapter 16 of the City of Boston Ordinances is hereby amended by inserting the following new section, after Section 1.9B: 16-1.9C Dog Registration & Licensing. All the powers and duties associated with dog registration and licensing in the City of Boston, heretofore exercised by the Police Commissioner of the City of Boston and the Inspectional Services Department pursuant to G.L. c. 140 are hereby transferred to the Animal Control Unit of the Property Management Department. The following positions in the Property Management Department and the Inspectional Services Department shall be reclassified or transferred to and within the Property Management Department: the incumbent Executive Assistant responsible for Animal Control in the Property Management Department shall be reclassified to the position of Executive Assistant (Director of Animal Control); the incumbent Dog Officers in the Inspectional Services Department shall each be transferred to the position of Animal Control Officer to the Property Management Department; the incumbent Administrative Assistant in the Animal Control Unit of the Inspectional Services Department shall be transferred to the Property Management Department to the position of Administrative Assistant (Animal Control). Each of the aforementioned positions and each subject employee who immediately prior to such transfer or reclassification held an office or position subject to Civil Service Laws and Rules shall be appointed without examination or registration and shall upon such appointment retain all rights to retirement with pension that shall or would have accrued, and each such employee's service shall be deemed to be continuous to the same extent as if this transfer or reclassification had not taken place.

Section 7: Chapter 18 of the City of Boston Ordinances, Sections 1.4 (6-10) are hereby amended by deleting the several references to "the Police Commissioner" and inserting in place thereof: the Animal Control Unit of the Property Management Department.

Section 8: All of the fees appearing in Chapter 18 of the city of Boston Ordinances, Sections 1.4(6)-(10) are hereby increased by the amount of two dollars (\$2.00).

Referred to the Committee on Public Safety.

ORDER FOR HEARING REGARDING APPLICATIONS FOR NEW LIQUOR AND BEER LICENSES (DOCKET NO. 1118)

Councillors CONLEY, MURPHY, HONAN, ROACHE, TURNER, HENNIGAN, DAVIS-MULLEN, FEENEY, FLAHERTY, KELLY, SCAPICCHIO, YANCEY and ROSS offered the following:

Whereas, Applications for new liquor and beer and wine licenses are generally issues of concern to neighborhood residents; and

Whereas, Due to a reduction in applications, the Boston Licensing Board has recently scheduled several formal hearings on such licenses within 30 days of application; and

Whereas, Members of the City Council, MONS neighborhood coordinators and interested community groups do not receive notice of these hearings until sometime closer to the scheduled hearing date; and

Whereas, This time period is insufficient to raise public awareness about the pending application, to secure a meeting location and to advertise the meeting in local papers; and

Whereas, Community process and information sharing is critical to determining the appropriateness of a liquor or beer and wine application; -

Ordered, That the appropriate committee of the Boston City Council conduct a hearing, in cooperation with the Boston Licensing Board, to investigate this matter and to develop an improved notification system; and that Daniel Pokaski, Chairman of the Boston Licensing Board and other interested parties be invited to attend.

Referred to the Committee on City and Neighborhood Services.

ORDER FOR HEARING TO INVESTIGATE AND EVALUATE DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT'S PLAN TO ADVERTISE CITY-OWNED SITES OF LAND TO BE DEVELOPED. AS ONE- OR TWO-FAMILY OWNER/OCCUPIED HOUSING (DOCKET NO. 1119)

Councillors TURNER, CONLEY, ROACHE, YANCEY, ROSS, HONAN and FLAHERTY offered the following:

Whereas, The need for housing in Boston is obvious to all its citizens; and

Whereas, New housing construction and development must become the cornerstone of a more coherent housing policy of the City of Boston; and

Whereas, The City of Boston owns numerous vacant lots and rundown property in many neighborhoods; and

Whereas, The Department of Neighborhood Development has informed the City Council that it intends to advertise 52 city-owned sites of land to be developed as one or two family owner/occupied housing; and

Whereas, The Department of Neighborhood Development has invited members of the City Council to raise any questions and concerns regarding this proposal before October 15, 2000;

Ordered, That the appropriate committee of the City Council convene a hearing to investigate and evaluate this proposal before October 15, 2000 and that Charlotte Golar Richie, Chief and Director of the Department of Neighborhood Development, George Triant, Senior Project Manager of the Department of Neighborhood Development's Real Estate Management and Sales Division, housing advocates, and any other interested parties be invited to attend and offer testimony.

Referred to the Committee on Housing.

RESOLUTION FAVORING WAGE EQUITY BETWEEN FAMILY SERVICE, INC. AND LOCAL 285 (DOCKET NO. 1120)

Councillors TURNER, CONLEY, ROACHE, YANCEY, ROSS, HONAN, MURPHY, HENNIGAN, FEENEY, DAVIS-MULLEN, SCAPICCHIO and FLAHERTY offered the following:

Whereas, Contract negotiations between Family Service, Inc. and Local 285 of SEIU, representing the social workers of Family Services, has reached an impasse; and

Whereas, A strike was initiated by Local 285 on Tuesday September 19, 2000 because of the impasse; and

Whereas, The dollar difference between Family Service, Inc. and SEIU Local 285's proposal is approximately \$11,000; and

Whereas, The leadership of Family Service, Inc. admits that their objective is to eliminate the step wage provisions of the contract; and

Whereas, Family Service Inc. has the financial resources to implement the previously agreed step raises, as well as, the 2.5% cost of living increase requested by SEIU Local 285; therefore be it

Resolved, That the City Council calls upon Family Service Inc. and its Executive Director Randall Rucker to resolve the impasse by agreeing to adhere to the step raise provision implemented by past contracts with SEIU Local 285 and to include the 2.5% increase in the new contract.

On motion of Councillor TURNER, the rules were suspended; **the resolution was adopted: yeas 13.**

ORDER FOR HEARING TO DISCUSS OPTIONS CENTRAL ARTERY/TUNNEL PROJECT MAY HAVE TO PREVENT VIBRATIONS AND TREMORS IN NORTH END DUE TO CONSTRUCTION OF ARTERY (DOCKET NO. 1121)

Councillors SCAPICCHIO, FLAHERTY, YANCEY, DAVIS-MULLEN, TURNER, ROACHE, HONAN, HENNIGAN, CONLEY, FEENEY and ROSS offered the following:

Whereas, Residents of the North End, particularly those living along Endicott Street, Stillman Street, Cooper Street, and North Washington Street, are subjected to high levels of vibrations and tremors due to the construction of the "Big Dig", and

Whereas, The vibrations cause these residents to lose sleep on a nightly basis and may also cause health problems related to sleep loss, and

Whereas, The shaking and ground movement may be causing structural damage to their homes and putting them at risk of personal danger or financial loss, and

Whereas, No plan has been established which adequately alleviates this problem, therefore be it

Ordered, That the Boston City Council hold a hearing to discuss any options the Central Artery/Tunnel Project may have to prevent the vibrations of the Artery, and to examine ways to restore sleep to the impacted residents, and be it also

Ordered, That representatives of the Central Artery/Tunnel Project and the Massachusetts Turnpike Authority invited to attend.

Referred to the Committee on Economic Development and Transportation.

ORDER AUTHORIZING PARKS AND RECREATION DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$4,000,000 FROM COMMONWEALTH OF MASSACHUSETTS FOR REIMBURSEMENT OF COSTS OF 2000 SUMMER YOUTH EMPLOYMENT PROGRAM (DOCKET NO. 0811)

Councillor FEENEY called Docket No. 0811 from the Committee on City and Neighborhood Services.

No objection being heard, the matter was before the body.

On motion of Councillor FEENEY, Docket No. 0811 was **placed on file.**

STATEMENT OF COUNCILLOR FLAHERTY

Councillor FLAHERTY asked for a point of order regarding Docket No. 1121 requesting a copy of said information.

MEETING IN EXECUTIVE SESSION

President KELLY moved that the City Council recess at 1:05 p.m. for a meeting in Executive Session to discuss a personnel matter.

The motion was carried; yeas 13.

RECESS

The meeting in Executive Session having adjourned, the members reassembled in the City Council Chamber and were called to order by President KELLY at 1:25 p.m.

ELECTION OF STAFF DIRECTOR

Councillor YANCEY moved to elect the next staff director for the Boston City Council.

The motion was carried.

The roll was called with the following result:

For Ann Hess - Councillors Conley, Davis-Mullen, Feeney, Flaherty, Kelly - 5.

For Locksley Bryan - Councillors Hennigan, Honan, Murphy, Ross, Turner, Yancey - 6.

For Thomas Driscoll - Councillor Roache - 1.

For Anthony Picariello - Councillor Scapicchio

On motion of Councillor HONAN, a second ballot was cast.

The roll was called with the following result:

For Locksley Bryan - Councillors Hennigan, Honan, Murphy, Roache, Ross, Turner, Yancey - 7.

For Ann Hess - Councillors Conley, Davis-Mullen, Feeney, Flaherty, Kelly, Scapicchio - 6.

President KELLY stated it was the will of the body that Locksley Bryan be appointed to the position of staff director and on behalf of all the Council members thanked all of the applicants and extended congratulations to Locksley Bryan.

LATE-FILLED MATTERS

The Chair stated that in absence of objection 1 late-filed matter would be added to the Agenda.

No objection being heard, the following matter was added:

ORDER FOR HEARING TO DISCUSS CRIMINAL USE OF DOGS (DOCKET NO. 1128)

Councillors MURPHY, YANCEY, CONLEY, TURNER, HONAN and HENNIGAN offered the following:

Whereas, Incidents involving vicious dogs continue in the City; and

Whereas, Though the Council has made efforts to strengthen the City's Vicious Dog Ordinance, more effort must be made to identify the issues contributing to this problem; and

Whereas, Accounts of recent dog attacks allege that many dogs are being used as weapons for gang activity; and

Whereas, There is precedent of prosecuting dog owners who use their dog as a weapon; therefore be it

Ordered, That the appropriate committee of the City Council hold a hearing to discuss the criminal use of dogs, that the Boston police Department be invited to give testimony on this issue and suitable preventative action and that interested members of the public.

Referred to the Committee on Public Safety.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Honan: Congratulating 5 persons from Public Works Sanitation, Basic City Services and Code Enforcement in appreciation for their efforts on "moving day" (Docket No. 1122).

Councillors Conley, Davis-Mullen and Murphy: Congratulating Stephen and Ann Cesso (Docket No. 1123); congratulating George and Anne Quaganti (Docket No. 1124).

Councillor Conley for all the Councillors: Congratulating Claire Keller (Docket No. 1125).

Councillor Murphy: Congratulating Charles and Mary Carroll (Docket No. 1126).

Councillors Yancey and Turner: Congratulating the National Organization of African Americans in Housing (NOAAH) (Docket No. 1127).

The matters contained within the Consent Agenda were severally adopted.

STATEMENT OF COUNCILLOR CONLEY

Councillor CONLEY asked when we adjourn today, we do so in memory of Alayha Bos, the five-month-old infant who died tragically and accidentally yesterday.

STATEMENT OF COUNCILLOR FEENEY

Having unanimous consent to do so, Councillor FEENEY asked that when we adjourn today we do so also in memory of Diane Halprin, wife of Peter Welsh.

Adjourned at 1:40 p.m. on motion of President Kelly, on behalf of all the Councillors in memory of Alayha Bos and Diane Halprin, to meet again on Wednesday, September 27, 2000 at 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, September 27, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 12:20 p.m., President KELLY in the Chair and all members present.

INVOCATION

Reverend Ronald Coyne, St. Brendan's Church, delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

COMMUNICATION RECEIVED FROM JANE WALLIS GUMBLE, DIRECTOR, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT RE: CERTIFICATE OF APPOINTMENT OF CHRISTOPHER J. SUPPLE AS MEMBER OF BOSTON REDEVELOPMENT AUTHORITY FOR TERM EXPIRING 9-9-2005 (DOCKET NO. 1129)

The following was received:

September 14, 2000

CERTIFICATE OF APPOINTMENT

Pursuant to the powers vested in me as Director, Department of Housing and Community Development

Christopher J. Supple
36 Appleton Street #4
Boston, Massachusetts

is hereby appointed the State Member of the Boston Redevelopment Authority for a term which will expire on September 9, 2005.

Jane Wallis Gumble,
Director.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF JAMES CARROLL AS TRUSTEE OF BOSTON PUBLIC LIBRARY FOR TERM EXPIRING 5-1-2005 (DOCKET NO. 1130)

Notice was received from the Mayor of the appointment of James Carroll as Trustee of the Boston Public Library for a term expiring May 1, 2005.

Placed on file.

REPORT ON ORDER FOR HEARING TO DETERMINE POTENTIAL FOR PRIVATE SCHOOL STUDENTS TO ATTEND SUMMER SCHOOL SESSIONS CONDUCTED BY PUBLIC SCHOOLS (DOCKET NO. 0898)

Councillor DAVIS-MULLEN, on behalf of the Committee on Education and School Matters, submitted the following:

Report on Docket No. 0898, order for hearing to determine the potential for private school students to attend summer school sessions conducted by the Public Schools (referred June 21) — recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON NOTICE FROM MAYOR OF APPOINTMENT OF MARCHELLE RAYNOR TO BOSTON SCHOOL COMMITTEE FOR TERM EXPIRING JANUARY 1, 2004 (DOCKET NO. 0180)

Councillor DAVIS-MULLEN, on behalf of the Committee on Education and School Matters, submitted the following:

Report on Docket No. 0180, notice was received from the Mayor of the appointment of Marchelle Raynor to the Boston School Committee for a term expiring January 1, 2004 (referred January 12) — recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON NOTICE FROM MAYOR OF APPOINTMENT OF ANGEL AMY MORENO TO BOSTON SCHOOL COMMITTEE FOR TERM EXPIRING JANUARY 1, 2004 (DOCKET NO. 0181)

Councillor DAVIS-MULLEN, on behalf of the Committee on Education and School Matters, submitted the following:

Report on Docket No. 0181, notice was received from the Mayor of the appointment of Angel Amy Moreno to the Boston School Committee for a term expiring January 1, 2004 (referred January 12) — recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDER FOR HEARING TO ADDRESS DEVELOPING PUBLIC SCHOOL SITING MEMORANDUM OF AGREEMENT (DOCKET NO. 0110)

Councillor DAVIS-MULLEN, on behalf of the Committee on Education and School Matters, submitted the following:

Report on Docket No. 0110, order for hearing to address developing a Public School Siting Memorandum of Agreement (referred November 17, 1999) — recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDER FOR HEARING RE: INCORRIGIBLE TROUBLE MAKERS IN OUR SCHOOL SYSTEM BE EXPELLED UPON PROOF OF THEIR CRIMES OF ASSAULT AND BATTERY, POSSESSION OF DRUGS, RAPE OR UNACCEPTABLE BEHAVIOR TOWARD THEIR TEACHERS AND FELLOW STUDENTS; ALSO INCLUDED ARE PERPETRATORS OF BOMB SCARES AND DESTRUCTION OF PROPERTY (DOCKET NO. 0111)

Councillor DAVIS-MULLEN, on behalf of the Committee on Education and School Matters, submitted the following:

Report on Docket No. 0111, order for hearing re: incorrigible trouble makers in our school system be expelled upon proof of their crimes of assault and battery, possession of drugs, rape or unacceptable behavior toward their teachers and fellow students; also included are perpetrators of bomb scares and destruction

of property (referred December 8, 1999) — recommending the order be placed on file.

The report was accepted; the order was placed on file.

MEETING IN EXECUTIVE SESSION

President KELLY moved that the City Council recess at 12:35 p.m. for a meeting in Executive Session to discuss a personnel matter.

The motion was carried; yeas 12; nays 0:

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Kelly, Murphy, Roache, Ross, Scapicchio, Turner, Yancey — 12.

Nays — 0.

RECESS

The meeting in Executive Session having adjourned, the members reassembled in the City Council Chamber and were called to order by President KELLY at 2:25 p.m.

ELECTION OF STAFF DIRECTOR

Councillor DAVIS-MULLEN moved to elect the next staff director for the Boston City Council.

The motion was carried.

The roll was called with the following result:

For Ann Hess — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Honan, Kelly, Roache, Ross, Scapicchio, Yancey — 10.

For Christine Walsh — Councillors Hennigan, Murphy — 2.

Present — Councillor Turner — 1.

President KELLY stated it was the will of the body that Ann Hess be appointed to the position of staff director. On behalf of all the Council members, President KELLY congratulated Ann Hess.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 1131)

Councillor KELLY offered the following:

Ordered, That effective Saturday, September 23, 2000 the following-named persons be, and hereby are, appointed to the position set against their name until December 15, 2000:

Diane Albano, administrative assistant, \$699.24, full time.

Felix Arroyo-Montano, administrative assistant, \$536.50, full time.

Matthew Benedetti, administrative assistant, \$603.45, full time.

Leann Bowman, secretary, \$785.44, full time.

Maria S. Bunuan, secretary, \$300, full time.

James J. Carroll, Jr., secretary, \$110, part time.

Adriana Cillo, secretary, \$613.03, full time.

Jean M. Conti, secretary, \$188.60, part time.

Samuel S. Conti, secretary, \$344.85, part time.

Helena Creamer, administrative assistant, \$957.86, full time.

Janet M. Doherty, secretary, \$345.65, part time.

Andrew R. Donovan, administrative assistant, \$546.00, full time.

Dennis P. Dwyer, administrative assistant, \$699.24, full time.

Patricia S. Flaherty, secretary, \$766.28, full time.

Sean Flaherty, secretary, \$622.60, full time.

Lorraine E. Fowlkes, secretary, \$804.60, full time.

Annamarie Geary, secretary, \$457.75, part time.

Carolyn Geary, administrative assistant, \$986.73, full time.

Alex Geourntas, secretary, \$948.28, full time.

James P. Gordon, secretary, \$891.46, full time.

John P. Hannigan, administrative assistant, \$1,024.90, full time.

Joyce L. Holland, secretary, \$1,015.32, full time.

Tracy Holt, administrative assistant, \$670.50, full time.

Martin J. Keogh, secretary, \$1,053.64, full time.

Vincent A. LaBella, administrative assistant, \$1,015.33, full time.

Bernadette Lally, secretary, \$300, part time.

Michael F. Larkin, secretary, \$1,035.16, full time.

Jonathan M. Marsh, secretary, \$100, part time.

Aoibhean McDermott, secretary, \$358, part time.

Thomas M. McDonough, administrative assistant, \$574.72, full time.

Michael Moran, secretary, \$766.29, full time.

George Morancy, administrative assistant, \$996.17, full time.

Mary Mulvey Jacobson, administrative assistant, \$854.60, full time.

Laura O'Brien, secretary, \$622.60, full time.

Karen M. Pinckney, secretary, \$555.56, full time.

Marta E. Rivera, administrative assistant, \$766.28, full time.

Irene M. Smith, administrative assistant, \$785.44, full time.

Constance Sullivan, administrative assistant, \$172.42, part time.

Kathleen Sullivan, administrative assistant, \$766.29, full time.

Timothy E. Stack, secretary, \$287.40, part time.

Paul J. Walkowski, administrative assistant, \$958.57, full time.

Brian P. Wallace, administrative assistant, \$301.84, part time.

Kenneth W. Yarbrough, secretary, \$622.61, full time.

Angela S. Yarde, administrative assistant, \$785.44, full time.

Marilyn Brambilla, business manager, \$878.18, full time.

Ron Cobb, city messenger, \$788.47, full time.

Gail Hackett, budget director, \$1,022.64, full time.

Jennifer Kelley, receptionist, \$576.93, full time.

Juan Lopez, legislative assistant, \$852.49, full time.

Cora F. Montrond, legislative assistant, \$766.28, full time.

James J. O'Donnell, legislative assistant, \$788.47, full time.

Patricia Sartori Braid, research director, \$919.54, full time.

Lincoln Smith, assistant research director, \$862.06, full time.

Passed under suspension of the rules.

ORDER FOR HEARING TO EXAMINE STRATEGIES BEING EMPLOYED TO RECRUIT TEACHERS AND TO ASSURE THAT STUDENTS TAKING MCAS ARE BEING TAUGHT BY CERTIFIED TEACHERS (DOCKET NO. 1132)

Councillors TURNER, YANCEY, KELLY, MURPHY, ROACHE, CONLEY, FEENEY, ROSS and FLAHERTY offered the following:

Whereas, It is widely acknowledged that there is a major teacher shortage throughout the City of Boston, state of Massachusetts, and the nation; and

Whereas, The Boston School Department acknowledges that 50% of Boston's teachers may retire over the next 5 years; and

Whereas, There are many teachers now teaching in the Boston Public School system who are teaching subjects for which they are not certified; and

Whereas, This teacher shortage critically affects the performance of Boston school children on the MCAS; therefore be it

Ordered, That a hearing be held to examine the strate-

gies being employed to recruit teachers and to assure that students who are taking the MCAS are being taught by certified teachers; and be it further

Ordered, That the superintendent of the Boston Public Schools, Dr. Thomas Payzant, and the Director of Personnel of the Boston Public Schools, Dr. Ray Shurtleff, be invited to address these questions.

Referred to the Committee on Education and School Matters.

ORDER FOR HEARING RE: ERECTION OF A FENCE OR BRICK WALL AT TYNAN SCHOOLYARD (DOCKET NO. 1133)

Councillor KELLY offered the following:

Whereas, Approximately three years ago a representative of the Boston Public School Department's Capital Planning Office met "on site" and agreed to erect a fence or brick wall separating an abutter's property from the Tynan schoolyard in South Boston; and

Whereas, After acknowledging the need for the fence, the school department has yet to respond; therefore be it

Ordered, that the City Council conduct a public hearing into the matter and that representatives of the mayor's office and the school department be invited to attend.

Referred to the Committee on Education and School Matters.

ORDER FOR HEARING RE: SCHOOL BUS ROUTE ALONG WEST FOURTH STREET (DOCKET NO. 1134)

Councillor KELLY offered the following:

Whereas, In April of 1997 representatives of the Boston Public School Department met with residents of West Fourth Street, South Boston, regarding changing the school bus route from West Fourth Street to West Broadway; and

Whereas, The school department indicated that the change seemed minor and this request would be accomplished by the following September; and

Whereas, The bus route has not been changed and residents of West Fourth Street have asked why the change was not made; therefore be it

Ordered, That the City Council conduct a public hearing into the above matter and that representatives of the mayor's office and the school department, as well as residents of West Fourth Street, be invited to attend.

Referred to the Committee on Education and School Matters.

ORDER FOR HEARING RE: DISPOSAL OF OLD TELEVISION SETS, COMPUTERS AND OTHER ITEMS (SUCH AS MOTOR OIL, USED TIRES AND AUTOMOBILE BATTERIES) (DOCKET NO. 1135)

Councillor KELLY offered the following:

Whereas, With the adoption of new environmental regulation governing the disposal of used television sets and computer screens, residents can no longer place these items on the sidewalk to be picked up with the regular trash; and

Whereas, This has led to a number of discarded television sets and computer screens being abandoned, further contributing to the problems of litter in our neighborhoods; and

Whereas, Many residents are not aware of current regulations on how to dispose of the items that are not included in the regular pickup on trash collection day; therefore be it

Ordered, That the City Council conduct a public hearing to discuss how to properly dispose of items that are not picked up by regular methods, and that repre-

sentatives of the Mayor's Office and Public Works Department be invited to attend.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR HEARING RE: BACK PAY AND BENEFITS TO BOSTON POLICE SUPERIOR OFFICERS (DOCKET NO. 1136)

Councillors MURPHY, KELLY, CONLEY, DAVIS-MULLEN, FEENEY, ROACHE, ROSS, HONAN, FLAHERTY, HENNIGAN, SCAPICCHIO, TURNER and YANCEY offered the following:

Whereas, After four years of intense negotiations, an independent arbitrator awarded a decision on back pay and benefits to the Boston Police Superior Officers Federation on June 1 of this year; and

Whereas, The City did not appeal the award and has implemented the provisions of the contract that it sought and gained through the arbitration process without implementing the back pay for superior officers; and

Whereas, The City Council approved this award in July of 2000 and 10 weeks later sergeants, lieutenants and captains have still not received their retroactive pay for a period that goes back to July of 1996; and

Whereas, The City may be forced to pay interest on this money that is owed at a per annum rate of 12%, causing the City additional financial consternation; therefore be it

Ordered, That the appropriate committee of the City Council conduct a full hearing and investigation of the reasons that this money is being withheld; that administrative people from the Boston Police Department, the City's Human Resources Department, and the Boston Police Superior Officers Federation be invited to attend and present testimony.

Referred to the Committee on Public Safety.

ORDER REQUESTING CERTAIN INFORMATION UNDER SECTION 17F RE: LISTING OF ALL PROPERTIES UNDER CONTROL OF DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT THAT WERE SOLD FROM 1991 TO PRESENT (DOCKET NO. 1137)

Councillor KELLY offered the following:

Ordered, That under the provisions of Section 17F of Chapter 452 of the Acts of 1948, as amended, and under any other applicable provision of law, His Honor, the Mayor, be and hereby is, requested to obtain and deliver to the City Council, within one week of the receipt hereof, the following information:

17F Order of Council President James M. Kelly

Ordered, That the Department of Neighborhood Development make available to the city council the following information:

- (1) a listing of all properties under the control of DND (formerly Public Facilities Department) that was sold or conveyed to non-profit organizations, for profit entities, or to private citizens, from 1991 to present. Said list shall include the address of the property sold or conveyed, the size of the property (square feet or acreage), the dollar amount of the transaction, if any, and the name and address of the recipient of said property.
- (2) the date each property was awarded to DND (or PFD).
- (3) the date each property was disposed of by DND (or PFD).
- (4) the dollar amount, if any, expended by DND (or PFD) or any other source, for repairs, maintenance or renovations while said property was under control of DND (or PFD).
- (5) list of conditions or obligations that would be required of the recipient of said property stating specifically what the sold or conveyed property

could be used for (residential, commercial, yard space, off street parking, etc.).

- (6) a copy of all Fair Housing Laws and affirmative marketing policies that would be required as a condition of acquiring property from DND (or PFD).

On motion of the Chair, the rules were suspended, the order was passed.

ORDER APPROVING PETITION FOR SPECIAL LAW RE: CREDITED SERVICE. (DOCKET NO. 0121)

Councillor FEENEY called Docket No. 0121 from the Committee on Government Operations.

Hearing no objection, the matter was before the body.

On motion of Councillor FEENEY, the order was passed.

ORDER AUTHORIZING COMMISSIONER OF PARKS AND RECREATION TO ACCEPT AND EXPEND GRANT OF \$90,000 FROM COMMONWEALTH THROUGH MASSACHUSETTS CONVENTION CENTER AUTHORITY TO BE UTILIZED TO INSTALL IRRIGATION SYSTEM IN BOSTON COMMON (DOCKET NO. 0975)

Councillor FEENEY called Docket No. 0975 from the Committee on City and Neighborhood Services.

Hearing no objection, the matter was before the body.

On motion of Councillor FEENEY, the order was passed.

ORDER AUTHORIZING PUBLIC WORKS DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$2,000 FROM MASSACHUSETTS EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS THROUGH DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR MUNICIPAL RECYCLING INCENTIVE PROGRAM COORDINATOR AND TRAVEL AND OVERHEAD EXPENSES (DOCKET NO. 0113)

Councillor HONAN called Docket No. 0113 from the Committee on Environment and Historic Preservation.

Hearing no objection, the matter was before the body.

On motion of Councillor HONAN, the order was passed.

ORDER AUTHORIZING ENVIRONMENT DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$36,000 FROM MASSACHUSETTS HISTORICAL COMMISSION FOR PREPARATION OF NATIONAL REGISTER NOMINATION FOR CLAM POINT NEIGHBORHOOD, PHASE I OF SURVEY OF BEACON HILL AND REPRINT OF EXPLORING BOSTON'S NEIGHBORHOODS BROCHURES (DOCKET NO. 0857)

Councillor HONAN called Docket No. 0857 from the Committee on Environment and Historic Preservation.

Hearing no objection, the matter was before the body.

On motion of Councillor HONAN, the order was passed.

ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$4,000 FROM GOVERNOR'S HIGHWAY SAFETY BUREAU FOR PURPOSE OF REDUCING SAFETY BELT VIOLATIONS THROUGH ENFORCING OCCUPANT PROTECTION

AND EDUCATING RESIDENTS OF THE CITY (DOCKET NO. 1016)

Councillor MURPHY called Docket No. 1016 from the Committee on Public Safety.

Hearing no objection, the matter was before the body.

On motion of Councillor MURPHY, the order was passed.

ORDINANCE RELATING TO THE REGISTRATION OF DOGS AND FURTHER REGULATING DANGEROUS OR VICIOUS DOGS (DOCKET NO. 1117)

Councillor MURPHY called Docket No. 1117 from the Committee on Public Safety.

Hearing no objection, the matter was before the body.

Councillor YANCEY moved that the following amendment be accepted:

"The Dog Officer shall, after reasonable research and expert advice, determine if particular breeds, cross breeds or other categories of dogs shall be treated as dangerous dogs. The Dog Officer may authorize a waiver on a case-by-case basis."

The motion was not carried; yeas 3, nays 9:

Yeas — Councillors Davis-Mullen, Turner, Yancey — 3.

Nays — Councillors Conley, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross — 9.

Councillor YANCEY moved that the following amendment be accepted:

"These dangerous dogs shall require special treatment. These dogs shall not be owned or cared for by anyone who does not receive special training and receive a permit to own such dogs."

Councillor YANCEY moved that the amendment be amended by deleting the first word in the first sentence "These" from the paragraph.

The motion was carried.

The motion on the acceptance of the amendment was not carried; yeas 3, nays 8:

Yeas — Councillors Davis-Mullen, Turner, Yancey — 3.

Nays — Councillors Conley, Feeney, Flaherty, Hennigan, Kelly, Murphy, Roache, Ross — 8.

Councillor YANCEY moved that the following amendment be accepted:

"No one under the age of 21 years of age shall receive a license to own or care for a dangerous dog within the City of Boston."

The motion was not carried; yeas 2, nays 9:

Yeas — Councillors Turner, Yancey — 2.

Nays — Councillors Conley, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross — 9.

Councillor YANCEY moved that the following amendment be accepted:

"No dog designated as a dangerous dog shall be permitted at public festivals, carnivals, parades or similar events without an event specific waiver from the Dog Officer."

The motion was carried; yeas — 11:

Yeas — Councillors Conley, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross, Turner, Yancey — 11.

Nays — 0.

Councillor YANCEY moved that the following amendment be accepted:

"Severability Clause: If any provision of this ordinance shall be deemed unconstitutional by a court of appropriate jurisdiction, the remaining provisions shall remain in effect."

The motion was carried; yeas — 12:

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross, Turner, Yancey — 12.

Nays — 0.

Councillor TURNER moved that the following

amendment be accepted:

Whereas, There has been much discussion in recent weeks within the City Council regarding, particular breeds of dogs and whether or not they should be classified as dangerous; and

Whereas, The City of Boston at this point in time, does not collect any data relating to the breeds of dogs that have bitten human beings or other animals; and

Whereas, In October 2000 the responsibility for quarantining dogs who have bitten human beings or other animals shall be transferred from the Animal Rescue League to the Animal Control Unit of the City of Boston; therefore be it

Ordered, That City of Boston Ordinance 16-1.9B "Dangerous or Vicious Dogs" shall be amended by inserting into Section 1. the following to be labeled as "h").

Section 1. h) shall read:

"The City of Boston Dog Officer shall be required to record the breed of any dog quarantined because of biting a human being or another animal. On October 1st of each year the dog officer shall deliver to members of the city council a report on the breeds of dogs that have bitten human beings or other animals during the previous year."

The motion was carried; yeas — 11:

Yeas — Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Kelly, Murphy, Roache, Ross, Turner, Yancey — 11.

Nays — 0.

On motion of Councillor MURPHY, the ordinance, as amended, was passed.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Feeney: Congratulating Meetinghouse Hill Civic Association (Docket No. 1138).

Councillor Turner: Congratulating Michelle Cerra (Docket No. 1139).

Councillor Roache: Congratulating Maureen Dunn (Docket No. 1140).

Councillor Yancey: Congratulating Barbara Holt (Docket No. 1141); congratulating Wilma Louise Flakes Germany (Docket No. 1142).

Councillor Honan: Congratulating Nilda M. Manana (Docket No. 1143); congratulating Josephine Cogan (Docket No. 1144).

The matters contained within the Consent Agenda were severally adopted.

STATEMENT OF COUNCILOR ROACHE

Having unanimous consent to do so, Councillor ROACHE asked that when we adjourn today, we do so in memory of Jim Hart who served with distinction and honor in the state legislature and was a decent, good family man. Councillor ROACHE offered condolences to his family.

STATEMENT OF COUNCILOR YANCEY

Having unanimous consent to do so, Councillor Yancey asked that when we adjourn today, we do so also in memory of Robert L. Hamill, a Veteran and former MBTA bus driver.

Adjourned at 3:35 p.m. on motion of President Kelly and in memory of Jim Hart and Robert L. Hamill to meet again on Wednesday, October 4, 2000 at 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, October 4, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 1:00 p.m., President KELLY in the Chair and all the members present.

INVOCATION

Reverend Mirek Kowalszyk delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

PRESENTATION BY COUNCILLOR HENNIGAN

Councillor Hennigan presented a resolution to The Campaign of Conscience which has been established as a joint initiative of City Life and The Jamaica Plain Neighborhood Development Corporation.

PRESENTATION BY COUNCILLOR HENNIGAN

Councillor Hennigan presented a resolution to Patricia Wright and Paul Brennick for gathering 400 signatures from the neighborhood for the South Boston Action Council.

ORDER AUTHORIZING OFFICE OF CULTURAL AFFAIRS DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$500,000 FROM COMMONWEALTH TO BE UTILIZED TO REGRANT TO NON-PROFIT ART, CULTURAL AND EDUCATIONAL ORGANIZATIONS AND INDIVIDUALS (DOCKET NO. 1145)

The following was received:

City of Boston
Office of the Mayor

September 15, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order authorizing the Special Assistant to the Mayor, Office of Cultural Affairs Department, on behalf of the City of Boston to accept and expend an award in an amount not to exceed \$500,000 from the Commonwealth of Massachusetts, through the Massachusetts Cultural Council, to the City of Boston for the period of July 1, 2000 through June 30, 2001. The monies will be utilized to regrant to non-profit art, cultural, and educational organizations and individuals.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may accept and expend these funds expeditiously for the purpose for which they were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Special Assistant to the Mayor, Office of Cultural Affairs Department, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend a grant award not to exceed the amount of

\$500,000 from the Commonwealth of Massachusetts, through the Massachusetts Cultural Council, for the period of July 1, 2000 through June 30, 2001, to be utilized to regrant to non-profit art, cultural, and educational organizations and individuals.

Referred to the Committee on Arts and Humanities.

ORDER FOR APPOINTMENT OF CYNTHIA KELIHER TO BOARD OF DIRECTORS OF BOSTON INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY FOR TERM EXPIRING APRIL 1, 2004 (DOCKET NO. 1146)

The following was received:

City of Boston
Office of the Mayor

October 2, 2000

To The City Council.

Dear Councillors:

I transmit herewith for your approval, pursuant to M.G.L. c. 40D § 3, an Order approving the appointment of Cynthia Keliher of 7 Durham Street, Boston, to the Board of Directors of the Boston Industrial Development Financing Authority. Ms. Keliher will be replacing Sarah Abrams, who resigned.

I urge your Honorable Body to pass this order at the earliest possible date so that Ms. Keliher can commence her duties on the Board.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to the provisions of M.G.L. c. 40D, § 3, the appointment of Cynthia B. Keliher of 7 Durham Street, Boston, to the Board of Directors of the Boston Industrial Development Financing Authority, replacing Sarah Abrams, who resigned, for a term to expire April 1, 2004, be and the same hereby is approved.

Referred to the Committee on Economic Development and Transportation.

CERTAIN INFORMATION FROM POLICE DEPARTMENT RE: CRIME STATISTICS FROM AUGUST 1, 2000 TO AUGUST 31, 2000 (DOCKET NO. 1147)

The following was received:

City of Boston
Office of the Mayor

September 28, 2000

To The Boston City Council.

Dear Councillors:

I transmit herewith information received from the Boston Police Department pertaining to crime statistics for the period commencing August 1, 2000 and ending August 31, 2000.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

(Annexed hereto are the documents referred to.)
Placed on file.

COMMUNICATION RECEIVED FROM CITY CLERK OF FILING BY BRA OF "WORLD TRADE CENTER EXPANSION CHAPTER 121A PROJECT, NORTHERN AVENUE AND NORTH OF NEW CONGRESS STREET; CERTIFICATE OF COMPLETION AND RELATED SIDE LETTER AGREEMENT, REGARDING EAST OFFICE BUILDING PROJECT PHASE" (DOCKET NO. 1148)

The following was received:

City of Boston
Office of the City Clerk

October 2, 2000

To the City Council.

Dear Councillors:

In compliance with order passed by your Honorable Body December 6, 1976, this is to inform you that the following was filed by the Boston Redevelopment Authority with the City Clerk on October 2, 2000:

"World Trade Center Expansion Chapter 121A Project, Northern Avenue and North of New Congress Street; Certificate of Completion and Related Side Letter Agreement, Regarding East Office Building Project Phase".

Very truly yours,

Rosaria Salerno,
City Clerk.

Referred to the Committee on Economic Development and Transportation.

COMMUNICATION RECEIVED FROM MASSACHUSETTS HIGHWAY DEPARTMENT RE: LAYOUT NO. 7607 AND ORDER OF TAKING (DOCKET NO. 1149)

Communication was received from the Massachusetts Highway Department re: Layout No. 7607 and Order of Taking.

Placed on file.

APPROVAL OF CONSTABLE'S BOND
(DOCKET NO. 1150)

The Constable's Bond of William Doniger, having been duly approved by the Collector-Treasurer was received and approved.

REPORT ON ORDER FOR HEARING TO INVESTIGATE STATUS OF PENSION BENEFITS FOR FAMILY OF THOMAS CARNEY (DOCKET NO. 0318)

Councillor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0318, order for a hearing to investigate the status of pension benefits for the family of Thomas Carney (referred February 9) — recommending the order be placed on file.

The report was accepted; **the order was placed on file.**

REPORT ON ORDER FOR HEARING TO ASSESS POTENTIAL DANGERS CAUSED BY CHANGE IN PRESCRIPTION DRUG COVERAGE RECENTLY ANNOUNCED BY TUFTS HEALTH (DOCKET NO. 0329)

Councillor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0329, order for a hearing to assess the potential dangers caused by the change in prescription drug coverage recently announced by Tufts Health Plan (referred February 16) — recommending the order be placed on file.

The report was accepted; **the order was placed on file.**

REPORT ON ORDER FOR HEARING REGARDING KENNETH CONLEY (DOCKET NO. 0943)

Councillor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0943, order for a hearing regarding Kenneth Conley (referred July 12) — recommending the order be placed on file.

On motion of Councillor MURPHY, **the order was referred back to the Committee on Public Safety.**

REPORT ON RESOLUTION URGING SCHOOL COMMITTEE TO ADOPT ZERO TOLERANCE POLICY FOR VIOLENCE INVOLVING STUDENTS OF PUBLIC SCHOOLS (DOCKET NO. 0381)

Councillor DAVIS-MULLEN, on behalf of the Committee on Education and School Matters, submitted the following:

Report on Docket No. 0381, resolution urging the School Committee to adopt a zero tolerance policy for violence involving students of public schools (referred March 1) — recommending the resolution be placed on file.

The report was accepted; **the resolution was placed on file.**

REPORT ON ORDER APPROVING A SUPPLEMENTAL APPROPRIATION OF \$1,199,556 FOR THE SCHOOL DEPARTMENT (DOCKET NO. 1014)

Councillor DAVIS-MULLEN, on behalf of the Committee on Education and School Matters, submitted the following:

Report on Docket No. 1014, message of the Mayor and order approving a supplemental appropriation of \$1,199,556 for the School Department (referred August 30) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER AUTHORIZING DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO ACCEPT AND EXPEND SUPPLEMENTAL FEDERAL FY99 SHELTER PLUS CARE GRANT OF \$649,920 FROM DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DOCKET NO. 1081)

Councillor HENNIGAN, on behalf of the Committee on Housing, submitted the following:

Report on Docket No. 1081, message of the Mayor and order authorizing the Department of Neighborhood Development to accept and expend a supplemental Federal FY99 Shelter Plus Care Grant of \$649,920 from the Department of Housing and Urban Development (referred September 13) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER FOR CONFIRMATION OF THE APPOINTMENT OF RENEE FRANKS AS A MEMBER OF THE BOSTON HOUSING AUTHORITY MONITORING COMMITTEE (DOCKET NO. 0978)

Councillor HENNIGAN, on behalf of the Committee on Housing, submitted the following:

Report on Docket No. 0978, message of the Mayor and order for confirmation of the appointment of Renee Franks as a member of the Boston Housing Authority Monitoring Committee (referred August 2) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER FOR CONFIRMATION OF THE APPOINTMENT OF SHIRLEY LEE AS A

MEMBER OF THE BOSTON HOUSING
AUTHORITY MONITORING COMMITTEE
(DOCKET NO. 0979)

Councillor HENNIGAN, on behalf of the Committee on Housing, submitted the following:

Report on Docket No. 0979, message of the Mayor and order for confirmation of the appointment of Shirley Lee as a member of the Boston Housing Authority Monitoring Committee (referred August 2) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF
THE APPOINTMENT OF JEFFREY SANCHEZ
AS A MEMBER OF THE BOSTON HOUSING
AUTHORITY MONITORING COMMITTEE
(DOCKET NO. 0980)

Councillor HENNIGAN, on behalf of the Committee on Housing, submitted the following:

Report on Docket No. 0980, message of the Mayor and order for confirmation of the appointment of Jeffrey Sanchez as a member of the Boston Housing Authority Monitoring Committee (referred August 2) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR ACCEPTING PROVI-
SIONS OF CHAPTER 640 OF ACTS OF 1985,
AS AMENDED, WHICH GRANTS BY LOCAL
OPTION AUTHORITY TO SUSPEND,
REVOKE, OR DENY CITY ISSUED
LICENSES TO DELINQUENT TAXPAYERS
(DOCKET NO. 0610)

Councillor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket No. 0610, message of the Mayor and order for accepting the provisions of Chapter 640 of the Acts of 1985, as amended, which grants by local option the authority to suspend, revoke, or deny city issued licenses to delinquent taxpayers (referred May 3) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR ACCEPTING PROVI-
SIONS OF CHAPTER 281 OF ACTS OF 1990
WHICH GRANTS BY LOCAL OPTION
AUTHORITY TO ABATE DELINQUENT
PROPERTY TAX ACCOUNTS WITH BAL-
ANCES OF TEN DOLLARS OR LESS
(DOCKET NO. 0613)

Councillor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket 0613, message of the Mayor and order for accepting the provisions of Chapter 281 of the Acts of 1990 which grants by local option the authority to abate delinquent property tax accounts with balances of ten dollars or less (referred May 3) — recommending passage of the order.

The report was accepted; the order was passed.

RESOLUTION REQUESTING SECRETARY OF
ENVIRONMENTAL AFFAIRS ROBERT
DURAND TO DELAY APPROVING CITY'S
MUNICIPAL HARBOR PLAN (DOCKET NO.
1151)

Councillors HENNIGAN, ROACHE, MURPHY, TURNER, ROSS, DAVIS-MULLEN, YANCEY, HONAN, CONLEY and FEENEY offered the following:

Whereas, The City of Boston has submitted the Municipal Harbor Plan for approval to the Massachusetts Executive Office of Environmental Affairs; and

Whereas, Secretary Robert Durand has set the deadline for written public comment regarding the Municipal Harbor Plan for Wednesday, October 4, 2000; and

Whereas, The Municipal Harbor Plan deviates significantly from the Public Realm Plan; and

Whereas, Many residents and neighborhood organizations have not had the opportunity to read the Municipal Harbor Plan or see a presentation on the details of the Plan; and

Whereas, The Conservation Law Foundation has been giving informational presentations to neighborhood groups, the most recent (last night) at the Agassiz School in Jamaica Plain; and

Whereas, The impact the present Boston Municipal Harbor Plan will have on the City of Boston and all of Boston's residents will span generations to come; and

Whereas, All of Boston's neighborhoods and persons, regardless of their race or economic status, should be provided a destination or venue where they can actively recreate and experience the benefits and excitement of a true public waterfront; and

Whereas, Under chapter 91 of the Public Trust Doctrine, the waterfront belongs to the public and must be developed for a "proper public purpose" any development on the Waterfront must first and foremost serve "a proper public purpose" and second, the "private advantages" on developing the property "are not primary, but merely incidental to the achievement of public purposes"; and therefore be it

Resolved, That the Boston City Council, in meeting assembled, recommend to the Secretary of the Executive Office of Environmental Affairs for the Commonwealth of Massachusetts that he not approve the present Municipal Harbor Plan and also request that the public comment period be extended to allow ample opportunity for the public to express their views in order to create a Municipal Harbor plan which will truly serve the public interest.

On motion of Councillor HENNIGAN, the following amendment was added:

In the 5th Whereas, strike the words and parentheses "(last night)"

In the final Resolved, following the words "the Commonwealth of Massachusetts that he", strike the words "not approve the" and insert in their place the words "withhold approval of this" At the end of line three of the final Resolved, following the word "and" and preceding the word "request" delete the word "also"

Referred to the Committee on Economic Development and Transportation.

APPOINTMENT OF TEMPORARY EMPLOYEE
(DOCKET NO. 1152)

Councillor KELLY offered the following:

Ordered, That effective Saturday, October 7, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, October 13, 2000:

Patricia Sartori Braid, research director, \$3,665.53, full time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEE
(DOCKET NO. 1153)

Councillor KELLY offered the following:

Ordered, That effective Saturday, October 14, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, December 29, 2000:

Patricia Sartori Braid, research director, \$919.54, full time

Passed under suspension of the rules.

**APPOINTMENT OF TEMPORARY EMPLOYEE
(DOCKET NO. 1154)**

Councillor KELLY offered the following:

Ordered, That effective Saturday, October 14, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, December 29, 2000:

Ann Hess, staff director, \$1,111.12, full time.

Passed under suspension of the rules.

**ORDER FOR HEARING RE: REPAIRS TO
SOUTHAMPTON STREET BRIDGE
(DOCKET NO. 1155)**

Councillor KELLY offered the following:

Whereas, Several years ago there was a mishap involving a train striking the foundation of the Southampton Street bridge that is located at Frontage Road, near Andrew Square, on the South Boston/Roxbury boundary line; and

Whereas, This section of Southampton Street is a heavily traveled roadway for vehicles and pedestrians alike; and

Whereas, What was once four lanes of traffic has been reduced to two lanes and gridlock is an everyday problem; therefore be it

Ordered, That the City Council conduct a public hearing to examine the extent of structural damages and to determine who is responsible for repairing the bridge, as well as encourage the appropriate agency to make repairs in a timely manner.

Referred to the Committee on Economic Development and Transportation.

**ORDER FOR HEARING TO DISCUSS AND
EXPLORE POSSIBILITY OF MAKING ALL
TRAFFIC LIGHTS WITHIN THE CITY
COMPLETELY FUNCTIONAL 24 HOURS A DAY
(DOCKET NO. 1156)**

Councillors DAVIS-MULLEN, FLAHERTY and MURPHY offered the following:

Whereas, Traffic lights in the City of Boston are flashing red or yellow between the hours of 2 a.m. and 6 a.m.; and

Whereas, The intended effect of having traffic lights is to require vehicles to make frequent stops; and

Whereas, This counteracts this intended effect; and

Whereas, This increases the risk of motor vehicle accidents; therefore be it

Ordered, That Boston City Council, hold an immediate public hearing to discuss and explore the possibility of making all traffic lights within the City of Boston completely functional 24 hours a day.

Referred to the Committee on Public Safety.

**RESOLUTION REQUESTING BOSTON PARKS
AND RECREATION COMMISSIONER TO
NAME TOT LOT AT CLIFFORD PARK IN
MEMORY OF THE HONORABLE JAMES F.
HART (DOCKET NO. 1157)**

Councillors MURPHY, ROACHE, KELLY FEENEY, HENNIGAN, HONAN, FLAHERTY, DAVIS-MULLEN, CONLEY, YANCEY and TURNER offered the following:

Whereas, The Honorable James F. Hart made a life-long commitment to his neighborhood of Uphams Corner in Dorchester; and

Whereas, Representative Hart served with distinction in the Massachusetts House of Representatives for two consecutive terms in the 1970s from the Ward 13 area of Dorchester; and

Whereas, After serving in the House of Representatives, Jim Hart continued to serve the people of Dorchester and the City of Boston, first as a legal advisor to the Boston Police Commissioner and later as General Counsel to the Boston Water and Sewer Commission; and

Whereas, Jim Hart was also generous in his volunteer efforts. Among his civic and charitable accomplishments are: the Dorchester-Dudley Community Council, the Dorchester United Neighborhood Association and the Harriet McCormack Center for the Performing Arts in the Strand Theatre; and

Whereas, James F. Hart was also highly regarded as a political strategist with a keen sense of what people expected in their public servants; and

Whereas, The Honorable James F. Hart was a loving husband to his wife Elizabeth and a devoted father to his daughter Beth and four sons, Charles, James, Joseph and John; and

Whereas, The Honorable James F. Hart was of tremendous faith and was extremely loyal to his family, friends and the neighborhood of Dorchester, where his life's works continue to this day to make the life better for his community; therefore be it

Resolved, That the Boston City Council respectfully petition the Boston Parks and Recreation Commission to name the tot lot at Clifford Park in memory of the Honorable James F. Hart.

The rules were suspended; the resolution was adopted.

**ORDER FOR HEARING TO HEAR TESTIMONY ON
THE PROS AND CONS OF QUESTION 8
(DOCKET NO. 1158)**

Councillors MURPHY, HONAN and DAVIS-MULLEN offered the following:

Whereas, This November, citizens of the Commonwealth will be voting on very important ballot initiatives that will change or alter State Law; and

Whereas, One of these questions, Question 8 may be particularly damaging to the City of Boston from a public safety and financial standpoint; and

Whereas, This proposal will allow persons charged with a drug crime to request a court finding that he or she is drug-dependent or may be at risk of becoming drug dependent, and would benefit from court-monitored treatment instead of incarceration. Once treatment is successfully completed, the criminal charges would be dismissed, causing concern that this broad definition may allow repeat offenders and drug dealers to manipulate the system and side step prosecution; and

Whereas, This proposal will completely change the system of forfeiture of property by persons convicted of using that property to sell drugs; and

Whereas, As proceeds from that property are currently used to support investigations of other drug crimes, this proposal may significantly impact our fight on drug-crimes and will cost significant tax-payer monies to maintain our drug-crime fighting efforts in the City of Boston and Suffolk County; and

Whereas, With strong supporters on each side of this issue, there is a possibility that confusion may cloud the merits and consequences of Question 8; therefore be it

Ordered, That the Boston City Council hold a hearing to hear testimony on the pros and cons of Question 8; that representatives from the Attorney General's Office, the Suffolk County District Attorney, the Boston Police Commissioner and other public safety officials be invited to attend and set the record straight on Question 8.

Referred to the Committee on Public Safety.

LATE-FILED MATTERS

The Chair stated that, in absence of objection, one late-filed matter would be added to the Agenda.

No objection being heard, the following matter was added:

ORDER THAT COMMITTEE ON EDUCATION AND SCHOOL MATTERS HOLD PUBLIC HEARING REGARDING CURRENT STATUS BETWEEN BOSTON TEACHERS UNION AND BOSTON SCHOOL DEPARTMENT (DOCKET NO. 1176)

Councillors DAVIS-MULLEN, CONLEY, FEENEY, FLAHERTY, HENNIGAN, HONAN, KELLY, MURPHY, ROACHE, ROSS, SCAPICCHIO, TURNER and YANCEY offered the following:

Whereas, The Boston Teachers Union and the Boston School Department have been in contract negotiations; and Whereas, The Boston Teachers Union has set a strike date of October 11, 2000; and

Whereas, The 2000-2001 school year has been in session for over one month and a strike would be detrimental to the children and the employees in the Public School system; therefore be it

Ordered, That the Education and School Matters Committee hold a public hearing regarding the current status between the Boston Teachers Union and the Boston School Department; and be it further

Ordered, That representatives of the Boston Public Schools, Boston Teachers Union, the Mayor's Office and all other interested parties be invited to attend and give testimony.

Referred to the Committee on Education and School Matters.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Murphy: Congratulating Michael F. Raineri (Docket No. 1159); congratulating Police Superintendent-in-Chief Robert P. Faherty (Docket No. 1160).

Councillors Yancey and Turner: Congratulating African-American Labor Leaders (Docket No. 1161).

Councillor Honan: Congratulating Allston-Brighton Community Development Corporation (Docket No. 1162).

Councillor Flaherty: Declaring October 4, 2000 "Sheila Flaherty Day" (Docket No. 1163); congratulating Matthew J. O'Toole (Docket No. 1164).

Councillor Roache: Congratulating Commander James Reidy (Docket No. 1165).

Councillor Feeney: Congratulating Paul "Otis" Skinner (Docket No. 1166).

Councillors Yancey and Turner: Congratulating Dr. William E. Nelson, Jr. (Docket No. 1167); declaring October 22, 2000 "John Garvey Bynoe Day" (Docket No. 1168).

Councillor Yancey: Congratulating Eileen Padua (Docket No. 1169); congratulating Audrey R. Coleman (Docket No. 1170); congratulating Reverend Dr. Wesley A. Roberts (Docket No. 1171).

Councillor Scapicchio: Congratulating Chief Marshal of the Columbus Day Parade, George Henderson (Docket No. 1172); congratulating Miss Columbus Day, Marie LaRosa (Docket Not 1173).

Councillors Yancey and Turner: Congratulating the National Association of Black Accountants, Inc. (Docket No. 1174).

Councillor Yancey: Congratulating the Revision House, Inc. (Docket No. 1175).

The Chair stated that in the absence of objection, one late-filed matter would be added to the Consent Agenda.

No objection being heard, the following matter was added:

Councillor Hennigan: Congratulating The Campaign of Conscience (Docket No. 1177).

STATEMENT OF COUNCILLOR YANCEY

Having unanimous consent to do so, Councillor Yancey asked that when we adjourn today we do so in memory of Mr. Ronald Lavalley who was an active member of his community.

Adjourned at 2:40 p.m. on motion of President Kelly and in memory of Mr. Ronald Lavalley to meet again on Wednesday, October 18, 2000 at 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, October 18, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 12:20 p.m., President KELLY in the Chair. Absent, Councillor Roache.

INVOCATION

Reverend Steve Ayers, Old North Church, delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

PRESENTATION BY COUNCILLOR MURPHY

Councillor MURPHY presented a resolution to the One In Nine Crew, a group of women who are survivors of breast cancer and who are competing this weekend at the Head of the Charles Regatta. He wished them well and invited all Council members and the Public to come and cheer them on.

ORDER AUTHORIZING COMMISSIONER ON AFFAIRS OF ELDERLY TO APPLY FOR, ACCEPT AND EXPEND \$325,000 FOR OPERATION OF SENIOR COMPANION PROGRAM (DOCKET NO. 1178)

The following was received:

City of Boston
Office of the Mayor

October 3, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order authorizing the Commissioner on Affairs of the Elderly to apply for, accept, and expend on behalf of the City of Boston, \$325,000 for the operation of the Senior Companion Program in the City of Boston. Funds are made available to the City from National Senior Service Corps, the federal volunteer agency, authorized under the Domestic Volunteer Act of 1973 (42 U.S.C. 5013).

These funds will be used to pay salary, stipends, meals and transportation and other services for 50 companions who are enrolled in this program.

I urge your Honorable Body to pass this order.

Very truly yours

Thomas M. Menino
Mayor of Boston

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Commissioner on Affairs of the Elderly, acting on behalf of the City of Boston be, and hereby is authorized to apply for, accept and expend grant funds in an amount not to exceed \$325,000 under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5013) from the National Senior Service Corps, for the operation of a Senior Companion Program in the City of Boston, for the period of January 1, 2001 through December 31, 2001, and, in connection therewith, to execute and deliver such documents as may be required by the federal government and to act as the authorized representative of the City of Boston in connection with said application.

Referred to the Committee on Elderly.

ORDER AUTHORIZING COMMISSIONER ON AFFAIRS OF AFFAIRS OF ELDERLY TO

APPLY FOR, ACCEPT AND EXPEND \$4,025,000 FROM MASSACHUSETTS EXECUTIVE OFFICE OF ELDER AFFAIRS FOR OPERATION OF ADMINISTRATIVE AND DIRECT SERVICE COMPONENTS OF AREA AGENCY ON AGING (DOCKET NO. 1179)

The following was received:

City of Boston
Office of the Mayor

October 3, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order authorizing the Commissioner on Affairs of the Elderly to apply for, accept, and expend on behalf of the City of Boston, \$4,025,000 from the Massachusetts Executive Office of Elder Affairs.

These funds are made available to the City by the United States Department of Health and Human Services under Title 111 of the Older Americans Act and will be used for the operation of the administrative and direct service components of the Area Agency on Aging.

I urge your Honorable Body to pass this order.

Very truly yours,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Commissioner on Affairs of the Elderly, acting on behalf of the City of Boston be, and hereby is authorized to apply for, accept and expend grant funds in an amount not to exceed \$4,025,000 from the United States Department of Health and Human Services under Title 111 of the Older Americans Act (42 U.S.C. 3001 et seq.) and distributed by the Massachusetts Executive Office of Elder Affairs, for the period October 1, 2000 through September 30, 2001, for the operation of the Region VI Area Agency on Aging Administration and Direct Service components.

Referred to the Committee on Elderly.

ORDER FOR CONFIRMATION OF APPOINTMENTS OF CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING OF BOND FOR PERIOD ENDING APRIL 30, 2001 (DOCKET NO. 1180)

The following was received:

City of Boston
Office of the Mayor

October 2, 2000

To the City Council.

Dear Councillors:

Subject to confirmation by your Honorable Body, I hereby appoint the following-named people on the attached order as Constables of the City of Boston, authorized to serve civil process upon filing of bond, for the period commencing May 1, 2000 and ending April 30, 2001.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the appointment of the following-named people as Constables of the City of Boston authorized to serve civil process upon filing of bond for the period commencing May 1, 2000 and ending April 30, 2001 be and the same hereby is approved.

2000-2001
New Constable Application List
Recommended Approvals

The following recommendations for approval are new applicants.

Boucher, Leo Jr., 236 Bunker Hill St. #2,
Charlestown 02129
Cazeau, Rolflyn, 44 Bowdoin Ave. Dorchester
02121
Ciavola, Brian P., 30 Danny Rd., Readville 02137
Collins, Henry F. 5 Highland St., #1, Roxbury
02119
Curtis, William P., 85 Sierra Rd. #14 Hyde Park
02136
Galloway, Steve D., 91 Callender St., #1, Dorchester
02124
Hicks, Dori T. C., 95 Davison St. #9 Hyde Park
02136
Jameson, Kenneth M., 4464 Washington St.
Roslindale 02131
Locario, Keith, 24 Mallard Ave. Dorchester 02124
Maurice, Richard C., 554 Beech St. Roslindale
02131
McLean, Kenneth N. Jr., 173 Amory St. Jamaica
Plain 02130
Stukes, Duamarius L., 5 Dudley St. #5C, Roxbury
02119
Tracy, Jack E., 38 Hancock St. Boston 02114
Wallen, Arturo V., 213 W. Newton St. #B-1, Boston
02118
Winbush, Byrain A., 29 Esmond St. #1A, Dorchester
02124

Referred to the Committee on Government Operations.

ORDER FOR CONFIRMATION OF APPOINTMENTS OF CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING OF BOND FOR PERIOD ENDING APRIL 30, 2001 (DOCKET NO. 1181)

The following was received:
City of Boston
Office of the Mayor
October 3, 2000

To the City Council.

Dear Councillors:

Subject to confirmation by your Honorable Body, I hereby appoint the following-named people on the attached order as Constables of the City of Boston, authorized to serve civil process upon filing of bond, for the period commencing May 1, 2000 and ending April 30, 2001.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That the appointment of the following-named people as Constables of the City of Boston authorized to serve civil process upon filing of bond for the period commencing May 1, 2000 and ending April 30, 2001 be and the same hereby is approved.

2000-2001
Renewal Constable Applications List
Recommended Approval

The following recommendations for approval are renewal applicants.

Allosso, Paul A. Jr., 3 Crossland Pl. #1, Brighton
02135
Brown, Thomas M., 64 Bradfield Ave. W. Roxbury
02132
Hamelburg, Joseph S., 9 Harvard St. #3, Charlestown
02129
MacDonald, Frederick W., 10 Manning St. Roslindale

02131
Nally, Paul T., 21 Port Norfolk St. Dorchester 02122
Zollo, Anthony F. Jr., 48 Como Rd. Readville 02136

Referred to the Committee on Government Operations.

CERTAIN INFORMATION UNDER SECTION 17F RE: PROPERTIES SOLD OR CONVEYED BY DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT (DOCKET NO. 1182)

The following was received:
City of Boston
Office of the Mayor
October 16, 2000

To the City Council.

Dear Councillors:

Relative to the Section 17 F Request, passed by your Honorable Body on September 27, 2000 for certain information re: properties sold or conveyed by the Department of Neighborhood Development, please find the attached response.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Placed on file.
(Annexed hereto is the documentation referred to.)

ORDER AUTHORIZING COMMISSIONER ON AFFAIRS OF ELDERLY TO APPLY FOR, ACCEPT AND EXPEND \$105,000 FOR OPERATION OF RETIRED SENIOR VOLUNTEER PROGRAM TO PAY SALARIES OF STAFF MANAGING PROGRAM WITH 815 SENIOR VOLUNTEERS (DOCKET NO. 1183)

The following was received:
City of Boston
Office of the Mayor
October 3, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order authorizing the Commissioner on Affairs of the Elderly to apply for, accept, and expend on behalf of the City of Boston, \$105,000 for the operation of the Retired Senior Volunteer Program in the City of Boston. Funds are made available to the City from National Senior Service Corps, the federal volunteer agency, authorized under the Domestic Volunteer Act of 1973 (42 U.S.C. 5013).

These funds will be used to pay salaries of staff managing the program with 815 senior volunteers.

I urge your Honorable Body to pass this order.

Very truly yours,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to G.L. c. 44, § 53A, the Commissioner on Affairs of the Elderly, acting on behalf of the City of Boston be, and hereby is authorized to apply for, accept, and expend grant funds in an amount not to exceed \$105,000 under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5013) made available by the National Senior Service Corps for the operation of a Retired Senior Volunteer Program in the City of Boston for the period of January 1, 2001 through December 31, 2001, and, in connection therewith, to execute and deliver such documents as may be required by the federal government.

Referred to the Committee on Elderly.

ORDER APPROVING PETITION FOR SPECIAL LAW RE: ACT RELATIVE TO AN INCREASE IN EXEMPTION FOR RESIDENTIAL REAL PROPERTY IN CITY FROM 20 PERCENT TO 30 PERCENT (DOCKET NO. 1184)

The following was received:

City of Boston
Office of the Mayor

September 30, 2000

To the City Council.

Dear Councillors:

I herewith transmit an Act Relative to An Increase in the Exemption for Residential Real Property in the City of Boston from 20 Per Cent to 30 Per Cent for passage by your Honorable Body.

Rising housing costs in the City of Boston is an issue of great importance. The substantial run-up in real estate prices will require the City to increase assessments. Since Proposition 2 1/2 limits the City's tax levy, the increase in assessments will be partially offset by reductions in the tax rate. However, as the appreciation in values is not uniform across the city, shifts in the tax burden - across neighborhoods and property types - can result in large increases for some taxpayers. I am committed to taking steps necessary to litigate all rising housing costs, including property taxes.

Consequently, I am proposing that the City of Boston offer an increased residential exemption. The residential exemption provides needed property tax relief to thousands of owner-occupiers of residential property in Boston. Increasing the amount of the exemption, from 20% of the average home value to 30%, will go a long way to helping Boston's residents keep their housing costs down.

I urge your Honorable Body to adopt this measure.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

AN ACT RELATIVE TO AN INCREASE IN THE EXEMPTION FOR RESIDENTIAL REAL PROPERTY IN THE CITY OF BOSTON FROM 20 PER CENT TO 30 PER CENT

Ordered, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause (1) of Section eight of Article two, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted providing precisely as follows, except for clerical or editorial changes of form only:

Whereas, Housing costs are rising rapidly in the City of Boston;

Whereas, The residential exemption provides relief from said housing costs for thousands of owner-occupiers of residential property in Boston;

Whereas, In the interest of helping Boston's residents afford the rising housing costs the City of Boston is committed to mitigating rising property taxes; now therefore, be it ordained by the City Council to be accompanied by a petition to the State Legislature:

SECTION ONE: Notwithstanding the provisions of section 5C of chapter 59 of the General Laws or any other general or special law to the contrary, with respect to each parcel of real property classified as Class One, residential, in the city of Boston as certified by the commissioner of revenue to be assessing all local property at its full and fair cash valuation, and at the option of the mayor, with the approval of the city council, there shall be an exemption equal to not more than thirty per cent (30%) of the average assessed value of all Class One, residential, parcels within the City of Boston; provided however, that such an exemption shall be applied only to

the principal residence of the taxpayer as used by the taxpayer for income tax purposes. This exemption shall be in addition to any exemptions allowable under section 5 of chapter 59 of the General Laws; provided, however that in no instance shall the taxable valuation of such property, after all applicable exemptions, be reduced to below ten per cent (10%) of its full fair cash valuation, except through the applicability of section 8A of chapter 58 and clause Eighteenth of said section 5 of chapter 59. Where, under the provisions of said section 5, the exemption is based upon an amount of tax rather than on valuation, the reduction of taxable valuation for the purposes of the preceding sentence shall be computed by dividing the said amount of the tax by the residential tax rate of the city of Boston and multiplying the result by one-thousand dollars (\$1,000.00). For purposes of this paragraph, "parcel" shall mean a unit of real property as defined by the assessors in accordance with the deed for such property and shall include a condominium unit:

SECTION TWO: A taxpayer aggrieved by the failure to receive such residential exemption may apply for such residential exemption to the assessors in writing on a form approved by the board of assessors within three months after the date on which the bill or notice of assessment was sent. An application timely filed hereunder shall, for the purposes of this chapter, be treated as a timely filed application pursuant to section 59 of chapter 59 of the General Laws.

Referred to the Committee on Ways and Means.

ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND \$346,685 IN FORM OF JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT FROM EXECUTIVE OFFICE OF PUBLIC SAFETY (DOCKET NO. 1185)

The following was received:

City of Boston
Office of the Mayor

October 4, 2000

To the City Council.

Dear Councillors:

I hereby transmit for your approval an order authorizing the City of Boston to accept and expend an award in the amount of \$346,685 in the form of a Juvenile Accountability Incentive Block Grant from the Executive Office of Public Safety to the Boston Police Department.

I urge your Honorable Body to adopt this order as soon as possible so that the City of Boston may accept the funds expeditiously and expend them for the purposes for which these funds were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the Police Commissioner, acting on behalf of the City of Boston be, and hereby is authorized, to accept and expend the Executive Office of Public Safety's Juvenile Accountability Incentive Block Grant award to the Boston Police Department not to exceed the amount of \$346,685.

Referred to the Committee on Public Safety.

ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND KMART FAMILY FOUNDATION AWARD GRANT OF \$4,400 FOR PURCHASE OF D.A.R.E. EDUCATIONAL MATERIAL AND OR PRODUCTS (DOCKET NO. 1186)

The following was received:

City of Boston
Office of the Mayor

October 2, 2000

To the City Council.

Dear Councillors:

I hereby transmit for your approval an order authorizing the City of Boston to accept and expend an award in the amount of \$4,400 in the form of a directed contribution from the Kmart Family Foundation to the Boston Police Department's D.A.R.E. program. This award is made for the purchase of D.A.R.E. educational material and or products. One hundred percent of the funds contributed by Kmart Family Foundation has been placed in a designated account at D.A.R.E. America.

I urge your Honorable Body to adopt this order as soon as possible so that the City of Boston may accept the funds expeditiously and expend them for the purposes for which these funds were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Police Commissioner, acting on behalf of the City of Boston be, and hereby is authorized, to accept and expend the Kmart Family Foundation Award not to exceed the amount of \$4,400.

On motion of Councillor MURPHY, the rules were suspended; the order was passed.

ORDER ACCEPTING PROVISIONS OF CHAPTER 242 OF ACTS OF 2000 (DOCKET NO. 1187)

The following was received:

City of Boston
Office of the Mayor

October 16, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an Order accepting the provisions of Chapter 242 of the Acts of 2000.

Under this provision, no person will be eligible to have his or her name certified for original appointment to the position of firefighter or police officer if the person has reached his or her thirty-second birthday on the date of the entrance examination.

I urge your Honorable Body to adopt this measure at the earliest possible date.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the provisions of St. 2000, c. 242, be, and the same hereby are, accepted.

Referred to the Committee on Public Safety.

ORDER APPROVING SUPPLEMENTAL APPROPRIATION OF \$16,893,306 FOR SCHOOL DEPARTMENT (DOCKET NO. 1188)

The following was received:

City of Boston
Office of the Mayor

October 17, 2000

To the City Council.

Dear Councillors:

I transmit herewith a supplemental appropriation order for the Boston Public Schools for FY01 in the amount of \$16,893,306 submitted pursuant to the provisions of Chapter 150E, Section 7 of the Massachusetts

General Laws and Chapter 224 of the Acts of 1936, as amended by Chapter 190 of the Acts of 1982, as further amended by Chapter 701 of the Acts of 1986, Chapter 613 of the Acts of 1987, and Chapter 108 of the Acts of 1991.

The supplemental appropriation funds the FY01 cost items contained in the collective bargaining agreement between the Boston School Committee and the Boston Teachers' Union. The collective bargaining agreement includes provisions for class size reductions, improved hiring and assignment of teachers, new Pilot Schools, improved teacher evaluations as well as fair salary increases.

I respectfully request your support of this supplemental appropriation for the Boston Public Schools.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That pursuant to Chapter 224 of the Acts of 1936, as amended by Chapter 190 of the Acts of 1982, as further amended by Chapter 701 of the Acts of 1986, Chapter 613 of the Acts of 1987, Chapter 108 of the Acts of 1991, and Chapter 150E of the Massachusetts General Laws, to meet the current operating expenses of the School Department in the fiscal period commencing July 1, 2000 and ending June 30, 2001, the sum of \$16,893,306 be, and the same hereby is appropriated, said sum to be raised from taxation pursuant to Section 23 of Chapter 59 of the General Laws: - School Department \$16,893,306

Referred to the Committee on Education and School Matters.

PETITION OF SABANOH TRAVEL, INC. FOR LICENSE TO OPERATE MOTOR VEHICLES FOR CARRIAGE OF PASSENGERS FOR HIRE OVER CERTAIN STREETS (DOCKET NO. 1189)

Petition of Sabanoh Travel, Inc. for license to operate motor vehicles for the carriage of passengers for hire over certain streets.

Referred to the Committee on Economic Development and Transportation.

ABSENCE OF THE MAYOR (DOCKET NO. 1190)

Notice was received from the Mayor of his absence from the City on October 5, 2000 until October 6, 2000.
Placed on file.

ABSENCE OF THE MAYOR (DOCKET NO. 1191)

Notice was received from the Mayor of his absence from the City on October 7, 2000.
Placed on file.

COMMUNICATION RECEIVED FROM JOHN W. BOATRIGHT, VICE PRESIDENT, PROPERTIES & FACILITIES, DELTA AIRLINES RE: LOGAN INTERNATIONAL AIRPORT TERMINAL A REPLACEMENT PROJECT FINAL ENVIRONMENT IMPACT REPORT EOE A #12096 (DOCKET NO. 1192)

Communication was received from John W. Boatright, Vice President, Properties & Facilities, Delta Airlines re: Logan International Airport Terminal A Replacement Project Final Environment Impact Report EOE A #12096.

Placed on file.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENTS OF HOUSING INSPECTORS AS CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING OF BOND (DOCKET NO. 1023)

Councillor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket No. 1023, message of the Mayor and order for confirmation of the appointments of Housing Inspectors as Constables authorized to serve civil process upon filing of bond (referred August 30) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENTS OF HOUSING INSPECTORS AS CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING OF BOND (DOCKET NO. 1024)

Councillor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket No. 1024, message of the Mayor and order for confirmation of the appointments of Housing Inspectors as Constables authorized to serve civil process upon filing of bond (referred August 30) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENTS OF PATRICK A. BAILEY AND RICHAETELIN CARIUS AS CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING OF BOND (DOCKET NO. 1025)

Councillor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket No. 1025, message of the Mayor and order for confirmation of the appointments of Patrick A. Bailey and Richartelin Carius as Constables authorized to serve civil process upon filing of bond (referred August 30) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF THE APPOINTMENTS OF CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING OF BOND (DOCKET NO. 1026)

Councillor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket No. 1026, message of the Mayor and order for confirmation of the appointments of Constables authorized to serve civil process upon filing of bond (referred August 30) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF ROBERT H. SHORT-SLEEVE, JR. AS MEMBER OF ZONING BOARD OF APPEALS (DOCKET NO. 1079)

Councillor SCAPICCHIO, on behalf of the Committee on Economic Development and Transportation, submitted the following:

Report on Docket No. 1079, message of the Mayor and order for confirmation of the appointment of Robert

H. Shortleeve, Jr. as member of the Zoning Board of Appeals (referred September 13) — recommending passage of the order.

The report was accepted; the order was passed.

RESOLUTION REQUESTING SECRETARY OF ENVIRONMENTAL AFFAIRS ROBERT DURAND TO DELAY APPROVING CITY'S MUNICIPAL HARBOR PLAN (DOCKET NO. 1151)

Councillor SCAPICCHIO, on behalf of the Committee on Economic Development and Transportation, submitted the following:

Report on Docket No. 1151, resolution requesting the Secretary of Environmental Affairs Robert Durand to delay approving the City's Municipal Harbor Plan (referred October 4) — recommending passage of the order.

RECESS

Councillor SCAPICCHIO moved for substitution.

The motion was carried; 8 yeas, 4 nays:

Yeas - Councillors Conley, Feeney, Flaherty, Honan, Kelly, Murphy, Ross, Scapicchio - 7.

Nays - Councillors Davis-Mullen, Hennigan, Turner, Yancey - 4.

The following resolution was substituted:

RESOLUTION REQUESTING SECRETARY OF ENVIRONMENTAL AFFAIRS ROBERT DURAND TO APPROVE THE CITY OF BOSTON MUNICIPAL HARBOR PLAN BASED ON ADDITIONAL CONDITIONS DEVELOPED THROUGH AN EXPEDITIOUS AND INCLUSIVE CONSULTATION PROCESS.

Whereas, The City of Boston has submitted the Municipal Harbor Plan for approval to the Massachusetts Executive Office of Environmental Affairs; and

Whereas, Secretary Robert Durand has set the deadline for written public comment regarding the Municipal Harbor Plan for Wednesday, October 18, 2000; and

Whereas, The Committee on Transportation and Economic Development has conducted two Hearings on the South Boston Waterfront District, the most recent on Monday, October 16, 2000; and

Whereas, The impact the present Boston Municipal Harbor Plan will have on the City of Boston and all of Boston's residents will span generations to come; and

Whereas, All of Boston's neighborhoods and persons regardless of their race or economic status should be provided a destination or venue where they can actively recreate and experience the benefits and excitement of a true public waterfront; and

Whereas, Under Chapter 91 of the Massachusetts General Laws (the "Public Trust Doctrine") the waterfront belongs to the public and must be developed for a "proper public purpose" any development on the Waterfront must first and foremost serve "a proper public purpose" and second, the "private advantages" on developing the property "are not primary but merely incidental to the achievement of public purposes"; and therefore be it

Resolved, The Boston City Council in meeting assembled recommend to the Secretary of the Executive Office of Environmental Affairs for the Commonwealth of Massachusetts that he approve the Municipal Harbor Plan while taking into consideration the comments, correspondence and testimony of the residents of the City of Boston through an inclusive consultation process;

and it be further

Resolved, That the Boston City Council also recommend that conditions be imposed on building heights designed to ensure that no building in the district impair the operations of Logan Airport or cause the redistribution of flights using Runway #27 in a manner that would alter noise mitigation effort, and be it further

Resolved, That a copy of this resolution be transmitted by the City Clerk to the Secretary of the Executive Office of Environmental Affairs for the Commonwealth of Massachusetts before 5:00PM today so that it may be included in the official public comment period.

Councillor FEENEY in the Chair.

President KELLY in the Chair.

Councillor FLAHERTY moved the question.

The motion did not prevail.

The report was accepted; the resolution was adopted; yeas 7, nays 5:

Yeas — Councillors Conley, Flaherty, Honan, Kelly, Murphy, Ross, Scapicchio- 7.

Nays - Councillors Davis-Mullen, Feeney, Hennigan, Turner, Yancey- 5.

ORDER FOR HEARING RE: MAYOR'S EXECUTIVE ORDER RELATIVE TO PROVISION OF MITIGATION BY DEVELOPMENT PROJECTS (DOCKET NO. 1193)

Councillor FEENEY offered the following:

Whereas, The Mayor's Executive Order Relative to the Provision of Mitigation by Development Projects in Boston is a major policy change in the economic development process;

Whereas, Each of Boston's neighborhoods has a vested interest in the outcomes of the Mitigation Process; and

Whereas, There have been no public hearings or public input on the formulation of this far-ranging policy, therefore be it

Ordered, That the Boston City Council conduct a public hearing so that this Executive Order, its, rationale, scope, implications, and oversight can be explained to Councillors and the public; and be it further

Ordered, That representatives of the Mayor's Office, The Boston Redevelopment Authority as well as other interested parties be invited to testify.

Referred to the Committees on Housing and Economic Development and Transportation.

ORDER PURSUANT TO PROVISIONS OF MASSACHUSETTS GENERAL LAW CHAPTER 41 SECTION 100B, CITY COUNCIL HEREBY DIRECTS THAT PETITION OF DANIEL SHEA BE APPROVED AND AMOUNT OF \$2,079 BE PAID (DOCKET NO. 1194)

Councillors ROACHE and FEENEY offered the following:

Ordered, Pursuant to the provisions of Massachusetts General Law chapter 41 section 100B, which states that upon the submission of a petition to the City Council for medical expenses incurred by a retired police officer or firefighter, whose treatment is a result of a condition sustained while in service to a municipality, the City Council may vote to direct: the State-Boston retirement Board to pay said person's medical bill, the City Council hereby directs that the attached petition from Daniel Shea be approved, and the amount of \$2079 be

paid, as allowed by law.

On motion of Councillor MURPHY, the rules were suspended; the order was passed

RESOLUTION URGING VOTERS TO VOTE NO ON BALLOT QUESTIONS 4 AND 6 (DOCKET NO. 1195)

Councillors ROSS, FEENEY, KELLY, MURPHY, YANCEY, HONAN and HENNIGAN offered the following:

Whereas, On November 7, 2000, voters will face Questions 4 and 6, two initiatives that will deplete public resources by \$2 billion; and

Whereas, Valuable lost revenue from tax cut initiatives will take away resources from health care, human services and education; and

Whereas, The current strong economy has produced a budget surplus which could be used to reduce class size in our schools, expand early childhood education and increase access to health care; and

Whereas, Questions 4 and 6 would benefit primarily the affluent, leaving little for the working-class families who most need the help; and

Whereas, Ballot Questions 4 and 6 will give voters a choice to invest in our children's future and provide needed services to our most vulnerable citizens; now therefore be it

Resolved, That the Boston City Council urges voters to vote NO on ballot questions 4 and 6.

The rules were suspended; the resolution was adopted.

ORDER FOR HEARING TO INVESTIGATE HIGH RATE OF HOME HEATING OIL (DOCKET NO. 1196)

Councillors SCAPICCHIO, CONLEY, FLAHERTY, ROSS, MURPHY, TURNER, DAVIS-MULLEN, ROACHE, HENNIGAN, FEENEY, HONAN, YANCEY and KELLY offered the following:

Whereas, Winter is fast approaching and home heating oil prices have risen by as much as \$.80 a gallon over the past two winters; and

Whereas, There are many City of Boston residents, including elderly and families of modest means who will be adversely affected by the high cost of home heating oil; and

Whereas, Those residents may be unable to afford the high prices, which may place their safety in serious jeopardy; and

Whereas, It is of the utmost importance to the public's safety that those in need have adequate information regarding city services and departments that offer assistance to those who cannot afford to heat their homes; and

Whereas, Various non-profit organizations, such as Citizens Energy Corporation and Action for Boston Community Development, and others, realize the importance of providing fuel assistance to our most vulnerable citizens; and

Whereas, It may be in the City's best interests to develop a comprehensive policy to deal with the impending high prices; therefore be it

Ordered, That the Boston City Council hold a hearing to investigate the high rates of home heating oil, the possibility of creating an emergency fund to help defray costs for those in need, and the ability of the city to identify and provide service for those residents who need assistance; and be it also

Ordered, That representatives from the City of Boston, Elderly Commission, Action for Boston Community Development, and Citizens Energy Corporation be invited to testify.

Referred to the Committee on City and Neighborhood Services.

STATEMENT OF COUNCILLOR FEENEY

Having unanimous consent to do so, Councillor FEENEY asked that Councillor MURPHY speak on his motion to Docket No. 1194. Councillor MURPHY spoke on Docket No. 1194.

STATEMENT OF COUNCILLOR ROSS

Having unanimous consent to do so, Councillor ROSS spoke on Docket No. 1195.

STATEMENT OF COUNCILLOR TURNER

Having unanimous consent to do so, Councillor TURNER asked that Docket No. 1193, being similar to Docket No. 0861 from the Assignment Sheet, page 14, also be referred to the Committee on Housing as was Docket No. 0861. The matter was so referred.

STATEMENT OF COUNCILLOR CONLEY

Having unanimous consent to do so, Councillor CONLEY wanted to thank the Council members for the words and gifts of kindness while he underwent emergency surgery last week and was convalescing.

STATEMENT OF COUNCILLOR DAVIS-MULLEN

Having unanimous consent to do so, Councillor DAVIS-MULLEN asked when we adjourn today, we do so also in memory of Robert Gillis and Francis Murphy, residents of Hyde Park.

STATEMENT OF COUNCILLOR HENNIGAN

Having unanimous consent to do so, Councillor HENNIGAN asked that when we adjourn today we do so also in memory of the men and women who lost their lives in the recent terrorist attack in the Mideast.

STATEMENT OF COUNCILLOR YANCEY

Having unanimous consent to do so, Councillor YANCEY wanted also to recognize the Naval personnel on the USS Cole who lost their lives.

LATE-FILED MATTERS

The Chair stated that, in absence of objection, 2 late-filed matters would be added to the Agenda.

No objection being heard, the following matters were added:

ORDER FOR APPROPRIATION REDUCTION
(DOCKET NO. 1217)

The following was received:

City of Boston
Office of the Mayor

October 18, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order to reduce the appropriation for the Reserve for Collective Bargaining by \$1,720,645 to provide funding in various departments for the collective bargaining settlement for the American Federation of State, County and Municipal Employees, Council 93 AFL-CIO (AFSCME).

I respectfully request your favorable action on this important matter.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the appropriation heretofore made, to meet the current operating expenses in the fiscal year commencing July 1, 2000 and ending June 30, 2001, be reduced by the following amount: 2001-100-999000-51000 Reserve for Collective Bargaining \$1,720,645

Referred to the Committee on Ways and Means.

ORDER FOR SUPPLEMENTAL APPROPRIATION
(DOCKET NO. 1218)

The following was received:

City of Boston
Office of the Mayor

October 18, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval a supplemental appropriation, totaling \$1,720,645, to cover the FY01 cost in various departments of the collective bargaining agreement with the American Federation of State, County and Municipal Employees, Council 93 AFL-CIO (AFSCME).

As originally presented to you, the FY01 budget request included a Reserve for Collective Bargaining - a separate appropriation to fund projected collective bargaining increases. A separate order has been filed to reduce that appropriation to support this supplemental request. The City budget remains balanced.

I respectfully request your favorable action on this important matter.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That in addition to the appropriations heretofore made, to meet the current operating expenses in the fiscal year commencing July 1, 2000 and ending June 30, 2001, the sums contained in the attached schedule be, and hereby are appropriated, said sums to be raised by taxation pursuant to Section 23 of Chapter 59 of the General Laws:

Budget Year	Fund	Organization	Account	Department	
2001	100	136100	51000	Assessing	\$7,530
2001	100	136200	51000	Assessing	46,255
2001	100	211201	51000	Police	90,051
2001	100	211501	51000	Police	1,838
2001	100	221100	51000	Fire	15,437
2001	100	221300	51000	Fire	5,855
2001	100	221400	51000	Fire	1,065
2001	100	221500	51000	Fire	11,711
2001	100	221600	51000	Fire	19,163
2001	100	260200	51000	Inspectional Services	6,766
2001	100	260300	51000	Inspectional Services	82,886
2001	100	260400	51000	Inspectional Services	72,737
2001	100	260500	51000	Inspectional Services	6,766
2001	100	321100	51000	Central Fleet Maintenance	61,199
2001	100	300100	51000	Parks	9,582
2001	100	300200	51000	Parks	155,232
2001	100	300300	51000	Parks	15,332
2001	100	300400	51000	Parks	11,499
2001	100	400100	51000	Cemetery	3,686
2001	100	251100	51000	Transportation	9,015
2001	100	251200	51000	Transportation	27,044
2001	100	251400	51000	Transportation	315,518
2001	100	251500	51000	Transportation	99,163
2001	100	253100	51000	Transportation-Parking Clerk	28,659
2001	100	311100	51000	Public Works	20,636
2001	100	311200	51000	Public Works	30,955
2001	100	311300	51000	Public Works	25,796
2001	100	311400	51000	Public Works	51,591
2001	100	311500	51000	Public Works	288,910
2001	100	311600	51000	Public Works	5,159
2001	100	311700	51000	Public Works	61,909
2001	100	311800	51000	Public Works	25,796
2001	100	311900	51000	Public Works	5,159
2001	100	180600	51000	Property Management	12,563
2001	100	180800	51000	Property Management	18,844
2001	100	387300	51000	Elderly	40,339
					<u>\$1,720,645</u>

Referred to the Committee on Ways and Means.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Murphy: Congratulating Republic of China, Taiwan, on their 89th Anniversary (Docket No. 1197).

Councillor Conley: Congratulating 8 elected officials of the AHEPA Athens Chapter # 24 of Boston (Docket No. 1198).

Councillor Honan: Congratulating Erwin Lehrer (Docket No. 1199).

Councillor Scapicchio: Congratulating Commander Harvey Campbell (Docket No. 1200).

Councillors Turner and Roache: Congratulating the Honorable Paul Allen and Gwendolyn Gladden Simmons on their 50th Wedding Anniversary (Docket No. 1201).

Councillor Murphy: Congratulating the staff and friends of the Ross Center for Students with Disabilities at Umass Boston (Docket No. 1202).

Councillor Roache: Congratulating Martin V. Hanley (Docket No. 1203).

Councillor Yancey: Commending the North American Indian Center of Boston, Inc. (NAICOB) (Docket No. 1204); congratulating the St. Vincent and the Grenadines Association of Massachusetts, Inc. (Docket No. 1205); congratulating Renowned Drummer Babatunde Olatunji (Docket No. 1206); congratulating Honorable Dr. Jean C.W. Smith (Docket No. 1207); congratulating 9 persons from Uganda visiting Northeastern University (Docket No. 1208).

Councillors Yancey and Turner: Congratulating the International Association of Black Professional Firefighters (Docket No. 1209); congratulating Boston Neighborhood Network Television (Docket No. 1210).

Councillor Scapicchio: Congratulating 13 persons on enriching the lives of people with mental illness (Docket No. 1211); commending the Bunker Hill Museum (Docket No. 1212); congratulating 6 persons working with the Charlestown Historical Society (Docket No. 1213).

Councillor Murphy: Congratulating 17 members of the Police Department on their retirement (Docket No. 1214); congratulating the One in Nine Crew, made up of 9 breast cancer survivors (Docket No. 1215).

Councillor Yancey: Congratulating Doris (Dorie) Miller for distinguished service in the U.S. Navy (Docket No. 1216).

The matters contained within the Consent Agenda were severally adopted.

Adjourned at 3:03 p.m. on motion of President Kelly and in memory of Robert Gillis, Francis Murphy and those who lost their lives on the USS Cole, to meet again on Wednesday, October 25, 2000 at 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, October 25, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 12:15 p.m., President Kelly in the Chair. Absent, Councillor Scapicchio.

INVOCATION

After a moment of silence, the meeting was opened with the pledge of allegiance to the flag.

STATEMENT OF COUNCILOR CONLEY

Having unanimous consent to do so, Councilor Conley introduced two third grade classes from Sacred Heart School in Roslindale. The children were visiting City Hall today.

ORDER FOR CONFIRMATION OF APPOINTMENT OF JOHN AMODEO AS MEMBER OF BOSTON LANDMARKS COMMISSION FOR TERM EXPIRING 6-30-2002 (DOCKET NO. 1219)

The following was received:

City of Boston
Office of the Mayor

October 19, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order regarding the reappointment of John Amodeo of 8 Worcester Square, Unit 1, Boston, Massachusetts, as a member of the Boston Landmarks Commission for a term expiring June 30, 2002. Mr. Amodeo has been nominated for this position by the Boston Society of Landscape Architects.

I urge your Honorable Body to pass this Order at the earliest possible date so that Mr. Amodeo may continue serving his appointment without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 3, the reappointment of John Amodeo of 8 Worcester Square, Unit 1, Boston, Massachusetts, as a member of the Boston Landmarks Commission for a term expiring June 30, 2002, be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF APPOINTMENT OF PAMELA HAWKES AS MEMBER OF BOSTON LANDMARKS COMMISSION FOR TERM EXPIRING 6-30-2002 (DOCKET NO. 1220)

The following was received:

City of Boston
Office of the Mayor

October 19, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order regarding the appointment of Pamela Hawkes of 373

Commonwealth Avenue, Boston, MA 02115, vice Edward Dusek, as a member of the Boston Landmarks Commission for a term expiring June 30, 2002. Ms. Hawkes has been nominated for this position by the Society for the Preservation of New England Antiquities (SPNEA).

I urge your Honorable Body to pass this Order at the earliest possible date so that Ms. Hawkes may begin serving her appointment without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 3, the appointment of Pamela Hawkes of 373 Commonwealth Avenue, Boston, MA 02115, vice Edward Dusek, as a member of the Boston Landmarks Commission for a term expiring June 30, 2002, be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF APPOINTMENT OF DAVID BERADUCCI AS ALTERNATE MEMBER OF BOSTON LANDMARKS COMMISSION FOR TERM EXPIRING 6-30-2002 (DOCKET NO. 1221)

The following was received:

City of Boston
Office of the Mayor

October 19, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your confirmation an Order regarding the appointment of David Beraducci of 154 W. Concord Street, #1, Boston, MA 02118, vice Douglas Reed, as an alternate member of the Boston Landmarks Commission for a term expiring June 30, 2002. Mr. Beraducci has been nominated for this position by the Boston Society of Landscape Architects.

I urge your Honorable Body to pass this Order at the earliest possible date so that Mr. Beraducci may begin serving his appointment without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 3, the appointment of David Beraducci of 154 W. Concord Street, #1, Boston, MA 02118, vice Douglas Reed, as an alternate member of the Boston Landmarks Commission for a term expiring June 30, 2002, be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR CONFIRMATION OF APPOINTMENT OF JEFFREY POND AS ALTERNATE MEMBER OF BOSTON LANDMARKS COMMISSION FOR TERM EXPIRING 6-30-2002 (DOCKET NO. 1222)

The following was received:

City of Boston
Office of the Mayor

October 19, 2000

To the City Council

Dear Councillors:

I transmit herewith for your confirmation an Order regarding the appointment of Jeffrey Pond of 142 Commercial Street, #302, Boston, MA 02109, vice Pamela Hawkes, as an alternate member of the Boston Landmarks Commission for a term expiring June 30, 2002. Mr. Pond has been nominated for this position by the Society for the Preservation of New England

Antiquities (SPNEA).

I urge your Honorable Body to pass this Order at the earliest possible date so that Mr. Pond may begin serving her appointment without delay.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to St. 1975, c. 772, § 3, the appointment of Jeffrey Pond of 142 Commercial Street, #302, Boston, MA 02109, vice Pamela Hawkes, as an alternate member of the Boston Landmarks Commission for a term expiring June 30, 2002, be, and hereby is, approved.

Referred to the Committee on Environment and Historic Preservation.

ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND \$148,313 IN FORM OF DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES "VALUE BASED INITIATIVE" GRANT, FOR PURPOSE OF WORKING WITH LOCAL FAITH-BASED ORGANIZATION' TO DEVELOP AND DELIVER CROSS-TRAINING, BETWEEN POLICE AND FAITH-BASED ORGANIZATIONS AND VICE VERSA, ON HOW TO DO EFFECTIVE OUTREACH AND INTERVENTION AMONG HIGH RISK YOUTH (DOCKET NO. 1223)

The following was received:

City of Boston
Office of the Mayor

October 17, 2000

To the City Council.

Dear Councillors:

I hereby transmit for your approval an order authorizing the City of Boston to accept and expend an award in the amount of \$148,313 in the form of a United States Department of Justice, Office of Community Oriented Policing Services "Value Based Initiative" grant award to the Boston Police Department, for the purpose of working with local faith-based organizations to develop and deliver cross-training, between police and faith-based organizations and vice versa, on how to do effective outreach and intervention among high-risk youth.

I urge your Honorable Body to adopt this order as soon as possible so that the City of Boston may accept the funds expeditiously and expend them for the purposes for which these funds were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Police Commissioner, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend from the United States Department of Justice, Office of Community Oriented Policing Services, a grant award not to exceed the amount of \$148,313 for the purpose of working with local faith-based organizations to develop and deliver cross-training between police and faith-based organizations and vice versa, on how to do effective outreach and intervention among high-risk youths.

Referred to the Committee on Public Safety.

ORDER TO REDUCE APPROPRIATION FOR RESERVE FOR COLLECTIVE BARGAINING BY \$452,647 TO PROVIDE FUNDING FOR COLLECTIVE BARGAINING SETTLEMENT WITH AFSCME, COUNCIL 93 AFL-CIO, LOCAL 1526 (LIBRARY) (DOCKET NO. 1224)

The following was received:

City of Boston
Office of the Mayor

October 24, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order to reduce the appropriation for the Reserve for Collective Bargaining by \$452,647 to provide funding for the collective bargaining settlement for the American Federation of State, County and Municipal Employees, Council 93 (AFSCME), Local 1526 (Library).

I respectfully request your favorable action on this important matter.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the appropriation heretofore made, to meet the current operating expenses in the fiscal year commencing July 1, 2000 and ending June 30, 2001, be reduced by the following amount: 2001-100-999000-51000 Reserve for Collective Bargaining \$452,647

Referred to the Committee on Ways and Means.

ORDER APPROVING SUPPLEMENTAL APPROPRIATION OF \$452,647 TO COVER FY01 COST OF COLLECTIVE BARGAINING SETTLEMENT WITH AFSCME, COUNCIL 93 AFL-CIO, LOCAL 1526 (LIBRARY) (DOCKET NO. 1225)

The following was received:

City of Boston
Office of the Mayor

October 24, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval a supplemental appropriation of \$452,647 to cover the FY01 costs of the collective bargaining agreement with AFSCME, Local 1526 (Library).

As originally presented to you, the FY01 budget request included a Reserve for Collective Bargaining - a separate appropriation to fund projected collective bargaining increases. A separate order has been filed to reduce that appropriation to support this supplemental request. The City budget remains balanced.

I respectfully request your favorable action on this important matter.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That in addition to the appropriations heretofore made, to meet the current operating expenses in the fiscal year commencing July 1, 2000 and ending June 30, 2001, the following sum be, and hereby is appropriated, said sum to be raised by taxation pursuant to Section 23 of Chapter 59 of the General Laws: 2001-100-110100-51000 Library Department \$452,647

Referred to the Committee on Ways and Means.

ORDER TRANSFERRING UP TO \$13,000,000 FROM "SURPLUS PROPERTY DISPOSITION FUND" TO GENERAL FUND AND FURTHER APPROPRIATING SAID FUNDS IN FY01 TO SUPPORT PRODUCTION AND PRESERVATION OF AFFORDABLE HOUSING (DOCKET NO. 1226)

The following was received:

City of Boston
Office of the Mayor

October 24, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval, an order transferring up to \$13,000,000 from the "Surplus Property Disposition Fund" to the General Fund and further appropriating said funds in fiscal year 2001 to support the production and preservation of affordable housing in Boston. This \$13 million is part of the City's \$30 million commitment to carry out a bold new strategy for expanding housing production in Boston. These funds will help leverage substantial amounts of additional public and private funding to spur the production of 7,500 new units of housing and the preservation of 10,000 existing affordable housing units in Boston over the next three years.

I urge the Council to join me in Leading the way by adopting this order expeditiously so that we may begin to implement this bold new housing strategy.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to Chapter 190 of the Acts of 1982 as amended by Chapter 701 of the Acts of 1986, to meet the current operating expenses of the City of Boston in the fiscal year commencing July 1, 2000 and ending June 30, 2001, a sum of up to \$13,000,000 be, and hereby is, credited to the General Fund from the Surplus Property Disposition Fund; and be it

Further Ordered, That said sum, which is not to exceed \$13,000,000, be appropriated from the General Fund to be expended for "Leading the Way: A Housing Strategy for Boston" - the City's plan for preserving and creating affordable housing, including the renovation of vacant Boston Housing Authority units.

Referred to the Committee on Ways and Means.

**ABSENCE OF THE MAYOR
(DOCKET NO. 1227)**

Notice was received from the Mayor of his absence from the City on October 20, 2000 until October 21, 2000.

Placed on file.

**ABSENCE OF THE MAYOR
(DOCKET NO. 1228)**

Notice was received from the Mayor of his absence from the City on October 23, 2000.

Placed on file.

**COMMUNICATION FROM CITY CLERK OF FILING BY BRA OF CHAPTER 121A PROJECT
(DOCKET NO. 1229)**

The following was received:

City of Boston
Office of the City Clerk
October 18, 2000

To the City Council.

Councillors:

In compliance with the order passed by your Honorable Body December 6, 1976, this is to inform you that the following was filed by the Boston Redevelopment Authority with the City Clerk on October 18, 2000:

"Second Report and Decision Amendment on the Charlesview Apartments Chapter 121A Project".

Very truly yours,
Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE RECEIVED FROM MAYOR OF APPOINTMENT OF PAUL K. CHAN AS TRUSTEE OF BOSTON GROUNDWATER TRUST FOR TERM EXPIRING 1-11-2002 (DOCKET NO. 1230)

Notice was received from the Mayor of the appointment of Paul K. Chan as a Trustee of the Boston Groundwater Trust for a term expiring January 11, 2002.

Placed on file.

NOTICE RECEIVED FROM SALLY D. GLORA, AUDITOR, RE: TRANSFERS FOR PURPOSE OF CLOSING ACCOUNTS FOR FY00 (DOCKET NO. 1231)

Notice was received from Sally D. Glora, Auditor, re: transfers for the Purpose of Closing Accounts for FY00.

Referred to the Committee on Post Audit and Oversight.

NOTICE RECEIVED FROM CITY CLERK RE ACTIONS TAKEN BY MAYOR ON PAPERS ACTED UPON BY CITY COUNCIL AT ITS 8-2-00 MEETING (DOCKET NO. 1232)

The following was received:

City of Boston
Office of the City Clerk
October 24, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of August 2, 2000, viz:

0416 Order authorizing the Commissioner on Affairs of the Elderly to apply for, accept and expend a grant of \$24,150 from the Massachusetts Office of Elder Affairs, to operate the Serving Health Information Needs of Elders (SHINE) Program.

Approved by the Mayor August 7, 2000.

0417 Order authorizing the Commissioner on Affairs of the Elderly to apply for, accept and expend a grant of \$532,507 from the U.S. Department of Labor, for employment, training and other services for persons who participate in the Senior Aides Program.

Approved by the Mayor August 7, 2000.

0420 Order authorizing the Commissioner on Affairs of the Elderly to apply for, accept and expend a grant of \$507,150 from Massachusetts Office of Elder Affairs, for the continued operation of the Commission's Health and Housing Units.

Approved by the Mayor August 7, 2000.

0421 Order authorizing the Commissioner on Affairs of the Elderly to apply for, accept and expend a grant of \$105,000 from the National Senior Service Corps, a federal volunteer agency authorized under the Domestic Violence Act for continuing the Retired Senior Volunteer Program and paying salaries of management staff.

Approved by the Mayor August 7, 2000.

0422 Order authorizing the Commissioner on Affairs of the Elderly to apply for, accept and expend a grant of \$325,000 from the National Senior Service Corps, a federal volunteer agency authorized under the Domestic Violence Act for the salaries, stipends, meals, transportation and other services for person enrolled in the Senior Companion Program.

Approved by the Mayor August 7, 2000.

0737 Order authorizing the Department of Neighborhood Development (Public Facilities) to accept and expend FY2000 Community Development Block Grant (CDBG) funds of \$20,578,204 from the

Department of Housing and Urban Development

Approved by the Mayor August 7, 2000.

0856 Order authorizing the Boston 2:00 to 6:00 Initiative to accept and expend private donations, contributions and gifts of \$100,000 from community organizations to fund after school programs.

Approved by the Mayor August 7, 2000.

0915 Order for loan of \$1,010,000 for the School Department.

Approved by the Mayor August 7, 2000.

0976 Order authorizing the Police Commissioner to accept and expend a grant of \$5,000 from the John Hancock Mutual Life Insurance Company to support the Drug Abuse Resistance Education (DARE) program in public elementary schools.

Approved by the Mayor August 7, 2000.

0977 Order appropriating \$2,690,000 from the Edward Ingersoll Browne Fund for various projects.

Approved by the Mayor August 7, 2000.

0988 52 Constable's Bonds.

Approved by the Mayor August 8, 2000.

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE RECEIVED FROM CITY CLERK RE ACTIONS TAKEN BY MAYOR ON PAPERS ACTED UPON BY CITY COUNCIL AT ITS 8-30-00 MEETING (DOCKET NO. 1233)

The following was received:

City of Boston
Office of the City Clerk
October 24, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of August 30, 2000, viz:

755 Ordinance re: trespassing on private property.

Approved by the Mayor August 7, 2000.

0939 Order to facilitate the disposition and redevelopment of the Foley Building and the E Building, both located at the former Boston Specialty and Rehabilitation Hospital.

Approved by the Mayor August 7, 2000.

0982 Order for loan of \$ 1,565,500 for fire alarm communication installations and for the purpose of extending and improving such installations.

Approved by the Mayor August 7, 2000.

1036 19 Constable's Bonds.

Approved by the Mayor August 7, 2000.

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

REPORT ON ORDER TO REDUCE APPROPRIATION FOR RESERVE FOR COLLECTIVE BARGAINING BY \$ 1,720,645 TO PROVIDE FUNDING IN VARIOUS DEPARTMENTS FOR COLLECTIVE BARGAINING SETTLEMENT FOR AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, COUNCIL 93 AFL-CIO (AFSCME) (DOCKET NO. 1217)

Councilor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 1217, message of the Mayor and order to reduce appropriation for the Reserve for Collective Bargaining by \$1,720,645 to provide funding in various departments for the collective bargaining settlement for the American Federation of State, County

and Municipal Employees, Council 93 AFL-CIO (AFSCME) (referred October 18) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER APPROVING SUPPLEMENTAL APPROPRIATION OF \$ 1,720,645 TO COVER FY01 COST IN VARIOUS DEPARTMENTS FOR COLLECTIVE BARGAINING SETTLEMENT FOR AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, COUNCIL 93 AFL-CIO (AFSCME) (DOCKET NO. 1218)

Councilor HENNIGAN on behalf of the Committee on Ways and Means, submitted the following:

Report on Docket No. 1218, message of the Mayor and order approving a supplemental appropriation of \$1,720,645 to cover the FY01 cost in various departments for the collective bargaining settlement for the American Federation of State, County and Municipal Employees, Council 93 AFL-CIO (AFSCME) (referred October 18) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR HEARING TO REVIEW DEVELOPMENTS AT HACKNEY DIVISION OF POLICE DEPARTMENT (DOCKET NO. 0198)

Councilor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0198, order for a hearing to review developments at the Hackney Division of the Police Department (referred January 12) -recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON MESSAGE TRANSMITTING CERTAIN INFORMATION FROM POLICE DEPARTMENT REGARDING CRIME STATISTICS (DOCKET NO. 0398)

Councilor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0398, message transmitting certain information from the Police Department regarding crime statistics (referred March 8) — recommending the order be placed on file.

The report was accepted; the matter was placed on file.

REPORT ON ORDER FOR HEARING REGARDING BACK PAY AND BENEFITS TO POLICE SUPERIOR OFFICERS FEDERATION (DOCKET NO. 1136)

Councilor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 1136, order for a hearing regarding back pay and benefits to the Police Superior Officers Federation (referred September 27), recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENTS OF CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING OF BOND (DOCKET NO. 1180)

Councilor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket No. 1180, message of the Mayor and order for confirmation of the appointments as Constables authorized to serve civil process upon filing of bond (referred October 18) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENTS OF CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING OF BOND (DOCKET NO. 1181)

Councillor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket No. 1181, message of the Mayor and order for confirmation of the appointments as Constables authorized to serve civil process upon filing of bond (referred October 18) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON APPROVING SUPPLEMENTAL APPROPRIATION OF \$16,893,306 FOR SCHOOL DEPARTMENT (DOCKET NO. 1188)

Councillor DAVIS-MULLEN, on behalf of the Committee on Education and School Matters, submitted the following:

Report on Docket No. 1188, message of the Mayor and order approving a supplemental appropriation of \$16,893,306 for the School Department (referred October 18) - recommending the passage of the order.

The report was accepted; the order was passed.

ORDER FOR HEARING TO DISCUSS VIEWS ON RELATIONSHIP BETWEEN MASSACHUSETTS COMPREHENSIVE ASSESSMENT SYSTEM (MCAS) TESTING, CITY'S GRADE RETENTION POLICY AND SOARING DROPOUT RATE IN PUBLIC SCHOOL SYSTEM (DOCKET NO. 1234)

Councillors TURNER, DAVIS-MULLEN, FLAHERTY, FEENEY, HONAN, MURPHY, ROACHE, ROSS, YANCEY and KELLY offered the following:

Whereas, The Boston Public School System is shifting to a massive grade retention policy where a reported 54% of 9th graders will be retained in grade this year; and

Whereas, Grade retention policies often lead to increased drop out rates; and

Whereas, The annual drop out rate increased by 34% during the three school years (1996-1997; 1997-1998 and 1998-1999) since the Stanford 9 testing was introduced (African-Americans 28%; Latino-Americans 40%; and White American 37% and Asian American 43%);

Whereas, Boston educators have predicted that the use of MCAS testing as a criteria for graduation will further swell the percentage of students dropping out of the Boston Public School system; therefore be it

Ordered, That the Boston City Council invite Boston Public School Superintendent Thomas Payzant; Plan For Excellence Chairperson, Elizabeth Reilinger; Boston Municipal Research Bureau Director, Sam Tyler; and Boston Teachers Union President, Ed Doherty, to appear before the appropriate City Council committee to discuss their views on the relationship between Massachusetts Comprehensive Assessment System (MCAS) testing, the City of Boston's grade retention policy and the soaring Boston drop out rate; be it further.

Ordered, That Public School Superintendent Payzant and Boston School Committee Chairperson Reilinger describe the Boston Public Schools' drop out prevention program and give their views on what steps should be instituted. Furthermore, that they outline any additional steps to be taken in order to decrease the number of student now leaving the Boston Public School system, and be it.

Ordered, That interested members of the community and the general public be invited to attend and give testimony.

Referred to the Committee on Education and School Matters.

ORDER FOR HEARING TO DISCUSS OPPORTUNITIES FOR PROVIDING CITY EMPLOYEES WITH ASSISTANCE IN HOUSING CRISIS THAT MAY INCLUDE LOWER TAX RATE FOR EMPLOYEES, PREFERRED MORTGAGE RATES THROUGH CREDIT UNION OR OTHER FINANCIAL INSTITUTIONS OR RENT-TO-OWN PROGRAMS (DOCKET NO. 1235)

Councillors HENNIGAN, MURPHY, ROACHE, FEENEY, FLAHERTY and DAVIS-MULLEN offered the following:

Whereas, The cost of housing in the City of Boston is rising at unprecedented rates throughout the City's neighborhoods; and

Whereas, As a result of the significant increases in the costs of both owning and renting homes is causing residents to be priced out of their neighborhoods; and

Whereas, Many of the employees of the City of Boston are required to live in the City; and

Whereas, These dedicated City employees are forced to absorb these increases or leave City employment; and

Whereas, Mayor Menino has developed a plan entitled "Leading the Way" to address a variety of housing issues in the City; therefore be it.

Ordered, That the City Council hold a hearing to discuss opportunities for providing City employees with assistance in this housing crisis that may include a lower tax rate for employees, preferred mortgage rates through the Credit Union or other financial institutions, or rent-to-own programs.

Referred to the Committee on Housing.

MESSAGE DISAPPROVING ORDER RE: MATTAHUNT COMMUNITY CENTER (DOCKET NO. 0917)

Having unanimous consent to do so, Councillor YANCEY called Docket No. 0917 from the Assignment Sheet.

Hearing no objection, the matter was before the body.

Docket No. 0917 was passed notwithstanding the disapproval of the Mayor; yeas 9, nays 3:

Yeas - Councillors Davis-Mullen, Feeney, Flaherty, Hennigan, Kelly, Roache, Ross, Turner, Yancey - 9.

Nays - Councillors Conley, Honan, Murphy - 3.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Feeney: Congratulating Francis J. Gorski (Docket No. 1236).

Councillor Conley: Congratulating Connic Cappuccio (Docket No. 1237); congratulating Connie and Joc Cappuccio (Docket No. 1238); congratulating Greg Laham (Docket No. 1239).

Councillor Scapicchio: Congratulating the Community Friends for Human Service, Inc. (Docket No. 1240); congratulating 13 teammates on winning the Mayor's Cup Gold Medal (Docket No. 1241).

Councillor Hennigan: Congratulating the Parkway Babe Ruth 13-year-old All Star team, Eastern Massachusetts State Baseball Champions (Docket No. 1242).

Councillor Roache: Congratulating 17 persons whose efforts made "The Great South Reunion" a success (Docket No. 1243); extending appreciation to the Citizens for the Preservation of Constitutional Rights (Docket No. 1244).

Councillor Murphy: Declaring October 22, 2000 "Arthritis Awareness Day" (Docket No. 1245); congratulating Anthony C. Terizzi (Docket No. 1246).

Councillor Scapicchio: Congratulating Marie Salvati (Docket No. 1247).

Councillors Turner and Conley: Congratulating Mrs. Justina Gaskin (Docket No. 1248).

Councillors Turner and Yancey: Congratulating Charles Welch (Docket No. 1249).

Councillor Yancey for all the Councillors: Welcoming the National Black Caucus of Local Elected Officials (Docket No. 1250).

Councillor Yancey: Congratulating Ernest Wilkins (Docket No. 1251).

The matters contained within the Consent Agenda were severally adopted.

STATEMENT OF PRESIDENT KELLY

Council President Kelly on behalf of all the Councillors asked that when we adjourn today we do so

in memory of Richard MacEachern who passed away on October 23 and was the first president and founder of the Boston Patrolman's Association.

STATEMENT OF COUNCILLOR YANCEY

Having unanimous consent to do so, Councillor Yancey wanted to point out that Docket No. 1250 was being offered by Councillor Yancey on behalf of all the Councillors.

STATEMENT OF COUNCILLOR HENNIGAN

Having unanimous consent to do so, Councillor Hennigan asked that when we adjourn today, we do so also in memory of Agnes Cicciu who was a longtime activist in the Boston Trailer Park.

Adjourned at 1:38 p.m. on motion of President Kelly and in memory of Richard MacEachern and Agnes Cicciu to meet again on Wednesday, November 1, 2000 at 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, November 1, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 12:15 p.m., President KELLY in the Chair and all members present.

INVOCATION

Reverend Felipe Texeira, St. Martin DePores Church, delivered the invocation and the meeting was opened with the pledge of allegiance to the flag.

PRESENTATION BY COUNCILOR FLAHERTY

Councilor Flaherty presented a resolution to Jimmy Allen of South Boston who heroically saved an elderly woman who was trapped in a burning building in South Boston over this past weekend.

PRESENTATION BY
COUNCILOR DAVIS-MULLEN

Councilor Davis-Mullen presented a resolution commending the Boston Fire Department and other emergency agencies for their selfless service, heroics and experience in dealing with three tragic fires that occurred over the weekend burning out over sixty people from their homes.

ORDER AUTHORIZING POLICE DEPARTMENT TO ACCEPT AND EXPEND \$50,000 IN FORM OF MASSACHUSETTS EXECUTIVE OFFICE OF PUBLIC SAFETY BYRNE MEMORIAL STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE FORMULA GRANT AWARD TO POLICE DEPARTMENT FOR PURPOSE OF SUPPORTING DRUG CONTROL DIVISION MULTI-JURISDICTIONAL TASK FORCE (DOCKET NO. 1252)

The following was received:

City of Boston
Office of the Mayor

October 23, 2000

To the City Council.

Dear Councilors:

I hereby transmit for your approval an order authorizing the City of Boston to accept and expend an award in the amount of \$50,000 in the form of a Massachusetts Executive Office of Public Safety Byrne Memorial State and Local Law Enforcement Assistance Formula Grant award to the Boston Police Department, for the purpose of supporting the Drug Control Division Multijurisdictional Task Force.

I urge your Honorable Body to adopt this order as soon as possible so that the City of Boston may accept the funds expeditiously and expend them for the purposes for which these funds were granted.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Commissioner of the Boston Police Department, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend an award not to exceed the amount of \$50,000 in the form of a Massachusetts Executive Office of Public Safety Byrne Memorial State and Local Law Enforcement Assistance Formula Grant for the purpose of supporting the Drug Control Division Multi-Jurisdictional Task Force.

Referred to the Committee on Public Safety.

NOTICE FROM CITY CLERK RE ACTIONS TAKEN BY MAYOR ON PAPERS ACTED UPON BY CITY COUNCIL AT ITS SEPTEMBER 13, 2000 MEETING (DOCKET NO. 1253)

The following was received:

City of Boston
Office of the City Clerk

October 30, 2000

To the City Council.

Councilors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of September 13, August 2, 2000, viz:

0902 Order approving a modification to the Park Plaza Urban Renewal plan with respect to Charles/Tremont subparcel of parcel 3 and parcel B.

Approved by the Mayor September 19, 2000.

1085 Constable's Bonds of Brian Manganello and Vincent Manganello.

Approved by the Mayor September 19, 2000.

1090 Order authorizing the Parks and Recreation Commission to set apart a suitable lot now known as World War II Veterans Lot in Mount Hope Cemetery to be used for the burial of Veterans.

Approved by the Mayor September 19, 2000.

Very truly yours,
Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE ACTIONS TAKEN BY MAYOR ON PAPERS ACTED UPON BY CITY COUNCIL AT ITS SEPTEMBER 20, 2000 MEETING (DOCKET NO. 1254)

The following was received:

City of Boston
Office of the City Clerk

October 30, 2000

To the City Council.

Councilors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of September 20, 2000, viz:

1107 Order authorizing the Police Department to accept and expend an Executive Office of Public Safety, Violence Against Women Act grant of \$22,000 for the purpose of continuing the STOP Sexual Assault

Training project.

Approved by the Mayor September 26, 2000.

1111 Constable's Bonds of Allen Curry and Benny Edge.

Approved by the Mayor September 26, 2000.

Very truly yours,
Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE ACTIONS TAKEN
BY MAYOR ON PAPERS ACTED UPON BY
CITY COUNCIL AT ITS SEPTEMBER 27, 2000
MEETING (DOCKET NO. 1255)

The following was received:

City of Boston
Office of the City Clerk

October 30, 2000

To the City Council.

Councilors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of September 27, 2000, viz:

0113 Order authorizing the Public Work Department to accept and expend a grant of \$2,000 from the Executive Office of Environmental Affairs through the Department of Environmental Protection, for the Municipal Recycling Incentive Program Coordinator and travel and overhead expenses.

Approved by the Mayor October 6, 2000.

0121 Order approving a petition for a special law re: credited service.

No Action to Date.

0857 Order authorizing the Environment Department to accept and expend a grant of \$36,000 from the Massachusetts Historical Commission for the preparation of a National Register Nomination for the Clam Point Neighborhood, Phase I of a survey of Beacon Hill, and the reprint of Exploring Boston's Neighborhoods Brochures.

Approved by the Mayor October 6, 2000.

0975 Order authorizing the Parks and Recreation Commissioner to accept and expend a grant of \$90,000 from the Commonwealth through the Massachusetts Convention Center Authority, to be utilized to install an irrigation system in the Boston Common.

Approved by the Mayor October 6, 2000.

1016 Order authorizing the Police Commissioner to accept and expend a grant of \$4,000 from the Governor's Highway Safety Bureau for reducing safety belt violations through enforcing occupant protection and educating residents.

Approved by the Mayor October 6, 2000.

1117 Ordinance relating to the registration of dogs and further regulating dangerous or vicious dogs.

Approved by the Mayor October 6, 2000.

Very truly yours,
Rosaria Salerno,
City Clerk.

Placed on file.

APPROVAL OF CONSTABLES BONDS

The Constables Bonds of Antonio G. Correia and William Meier III, having been duly approved by the

Collector-Treasurer were received and approved.

REPORT ON ORDER FOR HEARING TO ASSESS
PROBLEM OF USE OF ECSTASY AND
OTHER CLUB DRUGS AND WHAT MEASURES ARE BEING TAKEN TO COMBAT IT
(DOCKET NO. 0635)

Councilor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 0635, message of the Mayor and order for hearing to assess the problem of the use of Ecstasy and other club drugs and what measures are being taken to combat it (referred May 3) - recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDER AUTHORIZING POLICE
COMMISSIONER TO ACCEPT AND EXPEND
\$346,685 IN FORM OF JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT FROM
EXECUTIVE OFFICE OF PUBLIC SAFETY
(DOCKET NO. 1185)

Councilor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 1185, message of the Mayor and order authorizing the Police Commissioner to accept and expend \$346,685 in the form of a Juvenile Accountability Incentive Block Grant from the Executive Office of Public Safety (referred May 3) - recommending passage of the order.

The report was accepted; the order was passed.

APPOINTMENT OF TEMPORARY EMPLOYEE
(DOCKET NO. 1257)

Councilor KELLY offered the following:

Ordered, That effective Saturday, November 11, 2000, the following named person be, and hereby is, appointed to the position set against their name until Friday, January 9, 2000:

Patricia A. Miller, Administrative Asst., \$555.56, full time.

Passed under suspension of the rules.

ORDER THAT SCHOOL SUPERINTENDENT
THOMAS PAYZANT BE INVITED TO TESTIFY ON ISSUE OF ENFORCEMENT OF
CITY RESIDENCY POLICY WITHIN PUBLIC
SCHOOL DEPARTMENT (DOCKET NO. 1258)

Councilors TURNER, CONLEY, SCAPICCHIO, FLAHERTY, MURPHY, ROSS, FEENEY and YANCEY offered the following:

Whereas, The administrators in the Boston Public School system are covered by the City of Boston Residency Policy; and

Whereas, There are reports that a number of administrators who are covered by the policy are not residents of Boston; and

Whereas, It is essential that all departments of the City of Boston should uniformly enforce the Boston Residency Policy, therefore be it

Ordered, That Boston Public School Superintendent Thomas Payzant be invited to testify on the issue of enforcement of the City of Boston Residency Policy

within the Boston Public School department. and be it further

Ordered, That the Boston Public School Superintendent submit the names, addresses and hiring dates of all administrators whose positions are covered by the Boston Residency Policy.

Referred to the Committee on Residency.

ORDER FOR HEARING TO DESCRIBE FINANCIAL STRATEGY FOR IMPLEMENTING AFFORDABLE HOUSING PLAN AND HOW \$30 MILLION APPROPRIATION WILL BE USED (DOCKET NO. 1259)

Councilors TURNER, DAVIS-MULLEN, MURPHY, FLAHERTY, ROACHE, HONAN, SCAPICCHIO, HENNIGAN, CONLEY, YANCEY and FEENEY offered the following:

Whereas, Two weeks ago the Mayor of the City of Boston unveiled a housing plan for the City focusing on the use of City land for the development of affordable housing; and

Whereas, The Mayor's plan does not enumerate how the \$30 million appropriated for affordable housing in this year's budget relates to the implementation of the housing plan; and

Whereas, It is crucial that the City Council and general public understand not only the elements of the plan but also its financial strategy, therefore be it

Ordered, That the appropriate City Council committee convene a hearing inviting Mark Maloney, Director of the Boston Redevelopment Authority, Charlotte Golar Richie, Director of the Department of Neighborhood Development and Sandra Henriquez, Director of the Boston Housing Authority to describe in detail the financial strategy for implementing the housing plan and how the \$30 million appropriation will be used.

Councilor CONLEY moved that the order be amended by changing the word "appropriated" in the second Whereas to the word "designated" and by deleting the word "appropriation" in the final Ordered paragraph.

The motion was carried.

The order, as amended, was referred to the Committees on Economic Development and Transportation and Housing.

ORDER TO REDUCE APPROPRIATION FOR RESERVE FOR COLLECTIVE BARGAINING BY \$452,647 TO PROVIDE FUNDING FOR COLLECTIVE BARGAINING SETTLEMENT WITH AFSCME, COUNCIL 93 AFL-CIO, LOCAL 1526 (LIBRARY) (DOCKET NO. 1224)

Councilor HENNIGAN called Docket No. 1224 from the Committee on Ways and Means.

Hearing no objection, the matter was before the body.

On motion of Councilor HENNIGAN, Docket No. 1224 was passed.

ORDER APPROVING SUPPLEMENTAL APPROPRIATION OF \$452,647 TO COVER FY01 COST OF COLLECTIVE BARGAINING SETTLEMENT WITH AFSCME, COUNCIL 93 AFL-CIO, LOCAL 1526 (LIBRARY) (DOCKET NO. 1225)

Councilor HENNIGAN called Docket No. 1225 from the Committee on Ways and Means.

Hearing no objection, the matter was before the body.

On motion of Councilor HENNIGAN, Docket No. 1225 was passed.

ORDINANCE CONCERNING INSTALLATION OF

FIRE, SMOKE AND CARBON MONOXIDE DETECTORS (DOCKET NO. 1260)

Councilor YANCEY offered the following:

Be It ordained by the City Council of Boston, as follows:

Section 1. Notwithstanding the provisions of any other ordinance now in existence, it shall be the duty and responsibility of the legal owner or his/her agent of a building structure to install fire and/or smoke detectors and carbon monoxide detectors within the premises as defined in section 26c of Chapter 148 of the Massachusetts general Laws.

Section 2. This Ordinance shall be effective January 1, 2001.

Referred to the Committee on Public Safety.

RESOLUTION ON EMERGENCY GOVERNMENTAL ACTION TO REDUCE OIL AND NATURAL GAS PRICES (DOCKET NO. 1261)

Councilor TURNER offered the following:

Whereas, The price of oil has more than tripled since January of 1999, to over \$35 per barrel, and threatens to go even higher over the coming weeks and months; and

Whereas, Worldwide oil prices continue to rise despite increased production by OPEC nations, and release of the U. S. Strategic Petroleum Reserve; and

Whereas, The citizens of Boston, Massachusetts, and the New England states in particular, will face danger from increased fire hazards, as well as severe and potentially deadly economic hardship this winter, due to increases in prices for home heating fuels; and

Whereas, The petroleum price crisis is presently but one leading economic consequence of a general hyperinflation in financial asset-prices, now being expressed at increasing rates as a hyperinflation in commodity prices, following a trend similar to that suffered by Weimar, Germany during 1923; and

Whereas, The increasingly desperate effort to secure inflows of financial assets into the U.S. dollar sector, by means of various forms of speculative activity, seizes upon several combined factors, to increase asset-price accumulations from hyperinflationary trends in the delivery prices of petroleum products; and

Whereas, These factors include recent increased concentration of ownership of major oil companies through mergers and acquisitions, the increased role of the spot market in petroleum deliveries, the significance of denomination of deliveries in U S dollars, most especially the intensity of speculative dealings in the form of financial derivatives in this area, which threaten to bring the per-barrel price of petroleum to between \$40 and \$50 per barrel soon, and not much later, much higher; and

Whereas, Only drastic measures taken in concert between sovereign national governments can bring the petroleum-price crisis under control; and

Whereas, Appropriate action led by the U.S. government must aim at immediate emergency cooperation among the governments of principal petroleum-exporting and principal petroleum-consuming nations; and

Whereas, The actions of legislative groupings i.e., town and city councils, state legislatures and federal elected representatives must uphold the oath of office to defend and secure the General Welfare of all citizens; and

Whereas, The following actions proposed by economist Lyndon LaRouche to deal with that emergency situation contribute an important, and decisive step in the direction of moving the government of these United States to act in concert with other nations to solve the more general problem of the world's financial and monetary systems, therefore be it

Resolved, That the Boston City Council of Boston urges the President of the United States, the U. S. Senate and the House of Representatives to take emergency action to reduce oil and natural gas prices; including the following measures:

A) Declare a general strategic emergency in the matter of stability of flows and prices of essential energy-supplies of national economies;

B) Establish contracts, directly between the U. S. government and the governments of petroleum exporting nations, of not less than twelve months government-scheduled deliveries of petroleum;

C) Define reasonable prices for these contracts;

D) On the grounds of a global emergency in petroleum prices and supplies, set priorities on processing of such contracted petroleum flows through relevant refiners to priority categories of consumers in the United States, causing other stocks to be shunted to one side to the degree that these priority deliveries must be processed first;

E) Urge governments of other oil-consuming nations to take these same actions, in the context of this global emergency;

F) Investigate petroleum market manipulation, through financial derivatives speculation of other unfair speculative practices, and probe allegations that some portion of the U. S. Strategic Petroleum Reserve recently released for the benefit of citizens of the Northeastern United States, are in fact being exported overseas for profit by the U. S. refineries; be it further

Resolved, That the City Council of Boston urges the Government of the Commonwealth of Massachusetts, the Massachusetts General Court, and other state and local governments of the United States to support these emergency actions in the vital interest of the General Welfare of its citizens.

Referred to the Committee on State and Federal Relations.

RESOLUTION ENCOURAGING RESIDENTS TO VOTE NO ON BALLOT QUESTION #8 (DOCKET NO. 1262)

Councilors MURPHY, HONAN, FLAHERTY, FEENEY, SCAPICCHIO, KELLY and HENNIGAN offered the following:

Whereas, On November 7th, citizens of the Commonwealth will be voting on ballot initiative question #8; a question that could potentially change the State Laws governing sentencing, drug-dependency treatment, fines and forfeitures based on arrests for drug crimes; and

Whereas, On October 26, 2000 the Public Safety Committee of the Boston City Council held a 3-hour public hearing to listen to testimony on the pros and cons of ballot initiative question #8; and

Whereas, After hearing the insightful testimony of Two District Attorneys, The Boston Police Commissioner, members from the ACLU and representatives in the Public Health field it was clear to the Committee that if question #8 were to pass it would be particularly damaging to the City of Boston from a public safety and financial standpoint; and

Whereas, All eleven Massachusetts District Attorneys along with the Massachusetts Chiefs of Police Association oppose question #8 because it would allow persons charged with a drug crime to request a court finding that he or she is drug dependent or may be at risk of becoming drug dependent, and would benefit from court-monitored treatment instead of a period of probation or incarceration. Once treatment is successfully completed, the criminal charges would be dismissed, causing concern that this broad definition may allow repeat offenders and drug dealers to manipulate the system and side step prosecution; and

Whereas, It is understood that treatment is vital to the rehabilitation of persons fighting drug addictions, passage of question #8 however would open up vast legal loopholes in the effort to prosecute drug crimes throughout the entire Commonwealth; therefore be it

Resolved, The Boston City Council oppose ballot initiative question #8 and encourage the residents of the City of Boston on November 7th to vote NO ON BALLOT QUESTION #8.

Councilor MURPHY moved that the resolution be adopted under suspension of the rules.

On motion of Councilor TURNER, the question first came on suspension of the rules.

The rules were not suspended; yeas 8, nays 5:

Yeas - Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Scapicchio - 8.

Nays - Conley, Davis-Mullen, Ross, Turner, Yancey - 5.

The resolution was referred to the Committee on Public Safety.

RESOLUTION RECOGNIZING AND COMMENDING LOCAL PARTICIPATING FUNERAL HOMES AND THOSE CITIZENS WHO HAVE SHOWN FINANCIAL SUPPORT OR OTHER SUPPORT FOR THE FUNERAL PROFESSION'S EFFORTS IN THE CONSTRUCTION OF NATIONAL WORLD WAR II MEMORIAL (DOCKET NO. 1263)

Councilors DAVIS-MULLEN, HENNIGAN, KELLY, ROSS, CONLEY, FEENEY, HONAN, SCAPICCHIO, ROACHE, TURNER, YANCEY, FLAHERTY and MURPHY offered the following :

Whereas, The Boston City Council is humbled and honored by the many and profound sacrifices made by all those Americans who contributed in any way to the monumental war effort that we and history call World War II; and

Whereas, The citizens from our community contributed to this victory, either in uniform or on the home-front, and by doing so, were part of the Allied defeat of the Axis powers after five years of terrible conflict and horrific experiences of war in Africa, Europe, and the Pacific; and

Whereas, The ultimate sacrifice of losing one's life in defense of his or her country and their country's principles was suffered by over 400,000 brave and selfless American soldiers, sailors, marines, and merchant marines; and

Whereas, This massive war is the only conflict or war in America's history which is not recognized with a national memorial; and

Whereas, The families of these brave men and women -to this day- still have no official and prominent location to which they may go to collectively recall the war days, while honoring their fallen and celebrating the lives of their family members who they love and remember; and

Whereas, The member funeral homes of the National Funeral Directors Association - the world's oldest and largest funeral service organization - have had the distinct privilege and honor of mounting a nationwide campaign, intended to help raise awareness of and funds for, the National World War II Memorial in Washington D.C.; and

Whereas, The funeral directors have had a very special relationship with the families of those veterans - the families who buried relatives, the families of those who returned home, and the survivors who our funeral homes still serve to this day, this governing body hereby gives recognition and thanks to area funeral homes that are involved with this great effort; therefore be it

Resolved, The Boston City Council recognizes and gives commendation, support and appreciation to our local participating funeral homes, their staffs, and staff's

family and to those local citizens who have shown financial support or other support for the funeral profession's efforts to help construct the National World War II Memorial; and be it further

Resolved, That the Boston City Council recognize and commend the following Boston area funeral homes for their participation in the World War II Memorial effort: F.J. Higgins Funeral Home, Folsom Funeral Home, Joseph Casper Funeral Home, John H. Sawyer Funeral Home, Keefe Keohane Funeral Home, Dolan Funeral Home, Robert J. Lawler & Crosby Funeral Home, J.S. Waterman & Son-Eastman-Waring Funeral Home, William J. Gormley Funeral Home and Jesse L. Corbin Funeral Home.

On motion of Councilor DAVIS-MULLEN, the rules were suspended; **the resolution was adopted.**

RESOLUTION COMMENDING BOSTON FIRE DEPARTMENT AND OTHER EMERGENCY AGENCIES FOR THEIR SELFLESS SERVICE, HEROICS AND EXPERIENCE (DOC-KET NO. 1264)

Councilor DAVIS-MULLEN offered the following:

Whereas, On the eve of Saturday October 28th into Sunday October 29, 2000, one of the biggest residential fires in recent Boston history ravaged residences throughout South Boston leaving over 60 residents without homes or belongings; and

Whereas, The gusty winds, the closeness of these dwellings to each other in this neighborhood and the times of night when these fires occurred had all of the ingredients to make these residential fires aggregately the worst in Boston's history; and

Whereas, Earlier on the eve of Saturday October 28, 2000 two separate and unrelated fires broke out in South Boston, one on E street and the other on East Broadway, which required the services of the Boston Fire Department and other agencies; and

Whereas, Early in the morning on Sunday October 29, 2000, the fire on Swallow Street and East Sixth Street was a 9 alarm blaze and required the experience, personnel, resources and already exhausted efforts of nearly every fire company in the City of Boston; and

Whereas, The Boston Fire Department and other emergency agencies responded to all of these fires within minutes of their respective alarms, enabling fire-fighters to stop and contain these fires from spreading to nearby residences; and

Whereas, The rapid response, experience and determination of all of Boston's fire companies, firefighters and emergency agencies resulted and directly contributed to the fact that no lives were lost in any of these fires; therefore be it

Resolved, That the Boston City Council, in meeting assembled, commend and honor all of the men and women of the Boston Fire Department for their selfless service, heroics and experience in preventing and controlling these fires from being as destructive as they could have been; and be it further

Resolved, That the Boston City Council commend and honor the Boston Police Department, the Boston Emergency Medical Services and all other public safety agencies for their services during this night of tragic fires.

On motion of Councilor DAVIS-MULLEN, the rules were suspended; **the resolution was adopted.**

LATE-FILED MATTERS

The Chair stated that, in absence of objection, 1 late-filed matter would be added to the Agenda.

No objection being heard, the following matter was added:

ORDER RE: SOCIAL STUDY TEXTBOOKS HEARING (DOCKET NO. 1280)

Councilors DAVIS-MULLEN, FEENEY, YANCEY, CONLEY, KELLY and HENNIGAN offered the following:

Whereas, It has been reported in today's Globe that some Boston public school students still don't have social-studies texts, including some fifth-graders who this spring will face the history portion of the MCAS exam for the first time in spring 2001, therefore be it

Ordered, That the Council's Committee on Education and School Matters hold a public hearing to look into this situation and that the necessary parties be invited to attend and testify.

Referred to the Committee on Education and School Matters.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councilors offered resolutions of a condolence or congratulatory nature as set forth after each Councilor's name:

Councilors Turner and Yancey: Congratulating 4 persons for their dedication to crime prevention (Docket No. 1265); congratulating 7 persons for their dedication to community service (Docket No. 1266); congratulating Brother Joel Davis (Docket No. 1267); congratulating Silver Leaf Gospel Singers (Docket No. 1268).

Councilor Ross: Commending The Abbey Group (Docket No. 1269).

Councilor Conley: Congratulating Lena Adams (Docket No. 1270).

Councilors Honan, Murphy and Scapicchio: Congratulating Dan Doherty (Docket No. 1271).

Councilor Honan: Congratulating 4 persons for their service to the Allston/Brighton community (Docket No. 1272).

Councilor Scapicchio: Congratulating W.P. "Pete Harty" (Docket No. 1273); congratulating Dr. Robert Oldshue (Docket No. 1274); congratulating Dr. Melinde Zitin (Docket No. 1275).

Councilor Yancey: Congratulating the Church of God Christian Life Center of Boston (Docket No. 1276); congratulating Reverend Dr. Othon O. Noel (Docket No. 1277).

Councilor Ross: Congratulating Charles B. Sherer (Docket No. 1278).

Councilor Scapicchio: Congratulating Mrs. Justina Gaskin (Docket No. 1248).

The Chair stated that in the absence of objection, one late-filed matter would be added to the Consent Agenda.

No objection being heard, the following matter was added:

Councilor Flaherty: Congratulating Jimmy Allen (Docket No. 1281).

The matters contained within the Consent Agenda were severally adopted.

STATEMENT OF COUNCILOR ROSS

Having unanimous consent to do so, Councilor ROSS wanted to thank Charles B. Sherer for donating to the Boston Public Library four boxes of old and rare books on World War II and thanked Mr. Sherer for his generosity and great contribution.

Councilor Ross also declared November 1, 2000 "Charles B. Sherer Day."

STATEMENT OF COUNCILOR FEENEY

Having unanimous consent to do so, Councilor FEENEY wanted to acknowledge Mr. Charles Sherer's donation adding that Mr. Sherer, although being gravely ill at this time is always giving and doing for others and wished him well.

STATEMENT OF COUNCILOR DAVIS-MULLEN

Having unanimous consent to do so, Councilor Davis-Mullen first wanted to congratulate Bob Durand.

Councilor Davis-Mullen also wanted to acknowledge Gail Hackett's departure from City Council employment saying she will be sorely missed and wished her well with her new endeavors.

STATEMENT OF COUNCILOR HENNIGAN

Having unanimous consent to do so, Councilor Hennigan wanted to also give accolades to Gail Hackett calling her a wonderful resource for this body and also acknowledging her recent Shattuck Award.

STATEMENT OF COUNCILOR SCAPICCHIO

Having unanimous consent to do so, Councilor Scapicchio wanted also to thank Gail for her work with him in the Committee on Economic Development and Transportation.

ORDER APPROVING APPROPRIATION OF \$175,771 FOR LIBRARY OF LAST RE-COURSE (DOCKET NO. 1106)

Councilor HONAN called Docket No. 1106 from the Committee on Library Services.

Hearing no objection, the matter was before the body. On motion of Councilor HONAN, the order was passed.

NEXT MEETING

President KELLY moved that when the Council adjourn today it be to meet again on Wednesday, November 15, 2000 at 12:00 noon.

The motion was carried.

Adjourned at 2:15 p.m. on motion of President Kelly to meet again on Wednesday, November 15, 2000 at 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, November 15, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 1:00 p.m., Councillor FEENEY in the chair. Absent, Councillors KELLY and MURPHY.

INVOCATION

Pastor Minyard Culpepper, Pleasant Hill Baptist Church, delivered the invocation, and the meeting was opened with the pledge of allegiance to the flag.

ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$54,313.19 FROM MASSACHUSETTS OFFICE OF ATTORNEY GENERAL FOR PURPOSE OF TRUANCY PREVENTION PROGRAM AS WELL AS VIETNAMESE COMMUNITY RELATIONS SPECIALIST TO PROVIDE OUTREACH TO VIETNAMESE COMMUNITY IN DORCHESTER AS PART OF DORCHESTER SAFE NEIGHBORHOOD INITIATIVE (DOCKET NO. 1282)

The following was received:

City of Boston
Office of the Mayor

October 26, 2000

To the City Council.

Dear Councilors:

I hereby transmit for your approval an order authorizing the City of Boston to accept and expend a grant in the amount of \$54,313.19 from the Massachusetts Office of the Attorney General. This award is made for the purpose of a truancy prevention program as well as a Vietnamese community relations specialist to provide outreach to the Vietnamese community in Dorchester as a part of the Dorchester Safe Neighborhood Initiative.

I urge your Honorable Body to adopt this order as soon as possible so that the City of Boston may accept the funds expeditiously and expend them for the purposes for which they were granted.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Police Commissioner, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend a grant award from the Massachusetts Office of the Attorney General in an amount not to exceed \$54,313.19 for the purpose of operating a truancy prevention program as well as utilizing a Vietnamese community relations specialist to provide outreach to the Vietnamese community in Dorchester as a part of the Dorchester Safe Neighborhood Initiative.

Referred to the Committee on Public Safety.

ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$13,000 FROM GOVERNOR'S ALLIANCE AGAINST DRUGS FOR PURPOSE OF TRAINING AND UTILIZING POLICE OFFICERS IN TEACHING DRUG AWARENESS RESISTANCE EDUCATION TO PUBLIC SCHOOL CHILDREN THEREBY PREVENTING YOUTH DRUG USE (DOCKET NO. 1283)

The following was received:

City of Boston
Office of the Mayor

October 26, 2000

To the City Council.

Dear Councilors:

I hereby transmit for your approval an order authorizing the City of Boston to accept and expend a grant in the amount of \$13,000 from the Governor's Alliance Against Drugs. This award is made for the purpose of training and utilizing police officers in teaching drug awareness resistance education to Boston Public School children and thereby preventing youth drug use in the City of Boston.

I urge your Honorable Body to adopt this order as soon as possible so that the City of Boston may accept the funds expeditiously and expend them for the purposes for which they were granted.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Police Commissioner, acting on behalf of the City of Boston, be and hereby is authorized to accept and expend the Governor's Alliance Against Drugs award in an amount not to exceed the amount of \$13,000 for the purpose of training and utilizing police officers to teach drug awareness resistance education to Boston Public School children and thereby preventing youth drug use in the City of Boston.

Referred to the Committee on Public Safety.

ORDER ACCEPTING PROVISIONS OF SECTION 94 OF CHAPTER 159 OF ACTS OF 2000 AFFECTING CREDITABLE SERVICE FOR REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS WHO ARE ON AUTHORIZED LEAVES OF ABSENCE FROM CITY EMPLOYMENT (DOCKET NO. 1284)

The following was received:

City of Boston
Office of the Mayor

November 6, 2000

To the City Council.

Dear Councilors:

I hereby transmit for your approval an order accepting Section 94 of Chapter 159 of the Acts of 2000, affecting creditable service for representatives of employee organizations who are on authorized leaves of absence from City employment.

Section 94 amends M.G.L. c. 32 §28K by extending the period of creditable service which may be purchased by representatives of employee organizations who are

on an authorized leave of absence from their City employment for the purpose of serving in the employee organization. Since January 1, 1992, eligible employee representatives have purchased creditable service on an ongoing basis. Section 94 allows eligible employee representatives to purchase creditable service back to January 1, 1975.

The provision of Section 94 takes effect upon acceptance by the Boston Retirement Board and upon acceptance of the City Council and the Mayor. The Boston Retirement Board accepted Section 94 on August 10, 2000. I urge your Honorable Body to approve the acceptance so that the amendment to Section 94 of Chapter 159 of the Acts of 2000 may take effect in the City without delay.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That the acceptance of Section 94 of Chapter 159 of the Acts of 2000, be and the same hereby is approved. Aug. 10, 2000.

Referred to the Committee on Government Operations.

ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$225,000 FROM U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES FOR PURPOSE OF FUNDING COPS MORE 2000 PROGRAM (DOCKET NO. 1285)

The following was received:

City of Boston
Office of the Mayor

November 1, 2000

To the City Council.

Dear Councilors:

I hereby transmit for your for your approval an order authorizing the City of Boston to accept and expend an award in the amount of \$225,000 in the form of a United States Department of Justice, Office of Community Oriented Policing Services grant award to the Boston Police Department, for the purpose of funding the COPS MORE 2000 Program.

I urge your Honorable Body to adopt this order as soon as possible so that the City of Boston may accept the funds expeditiously and expend them for the purposes for which these funds were granted.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Whereas, The US Department of Justice, Office of Community Oriented Policing Services, has authorized the issuance of funds to the Boston Police Department; and

Whereas, The funds in the amount of \$225,000 will be utilized by the Boston Police Department to implement the COPS MORE 2000 program; now, therefore be it

Ordered, That the Mayor, acting on behalf of the City of Boston be, and hereby is authorized, to accept and expend the US Department of Justice, Office of Community Oriented Policing Services grant award not to exceed the amount of \$225,000

Referred to the Committee on Public Safety.

ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$3,372,000 FROM MASSACHUSETTS EXECUTIVE OFFICE OF PUBLIC SAFETY, STATE COMMUNITY POLICING FOR PURPOSE OF CONTINUING SAME COP SAME NEIGHBORHOOD PROGRAM (DOCKET NO. 1286)

The following was received:

City of Boston
Office of the Mayor

October 31, 2000

To the City Council.

Dear Councilors:

I hereby transmit for your approval an order authorizing the City of Boston to accept and expend an award in the amount of \$3,372,000 in the form of a Commonwealth of Massachusetts Executive Office of Public Safety, State Community Policing grant award to the Boston Police Department, for the purpose of continuing the Same Cop Same Neighborhood program.

I urge your Honorable Body to adopt this order as soon as possible so that the City of Boston may accept the funds expeditiously and expend them for the purposes for which these funds were granted.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Whereas, The Commonwealth of Massachusetts, Executive Office of Public Safety, has authorized the issuance of funds to the Boston Police Department; and

Whereas, The funds in the amount of \$3,372,000 will be utilized by the Boston Police Department to implement the Same Cop Same Neighborhood program; now, therefore be it

Ordered, That the Mayor, acting on behalf of the City of Boston be, and hereby is authorized, to accept and expend the Commonwealth of Massachusetts, Executive Office of Public Safety's award not to exceed the amount of \$3,372,000

Referred to the Committee on Public Safety.

ORDER AUTHORIZING DIRECTOR OF INTERGOVERNMENTAL RELATIONS TO ACCEPT AND EXPEND GRANT OF \$79,100 FROM MASSACHUSETTS TURNPIKE AUTHORITY METROPOLITAN HIGHWAY SYSTEM TOURISM GRANT PROGRAM TO HELP DEFRAY COSTS OF HOSTING NATIONAL LEAGUE OF CITIES CONFERENCE IN DECEMBER 2000 (DOCKET NO. 1287)

The following was received:

City of Boston
Office of the Mayor

November 6, 2000

To the City Council.

Dear Councilors:

I transmit herewith for your confirmation an Order authorizing the Director of Intergovernmental Relations (IGR), on behalf of the City of Boston, to accept and expend a grant award not to exceed the amount of \$79,100 from the Massachusetts Turnpike Authority Metropolitan Highway System Tourism Grant Program. The purpose of said funds is to help defray the costs of hosting the National League of Cities Conference in the

City of Boston in December 2000.

I urge your Honorable Body to adopt this Order as soon as possible so that the City of Boston may accept and expend these funds expeditiously for the purposes for which they were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Director of Intergovernmental Relations (IGR), on behalf of the City of Boston, be and hereby is authorized to accept and expend a grant award not to exceed the amount of \$79,100 from the Massachusetts Turnpike Authority Metropolitan Highway System Tourism Grant Program to help defray the costs of hosting the National League of Cities Conference in the City of Boston in December 2000.

On motion of Councilor FLAHERTY, the rules were suspended; the order was passed.

ORDER TO REDUCE APPROPRIATION FOR RESERVE FOR COLLECTIVE BARGAINING BY \$1,036,858 TO PROVIDE FUNDING IN VARIOUS DEPARTMENTS FOR COLLECTIVE BARGAINING SETTLEMENTS WITH SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 285 (SEIU) AND INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (IBEW) (DOCKET NO. 1288)

The following was received:

City of Boston
Office of the Mayor

November 14, 2000

To the City Council.

Dear Councilors:

I transmit herewith for your approval an order to reduce the appropriation for the Reserve for Collective Bargaining by \$1,036,858 to provide funding in various departments for the collective bargaining settlements with the Service Employees International Union, Local 285 (SEIU) and the International Brotherhood of Electrical Workers (IBEW).

I respectfully request your favorable action on this important matter.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the appropriation heretofore made, to meet the current operating expenses in the fiscal year commencing July 1, 2000 and ending June 30, 2001, be reduced by the following amount:

2001-100-999000-51000 Reserve for Collective Bargaining \$1,036,858

Referred to the Committee on Ways and Means.

ORDER APPROVING SUPPLEMENTAL APPROPRIATION OF \$1,036,858 TO COVER FY01 COST IN VARIOUS DEPARTMENTS OF COLLECTIVE BARGAINING AGREEMENTS WITH SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 285 (SEIU) AND INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (IBEW) (DOCKET NO. 1289)

The following was received:

City of Boston
Office of the Mayor

November 14, 2000

To the City Council.

Dear Councilors:

I transmit herewith for your approval a supplemental appropriation, totaling \$1,036,858, to cover the FY01 cost in various departments of the collective bargaining agreements with the Service Employees International Union, Local 285 (SEIU) and the International Brotherhood of Electrical Workers (IBEW).

As originally presented to you, the FY01 budget request included a Reserve for Collective Bargaining - a separate appropriation to fund projected collective bargaining increases. A separate order has been filed to reduce that appropriation to support this supplemental request. The City budget remains balanced.

I respectfully request your favorable action on this important matter.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That in addition to the appropriations heretofore made, to meet the current operating expenses in the fiscal year commencing July 1, 2000 and ending June 30, 2001, the sums contained in the attached schedule be, and hereby are appropriated, said sums to be raised by taxation pursuant to Section 23 of Chapter 59 of the General Laws:

Budget Year	Fund	Organization	Account	Department	Amount
2001	100	121100	51000 Election		1,204
2001	100	121200	51000 Election		17,259
2001	100	121300	51000 Election		20,470
2001	100	121400	51000 Election		1,204
2001	100	131100	51000 Auditing		2,086
2001	100	131300	51000 Auditing		1,869
2001	100	131500	51000 Auditing		9,318
2001	100	131600	51000 Auditing		854
2001	100	134100	51000 Taxpayer Referral & Assistance		10,190
2001	100	136100	51000 Assessing		19,909
2001	100	136200	51000 Assessing		22,307
2001	100	136300	51000 Assessing		7,446
2001	100	137100	51000 Treasury/Collecting		8,028
2001	100	137200	51000 Treasury/Collecting		8,646
2001	100	137400	51000 Treasury/Collecting		4,014
2001	100	137500	51000 Treasury/Collecting		4,940
2001	100	137600	51000 Treasury/Collecting		5,249
2001	100	138100	51000 Treasury/Treasury		4,389
2001	100	138200	51000 Treasury/Treasury		3,872
2001	100	138300	51000 Treasury/Treasury		6,712
2001	100	138400	51000 Treasury/Treasury		5,679
2001	100	138500	51000 Treasury/Treasury		3,356
2001	100	138600	51000 Treasury/Treasury		1,807
2001	100	141100	51000 Budget Management		5,411
2001	100	142100	51000 Human Resources		14,112
2001	100	142300	51000 Human Resources		12,695
2001	100	142400	51000 Human Resources		7,938
2001	100	142500	51000 Human Resources		12,231
2001	100	143100	51000 Purchasing		4,513
2001	100	143200	51000 Purchasing		14,794
2001	100	143300	51000 Purchasing		5,767
2001	100	144100	51000 COO		3,861
2001	100	145100	51000 Graphic Arts		3,863
2001	100	145200	51000 Graphic Arts		1,208
2001	100	149100	51000 MIS		948
2001	100	149500	51000 MIS		2,667
2001	100	149600	51000 MIS		5,348
2001	100	149600	51000 MIS		11,138
2001	100	149800	51000 MIS		1,659
2001	100	149900	51000 MIS		1,659
2001	100	150100	51000 Law		28,064
2001	100	156100	51000 Minority & Women Business		7,496
2001	100	157100	51000 BRP		19,503
2001	100	161100	51000 City Clerk		1,921
2001	100	161200	51000 City Clerk		5,502
2001	100	161300	51000 City Clerk		1,310
2001	100	163100	51000 Registry Division		1,810
2001	100	163200	51000 Registry Division		26,238

Budget Year	Fund	Organization	Account	Department	Amount
2001	100	163300	51000 Registry Division		2,111
2001	100	162700	51000 Property Management		16,319
2001	100	211101	51000 Police		22,355
2001	100	211201	51000 Police		22,355
2001	100	211301	51000 Police		156,482
2001	100	211401	51000 Police		11,117
2001	100	211501	51000 Police		273,644
2001	100	211601	51000 Police		5,589
2001	100	211701	51000 Police		67,064
2001	100	251100	51000 Licensing Board		6,998
2001	100	260300	51000 Inspectional Services		24,703
2001	100	311100	51000 Public Works		1,992
2001	100	311600	51000 Public Works		20,137
2001	100	384100	51000 Rental Housing Resource Center		10,540
2001	100	741100	51000 Veterans' Services		21,297
					1,035,552

Referred to the Committee on Ways and Means.

ORDINANCE AMENDING MINORITY AND WOMEN BUSINESS ENTERPRISE (MWBE) ORDINANCE (DOCKET NO. 1290)

The following was received:

City of Boston
Office of the Mayor

November 14, 2000

To the City Council.

Dear Councilors:

I transmit here with for your approval an Ordinance amending the Minority and Women Business Enterprise (MWBE) Ordinance, which is due to expire on December 31, 2000.

In 1994, the City of Boston commissioned a so-called disparity study entitled, "The Utilization of Minority and Woman-Owned Business Enterprises in the Boston Metropolitan Area." Based on this study, the MWBE Ordinance was amended to narrowly tailor the program in light of recent court decisions. Part of this amendment included a sunset provision ending in the year 2000, even though the findings of the study were valid until the end of 2004.

The Minority and Women Business Enterprise Office has retained a consultant to update the findings of the 1994 disparity study. Given, however, that data from the 2000 census is not yet available, I am asking the City Council to approve a one-year extension of the MWBE ordinance to allow for the disparity study to be fully updated with the most recent and best available data. Once that information is available, I will ask my administration and the City Council to evaluate the data so that the City will have the strongest possible MWBE program from both programmatic and legal perspectives.

In light of the fact that the findings of the 1994 disparity study remain valid until 2004 and the results of the 2000 Federal Census are not yet available, I urge your Honorable Body to pass this amendment without delay.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

City of Boston
In the Year Two Thousand

AN ORDINANCE
AMENDING THE MINORITY AND WOMEN
BUSINESS ENTERPRISE ORDINANCE, CITY OF
BOSTON CODE, ORDINANCES, CHAPTER 4-4

Be it ordained by the City Council of Boston, as follows:

City of Boston Code, Ordinances, Chapter IV, section 4-4. 8, is hereby further amended by deleting the entire section and inserting in its place the following:

"This section shall take effect upon passage and shall expire on December 31, 2001."

Referred to the Committee on Government Operations and Committee on Equity.

JITNEY APPLICATION
(DOCKET NO. 1291)

Petition was received from J.C. Transportation for license to operate motor vehicles for the carriage of passengers for hire over certain streets in Boston.

Referred to the Committee on Economic Development and Transportation.

COMMUNICATION RECEIVED FROM ALGONQUIN GAS TRANSMISSION COMPANY RE: FEDERAL ENERGY REGULATORY COMMISSION, DOCKET #CP01-5000 SUPPLEMENTAL RESOURCE REPORT FILING FOR HUBLINE PROJECT (DOCKET NO. 1292)

Communication was received from Algonquin Gas Transmission Company re: Federal Energy Regulatory Commission, Docket #CP01-5000 Supplemental Resource Report Filing for the Hubline Project.

Placed on file.

COMMUNICATION RECEIVED FROM NANCY LANCELLOTTI RE: BULFINCH TRIANGLE NOTICE OF PROJECT CHANGE/ENVIRONMENTAL REEVALUATION (DOCKET NO. 1293)

Communication was received from Nancy Lancelotti re: Bulfinch Triangle Notice of Project Change/Environmental Reevaluation.

Placed on file.

NOTICE FROM CITY CLERK RE ACTIONS TAKEN BY MAYOR WITH REGARD TO PAPERS ACTED UPON BY CITY COUNCIL AT ITS 10/4/00 MEETING (DOCKET NO. 1294)

The following was received:

City of Boston
Office of the City Clerk

November 8, 2000

To the City Council.

Councilors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of October 4, 2000, viz:

- 0610 Order accepting the provisions of Chapter 640 of the Acts of 1985, as amended, which grants by local option the authority to suspend, revoke or deny city issued licenses to delinquent taxpayers. Approved by the Mayor October 13, 2000.
- 0613 Order accepting the provisions of Chapter 281 of the Acts of 1990, which grants by local option the authority to abate delinquent property tax accounts with balances of ten dollars or less. Approved by the Mayor October 13, 2000.
- 1014 Order approving a supplemental appropriation of \$1,199,556 for the School Department. Approved by the Mayor October 13, 2000.
- 1081 Order authorizing the Department of Neighborhood Development to accept and expend a supplemental Federal FY99 Shelter Plus Care Grant of \$649,920 from HUD. Approved by the Mayor October 13, 2000.
- 1150 Constable's Bond of William Doniger. Approved by the Mayor October 13, 2000.

Very truly yours,
Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE ACTIONS TAKEN BY MAYOR WITH REGARD TO PAPERS ACTED UPON BY CITY COUNCIL AT ITS 10/18/00 MEETING (DOCKET NO. 1295)

The following was received:

City of Boston
Office of the City Clerk

November 8, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of October 18, 2000, viz:

- 1186 Order authorizing the Police Commissioner to accept and expend a Kmart Family Foundation Award grant of \$4,400 for the purchase of D.A.R.E. educational material and/or products.
Approved by the Mayor November 1, 2000.
- 1194 Order pursuant to the provisions of MGL, Chapter 41, Section 100B, the City Council directs that the petition of Daniel Shea be approved, and the amount of \$2079 be paid by the State-Boston Retirement Board.
Approved by the Mayor November 6, 2000.

Very truly yours,
Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE ACTIONS TAKEN
BY MAYOR WITH REGARD TO PAPERS
ACTED UPON BY CITY COUNCIL AT ITS
10/25/00 MEETING (DOCKET NO. 1296)

The following was received:

City of Boston
Office of the City Clerk

November 8, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of October 25, 2000, viz:

- 1188 Order approving a supplemental appropriation of \$16,893,306 for the School Department.
Approved by the Mayor November 2, 2000.
- 1217 Order to reduce the appropriation for the Reserve for Collective Bargaining by \$1,720,645 to provide funding in various departments for the collective bargaining settlement for the American Federation of State, County and Municipal Employees, Council 93 AFL-CIO (AFSCME).
Approved by the Mayor November 2, 2000.
- 1218 Order approving a supplemental appropriation of \$1,720,645 to cover the FY01 cost in various departments for the collective bargaining settlement for the American Federation of State, County and Municipal Employees, Council 93 AFL-CIO (AFSCME).
Approved by the Mayor November 2, 2000.

Very truly yours,
Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK RE ACTIONS TAKEN

BY MAYOR WITH REGARD TO PAPERS
ACTED UPON BY CITY COUNCIL AT ITS
11/1/00 MEETING (DOCKET NO. 1297)

The following was received:

City of Boston
Office of the City Clerk

November 8, 2000

To the City Council.

Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of November 1, 2000, VIZ:

- 1106 Order approving an appropriation of \$175,771.14 for the Library of Last Recourse.
Approved by the Mayor November 6, 2000.
- 1185 Order authorizing the Police Commissioner to accept and expend an Executive Office of Public Safety Juvenile Accountability Incentive Block grant of \$346,685.
Approved by the Mayor November 6, 2000.
- 1224 Order to reduce the appropriation for the Reserve for Collective Bargaining by \$452,647 to provide funding for the collective bargaining settlement for AFSCME, Local 1526 (Library).
Approved by the Mayor November 6, 2000.
- 1225 Order approving a supplemental appropriation of \$452,647 to provide funding for the collective bargaining settlement for AFSCME, Local 1526 (Library).
Approved by the Mayor November 6, 2000.
- 1256 Constable's Bonds of Antonio G. Correia and William Meier, III.
Approved by the Mayor November 6, 2000.

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

APPROVAL OF CONSTABLE'S BONDS (DOCKET NO. 1298)

The Constable's Bonds of the following, having been duly approved by the Collector-Treasurer were received and approved:

Paul A. Allosso, Jr.
Thomas Brown
Roflyn Cazeau
Brian P. Ciavola
Thomas J. Connolly
Steve D. Galloway
William D. Jackson
Keith Locario
James E. White
Willie J. Williams

APPROVAL OF CONSTABLE'S BONDS (DOCKET NO. 1299)

The Constable's Bonds of the following, having been duly approved by the Collector-Treasurer were received and approved:

Richard A. Beaulieu
Leo C. Boucher Jr.
Peter Bruno

Raoul Jacques
Tony Jones
Sheila J. Keaney

James P. Buttiglieri
Francis Cappuccino
Robert Chan
Lesley S. Christos
John J. Connors
Shawn F. Croke
Evangeline Davis
Alfonso Denson Jr.
Joseph R. Dorato
Iris Figueroa
Joseph T. Fitzmaurice
Michael B. Forde
William F. Grady
Jason R. Grant
Joseph S. Hamelburg
Joshua S. Handley
Regina Hanson
James T. Holmes Jr.
Carol Hurley

Edward M. Kennedy
Peter F. Kenny
Binh Q. Lam
Harrison Lee
Allen T. Major
Christopher McNally
Steven G. O'Donnell
Brian Oliveri
John Powers
Leonard F. Puccia
William F. Reane
Julia M. Scott
Joseph M. Smith
Michael Slavin
Samuel Speigel
Marta Suarez
Paula A. Titus
Linda J. Walsh
Byrain A. Winbush
Terrance L. Yancey

Placed on file.

REPORT ON ORDINANCE RELATIVE TO BANNING SALE OF MERCURY THERMOMETERS (DOCKET NO. 1116)

Councilor ROACHE, on behalf of the Committee on Public Health, submitted the following:

Report on Docket No. 1116, ordinance relative to banning the sale of mercury Thermometers (referred September 20) - recommending passage of the ordinance in the following new draft:

City of Boston

In the Year Two Thousand

AN ORDINANCE RELATIVE TO BANNING THE SALE OF MERCURY THERMOMETERS IN THE CITY OF BOSTON

Be it ordained by the City Council of Boston, in accordance with the provisions of Massachusetts General Laws Chapter 43B, Section 13, and any other applicable law, as follows:

Section 1

(a) Mercury is a persistent and toxic pollutant that bioaccumulates in the environment and the food chain.

(b) Incineration of medical and municipal waste, which contains whole or broken thermometers, is a major source of atmospheric deposition of mercury in the Northeast resulting in mercury contamination of air and water.

(c) Mercury from mercury thermometers can also directly enter the environment through vaporization and/or spillage when a thermometer breaks during use, transportation or disposal. The United States Environmental Protection Agency (US EPA) estimated that for the year 2000, 17 tons of elemental mercury from thermometers will be disposed of as municipal solid waste - this does not include additional mercury that finds its way into the medical waste stream.

(d) Accidental mercury spills, breakages, and releases have occurred at schools throughout the Northeast. In addition to the threat of health risks to students and staff and potential for adverse environment impact, these discharges are costly. Harvard University has sited that it costs \$110 to properly clean up a single thermometer breakage in a laboratory. If the mercury is accidentally spread through tracking, HVAC or cleaning, costs rapidly escalate. This does not reflect the cost to replace contaminated items and in some cases it can reach into multiple thousands of dollars. These incidences have proven costly to clean up and have exposed students, teachers and/or administrators to mercury emissions.

(e) Due to the bioaccumulation of mercury in fish, the Massachusetts Department of Public Health has issued a statewide native fresh waster fish advisory, warning pregnant women, women of childbearing age and children not to consume any fish.

(f) Pharmacy chains of Rite-Aid, K-Mart, Brooks, Target, Wal-Mart, Albertson, Kinney, Toys 'R' Us, Safety First, The First Years and Meijers amongst others have joined a Mercury Free Thermometer campaign, pledging to discontinue the sale of mercury basal and fever thermometers.

(g) There are accurate and safe alternatives to mercury thermometers that are readily available and comparable in cost.

(h) Local take back programs have already demonstrated the ease and effectiveness of removing mercury products. The town of Burlington, MA successfully collected more than 1425 mercury thermometers. Unexpectedly, Burlington's program also received over 60 pounds of raw elemental mercury. Oakland County in Michigan is also rounding up mercury thermometers to get the toxic metal out of medicine cabinets. Beth Israel Deaconess Medical Center, New England Medical Center, and Dana Farber Cancer Institute and Newton-Wellesley Medical Center are among many hospitals and clinics that have participated in mercury thermometers 'round-ups' and have taken a pledge to virtually eliminate mercury waste from the health care waste stream by 2003.

(i) In 1998 the American Poison Control Center received 18,000 phone calls regarding broken mercury thermometers. The average cost of handling each call was \$30, plus the added cost to the caller of cleaning up the mercury spill.

(j) In the state of New Hampshire, a person shall not sell or supply mercury fever thermometers to consumers and patients, except by prescription. The county of San Francisco; the city of Duluth, Minnesota; the city of Ann Arbor, Michigan and Dane County Wisconsin are among many government bodies that have already passed legislation to ban the sale of mercury thermometers.

(k) The New England States and Eastern Canadian Provinces are implementing a bi-national mercury plan, which was unanimously adopted in June of 1998 by the Conference of New England Governors and Eastern Canadian Premiers (and signed by Governor Cellucci in June 1998). The mercury action plan is an ambitious program to virtually eliminate the emissions of mercury in the region. The regional goal of this action plan supports the virtual elimination of anthropogenic mercury. The plan consistent with the prohibition of mercury thermometers sales.

(l) The "Massachusetts Zero Mercury Strategy", formed by Environmental Affairs Secretary, Robert Durand, adopted in the summer of 2000 an ambitious strategy that calls for virtual elimination of the use and discharge of mercury including mercury thermometers.

(m) The American Hospital Association (AMA) - US Environmental Protection Agency (EPA) memorandum of Understanding calls for "virtual elimination" of mercury from healthcare facilities. Over 500 hospitals and clinics across the country have already taken a pledge to remove mercury thermometers and replace them with safe alternatives.

(n) The New England states are in the process of individually introducing model mercury legislation that would severely restrict the sale of mercury fever thermometers.

Section 2 The Municipal Code of the City of Boston is amended as follows:

Section 2.1. Definitions.

A. City means the City of Boston.

B. Mercury thermometer means a mercury-containing product that is used to measure body temperature. A mercury-containing product is a product, device, instrument or equipment into which elemental mercury or mercury compounds are intentionally added during its

formulation or manufacture and in which the continued presence of mercury is desired to provide a specific characteristic or to permit a specific function.

C. Health care facility means any hospital, nursing home, extended care facility, long term facility, clinic or medical laboratory, state or private health or mental institution, clinic, physician's office or health maintenance organization.

D. Manufacturer means any person, firm, association, partnership, corporation, governmental entity, organization, combination, or joint venture that produces a mercury fever thermometer. If the mercury thermometer is produced in a foreign county, the manufacturer is the importer or domestic distributor.

Section 2.2. Retail Sale Prohibited. A person shall not sell or supply (including online retail) mercury fever thermometers to consumers and patients, except by prescription. The manufacturers of mercury fever thermometers shall supply clear instructions on the careful handling of the thermometer to avoid breakage and proper cleanup should a breakage occur with all mercury fever thermometers sold through prescriptions.

Section 2.3. Manufacturing Prohibited. It shall be unlawful for any person to manufacture a mercury thermometer in the City.

Section 2.4. Importation Prohibited. It shall be unlawful for any facility to import, purchase, or distribute a mercury thermometer in the City, except in the case of medical necessity as determined by a licensed physician.

Section 2.5. Restriction on the Sale of Mercury Thermometers. Six months after the adoption of this ordinance, a person may not sell or supply mercury fever thermometers to consumers and patients.

Section 2.6. Penalty. Any person who violates this ordinance shall be guilty of a misdemeanor, punishable by a fine of not more than \$700.00 per unit sold.

Councilor ROACHE moved that the ordinance be amended by striking the words "guilty of a misdemeanor, punishable by a fine of not more than \$700.00 per unit sold" and substituting the words "subject to a fine of not more than \$700.00 per unit sold. The Public Health Commission shall have jurisdiction over outreach and the enforcement of this ordinance."

The motion was carried.

The report was accepted; **the ordinance, in the new draft, as amended, was passed.**

REPORT ON ORDER APPROVING PETITION FOR SPECIAL LAW THAT WOULD EXPEDITE USE OF STATE FUNDS FOR REDEVELOPMENT OF SEVERELY DISTRESSED PORTION OF BOSTON HOUSING AUTHORITY (BHA) WEST BROADWAY DEVELOPMENT AND USE OF HOPE VI FEDERAL FUNDS FOR REDEVELOPMENT OF SEVERELY DISTRESSED MAVERICK DEVELOPMENT (DOCKET NO. 0981)

Councilor FEENEY, on behalf of the Committee on Government Operations and Councilor HENNIGAN, on behalf of the Committee on Housing, submitted the following:

Report on Docket No. 0981, message of the Mayor and order approving a petition for a special law that would expedite the use of state funds for redevelopment of a severely distressed portion of the Boston Housing Authority (BHA) West Broadway development and the use of HOPE VI federal funds for redevelopment of the severely distressed Maverick Development (referred August 2) - recommending passage of the order in the following new draft:

HOME RULE PETITION

Ordered, That a petition to the General Court, accom-

panied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause (1) of Section eight of Article two, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

PETITION FOR A SPECIAL LAW RE: EXPEDITING STATE AND FEDERAL FUNDING FOR REDEVELOPMENT OF SEVERELY DISTRESSED PUBLIC HOUSING

SECTION 1 Notwithstanding the provisions of any general or special law to the contrary, the redevelopment by the Boston Housing Authority of the federally funded Maverick public housing project or the state funded West Broadway Public Housing project, or any part thereof, shall not be subject to the requirements of any general or special law related to the procurement and award of contracts for the construction, reconstruction, installation, demolition, maintenance or repair of any building by a public agency, but shall remain subject to the requirements of sections 26 to 27H, inclusive of chapter 149 of the General Laws: provided however, that contracts for the construction, reconstruction, alteration, remodeling or repair of any publicly owned public works which service such projects and would otherwise be subject to the requirements of section 39M of chapter 30 of the General Laws shall not be exempted by the provisions of this act from the requirements of said statute; and provided the redevelopment of such projects shall be funded in part by a federal government Hope VI grant, or pursuant to issuance of tax-exempt bonds authorized under the General Laws and provided further, that any conveyance of such projects, whether by leasehold or fee estate, to an urban revitalization corporation organized pursuant to Chapter 121A of the General Laws or to a nonprofit state and federally tax-exempt corporation organized for the purpose of revitalizing such projects shall be subject to chapter 30B of the General Laws to the extent such projects are conveyed to an entity which is not owned controlled or managed by the Boston Housing Authority on the date of said conveyance

SECTION 2 This act shall take effect upon its passage.

The report was accepted; **the order, in the new draft, was passed,**

REPORT ON ORDER FOR CONFIRMATION OF REAPPOINTMENT OF ANGELO BUONOPANE AS MEMBER OF ZONING BOARD OF APPEALS (DOCKET NO. 1027)

Councilor SCAPICCHIO, on behalf of the Committee on Economic Development and Transportation, submitted the following:

Report on Docket No. 1027, message of the Mayor and order for confirmation of the reappointment of Angelo Buonopane as a member of the Zoning Board of Appeals (referred August 30) - recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER APPROVING A PETITION FOR A SPECIAL LAW RE: AN ACT RELATIVE TO AN INCREASE IN THE EXEMPTION FOR RESIDENTIAL PROPERTY FROM 20 PERCENT TO 30 PERCENT (DOCKET NO. 1184)

Councilor HENNIGAN, on behalf of the Committee

on Ways and Means, submitted the following:

Report on Docket No. 1184, message of the Mayor and order approving a petition for a special law relative to an increase in the exemption for residential property from 20 percent to 30 percent (referred October 18) - recommending passage of the order.

The report was accepted; **the order was passed**; yeas 11:

Yeas - Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Roache, Ross, Scapicchio, Turner, Yancey- 11.

Nays - 0.

ORDER FOR HEARING RE: DECISION BY DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT TO WITHDRAW DESIGNATION AS DEVELOPER FOR VACANT LAND IN SOUTH BOSTON FROM SOUTH BOSTON BETTERMENT TRUST (DOCKET NO. 1300)

Councilor DAVIS-MULLEN offered the following:

Whereas, The South Boston Betterment Trust was informed on November 6, 1999 that they be tentatively designated as the developer for vacant land in South Boston; and

Whereas, The South Boston Betterment Trust submitted an Affirmative Fair Housing Marketing Plan (AFHMP) to the Department of Neighborhood Development (DND); and

Whereas, The South Boston Betterment Trust received a letter from Mount Washington Bank with an intent to finance construction of 35 to 50 units of affordable housing in South Boston; and

Whereas, The South Boston community is in dire need of affordable housing; and

Whereas, The Department of Neighborhood Development held a meeting on November 9, 2000 recommending that the City of Boston Public Facilities Commission (PFC) not extend the tentative developer designation beyond the expiration date of October 28, 2000; and

Whereas, The Department of Neighborhood Development did not provide the South Boston Betterment Trust with any notice or a fair process in its decision; and

Whereas, The Public Facilities Commission voted and withdrew designation of fourteen parcels of city owned land on November 9, 2000; and

Whereas, The South Boston Betterment Trust believed that they had a commitment in "Good Faith" with the City of Boston; therefore be it

Ordered, That the Boston City Council conduct a public hearing concerning the decision by the Department of Neighborhood Development to withdraw designation from the South Boston Betterment Trust; and further be it

Ordered, The Department of Neighborhood Development, the Public Facilities Commission and all other relative parties prepare to testify and support its position with written documentation.

Referred to the Committee on Economic Development and Transportation.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 1301)

Councilor KELLY offered the following:

Ordered, that effective Saturday, November 11, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, February 2, 2001:

Sean T. Pierce Administrative Asst. \$250 part time

Michael Moran Secretary \$250 full time

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 1302)

Councilor KELLY offered the following:

Ordered, That effective Saturday, December 2, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, December 15, 2000:

Janet M. Doherty	Secretary	\$1,345.65	part time
Annmari Geary	Secretary	\$1,457.75	part time
Carolyn Geary	Administrative Asst.	\$2,728.73	full time
Paul J. Walkowski	Administrative Asst.	\$2,458.57	full time

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 1303)

Councilor KELLY offered the following:

Ordered, That effective Saturday, December 16, 2000, the following named person be, and hereby is, appointed to the position set against their name until Friday, March 9, 2001

Janet M. Doherty	Secretary	\$345.65	part time
Annmari Geary	Secretary	\$457.75	part time
Carolyn Geary	Administrative Asst.	\$986.73	full time
Paul J. Walkowski	Administrative Asst.	\$958.57	full time

Passed under suspension of the rules.

ORDER FOR HEARING RE: METROPOLITAN DISTRICT COMMISSION (MDC) (DOCKET NO. 1304)

Councilor TURNER offered the following:

Whereas, The Metropolitan District Commission (MDC) and its facilities, have played a major role in the recreational life in the City of Boston; and

Whereas, The MDC has instituted a number of policy changes during the last three years affecting facility use in Boston; and

Whereas, There should be equitable distribution of those facilities and staff resources throughout all the neighborhoods in the City; therefore be it

Ordered, That the appropriate Boston City Council committee hold a public hearing to determine the number of facilities presently operating in the City of Boston; the neighborhoods in which these facilities operate; the demographics of the population served by those facilities; the number of adult and youth staff (inclusive of racial demographic) for each operating facility; the career opportunities provided to the adult and youth residents within said neighborhoods; the actual requests and MDC responses to requests for reopening/utilization of facilities now closed in Boston; the racial demographic of the MDC and its parent, the Executive Office of Environmental Management; and be it further

Ordered, That MDC Commissioner David Balfour; Executive Office of Environmental Affairs Secretary Robert Durand; Affirmative Action/Equal Employment Opportunity Director Willie Brown; Human Resources Director James Vieira and Friends of Melnea Cass Facility President Jean McGuire be invited to attend and present documentation as part of their testimony. The general public is also invited.

Referred to the Committee on Environment and

Historic Preservation.

ORDER FOR HEARING TO ASSESS PLANS THAT DEPARTMENT OF EDUCATION HAS TO PROVIDE SUPPORT FOR STUDENTS BEING RETURNED FROM SPECIAL EDUCATION TO REGULAR CLASSES IN ORDER TO PROVIDE POSITIVE ENVIRONMENT FOR ALL STUDENTS (DOCKET NO. 1305)

Councilors TURNER, DAVIS-MULLEN, YANCEY, KELLY, ROACHE, FEENEY, SCAPICCHIO and FLAHERTY offered the following:

Whereas, The Special Education Division of the Boston School Department has adopted the policy of returning to the regular classroom all children in Special Education who do not fit the technical definition of those requiring Special Education; and

Whereas, Many students who do not meet the technical definition of those requiring Special Education have been placed in those classes because of significant behavioral problems; and

Whereas, The return of students to regular classes who have significant behavioral problems will cause disruptions in the classes to which they are returning; therefore be it

Ordered, That the appropriate Boston City Council committee hold a public hearing to assess the plans that the Department of Education has to provide support for students being returned from Special Education to regular classes in order to provide a positive environment for all the students; and be it further

Ordered, That Boston Public School Superintendent Thomas Payzant; Unified Student Services Team Leader Pia Durkin; representatives from the Special Needs Parent Advisory Council; the Boston School Committee; the City-wide Parents Council as well as the general public be invited to testify.

Councilor FLAHERTY moved that in the third Whereas, the word "may" be substituted with the word "will."

The motion was carried.

Referred to the Committee on Education and School Matters.

ORDER FOR HEARING RE: PROJECT AND WORK CURRENTLY BEING DONE IN AREA NEAR AND AROUND INTERSECTION OF PERKINS STREET AND JAMAICAWAY (DOCKET NO. 1306)

Councilors HENNIGAN, ROSS, SCAPICCHIO and FEENEY offered the following:

Whereas, A plan was approved by the City of Boston for improvements at the intersection of Perkins Street and the Jamaicaaway

Whereas, This plan was approved to address the public safety problems at this intersection and it is not being followed

Whereas, These improvements are part of the ongoing project to improve the area near and around Jamaica Pond

Whereas, The plan is consistent with the guidelines of the Emerald Necklace Master Plan

Whereas, These improvements are an important part of the pedestrians and bicycle connections through out the Emerald Necklace; therefore be it

Ordered, That the appropriate committee of the Boston City Council hold a hearing on this issue and invite the Commissioners of the Parks, Public Works and Transportation Departments to testify regarding the project and the work currently being done

Ordered, That the Boston City Council asks that the original intent for safety improvements of the current

project be followed and that it be done during this construction season

Referred to the Committee on Environment and Historic Preservation.

ORDER FOR HEARING RE: REMOVAL OF TREES AND SIDEWALK REPLACEMENT ON FERN-CROFT ROAD (DOCKET NO. 1307)

Councilors HENNIGAN, FEENEY, ROACHE, FLAHERTY, TURNER, YANCEY and DAVIS-MULLEN offered the following:

Whereas, The past two seasons, due to dangerous conditions, residents of Ferncroft Road, Ward 20, West Roxbury had submitted petitions to request that all the trees on Ferncroft Road be removed and that the sidewalks be repaired; and,

Whereas, The residents had been promised this year and last year that this project would be completed; and,

Whereas, The residents of Ferncroft Road are requesting that this project be completed within this construction season; and therefore be it

Ordered, That the appropriate committee hold a hearing within the community and that representatives from the Boston Parks Department and the Boston Public Works Department be invited to testify regarding sidewalk replacement and the removal of all trees on Ferncroft Road, Ward 20, West Roxbury.

Referred to the Committee on Environment and Historic Preservation.

ORDER APPROVING PETITION FOR SPECIAL LAW RE: CREDITABLE SERVICE (DOCKET NO. 1308)

Councilor FEENEY offered the following:
HOME RULE PETITION

Ordered, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause (1) of Section eight of Article two, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

**PETITION FOR A SPECIAL LAW
RE: CREDITABLE SERVICE**

Section 1. Notwithstanding the provisions of any law to the contrary and in order to promote the public good, any employee of the City of Boston, whose employment was terminated in nineteen hundred and eighty-one or nineteen hundred and eighty-two due to a reduction in force and subsequently was reinstated to his or her former position on or before July first, nineteen hundred and eighty-four, shall be credited with active service for such period of employment. Such credited service shall be included as part of his length of service, and shall be applied to his seniority, promotional examinations and retirement; provided however, that said employee shall be required to pay into the Annuity Savings Fund of the retirement system in one sum, or installments upon conditions as the retirement board shall prescribe, an amount equal to the accumulated regular deductions otherwise payable had he or she remained an active member in service during said period of unemployment at the rate of compensation he or she was receiving at the time of aforesaid termination of employment together with the regular interest thereon; and provided further that said employee shall be required to pay into the Annuity Savings Fund of the retirement system in

one sum or installments upon conditions as the retirement board shall prescribe, an amount equal to the accumulated regular deductions withdrawn, if any, with the regular interest.

Section 2. This section shall take effect upon passage.

On motion of Councilor DAVIS-MULLEN, the rules were suspended; **the order was passed.**

ORDER FOR HEARING TO DISCUSS CURRENT STATUS OF ELECTION RECOUNT IN CITY (DOCKET NO. 1309)

Councilors FEENEY, ROACHE, DAVIS-MULLEN, KELLY, TURNER and YANCEY offered the following:

Whereas, Voting for local, state, federal elected officials, and state ballot questions represents one of the fundamental rights of United States citizens; and

Whereas, There have been reports of at least 30,000 "overlooked" ballots in the City; therefore be it

Ordered, That Boston City Council conduct a hearing to discuss the current status of the election recount in the City of Boston and the circumstances which led to it; and be it further

Ordered, That the Boston Election Department, and Secretary of State William Galvin be invited to attend.

Referred to the Committee on Government Operations.

LATE-FILED MATTERS

The Chair stated that, in absence of objection, two late-filed matters would be added to the Agenda.

No objection being heard, the following matters were added:

ORDER REQUESTING CERTAIN INFORMATION UNDER SECTION 17F RE: SOUTH BOSTON BETTERMENT TRUST (DOCKET NO. 1324)

Councilor DAVIS-MULLEN offered the following:

Ordered, That, under the provisions of Section 17F of Chapter 452 of the Acts of 1948, as amended, and under any other applicable provision of law, His Honor, the Mayor, be, and hereby is, requested to obtain and deliver to the City Council, within one week of the receipt hereof, the following information:

1. Any and all information either written, recorded, videotaped and transcribed regarding a meeting on October 17, 2000 held by the Department of Neighborhood Development and the Public Facilities Commission concerning the tentative developer designation of city owned land to the South Boston Betterment Trust.

2. Any and all information either written, recorded, videotaped and transcribed regarding all meetings conducted by the Department of Neighborhood Development, Public Facilities Commission and any other department in the City of Boston concerning the tentative developer designation of city owned land to the South Boston Betterment Trust.

3. Any and all information either written, recorded, videotaped and transcribed regarding the process that the Department of Neighborhood Development follows in order to select or deny a developer.

4. Any and all information either written, recorded, videotaped and transcribed regarding other parties whom are being considered to develop city owned land.

On motion of Councilor DAVIS-MULLEN, the rules were suspended; **the order was passed.**

ORDER RE: RULE 33 (DOCKET NO. 1325)

Councilors HENNIGAN and TURNER offered the following:

Ordered, That Rule 33 of the City Council be suspended between November 15 and the end of the year for the purpose of conducting hearings on issues as they arise.

On motion of Councilor HENNIGAN, the rules were suspended; **the order was passed.**

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councilors offered resolutions of a condolence or congratulatory nature as set forth after each Councilor's name:

Councilor Honan: Declaring November 1, 2000 "Jack Young Day" (Docket No. 1310).

Councilor Scapicchio: Congratulating Police Officer Phil Pennalatore (Docket No. 1311); congratulating the 2000 Bocce Champions (Docket No. 1312).

Councilors Kelly and Turner for all the Councilors: Congratulating Ambassador Charles R. Stith (Docket No. 1313).

Councilor Davis-Mullen: Acknowledging and commemorating the Memorial Services at Our Lady of Czestochowa Church (Docket No. 1314).

Councilor Conley: Recognizing Weld Farm Neighborhood Civic Association (Docket No. 1315).

Councilor Flaherty: Congratulating Urban Ministries of Boston (Docket No. 1316).

Councilors Yancey and Turner: Congratulating Charles Muhammad (Docket No. 1317); commending First Choice Limousine and C.C. Sounds Mobile DJ and MC Services (Docket No. 1318); congratulating Sister Virginia Muhammad (Docket No. 1319); congratulating Tonie Mitchell (Docket No. 1320); congratulating James Boykins (Docket No. 1321).

Councilor Yancey: Congratulating Margaret Virginia Taylor (Docket No. 1322).

Councilors Yancey and Turner: Congratulating Greer Toney & Chez Vous Roller Skating Rink (Docket No. 1323).

The matters contained within the Consent Agenda were severally adopted.

STATEMENT OF COUNCILOR FLAHERTY

Having unanimous consent to do so, Councilor Flaherty asked that when we adjourn today, we do so in memory of John "JJ" Jennings, a firefighter who helped numerous people, especially the widows and children of firefighters who were killed on the job. Mr. Jennings was a personal friend of Councilor Flaherty's family and will be sorely missed by all.

STATEMENT OF COUNCILOR CONLEY

Having unanimous consent to do so, Councilor Conley asked that when we adjourn today, we do also in memory of the Honorable Leo J. Lydon, age 44. Judge Lydon died in an accident on Friday morning on his way to court.

STATEMENT OF COUNCILOR SCAPICCHIO

Having unanimous consent to do so, Councilor Scapicchio stated that when we adjourn today, we do so also in memory of Aurelia Lopez, mother of Juan Lopez from Central Staff. All Councilors and staff want to extend their condolences to Juan and his family.

STATEMENT OF COUNCILOR TURNER

Having unanimous consent to do so, Councilor Turner wanted to also adjourn in memory of Jamaya Majied who worked for the Public School System.

NEXT MEETING

Councilor FEENEY moved that when the Council adjourn today it be to meet again on Wednesday, November 29, 2000 at 12:00 noon.

The motion was carried.

Adjourned at 2:58 p.m. in memory of John "JJ" Jennings, Honorable Leo J. Lydon, Aurelia Lopez and Jamaya Majied on motion of the Chair, to meet again on Wednesday, November 29, 2000 at 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, November 29, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 12:30 p.m., President KELLY in the Chair. Absent, Councilor DAVIS-MULLEN.

INVOCATION

Deacon Randy Green, Silver Leaf Gospel Singers, Roxbury, delivered the invocation, and the meeting was opened with the pledge of allegiance to the flag.

PRESENTATION BY COUNCILLOR TURNER

Councillor TURNER presented the Silver Leaf Gospel Singers with resolutions for their dedication and spiritual uplifting and strengthening of their community with gospel music. We were then honored with their rendition of "Oh, Mary, Don't You Weep."

ORDER APPROVING APPROPRIATION OF \$1,300,000 TO PARKS AND RECREATION DEPARTMENT FROM INCOME OF GEORGE FRANCIS PARKMAN FOR MAINTENANCE AND IMPROVEMENT OF BOSTON COMMON AND PARKS IN EXISTENCE AS OF JANUARY 12, 1887 (DOCKET NO. 1326)

The following was received:

City of Boston
Office of the Mayor

November 28, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order appropriating \$1,300,000 from the income of the George Francis Parkman Fund. The funds are to be expended under the direction of the Commissioner of Parks and Recreation for the maintenance and improvement of Boston Common and Parks in existence as of January 12, 1887.

I urge your Honorable Body to pass this order as expeditiously as possible so that the funds can be spent in accordance with Mr. Parkman's Bequest.

Respectfully,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the sum of \$1,300,000 be, and the same hereby is, appropriated from the income of the George Francis Parkman Fund to be expended at the direction of the Commissioner of Parks and Recreation as follows:

For the general care and maintenance of the Boston Common and Parks in existence as of January 12, 1887	\$680,000
For the specialized maintenance of the horticulture and infrastructure of the Boston Common and Parks in existence as of January 12, 1887	\$250,000
For equipment, infrastructure improvements and repairs in the Boston Common and Parks in existence as of January 12, 1887	\$370,000

Referred to the Committee on City and Neighborhood Services.

ORDER APPROVING SUPPLEMENTAL APPROPRIATION OF \$605,349 FOR SCHOOL DEPARTMENT (DOCKET NO. 1327)

The following was received:

City of Boston
Office of the Mayor

November 28, 2000

To the City Council.

Dear Councillors:

I transmit herewith a supplemental appropriation order for the Boston Public Schools for FY01 in the amount of \$605,349 submitted pursuant to the provisions of Chapter 150E, Section 7 of the Massachusetts General Laws and Chapter 224 of the Acts of 1936, as amended by Chapter 190 of the Acts of 1982, as further amended by Chapter 701 of the Acts of 1986, Chapter 613 of the Acts of 1987, and Chapter 108 of the Acts of 1991.

The supplemental appropriation funds the FY01 cost items contained in the collective bargaining agreements between the Boston School Committee and the Boston Association of School Administrators and Supervisors (BASAS) and between the Boston School Committee and the Storekeepers and Stores Deliverymen Association. The FY00 cost of these two agreements will be charged to a collective bargaining reserve established for that year.

I respectfully request your support of this supplemental appropriation for the Boston Public Schools.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That pursuant to Chapter 224 of the Acts of 1936, as amended by Chapter 190 of the Acts of 1982, as further amended by Chapter 701 of the Acts of 1986, Chapter 613 of the Acts of 1987, Chapter 108 of the Acts of 1991, and Chapter 150E of the Massachusetts General Laws, to meet the current operating expenses of the School Department in the fiscal period commencing July 1, 2000 and ending June 30, 2001, the sum of \$605,349 be, and the same hereby is appropriated, said sum to be raised from taxation pursuant to Section 23 of Chapter 59 of the General Laws:-

School Department \$605,349

Referred to the Committee on Education and School Matters.

ORDER AUTHORIZING ENVIRONMENT DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$45,000 FROM UNITED STATES DEPARTMENT OF AGRICULTURE'S FOREST SERVICE AND ENVIRONMENTAL PROTECTION AGENCY TO ASSIST URBAN COMMUNITIES TO IDENTIFY, CLARIFY, ORGANIZE AND ADDRESS CONCERNS THAT LINK SOCIAL, ECONOMIC AND ENVIRONMENTAL ISSUES (DOCKET NO. 1328)

The following was received:

City of Boston
Office of the Mayor

November 21, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order authorizing the Environment Department to accept and expend an amount not to exceed \$45,000 for the period July 1, 2000 through September 30, 2001 from the US Department of Agriculture's Forest Service and Environmental Protection Agency.

The funding will be used to assist urban communities to identify, clarify, organize and address concerns that link social, economic and environmental issues.

I urge your Honorable Body to pass this order as soon as possible in order that the City may receive and

expend the funds expeditiously.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the Environment Department, on behalf of the City of Boston be, and hereby is authorized to accept and expend an award not to exceed the amount of \$45,000 from the United States Department of Agriculture's Forest Service and Environmental Protection Agency to assist urban communities in identifying, clarifying, organizing, and addressing concerns that link social, economic, and environmental issues.

Referred to the Committee on Environment and Historic Preservation.

**CERTAIN INFORMATION UNDER SECTION 17F
RE: SOUTH BOSTON BETTERMENT TRUST
(DOCKET NO. 1329)**

The following was received:

City of Boston
Office of the Mayor

November 28, 2000

To the City Council.

Dear Councillors:

In response to your 17F request of November 15, 2000 re: South Boston Betterment Trust, please see the attached response.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

(Annexed hereto is the documentation referred to.)
Placed on file.

**APPROVAL OF CONSTABLES' BONDS
(DOCKET NO. 1330)**

The Constables' Bonds of the following, having been duly approved by the Collector-Treasurer, were received and approved:

Henry F. Collins	Thomas F. Santry
Patrick Conroy	Jack E. Tracy
	Arturo V. Wallen

**NOTICE RECEIVED FROM DEPARTMENT OF
TELECOMMUNICATIONS AND ENERGY OF
HEARING ON DECEMBER 6, 2000 RE: VERI-
ZON MASSACHUSETTS (DOCKET NO. 1331)**

Notice was received from the Department of Telecommunications and Energy of a hearing on December 6, 2000 re: Verizon Massachusetts.

Placed on file.

**REPORT ON ORDER FOR HEARING IN ORDER TO
MAKE COMMENTS ON PROPOSED LEGIS-
LATION REGARDING WIRELESS CELL
TOWER SITINGS (DOCKET NO. 0671)**

Councillor YANCEY on behalf of the Committee on Information Technology, submitted the following:

Report on Docket No. 0671, order for a hearing in order to make comments on proposed legislation regarding wireless cell tower sitings (referred May 10) — recommending the order be placed on file.

The report was accepted; **the order was placed on file.**

**ORDER AUTHORIZING COMMISSIONER OF
TRANSPORTATION DEPARTMENT TO
ACCEPT AND EXPEND GRANT OF \$50,000**

**FROM MASSACHUSETTS HIGHWAY
DEPARTMENT FOR PURPOSE OF FUNDING
PLANNING EFFORT FOR SOUTH COVE
HARBOR TRAIL (DOCKET NO. 0738)**

Councillor SCAPICCHIO, on behalf of the Committee on Economic Development and Transportation, submitted the following:

Report on Docket No. 0738, message of the Mayor and order authorizing the Commissioner of the Transportation Department to accept and expend a grant of \$50,000 from the Massachusetts Highway Department for the purpose of funding the planning effort for the South Cove Harbor Trail (referred June 7) — recommending passage of the order.

The report was accepted; **the order was passed.**

**REPORT ON ORDER FOR HEARING RE: MBTA
INCIDENT WHEN FEMALE STUDENT WAS
ASSAULTED ON ORANGE LINE BY GROUP
OF FELLOW HIGH SCHOOL STUDENTS
(DOCKET NO. 0281)**

Councillors MURPHY and DAVIS-MULLEN on behalf of the Committees on Public Safety and Education and School Matters, submitted the following:

Report on Docket No. 0281, order for a hearing re: MBTA incident when a female student was assaulted on the Orange Line by a group of fellow high school students (referred February 2) — recommending the order be placed on file.

The report was accepted; **the order was placed on file.**

**REPORT ON ORDER APPROVING PETITION FOR
SPECIAL LAW RE: DEATH BENEFITS OF
FIRE LIEUTENANT RICHARD D.
MINGOLELLI (DOCKET NO. 0934)**

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0934, order approving a petition for a special law re: death benefits of Fire Lieutenant Richard D. Mingoelli (referred June 28) — recommending passage of the order.

The report was accepted; **the order was passed.**

**REPORT ON ORDER FOR HEARING TO EXAMINE
COST IN DOLLARS AND MANPOWER OF
MAINTAINING CURRENT DIGITAL PARK-
ING METERS AND TO EXPLORE FEASIBIL-
ITY OF REPLACING EXISTING METERS
WITH TYPE USED IN PILOT PROGRAM
(DOCKET NO. 0365)**

Councillor HONAN, on behalf of the Committee on Post Audit and Oversight, submitted the following:

Report on Docket No. 0365, order for a hearing to examine the cost in dollars and manpower of maintaining the current digital parking meters and to explore the feasibility of replacing the existing meters with the type used in the Pilot Program (referred March 1) — recommending the order be placed on file.

The report was accepted; **the order was placed on file.**

**ORDER TO REDUCE APPROPRIATION FOR
RESERVE FOR COLLECTIVE BARGAINING
BY \$1,036,858 TO PROVIDE FUNDING FOR
COLLECTIVE BARGAINING SETTLE-
MENTS WITH SEIU LOCAL 285 AND IBEW
(DOCKET NO. 1288)**

Councillor HENNIGAN called Docket No. 1288

from the Committee on Ways and Means.

Hearing no objection, the matter was before the body.

On motion of Councillor HENNIGAN, the order was passed.

ORDER APPROVING SUPPLEMENTAL APPROPRIATION OF \$1,036,858 TO PROVIDE COVER FY01 COST OF COLLECTIVE BARGAINING AGREEMENTS WITH SEIU LOCAL 285 AND IBEW (DOCKET NO. 1289)

Councillor HENNIGAN called Docket No. 1289 from the Committee on Ways and Means.

Hearing no objection, the matter was before the body.

On motion of Councillor HENNIGAN, the order was passed.

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 1332)

Councillor KELLY offered the following:

Ordered, That effective Saturday, November 18, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, February 23, 2001:

James J. Carroll, Jr., secretary, \$150, part time.

Passed under suspension of the rules.

ORDER FOR HEARING RE: RETENTION OF AFFORDABLE ARTISTS WORKSPACE IN FORT POINT SECTION OF SOUTH BOSTON (DOCKET NO. 1333)

Councillor KELLY offered the following:

Whereas, The Fort Point area of the South Boston neighborhood has been home of a thriving arts community for the past 25 years, and is recognized as one of the largest artist communities in New England; and

Whereas, The turn of the century warehouses located in the Fort Point area with their high ceilings, ample light, weight bearing floors, loading docks and freight elevators, are ideally suited to the work space needs of artists and other small business owners; and

Whereas, The city has recognized that the Fort Point area of South Boston is ideally suited for mixed cultural use, and that such use stabilizes the neighborhood, attracts investment and businesses, revitalizes the area, and encourages small industries that provide services in a thriving mixed use small business district; and

Whereas, It is in the public interest to protect and preserve small business districts throughout the city, and especially in the Fort Point area where artists have lived and worked for a quarter century; therefore be it

Ordered, That the Boston City Council conduct a public hearing into the city's plans for this area, and that representatives of mayor's office, the BRA, Cultural Affairs, and both residents and the various small business owners of the Fort Point area be invited to attend.

Referred to the Committee on Arts and Humanities.

RESOLUTION SUPPORTING FORT POINT COMMUNITY (DOCKET NO. 1334)

Councillors TURNER, ROSS, HONAN, FEENEY, FLAHERTY, MURPHY, SCAPICCHIO, HENNIGAN and CONLEY offered the following

Whereas, The warehouses constructed in the late 1800s and early 1900s in the Fort Point area have provided space for working artists for over 25 years; and

Whereas, Fort Point has long been noted as the largest artists community in New England; and

Whereas, These turn of the century warehouses are ideally suited to the needs of artists supplying good

light, weight bearing floors, high ceilings, loading docks and freight elevators which has provided a setting that has for over 25 years enabled this community to serve as an incubator and creative environment for artists at all levels of their careers, from young artists to established professionals; and

Whereas, Since the exodus of most of the original industrial uses of these warehouses in the mid-40s artists have through their presence, reduced crime and attracted many new businesses, creating a vibrant location for cyber companies and other creative businesses, including the highest concentrations of photographers, architects and designers; and

Whereas, Understanding the nature of the vitality and energy artists bring which quickly attracts other businesses, including retail to an area, some cities such as Providence, Worcester, Brockton and Lowell have developed concerted efforts to attract artists to revitalize their downtown districts; and

Whereas, The artists, themselves being small industries, have always existed in harmony with the larger industrial entities, such as Gillette, coexisting without the contention often found in other mixed use neighborhoods; and

Whereas, The Fort Point neighborhood has become a prime location for development being bound by the Convention Center, the new waterfront development parcels, the completion of the local phase of the Big Dig and having easy access to the airport via the Ted Williams Tunnel; and

Whereas, The artists community is being priced out by increased rental rates driven by the new desirability of the neighborhood; and

Whereas, If the artists are forced to move they may have to relocate to other cities and/or create more pressure on surrounding neighborhoods; and

Whereas, The City of Boston has identified Fort Point as a mixed use cultural district in its Public Realm Plan for their development of Boston's new waterfront district. Therefore be it

Resolved: That the City Council calls upon the City Administration to use its resources to enable the existing artist community in the Fort Point area to remain a vital contributor to this neighborhood and to the City of Boston.

Referred to the Committee on Arts and Humanities.

ORDINANCE REGARDING NEGOTIATION AND APPROVAL OF BROWNFIELD TAX ABATEMENT AGREEMENTS (DOCKET NO. 0705)

Councillor HONAN called Docket No. 0705 from the Committee on Environment and Historic Preservation.

Hearing no objection, the matter was before the body.

On motion of Councillor HONAN, the matter was referred back to the Committee on Environment and Historic Preservation.

ORDER FOR HEARING TO HEAR TESTIMONY ON PROS AND CONS OF QUESTION NO. 8 (DOCKET NO. 1158)

Councillor MURPHY called Docket No. 1158 from the Committee on Public Safety.

Hearing no objection, the matter was before the body.

On motion of Councillor MURPHY, the matter was placed on file.

RESOLUTION ENCOURAGING RESIDENTS TO VOTE NO ON BALLOT QUESTION NO. 8 (DOCKET NO. 1262)

Councillor MURPHY called Docket No. 1262 from the Committee on Public Safety.

Hearing no objection, the matter was before the body.
On motion of Councillor MURPHY, the matter was placed on file

ORDER FOR LOAN OF \$57,000,000 FOR PURPOSE OF PLANNING, DESIGNING, ACQUIRING LAND FOR, CONSTRUCTING AND ORIGINALLY EQUIPPING STRUCTURES AND FACILITIES AND FOR REMODELING, RECONSTRUCTING OR MAKING MAJOR ALTERATIONS, ADDITIONS AND MAJOR REPAIRS TO EXISTING FACILITIES FOR PURPOSE INCLUDING ORIGINAL EQUIPMENT AND LANDSCAPING INCLUDING PLANTING OF SHADE TREES, PAVING AND OTHER SITE IMPROVEMENTS INCIDENTAL OR DIRECTLY RELATED TO SUCH REMODELING, RECONSTRUCTION OR REPAIR FOR PURPOSES OF SCHOOL DEPARTMENT FOR HIGH SCHOOL IN MATTAPAN (DOCKET NO. 0640)

Councillor YANCEY called Docket No. 0640 from the Committee on Ways and Means.

Hearing no objection, the matter was before the body.
Councillor CONLEY moved the question.
The motion was carried.

The order was given its first reading and passage and assigned for further action; yeas 11, nays 1:

Yeas — Councillors Conley, Feeney, Flaherty, Hennigan, Honan, Kelly, Roache, Ross, Scapicchio, Turner, Yancey — 11.

Nays — Councillor Murphy — 1.

RESOLUTION SUPPORTING ADDITION OF TWO NEW STOPS TO FAIRMOUNT COMMUTER RAIL (DOCKET NO. 1054)

Councillor YANCEY called Docket No. 1054 from the Committee on Economic Development and Transportation.

Hearing no objection, the matter was before the body.

On motion of Councillor YANCEY, the matter was referred back to the Committee on Economic Development and Transportation.

STATEMENT OF THE CHAIR

The Chair asked the Clerk to read Rule 23 into the record:

The Clerk: "If within 21 days after a matter is referred to a Committee other than a matter referred to the Committee of the Whole under Rule 19 and the matter is not voted upon, it may be called by nine members of the Council.

If after 21 days after a matter is referred to a Committee other than a matter referred to the Committee of the Whole under Rule 19 and the matter is not voted upon, it may be called by seven members of the Council.

If after 60 days after a matter is referred to a Committee other than a matter referred to the Committee of the Whole under Rule 19 and the matter is not voted upon, it may be called by five members of the Council.

The Chair of a Committee may call a Docket out of his or her Committee at any time and ask that a vote be taken on the matter provided that when such a call is made, the Clerk will take a roll call vote of the Committee members to ascertain that a majority of the Committee members support the call of the Chair."

The Chair wanted to remind the Councillors of Rule 23 and asked the staff director to make updated copies available to all Councillors.

LATE-FILED MATTERS

The Chair stated that, in absence of objection, one late-filed matter would be added to the Agenda.

No objection being heard, the following matter was added:

ORDER PURSUANT TO GL CHAPTER 59, SECTION 5C, RESIDENTIAL EXEMPTION IN AMOUNT OF VALUE OF TWENTY PERCENT (20%) OF AVERAGE ASSESSED VALUE OF ALL CLASS ONE RESIDENTIAL PARCELS IN CITY OF BOSTON BE AND HEREBY IS APPROVED FOR FISCAL YEAR 2001 (DOCKET NO. 1335)

Councillor KELLY, on behalf of all the Councillors, offered the following:

Whereas, The residents of Boston were in the forefront of the successful effort to amend the Massachusetts Constitution to allow classification for the purpose of property taxation; and

Whereas, Since adoption of the Constitutional Amendment in 1978, this Council has established a policy of utilizing classification to tax residential properties at the lowest level permitted by state statute; and

Whereas, This policy and the Council's annual action to declare a residential exemption in the greatest amount permitted by the General Laws has resulted in substantial protection and savings for both homeowners and renters from the effects of revaluation; and

Whereas, Action in this regard for Fiscal Year 2001 must be taken prior to certification of the tax rate by the Department of Revenue; therefore be it

Ordered, That pursuant to the General Laws, Chapter 40, section 56, the residential factor in the City of Boston for Fiscal Year 2001 shall be the minimum residential factor as determined by the Commissioner of Revenue pursuant to MGL Chapter 58, section 1A, and be it further

Ordered, That pursuant to the General Laws, Chapter 59, section 5C, a residential exemption in the amount of value of twenty percent (20%) of the average assessed value of all class one residential parcels in the City of Boston, be, and hereby is, approved for Fiscal Year 2001.

Referred to the Committee of the Whole.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Feeney: Congratulating Jane Boyer (Docket No. 1336).

Councillor Honan: Congratulating RCN (Docket No. 1337); congratulating seven persons on their service to the Allston-Brighton Pop Warner Football Team (Docket No. 1338).

Councillor Hennigan: Congratulating Bethel African Methodist Episcopal Church (Docket No. 1339).

Councillor Scapicchio: Congratulating seven persons on receiving the 3rd Annual 2000 North End Against Drugs Organization Community Appreciation Award (Docket No. 1340); congratulating Stephen Grillo (Docket No. 1341); congratulating Mary A. Donahue (Docket No. 1342).

Councillors Scapicchio and Murphy: Congratulating Coach Paul Costello (Docket No. 1343).

Councillors Turner and Yancey: Congratulating The Reverend Dr. Ray A. Hammond (Docket No. 1344).

Councillors Feeney and Murphy: Congratulating five persons on their retirement from the Parks and Recreation Department (Docket No. 1345).

Councillor Roache: Congratulating Verna A. Sullivan (Docket No. 1346).

Councillor Conley: Congratulating fifteen persons on their election to the Board of the Daughters of Penelope-

Orion Chapter # 130 of AHEPA (Docket Not 1347).

Councillors Turner and Yancey: Congratulating eight members of The Silver Leaf Gospel Singers (Docket No. 1348).

Councillor Turner: Congratulating Richard Smith (Docket No. 1349).

The matters contained within the Consent Agenda were severally adopted.

Adjourned at 2:00 p.m. on motion of President Kelly to meet again on Wednesday, December 6, 2000 at 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, December 6, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 12:50 p.m., President KELLY in the Chair and all members present.

INVOCATION

Reverend Vincent P. Von Euw, St. Ambrose Church, Dorchester, delivered the invocation, and the meeting was opened with the pledge of allegiance to the flag.

STATEMENT OF COUNCILLOR CONLEY

Having unanimous consent to do so, Councillor CONLEY told a story of a few years back when he and his cousin Leo were playing golf when another gentleman asked to join in. They had a wonderful afternoon and realized later on that it was Father Von Euw but were just a little embarrassed because before they knew Father Von Euw was "Father" Von Euw, they were a little disgruntled with the outcome of the game and a little cursing had gone on. Father Von Euw gave them immediate absolution.

PRESENTATION OF COUNCILLOR FEENEY

Councillor FEENEY presented Camilia Kelly with a resolution and congratulated her for being number one in the state in the MCAS scores with Boston Latin Academy.

STATEMENT BY COUNCILLOR SCAPICCHIO

Having unanimous consent to do so, Councillor SCAPICCHIO wanted to congratulate Ms. Kelly reminding the audience that last year Boston Latin Academy also came in number one in the state.

VISITORS TO CITY COUNCIL

Councillor YANCEY welcomed City Council members from around the state of Mississippi.

ORDER FOR CONFIRMATION OF APPOINTMENTS OF CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING OF BOND FOR PERIOD ENDING 4-30-01 (DOCKET NO. 1350)

The following was received:

City of Boston
Office of the Mayor

December 1, 2000

To the City Council.
Dear City Councillors:

Subject to confirmation by your Honorable Body, I hereby appoint the following-named people on the attached order as Constables of the City of Boston, authorized to serve civil process upon filing of bond, for the period commencing May 1, 2000 and ending April 30, 2001.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That the appointment of the following-named people as Constables of the City of Boston authorized to serve civil process upon filing of bond for the period commencing May 1, 2000 and ending April 30, 2001 be and the same hereby is approved.

2000-2001 New Constable Application List Recommended Approvals

The following recommendations for approval are new applicants.

Brazier, Jean P., 47 Columbia Road, #1, Boston 02121
Junior, William P., 240 Humboldt Avenue, Dorchester 02121

Lacet, Paul, 195 Colorado Street, Boston 02126
Picarello, Anthony R., 67 Faywood Street, East Boston 02128

Rahman, Aybur, 251 Cambridge Street, #1, Allston 02134

Trainito, Charles O., 44 Saratoga Street, #1, East Boston 02128

On motion of Councillor FEENEY, the rules were suspended; the order was passed.

ORDER FOR CONFIRMATION OF APPOINTMENT OF DAVID A. JOHNSON AS CONSTABLE AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING OF BOND FOR PERIOD ENDING 4-30-01 (DOCKET NO 1351)

The following was received:

City of Boston
Office of the Mayor

December 1, 2000

To the City Council.

Dear City Councillors:

Subject to confirmation by your Honorable Body, I hereby appoint the following-named people on the attached order as Constables of the City of Boston, authorized to serve civil process upon filing of bond, for the period commencing May 1, 2000 and ending April 30, 2001.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That the appointment of the following-named people as Constables of the City of Boston authorized to serve civil process upon filing of bond for the period commencing May 1, 2000 and ending April 30, 2001 be and the same hereby is approved.

2000-2001 Renewal Constable Applications List Recommended Approval

The following recommendations for approval are renewal applicants.

Johnson, David A., 51 Rexford Street, Boston 02126
On motion of Councillor FEENEY, the rules were suspended; the order was passed.

CRIME STATISTICS FOR PERIOD 9/1 THROUGH 9/30 2000 (DOCKET NO. 1352)

The following was received:

City of Boston
Office of the Mayor

December 5, 2000

To the City Council.

Dear Councillors:

I transmit herewith, communication received from the Police Department pertaining to crime statistics for the period commencing September 1, 2000 and ending September 30, 2000.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

(Annexed hereto is the documentation referred to.)
Placed on file.

APPOINTMENT BY THE MAYOR
(DOCKET NO. 1353)

Notice was received from the Mayor of the appointment of Jeremy Alliger as a member of the Boston Arts Lottery Council for a term expiring August 14, 2003.
Placed on file.

APPOINTMENT BY THE MAYOR
(DOCKET NO. 1354)

Notice was received from the Mayor of the appointment of Meg Campbell as a member of the Boston Arts Lottery Council for a term expiring August 14, 2003.
Placed on file.

APPOINTMENT BY THE MAYOR
(DOCKET NO. 1355)

Notice was received from the Mayor of the appointment of Betty Hillmon as a member of the Boston Arts Lottery Council for a term expiring August 14, 2003.
Placed on file.

APPROVAL OF CONSTABLE'S BONDS
(DOCKET NO. 1356)

The Constables' Bonds of the following, having been duly approved by the Collector-Treasurer, were received and approved:

Edward J. Cronin	Richard P. Maurice
William P. Curtis	Kenneth N. McLean, Jr.
Paul T. Nally	Moses E. Wilson, Jr.
	Anthony F. Zollo, Jr.

NOTICE FROM CITY CLERK OF FILING BY BRA
OF "SECOND REPORT AND DECISION
AMENDMENT ON THE MASON PLACE
CHAPTER 121A PROJECT" (DOCKET NO.
1357)

The following was received:
November 29, 2000
City of Boston
Office of the City Clerk

To the City Council.

Dear Councillors:

In compliance with the order passed by your Honorable Body December 6, 1976, this is to inform you that the following was filed by the Boston Redevelopment Authority with the City Clerk on November 28, 2000:

"Report and Decision Application on the One Beacon Street Chapter 121A Project".

Very truly yours,
Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE FROM CITY CLERK OF FILING OF BRA
OF "SECOND REPORT AND DECISION
AMENDMENT ON MASON PLACE CHAP-

TER 121A PROJECT (DOCKET NO. 1358)

The following was received:
City of Boston
Office of the Clerk

November 29, 2000

To the City Council.

Dear Councillors:

In compliance with the order passed by your Honorable Body December 6, 1976, this is to inform you that the following was filed by the Boston Redevelopment Authority with the City Clerk on November 28, 2000:

"Second Report and Decision Amendment on the Mason Place Chapter 121A Project".

Very truly yours,
Rosaria Salerno,
City Clerk.

Placed on file.

REPORTS ON ORDERS AND RESOLUTIONS FOR
VARIOUS PUBLIC PURPOSES (DOCKET
NOS. 0367, 0539, 1176, 1112, 1037, 0632, 0703,
0822, 1049, 1091, 0199, 0209, 0231, 0455, 0458,
0910, 0636)

President KELLY, on behalf of the Committees on Information Technology, Veterans, Education and School Matters, Economic Development and Transportation, Committee of the Whole and the Committee on Post Audit and Oversight, recommended the above-mentioned Dockets be treated as one and placed on file.

Docket Nos. 0367, 0539, 1176, 1112, 1037, 0632, 0703, 0822, 1049, 1091, 0199, 0209, 0231, 0455, 0458, 0910, 0636 were accepted and placed on file.

REPORT ON ORDER APPROVING SUPPLEMEN-
TAL APPROPRIATION OF \$605,349 FOR
SCHOOL DEPARTMENT (DOCKET NO. 1327)

Councillor DAVIS-MULLEN, on behalf of the Committee on Education and School Matters, submitted the following:

Report on Docket No. 1327, message of the Mayor and order approving a supplemental appropriation of \$605,349, for the School Department (referred November 29) — recommending the passage of the order.

The report was accepted; the order was passed.

REPORT ON PETITION OF AIR SHUTTLE FOR
LICENSE TO OPERATE MOTOR VEHICLES
FOR CARRIAGE OF PASSENGERS FOR HIRE
OVER CERTAIN STREETS (DOCKET NO.
1031)

Councillor SCAPICCHIO, on behalf of the Committee on Economic Development and Transportation, submitted the following:

Report on Docket No. 1031, petition of Air Shuttle for license to operate motor vehicles for the carriage of passengers for hire over certain streets (referred August 30) — recommending petition be denied without prejudice.

The report was accepted; the petition was denied without prejudice.

REPORT ON ORDER AUTHORIZING COMMIS-
SIONER ON AFFAIRS OF ELDERLY TO
APPLY FOR, ACCEPT AND EXPEND GRANT
OF \$325,000 FOR OPERATION OF SENIOR
COMPANION PROGRAM (DOCKET NO.
1178)

Councillor ROACHE on behalf of the Committee on Elderly, submitted the following:

Report on Docket No. 1178, message of the Mayor and order authorizing the Commissioner on Affairs of the Elderly to apply for, accept and expend a grant of \$325,000 for the operation of the Senior Companion Program (referred October 18) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING COMMISSIONER ON AFFAIRS OF ELDERLY TO APPLY FOR, ACCEPT AND EXPEND GRANT OF \$4,025,000 FROM MASSACHUSETTS EXECUTIVE OFFICE OF ELDER AFFAIRS FOR OPERATION OF ADMINISTRATIVE AND DIRECT SERVICE COMPONENTS OF AREA AGENCY ON AGING (DOCKET NO. 1179)

Councillor ROACHE on behalf of the Committee on Elderly, submitted the following:

Report on Docket No. 1179, message of the Mayor and order authorizing the Commissioner on Affairs of the Elderly to apply for, accept and expend a grant of \$4,025,000 from the Massachusetts Executive Office of Elder Affairs for the operation of the administrative and direct service components of the Area Agency on Aging (referred October 18) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING COMMISSIONER ON AFFAIRS OF ELDERLY TO APPLY FOR, ACCEPT AND EXPEND GRANT OF \$105,000 FOR OPERATION OF RETIRED SENIOR VOLUNTEER PROGRAM TO PAY SALARIES OF STAFF MANAGING PROGRAM WITH 815 SENIOR VOLUNTEERS (DOCKET NO. 1183)

Councillor ROACHE on behalf of the Committee on Elderly, submitted the following:

Report on Docket No. 1183, message of the Mayor and order authorizing the Commissioner on Affairs of the Elderly to apply for, accept and expend a grant of \$105,000 for the operation of the Retired Senior Volunteer Program to pay salaries of staff managing the program with 815 senior volunteers (referred October 18) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON PETITION OF SABANOH TRAVEL, INC. FOR LICENSE TO OPERATE MOTOR VEHICLES FOR CARRIAGE OF PASSENGERS FOR HIRE OVER CERTAIN STREETS (DOCKET NO. 1189)

Councillor SCAPICCHIO, on behalf of the Committee on Economic Development and Transportation, submitted the following:

Report on Docket No. 1189, petition of Sabanoh Travel, Inc. for license to operate motor vehicles for the carriage of passengers for hire over certain streets (referred October 18) — recommending petition be granted under certain conditions.

The report was accepted; the petition was granted under certain conditions.

REPORT ON ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND \$148,313 IN FORM OF DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES "VALUE

BASED INITIATIVE" GRANT FOR PURPOSE OF WORKING WITH LOCAL FAITHBASED ORGANIZATIONS TO DEVELOP AND DELIVER CROSS-TRAINING BETWEEN POLICE AND FAITH-BASED ORGANIZATIONS AND VICE VERSA ON HOW TO DO EFFECTIVE OUTREACH AND INTERVENTION AMONG HIGH RISK YOUTH (DOCKET NO. 1223)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 1223, message of the Mayor and order authorizing the Police Commissioner to accept and expend \$148,313 in the form of a Department of Justice, Office of Community Oriented Policing Services "Value Based Initiative" grant for the purpose of working with local faith-based organizations to develop and deliver cross-training between police and faith-based organizations and vice versa on how to do effective outreach and intervention among high risk youth (referred October 25) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND \$50,000 IN FORM OF MASSACHUSETTS EXECUTIVE OFFICE OF PUBLIC SAFETY BYRNE MEMORIAL STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE FORMULA GRANT AWARD TO POLICE DEPARTMENT FOR PURPOSE OF SUPPORTING DRUG CONTROL DIVISION MULTI-JURISDICTIONAL TASK FORCE (DOCKET NO. 1252)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 1252, message of the Mayor and order authorizing the Police Commissioner to accept and expend \$50,000 in the form of a Massachusetts Executive Office of Public Safety Byrne Memorial State and Local Law Enforcement Assistance Formula Grant award to the Police Department for the purpose of supporting the Drug Control Division Multi-jurisdictional Task Force (referred November 1) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND \$54,313.19 FROM MASSACHUSETTS OFFICE OF ATTORNEY GENERAL FOR PURPOSE OF TRUANCY PREVENTION PROGRAM AS WELL AS VIETNAMESE COMMUNITY RELATIONS SPECIALIST TO PROVIDE OUTREACH TO VIETNAMESE COMMUNITY IN DORCHESTER AS PART OF DORCHESTER SAFE NEIGHBORHOOD INITIATIVE (DOCKET NO. 1282)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 1282, message of the Mayor and order authorizing the Police Commissioner to accept and expend \$54,313.19 from the Massachusetts Office of the Attorney General for the purpose of a truancy prevention program as well as a Vietnamese community relations specialist to provide outreach to the Vietnamese community in Dorchester as part of the Dorchester Safe Neighborhood Initiative (referred November 15) — recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND \$13,000 FROM GOVERNOR'S ALLIANCE AGAINST DRUGS FOR PURPOSE OF TRAINING AND UTILIZING POLICE OFFICERS IN TEACHING DRUG AWARENESS RESISTANCE EDUCATION TO PUBLIC SCHOOL CHILDREN AND THEREBY PREVENTING YOUTH DRUG USE (DOCKET NO. 1283)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 1283, message of the Mayor and order authorizing the Police Commissioner to accept and expend \$13,000 from the Governor's Alliance Against Drugs for the purpose of training and utilizing police officers in teaching drug awareness resistance education to Public School children and thereby preventing youth drug use (referred November 15) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND \$225,000 FROM U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES FOR PURPOSE OF FUNDING COPS MORE 2000 PROGRAM (DOCKET NO. 1285)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 1285, message of the Mayor and order authorizing the Police Commissioner to accept and expend \$225,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services for the purpose of funding the COPS MORE 2000 Program (referred November 15) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$3,372,000 FROM MASSACHUSETTS EXECUTIVE OFFICE OF PUBLIC SAFETY, STATE COMMUNITY POLICING, FOR PURPOSE OF CONTINUING THE SAME COP-SAME NEIGHBORHOOD PROGRAM (DOCKET NO. 1286)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket 1286, message of the Mayor and order authorizing the Police Commissioner to accept and expend a grant of \$3,372,000 from the Massachusetts Executive Office of Public Safety, State Community Policing, for the purpose of continuing the Same Cop-Same Neighborhood program (referred November 15) — recommending passage of the order.

The report was accepted; **the order was passed.**

REPORT ON ORDER THAT PURSUANT TO MGL CHAPTER 40, SECTION 56, RESIDENTIAL FACTOR FOR FY01 SHALL BE MINIMUM RESIDENTIAL FACTOR AS DETERMINED BY COMMISSIONER OF REVENUE PURSUANT TO MGL CHAPTER 58, SECTION 1A, AND THAT PURSUANT TO MGL CHAPTER 59, SECTION 5C, RESIDENTIAL EXEMPTION IN AMOUNT OF VALUE OF 20% OF AVERAGE ASSESSED VALUE OF ALL CLASS ONE RESIDENTIAL PARCELS BE APPROVED FOR FY01 (DOCKET NO. 1335)

Councillor KELLY, on behalf of the Committee of the

Whole, submitted the following:

Report on Docket No. 1335, order that pursuant to MGL Chapter 40, section 56, the residential factor for FY01 shall be the minimum residential factor as determined by the Commissioner of Revenue pursuant to MGL Chapter 58, section 1A, and that pursuant to MGL Chapter 59, section 5C, a residential exemption in the amount of value of 20% of the average assessed value of all class one residential parcels be approved for FY01 (referred November 29) — recommending passage of the order.

The report was accepted; **the order was passed.**

APPOINTMENT OF TEMPORARY EMPLOYEE (DOCKET NO. 1359)

Councillor KELLY offered the following:

Ordered, That effective Saturday, December 30, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, March 23, 2001:

John R. Flavin, administrative assistant, \$300, part time.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 1360)

Councillor KELLY offered the following:

Ordered, That effective Saturday, December 30, 2000, the following-named persons be, and hereby are, appointed to the position set against their name until Friday, March 23, 2001:

Matthew Benedetti, administrative assistant, \$670.50, full time

Adriana Cillo, secretary, \$708.82, full time

Alex Geourtas, secretary, \$996.17, full time

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 1361)

Councillor KELLY offered the following:

Ordered: That effective Saturday, December 9, 2000, the following-named persons be, and hereby are, appointed to the position set against their name until Friday, December 15, 2000:

John P. Hannigan administrative assistant, \$1,524.90, full time

Patricia A. Miller, administrative assistant, \$655.56, full time

Irene M. Smith, administrative assistant, \$1,285.44, full time

Constance Sullivan, administrative assistant, \$422.42, part time

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 1362)

Councillor KELLY offered the following:

Ordered: That effective Saturday, December 9, 2000, the following-named persons be, and hereby are, appointed to the position set against their name until Friday, December 15, 2000:

Joyce L. Holland, secretary, \$1,015.32, full time

Karen M. Pinckney, secretary, \$555.56, full time

Kenneth W. Yarbrough, secretary, \$622.61, full time

Passed under the suspension of the rules.

ORDINANCE AMENDING BOSTON FIRE PREVENTION CODE CONCERNING BLASTING REGULATIONS (DOCKET NO. 1363)

Councillors HENNIGAN, MURPHY, ROACHE, DAVIS-MULLEN, CONLEY and FLAHERTY offered the following:

City of Boston

In the Year Two Thousand

AN ORDINANCE AMENDING THE

BOSTON FIRE PREVENTION CODE

CONCERNING BLASTING REGULATIONS

Be it ordained by the City Council of Boston, as follows:

That the City of Boston Code, Ordinances, Chapter 11, Section 5, Boston Fire Prevention Code (as adopted by Chapter 28 of the Ordinances of 1979), be amended by adding the following new article:

ARTICLE XXXII: BLASTING

Section 32.01 PURPOSE

All blasting within the Corporate Limits of the City of Boston shall comply with the requirements of 527 CMR, Board of Fire Prevention, Chapter 13.00, Explosives and Application Sections of the Massachusetts General Laws, Chapter 148. In addition, blasting shall comply with the following general and specific requirements and standards for the protection of people and property, land, and other natural resources. Unless otherwise provided for in this regulation, the provisions of 527CMR 13.00 are applicable and must be complied with at all times.

Section 32.02 DEFINITIONS

If any of the following definitions are inconsistent with definitions that appear in 527CMR 13.00, the definition in 527CMR 13.00 is the definition that governs.

AIRBLAST The airborne shock wave or acoustic transient generated by an explosion.

"ALWAYS AND NEVER" List of precautions (IME Safety Library Publication No. 4) printed by the Institute of Makers of Explosives pertaining to the transportation, storage, handling and use of explosive materials. Formerly titled 'DOs AND DON'Ts'.

AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) A non-governmental organization concerned with developing safety and health standards for industry.

AMERICAN TABLE OF DISTANCES A quantity-distance table, prepared and approved by IME, for storage of explosive materials to determine safe distances from inhabited buildings, public highways, passenger railways, and other stored explosive materials.

AMMONIUM NITRATE The ammonium salt of nitric acid represented by the formula NH_4NO_3 .

AMPERE A unit of electrical current produced by 1 volt acting through a resistance of 1 ohm.

ANFO A blasting agent (1.5D) containing no essential ingredients other than prilled ammonium nitrate and fuel oil.

ANSI See AMERICAN NATIONAL STANDARDS INSTITUTE.

APPROPRIATE AUTHORITY See COMPETENT AUTHORITY

APPROVED, APPROVAL, OR AUTHORIZED Terms which means APPROVED, APPROVAL, or by the authority having jurisdiction.

ARTIFICIAL BARRICADE An artificial mound or

revested wall of earth of a minimum thickness of three feet

ATF See BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS.

AUTHORIZED PERSON An individual approved or assigned by management to perform a specific duty or duties or to be at a specific location or locations.

AUTHORITY HAVING JURISDICTION The governmental agency, office, or individual responsible for approving equipment, an installation, or a procedure.

AVAILABLE ENERGY The energy from an explosive material that is capable of performing useful work.

BACKBREAK Rock broken beyond the limits of the last row of holes in a blast, synonymous with OVERBREAK.

BARRICADED The effective screening of a building containing explosive materials from a magazine or other building, railway, or highway by a natural or an artificial barrier. A straight line from the top of any sidewall of the building containing explosive materials to the eave line of any magazine or other building or to a point twelve feet above the center of a railway or highway shall pass through such barrier.

BARRIER A material object or objects that separates, keeps apart, or demarcates in a conspicuous manner such as cones, a warning sign, or tape.

BASE CHARGE The main explosive charge in the base of a detonator.

BINARY EXPLOSIVE (see Phosphoric Materials) **BATF** See BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS.

BENCH A horizontal ledge from which holes are drilled vertically down into the material to be blasted; benching is a process of excavating where a highwall is worked in steps or lifts.

BENCH HEIGHT The vertical distance from the top of a bench to the floor or to the top of the next lower bench.

BLACK POWDER A deflagrating or low explosive compound of an intimate mixture of sulfur, charcoal, and an alkalis nitrate, usually potassium or sodium nitrate.

BLAST, (BLASTING) The firing of explosive materials for such purposes as breaking rock or other material, moving material, or generating seismic waves.

BLAST AREA The area including the blast site and the immediate adjacent area within the influence of flying rock missiles, gases, and concussion. (**)

BLASTHOLE See DRILL HOLE and BOREHOLE.

BLAST PATTERN The plan of the drill holes as laid out for blasting; an expression of the burden distance and the spacing distance and their relationship to each other. Synonymous with DRILL PATTERN.

BLAST SITE The area in which explosive materials are being or have been loaded and which includes all holes loaded or to be loaded for the same blast and for a distance of 50 feet in all directions. (**)

BLASTER A person who holds a valid Certificate of Competency issued by the State Fire Marshal and qualified to be in charge of and responsible for the design,

loading, and firing of a blast. A blaster is recognized in his field as an explosives craftsman. (**)

BLASTING ACCESSORIES Non-explosive devices and materials used in blasting, such as, but not limited to, cap crimpers, tamping bags, blasting machines, blasting galvanometers, and cartridge punches.

BLASTING AGENT An explosive material which meets prescribed criteria for insensitivity to initiation.

For storage, Title 27, Code of Federal Regulations, Section 5511 defines a blasting agent as any material or mixture, consisting of fuel and oxidizer intended for blasting, not otherwise defined as an explosive: provided, that the finished product, as mixed for use or shipment, cannot be detonated by means of a No. 8 test blasting cap (detonator) when unconfined (Bureau of Alcohol, Tobacco and Firearms Regulation).

For transportation, Title 49 CFR, Section 11 73.50, defines Class 1, Division 1. 5 (blasting agent) as a substance which has mass explosion hazard but is so insensitive that there is very little probability of initiation or of transition from burning to detonation under normal conditions in transport.

BLASTING CAP See DETONATOR.

BLASTING CREW A group of persons who assist the blaster in loading, tying in, and firing a blast.

BLASTING GALVANOMETER An electrical resistance instrument designed specifically for testing electric detonators and circuits containing them. It is used to check electrical continuity. Other acceptable instruments for this purpose are Blasting Ohmmeters and Blasters' Multi-meters.

BLASTING LOG A written record of information about a specific blast as may be required by law or regulation.

BLASTING MACHINE An electrical or electro-mechanical device which provides electrical energy for the purpose of energizing detonators in an electric blasting circuit. Also used in reference to certain non-electric systems (Sometimes called exploder or battery).

BLASTING MAT A mat of woven steel wire, rope, scrap tires, or other suitable material or construction to cover blastholes for the purpose of preventing flying rock missiles.

BLASTING VIBRATIONS The energy from a blast that manifests itself in vibrations which are transmitted through the earth away from the immediate blast area.

BOOSTER An explosive charge, usually of high detonation velocity and detonation pressure, designed to be used in the explosive initiation sequence between an initiator or primer and the main charge.

BOREHOLE A hole drilled in the material to be blasted, for the purpose of containing an explosive charge, also called BLASTHOLE or DRILL HOLE.

BREAKAGE A term used to describe the site distribution of the rock fragments created by a blast.

BRIDGEWIRE A resistance wire connecting the ends of the leg wires inside an electric detonator and which is embedded in the ignition charge of the detonator.

BULK STRENGTH The strength per unit volume of an explosive calculated from its weight strength and density.

BURDEN The distance from the borehole and the

nearest free face or the distance between boreholes measured perpendicular to the spacing. Also the total amount of material to be blasted by a given hole, usually measured in cubic yards or tons.

BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS A bureau of the Department of Treasury having responsibility for the promulgation and enforcement of regulations related to the unlawful use of explosive materials under 18 U.S.C. Chapter 40, (BATF) Section 847.

BUREAU OF MINES See U.S. BUREAU OF MINES.

CAP-SENSITIVE EXPLOSIVE MATERIAL An explosive material which will detonate with an IME No. 8 TEST DETONATOR when the material is unconfined.

CAPACITOR DISCHARGE BLASTING MACHINE A blasting machine in which electrical energy, stored on a capacitor, is discharged into a blasting circuit containing electric detonators

CARTRIDGE An individual closed shell, bag, or tube of circular cross section containing explosive material.

CARTRIDGE COUNT (STICK COUNT) The number of cartridges in a case. A standard case typically contains about 50 pounds of explosive material. Unless otherwise specified it refers to the number of 1/4 x 8 inch cartridges in a 50 lb. case.

CARTRIDGE STRENGTH Synonymous with BULK STRENGTH.

CFR See CODE OF FEDERAL REGULATIONS.

CIRCUIT A completed path for conveying electrical current. See SERIES BLASTING

CIRCUIT, PARALLEL BLASTING CIRCUIT, and SERIES-IN-PARALLEL BLASTING CIRCUIT (Some non-electric systems also use the word circuit.)

CLASS A EXPLOSIVES A term formerly used by the U.S. Department of Transportation to describe explosives which possess detonating or otherwise maximum hazard (Currently classified as Division 1.1 or 1.2 materials).

CLASS B EXPLOSIVES A term formerly used by the U.S. Department of Transportation to describe explosives which possess flammable hazard. (Currently classified as Division 3 materials.)

CLASS C EXPLOSIVES A term formerly used by the U.S. Department of Transportation to describe explosives which contain Class A or Class B explosives, or both as components but in restricted quantities. (Currently classified Division 1.4 materials.)

CODE OF FEDERAL REGULATIONS A codification of the general and permanent rules published in the Federal Register by the Executive departments and agencies of the Federal Government. The Code is divided into 50 titles which represent broad areas subject to Federal regulation.

COLLAR The mouth or opening of a borehole or shaft.

COLUMN CHARGE A charge of explosives in a blasthole in the form of a long continuous unbroken column.

COLUMN DEPTH/COLUMN HEIGHT The length of each portion of a blasthole filled with explosive

materials.

COMPETENT AUTHORITY A national agency responsible under its national law for the control or regulation of a particular aspect of the transportation of hazardous materials. Also referred to as **APPROPRIATE AUTHORITY** (Ref. 49 CFR).

CONFINED DETONATION VELOCITY The detonation velocity of an explosive material in a substantial container or a borehole.

CONNECTING WIRE Wire used to extend the firing line or leg wires in an electric blasting circuit.

CONTINUITY CHECK (CIRCUIT CONTINUITY CHECK) A determination made by instrumentation where possible, and visually in all cases, to show that an initiation system is continuous and contains no breaks or improper connections that could cause stoppage or failure of the initiation process.

COUPLING The degree to which an explosive fills the cross-section of a borehole: bulk loaded explosives are completely coupled; untamped cartridges are decoupled.

CRITICAL DIAMETER The minimum diameter for propagation of a detonation wave at a stable velocity. Critical diameter is affected by conditions of confinement, temperature and pressure on the explosive.

CURRENT LEAKAGE Portion of the firing current bypassing part of the blasting circuit through unintended paths.

CURRENT LIMITING DEVICE An electric or electromechanical device that limits (1) current amplitude; (2) duration of current flow; or (3) total energy of the current delivered to an electric blasting circuit.

CUSHION BLASTING A blasting technique used to produce competent slopes or smooth walls. The cushion holes, fired after the main charge, have a reduced spacing and employ decoupled charges.

CUTOFF A break in a path of detonation or initiation caused by extraneous interference, such as flyrock or shifting ground.

DATE-SHOT CODE A code, required by Federal regulation (BATF), applied by manufacturers to the outside shipping containers, and, in many instances, to the immediate containers of explosive materials to aid in their identification and tracing.

DAUTRICHE METHOD-DETONATION VELOCITY A method of determining the detonation velocity of an explosive material by employing detonating cord and a witness plate.

DC Direct current.

DECIBEL A unit of air overpressure commonly used to measure airblast.

DECK LOADING (DECKING) A method of loading blastholes in which the explosive charges called decks or deck charges, in the same hole are separated by stemming or an air cushion.

DECK An explosive charge that is separated from other charges in the blasthole by stemming or an air cushion.

DECOUPLING The use of cartridge explosive products significantly smaller in diameter than the diameter of the blasthole. Decoupling or the use of decoupling

charges is designed to reduce the charge concentration in the blasthole and minimize stresses exerted on the walls of the blasthole.

DEFLAGRATION An explosive reaction such as a rapid combustion that moves through an explosive material at a velocity less than the speed of sound in the material.

DELAY A distinct pause of predetermined time between detonation or initiation impulses, to permit the firing of explosive charges separately.

DELAY BLASTING The practice of initiating individual explosive decks, boreholes or rows of boreholes at predetermined time intervals using delay detonators, or other delaying means, as compared to instantaneous blasting where all holes are fired essentially at the same time.

DELAY DETONATOR An electric or non-electric detonator used to introduce a predetermined lapse of time between the application of a firing signal and the detonation of the base charge.

DELAY ELEMENT The device in a delay detonator that produces the predetermined time lapse between the application of a firing signal and detonation.

DELAY INTERVAL The nominal time between the detonation of delay detonators of adjacent periods in a delay series; the nominal time between successive detonations in a blast.

DELAY PERIOD A designation given to a delay detonator to show its relative or absolute delay time in a given series.

DELAY SERIES A series of delay detonators designed to satisfy specific blasting requirements. There are basically two types of delay series: millisecond (MS) or short period (SP) with delay intervals on the order of milliseconds and long period (LP) with delay time on the order of seconds.

DELAY TAG A tag, band, or marker on a delay detonator that denotes the delay series, delay period and/or delay time of the detonator.

DELAY TIME The lapse of time between the application of a firing signal and the detonation of the base charge of a delay detonator.

DENSITY The mass of an explosive per unit of volume, usually expressed in grams per cubic centimeter or pounds per cubic foot (also see **SPECIFIC GRAVITY**).

DEPARTMENT OF TRANSPORTATION (DOT) A cabinet level agency of the Federal Government. It has the responsibility for the comprehensive regulation of transportation safety and issues regulations governing interstate shipments of explosives and other hazardous materials.

DETONATING CORD A flexible cord containing a center core of high explosive which may be used to initiate other high explosives.

DETONATING CORD DOWNLINE The section of detonating cord that extends within the blast hole from the ground surface down to the explosive charge.

DETONATING CORD MS CONNECTORS Nonelectric short-interval (millisecond) delay devices for use in delaying blasts which are initiated by detonating cord.

DETONATING CORD TRUNKLINE The line of

detonating cord that is used to connect and initiate other lines of detonating cord.

DETONATION An explosive reaction that moves through an explosive material at a velocity greater than the speed of sound in the material.

DETONATION PRESSURE The pressure produced in the reaction zone of a detonating explosive.

DETONATION VELOCITY The velocity at which a detonation progresses through an explosive.

DETONATOR Any device containing an initiating or primary explosive that is used for initiating detonation in another explosive material. A detonator may not contain more than 10 grams of total explosives by weight, excluding ignition or delay charges. The term includes, but is not limited to, electric blasting caps of instantaneous and delay types, blasting caps for use with safety fuse, detonating cord delay connectors, and nonelectric instantaneous and delay blasting caps which use detonating cord, shock tube, or any other replacement for electric leg wires. Unless specifically classified otherwise, detonators are classified 1.1 (Class A explosives). Also see **DETONATORS 1.4 (CLASS C EXPLOSIVES)**.

DETONATORS 1.4 (CLASS C EXPLOSIVES) Initiating devices which will not mass explode when packaged for shipment (See **MASS EXPLODE**).

DIAMETER The cross-sectional width of a borehole or an explosive cartridge.

DITCH BLASTING The formation of a ditch by the detonation of a series of explosive charges.

DITCHING DYNAMITE A nitroglycerin type explosive especially designed to propagate sympathetically from hole to hole in ditch blasting.

DOs AND DON'Ts Former name of a list of precautions (IME Safety Library Publication No. 4) printed by the Institute of Makers of Explosives pertaining to the transportation, storage, handling, and use of explosive materials and included in cases of explosive materials. Recently renamed, "ALWAYS AND NEVER".

DOT See **DEPARTMENT OF TRANSPORTATION**.

DOWNLINE A line of detonating cord or plastic tubing in a blasthole which transmits the detonation from the trunkline or surface delay system down the hole to the primer.

DRILL HOLE A hole drilled in the material to be blasted for the purpose of containing an explosive charge, also called **BLASTHOLE** or **BOREHOLE**.

DRILLING PATTERN The location of blastholes in relationship to each other and the free face.

DYNAMITE A high explosive used for blasting, consisting essentially of a mixture of, but not limited to nitroglycerin, nitrocellulose, ammonium nitrate, sodium nitrate, and carbonaceous materials.

ELECTRIC BLASTING CIRCUIT An electric circuit containing electric detonators and associated wiring. Also see **PARALLEL, SERIES, AND SERIES IN PARALLEL BLASTING CIRCUITS**.

ELECTRIC DETONATOR A detonator designed for, and capable of, initiation by means of an electric current.

ELECTRICAL STORM An atmospheric disturbance

characterized by intense electrical activity producing lightning strokes and strong electric and magnetic fields. Synonymous with **THUNDERSTORM** and **LIGHTNING STORM**.

EMERGENCY PROCEDURE CARD Instructions carried on a vehicle transporting explosive materials and giving specific procedures in case of emergency.

EMULSION An explosive material containing substantial amounts of oxidizer dissolved in water droplets, surrounded by an immiscible fuel, or droplets of an immiscible fuel surrounded by water containing substantial amounts of oxidizer.

ENERGY A measure of the potential for an explosive to do work.

EXPLODE To react chemically in a rapid manner to produce heat and pressure. The term encompasses both deflagration and detonation.

EXPLOSION A chemical reaction involving an extremely rapid expansion of gases usually associated with the liberation of heat.

EXPLOSIVE Any chemical compound, mixture or device, the primary or common purpose of which is to function by explosion, i.e., with substantially instantaneous release of gas and heat. In 527 CMR 13.00, explosives shall be a Class I Explosives Materials. Class I Explosives Materials shall be divided into six divisions, the divisions being characteristic of the properties and hazards of the particular explosives materials. The Divisions of Class I Explosives Materials shall be:

Division 1.1: Explosives that have a mass explosion hazard. (formerly Class A explosives).

Division 1.2: Explosives that have a projection hazard but not a mass explosion hazard. A high explosive. (formerly class A or class B explosives).

Division 1.3: Explosives that have a fire hazard and either a minor blast hazard or a minor projection hazard, or both, but not a mass explosion hazard. A low explosive. (formerly class B explosives).

Division 1.4: Explosives that present a minor explosion hazard. An external fire must not cause virtual instantaneous explosion of almost the entire contents of the package. No device may contain more than 25g (0.9 oz) of a detonating material. A low explosive. (formerly a class C explosive).

Division 1.5: Very insensitive explosive materials that have a mass explosion hazard but are so insensitive that there is little or no probability of initiation or of transition from burning to detonation under normal conditions of transport. (formerly a blasting agent).

Division 1.6: Extremely insensitive articles that do not have a mass explosion hazard, and articles that demonstrate a negligible probability of accidental initiation or propagation. (no applicable hazard class. (**))

EXPLOSIVE-ACTUATED DEVICE Any tool or special mechanized device which is actuated by explosives. The term does not include propellant-actuated devices. (Also see **PROPELLANT-ACTUATED POWER DEVICE**.) Examples of explosive-actuated devices are jet tappers and jet perforators.

EXPLOSIVE CHARGE The quantity of explosive material used in a blasthole, coyote tunnel, or explosive device.

EXPLOSIVE LOADING FACTOR The amount of explosive used per unit of rock. Also called **POWDER FACTOR**.

EXPLOSIVE MATERIALS Any explosive, blasting agent or detonator. The term includes, but is not limited

to, dynamite, and other explosives, slurries, emulsions, and water gels, black powder, pellet powder, initiating explosives, detonators (blasting caps), safety fuse, squibs, detonating cord, smokeless propellants, small arms ammunition, small arms percussion caps, smokeless primers, igniter cord and igniters. (**)

A list of explosive materials determined to be within the coverage of 18 U.S.C. Chapter 40, Importation, Manufacture, Distribution and Storage of Explosive Materials, is issued at least annually by the Director of the Bureau of Alcohol, Tobacco, and Firearms of the Department of the Treasury.

The U.S. Department of Transportation classification of explosive materials used in commercial blasting operations are not identical with the statutory definitions of the Organized Crime Control Act of 1970, Title 128 U.S.C. Section 841. To achieve uniformity in transportation the definitions of the U.S. Department of Transportation in Title 49 Code of Federal Regulations parts 1999 subdivides these materials into:

Division 1.1 Mass exploding (Class A explosives)

Division 1.2 Projection hazard (Class A or Class B explosives)

Division 1.3 Fire hazard, minor blast (Class B explosives) or projection hazard

Division 1.4 Minor explosion (Class C explosives) hazard not mass exploding

Division 1.5 Insensitive explosives, (Blasting Agents) Very little probability of initiation or transition from burning to detonation during transport.

EXPLOSIVE STRENGTH The amount of energy released by an explosive upon detonation which is an indication of the capacity of the explosive to do work. (see also ENERGY)

EXTRA (AMMONIA) DYNAMITE A dynamite in which part of the nitroglycerin is replaced by ammonium nitrate in sufficient quantity to result in the same weight strength.

EXTRANEOUS ELECTRICITY Electrical energy, other than actual firing current or the test current from a blasting galvanometer, that is present at a blast site and that could enter an electric blasting circuit. It includes stray current, static electricity, RF (electromagnetic) waves, and time varying electric and magnetic fields.

FERTILIZER GRADE AMMONIUM NITRATE A grade of ammonium nitrate as defined by The Fertilizer Institute.

FIRE EXTINGUISHER RATING A rating set forth in the National Fire Code which may be identified on an extinguisher by a number (5, 20, 70, etc.) indicating the extinguisher's relative effectiveness followed by a letter (A, B, C, etc.) indicating the class or classes of fires for which the extinguisher has been found to be effective.

FIRE-RESISTANT Construction designed to provide reasonable protection against fire. (For exterior walls or magazines constructed of wood, this shall mean fire resistance equivalency provided by sheet metal of not less than 26 gauge.)

FIRING CURRENT An electric current of recommended magnitude and duration to sufficiently energize an electric detonator or a circuit of electric detonators.

FIRING LINE The wire(s) connecting the electrical power source with the electric blasting circuit.

FLAGS-DANGER Flags, usually red, which may or may not be imprinted with a warning and used to caution personnel around explosives operations, or displayed on trucks transporting explosives.

FLAMMABILITY The ease with which an explosive material may be ignited by flame and heat.

FLASHOVER The sympathetic detonation between explosive charges or between charged blastholes.

FLASH POINT The lowest temperature at which vapors from a volatile combustible substance ignite in air when exposed to flame, as determined in an apparatus specifically designed for such testing.

FLYROCK Rocks propelled from the blast area by the force of an explosion.

FRAGMENTATION The breaking of a solid mass into pieces by blasting.

FREE FACE A rock surface exposed to air or water which provides room for expansion upon fragmentation; sometimes called open face.

FUMES The gaseous products of an explosion. For the purpose of determining the fume classification of explosive materials, only poisonous or toxic gases are considered.

FUSE See SAFETY FUSE.

FUSE CAP A detonator which is initiated by a safety fuse; also referred to as an ordinary blasting cap. Synonymous with BLASTING CAP, also see DETONATOR.

FUSE CUTTER A mechanical device for cutting safety fuse clean and at right angles to its long axis.

GAP SENSITIVITY The maximum length of gap across which a detonation wave will travel and initiate a second or receptor cartridge. Both primer and receptor cartridge should be of the same composition, diameter, and weight. Usually refers to gap in air but other media may be used.

GELATIN DYNAMITE A type of highly water resistant dynamite characterized by its gelatinous or plastic consistency.

GEOLOGY A description of the types and arrangement of rock in an area; the description usually includes the dip and strike, the type and extent of preexisting breaks in the rock, and the hardness and massiveness of the rock, as these affect blast design.

GRAINS In the avoirdupois system of weight measurement 7000 grains are equivalent to one standard 16 ounce pound (0.45 kg.). A grain is 0.0648 grams in both the avoirdupois and the troy system.

GROUND FAULT An electrical path between parts of the blasting circuit and earth.

GROUND VIBRATION Shaking the ground by elastic waves emanating from a blast; usually measured in inches per second of particle velocity.

HANGFIRE The detonation of an explosive charge at some non-predictable time after its normally designed firing time.

HARDWOOD Red oak, white oak, hard maple, ash or hickory, free from loose knots, wind shakes, or similar defects.

HAZARDOUS MATERIALS ADVISORY COUNCIL (HMAC) An international organization representing shippers and carriers, container manufacturers and reconditioners, and emergency response companies for hazardous materials.

HERTZ (Hz) Synonymous with "cycles per second."

HIGH EXPLOSIVES Explosives which are characterized by a very high rate of reaction, high pressure development, and the presence of a detonation wave in the explosive.

HIGHWALL A nearly vertical face at the edge of a bench, bluff, or ledge on a surface excavation.

HOLE DIAMETER The cross-sectional width of the borehole.

IGNITER CORD A small diameter pyrotechnic cord that burns at a uniform rate with an external flame and used to ignite a series of safety fuses.

IME See **INSTITUTE OF MAKERS OF EXPLOSIVES**.

IME-22 CONTAINER (COMPARTMENT) A container (portable), or a compartment (permanently affixed to a vehicle), which is constructed in accordance with IME SLP-22 specifications and is authorized by the Department of Transportation for the transport of certain types of detonators on the same vehicle with other explosives

IME FUME CLASSIFICATION A classification indicating the amount of carbon monoxide and hydrogen sulfide produced by an explosive or blasting agent. Explosives with positive oxygen balances are not considered as being acceptable in these classifications. See Appendix F

INCENDIVITY The property of an igniting agent (e.g. spark, flame or hot solid) which indicates it is of sufficient intensity to ignite flammable material or explosive gases.

INHABITED BUILDING A building regularly occupied in whole or part as a habitation for human beings, or any church, schoolhouse, railroad station, store, or other structure where people are accustomed to assemble, except any building or structure occupied in connection with the manufacture, transportation, storage or use of explosive materials.

INITIATION The start of deflagration or detonation in an explosive material.

INITIATOR A detonator, detonating cord or similar device used to start detonation or deflagration in an explosive material.

INSTANTANEOUS DETONATOR A detonator that has a firing time of essentially zero seconds as compared to delay detonators with firing times of from several milliseconds to several seconds.

INSTITUTE OF MAKERS OF EXPLOSIVES A nonprofit, safety oriented trade association representing producers of commercial explosive materials in the U.S. and Canada and dedicated to safety in the manufacture, transportation, (IME) storage, handling and use of explosive materials.

INSTITUTE OF MAKERS OF EXPLOSIVES NO.8 TEST DETONATOR IME No. ~ test detonator has 0.40 to 0.45 grams PETN base charge pressed to a specific gravity of 1.4g/cc and primed with standard weights of primer, depending on manufacturer.

INVENTORY A listing of all explosive materials stored in a magazine.

ISSUING AUTHORITY The governmental agency,

office, or official vested with the authority to issue permits or licenses.

LEADING (LEAD) LINES OR WIRES The wires connecting the electrical power source with the circuit containing electric detonators. See **FIRING LINE**.

LEAKAGE RESISTANCE The resistance between the blasting circuit (including lead wires) and the ground.

LEG WIRES The two single wires or one duplex wire extending out from an electric detonator.

LOADING Placing explosive material in a blasthole or against the material to be blasted.

LOADING DENSITY The weight of explosive loaded per unit length of borehole occupied by the explosive, expressed as pounds/foot or kilograms/meter of borehole.

LOADING POLE A nonmetallic pole used to assist in the placing and compacting explosive charges in boreholes.

LOW EXPLOSIVES Explosive which are characterized by deflagration or low rate of reaction and the development of low pressure. See **DEFLAGRATION**.

MAGAZINE Any building, structure, or container, other than an explosives manufacturing building, approved for the storage of explosive materials.

MAGAZINE KEEPER A person responsible for the inventory and safe storage of explosive materials, including the proper maintenance of explosive materials, storage magazines and areas.

MAGAZINE, SURFACE A specially designed and constructed structure for the storage of explosive materials on the surface of the ground.

MAGAZINE UNDERGROUND A specially designed and constructed structure for the storage of explosive materials underground.

MAIN EXPLOSIVE CHARGE The explosive material that performs the major work of blasting.

MANUFACTURING CODES Code markings stamped on explosives materials packages, indicating among other information, the date of manufacture.

MASS EXPLODE (MASS EXPLOSION) An explosion which affects almost the entire load or quantity of explosives virtually instantaneously.

MAXIMUM RECOMMENDED FIRING CURRENT The highest electric current which will result in the safe and effective performance of an electric detonator.

MILLISECOND One thousandth part of a second (.001 or 1/1000 sec.)

MINE SAFETY AND HEALTH ADMINISTRATION (MSHA) An agency of the Department of Labor concerned with promulgation and enforcement of health and safety regulations in the mining field.

MISFIRE A blast or specific borehole that failed to detonate as planned. Also, the explosive materials that failed to detonate as planned.

MS CONNECTORS Nonelectric, short interval (millisecond) delay devices for use in delaying blasts which are initiated by detonating cord. Same as **DETONAT-**

ING CORD MS CONNECTORS.

MSHA APPROVAL A document issued by MSHA which states that an explosive or explosive unit has met MSHA requirements and which authorizes an approval marking identifying the explosive or explosive unit as approved as permissible.

MUCKPILE The pile of broken material resulting from a blast.

NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) An independent, non-profit association organized to promote the science and improve the methods of fire protection and prevention, electrical safety and other related safety goals.

NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) STANDARDS Standards for explosive materials and ammonium nitrate issued by the National Fire Protection Association.

NATIONAL SAFETY COUNCIL (NSC) A non-profit organization charged by Congress to provide a regular information service on the causes of accidents and ways to prevent them.

NATURAL BARRICADE Natural features of the ground such as hills, or timber of sufficient density that the surrounding exposures which require protection cannot be seen from the magazine when the trees are bare.

NITROGLYCERIN An explosive chemical compound used as a sensitizer in dynamite and represented by the formula($C_3H_5(ON_2)_3$)

NONELECTRIC DETONATOR A detonator that does not require the use of electric energy to function.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) An agency of the Department of labor active in eliminating occupational hazards and promoting employee health and safety.

OFFICE OF SURFACE MINING (OSM) An agency of the Department of the Interior regulating surface coal mining and the surface effects of underground coal mining.

OVERBURDEN Material of any nature laying on top of a deposit of material which is to be mined.

PARALLEL BLASTING CIRCUIT An electric blasting circuit in which one leg wire of each detonator is connected to one of the wires from the source of firing current and the other wire from the firing current source. (Can also be used to refer to certain nonelectric systems.)

PARTICLE VELOCITY See Velocity

PARTING A rock mass located between two seams of coal; a joint or crack in rock.

PERMISSIBLE DIAMETER The smallest allowable diameter of particular permissible explosive, as approved by the Mine Safety and Health (SMALLEST) Administration (MSHA).

PERMISSIBLE (MSHA) APPROVED EXPLOSIVES Explosives that are approved by the Mine Safety and Health Explosives Administration for use in gassy and dusty atmospheres. Permissible explosives must be used and stored in accordance with certain conditions specified by the Mine Safety and Health Administration (MSHA).

PLACARDS Signs placed on vehicles transporting

hazardous materials (including explosive materials) indicating the nature of the cargo.

PLOSOPHORIC MATERIALS [Binary Explosives], two or more unmixed, commercial manufactured, prepackaged chemical ingredients including oxidizers, flammable liquids or solids, or similar substances that are not independently classified as explosives but which when mixed or combined form a mixture that is classified as an explosive and that is intended for blasting. It may be classified by the Hazardous Materials Regulations of the U.S. Department of Transportation as an explosive depending on its susceptibility to detonation. (**)

POWDER A common synonym for explosive materials.

POWDER FACTOR The amount of explosive used per unit of rock. Also called **EXPLOSIVE LOADING FACTOR**.

POWER SOURCE The source of power for energizing electric blasting circuits, e.g., a blasting machine or power line.

PREBLAST SURVEY A documentation of the existing condition of structures near an area where blasting is to be conducted.

PREMATURE FIRING The detonation of an explosive charge before the intended time.

PRESPLIMING (PRESHEARING) A smooth blasting method in which cracks for the final contour are created by firing a single row of holes prior to the initiation of the rest of the holes in the blast pattern.

PRILLED AMMONIUM NITRATE Ammonium nitrate in a pelleted or prilled form.

PRIMARY BLAST A blast used to fragment and displace material from its original position to facilitate subsequent handling and crushing.

PRIMARY EXPLOSIVE A sensitive explosive which nearly always detonates by simple ignition from such means as spark, flame, impact, friction, or other primary heat sources of appropriate magnitude.

PRIMER A unit, package or cartridge or explosives used to initiate other explosives or blasting agents, and which contains: (1) a detonator; or (2) detonating cord to which is attached a detonator designed to initiate the detonating cord.

PROPAGATION The detonation of an explosive charge by an impulse received from an adjacent or nearby explosive charge.

QUANTITY-DISTANCE TABLE A table listing minimum recommended distance from explosives materials stores of various weights to a specific location.

RADIO FREQUENCY ENERGY (RF) The energy radiated as electromagnetic waves in the radio frequency spectrum.

RADIO FREQUENCY TRANSMITTER An electronic transmitting device which radiates radio frequency waves. The transmitting device may be fixed (stationary) or mobile, and includes car telephones, citizens band radios, AM and FM radio transmitters, television transmitters and radar transmitters.

REGULATIONS FEDERAL, STATE, LOCAL Regulations promulgated by Federal, State or local regulatory agencies governing the manufacturer, trans-

portation, storage, sale, possession, handling and use of explosive materials.

RELIEF The effective distance from a blasthole to the nearest free face (synonymous with burden.)

RESISTANCE The measure of opposition to the flow of electrical current, expressed in ohms.

ROTATIONAL FIRING Delay blasting system used so that the detonating explosives will successively displace the burden into the void created by previously detonated explosives in holes which fired at an earlier delay period.

ROUND A group of boreholes fired or intended to be fired in a continuous sequence with the application of initiating energy.

SAFETY FUSE A flexible cord containing solid flammable materials by which fire or flame is conveyed at a continuous and uniform rate from the point of ignition to a cut end. A fuse detonator is usually attached to that end, although safety fuse may be used without a detonator to ignite material such as deflagrating explosives.

SAFETY STANDARD Suggested precautions relative to the safety practices to be employed in the manufacture, transportation, storage, handling and use of explosive materials.

SCALED DISTANCE A factor relating similar blast effects from various weight charges of explosive material at various distances. Scaled distances referring to blasting effects is obtained by dividing the distance of concern by a fractional power of the weight of the explosive materials.

SEAM A stratum or bed of coal or other material. May also refer to a crack or joint in a blast area which may be filled with mud or other material. A seam may be in any orientation.

SECONDARY BLASTING Blasting to reduce the size of boulders resulting from a primary blast.

SEISMOGRAPH An instrument, useful in monitoring blasting operations, which records ground vibration. Particle velocity, displacement, or acceleration is generally measured and recorded in three mutually perpendicular directions.

SENSITIVENESS A measure of an explosive's cartridge-to-cartridge propagating ability under certain test conditions. It is expressed as the distance through air at which a primed half cartridge (donor) will detonate an unprimed half cartridge (receptor). Also see GAP SENSITIVITY.

SENSITIVITY A physical characteristic of an explosive material classifying its ability to be initiated upon receiving an external impulse such as impact, shock, flame, friction or other influence which can cause explosive decomposition.

Can-Sensitive Explosive Material. Any explosive material that can be detonated by means of a No. 8 blasting cap or its equivalent. Cap-sensitive material SHALL be classified as an explosive.

Non Cap-Sensitive Explosive Material. Any explosive material that can NOT be detonated by means of a No. 8 blasting cap or its equivalent. Non cap-sensitive material SHALL NOT be classified as an explosive. (**)

SEPARATION DISTANCES Minimum recommended distances from explosive materials accumulations to other specified locations.

SEQUENTIAL BLASTING MACHINE A blasting machine designed to actuate separate series of detonators at accurately timed intervals. Also called SEQUENTIAL TIMER

SEQUENTIAL TIMER See SEQUENTIAL BLASTING MACHINE

SERIES BLASTING CIRCUIT An electric blasting circuit that provides one continuous path for the current through all caps in the circuit.

SERIES-IN-PARALLEL BLASTING CIRCUIT A circuit in which electric detonators are divided into two or more balanced groups being connected together in series and the groups being connected together in parallel.

SHOCK TUBE A small diameter plastic tube used for initiating detonators. It contains only a limited amount of reactive material so that the energy that is transmitted through the tube by means of a detonation wave is guided through and confined within the walls of the tube.

SHOCK WAVE A transient pressure pulse that propagates at supersonic velocity.

SHORT DELAY BLASTING The practice of detonating blastholes in successive intervals where the time difference between any two successive detonations is measured in milliseconds.

SHOT ANCHOR A device that anchors explosive material charges in the borehole so that the charges will not be blown out by the detonation of other charges or, in seismic work, cannot be pulled out of the borehole by the leg wires.

SHOT BREAK A space consisting of an undrilled or drilled area which may include loaded or unloaded blast holes to separate two individual blasts located on the same bench.

SHOT FIRER See BLASTER. (shot firer usually refers to an underground coal mine blaster).

SHUNT (SHUNTING) The shorting together of the free ends of (1) electric detonator leg wires, or (2) the wire ends of an electric blasting circuit or part thereof. The term also applies to an electrical shorting device applied to the free ends of electric detonators by the manufacturer.

SIGNS — EXPLOSIVE (PLACARDS) Signs, called placards, placed on vehicles transporting explosives denoting the character of the cargo, or signs placed near storage areas as a warning to unauthorized personnel.

SLURRY see Water Gel or Slurry

SPACING The distance between boreholes. In bench blasting, the distance is measured parallel to the free face and perpendicular to the burden.

SPECIFIC GRAVITY The ratio of the weight of any volume of substance to the weight of an equal volume of pure water.

STABILITY The ability of an explosive material to retain chemical and physical properties specified by the manufacturer when exposed to specific environmental conditions over a particular period of time.

STATIC ELECTRICITY Electric charge at rest on a person or object. It is most often produced by the contact and separation of dissimilar insulating materials.

STEMMING Inert material placed in a borehole on top of or between separate charges of explosive material. Used for the purpose of confining explosive materials or to separate charges of explosive material in the same borehole.

STORAGE The safekeeping of explosive materials usually in specially designed structures called magazines.

STRAY CURRENT A flow of electricity outside an insulated conductor system.

SUBDRILLING The practice of drilling boreholes below floor level or working elevation to insure breakage of rock to working elevation.

SYMPATHETIC DETONATION The detonation of an explosive material as the result of receiving an impulse from another detonation through air, earth or water. Synonymous with SYMPATHETIC PROPAGATION. (See also FLASHOVER.)

TABLE OF RECOMMENDED SEPARATION DISTANCES OF AMMONIUM NITRATE AND BLASTING AGENTS FROM EXPLOSIVES OR BLASTING AGENTS A quantity distance table designed to prevent explosion of ammonium nitrate and ammonium nitrate-based blasting agents by propagation from nearby stores of high explosives or blasting agents. It is based on a "donor-receptor" relationship developed by the U.S. Bureau of Mines.

TAMPING The action of compacting the explosive charge or the stemming in a blasthole. Sometimes refers to the stemming material itself.

TAMPING POLE A wooden or plastic pole used to compact explosive charges or stemming. (See also **LOADING POLE**.)

TEMPORARY STORAGE Storage of explosives for less than 24 hours.

TEST BLASTING CAP NO. 8 See **INSTITUTE OF MAKERS OF EXPLOSIVES NO. 8 TEST DETONATOR**

TOE In bench blasting, excessive burden measured at the floor level of the bench.

UNBARRICADED The absence of a natural or artificial barricade around explosive storage areas of facilities.

UNCONFINED DETONATION VELOCITY The detonation velocity of an explosive material fired without confinement; for example, a charge fired in the open. (Paper tubes are generally not considered as confinement.)

UNDERWRITERS LABORATORY INC. (UL) A nationally recognized incorporated testing laboratory qualified and equipped to conduct the necessary tests to determine compliance with appropriate standards and the satisfactory performance of materials or equipment in actual usage.

U.S. BUREAU OF MINES (USBM) A former bureau of the Department of Interior active in promoting safety in coal mines and in carrying out board programs in mining and related fields.

VOLT The unit of electromotive force. It is the difference in potential required to make a current of one ampere flow through a resistance of one ohm.

VELOCITY The measurement of speed. (**)

VELOCITY, PARTICLE The velocity at which the earth vibrates, measured in inches/sec, or cm/sec. (**)

VELOCITY, PEAK PARTICLE The highest recorded particle velocity. (**)

VELOCITY, SEISMIC The velocity at which a vibration or seismic wave travels in the earth outward from the source. It is measured in thousands of feet per second. (**)

VOLUME STRENGTH Synonymous with **CARTRIDGE STRENGTH**. See **BULK STRENGTH**.

WARNING SIGNAL A visual or audible signal which is used for warning personnel in the vicinity of the blast area of the impending explosion.

WATER GEL or SLURRY A wide variety of materials used for blasting manufactured with varying degrees of sensitivity to initiation and may be classified as explosives or non explosive blasting agents. Water gels may be premixed at an explosive manufacturing building or mixed at the site immediately before delivery into the borehole. (**)

WATER RESISTANCE The ability of an explosive to withstand the desensitizing effect of water penetration.

WATT A unit of electrical power equal to one joule per second.

WEIGHT STRENGTH The energy of an explosive material per unit of weight. Often expressed as a percentage of the energy per unit of weight of a specified explosive standard.

(**) Commonwealth of MA Board of Fire Prevention Regulations, 527 CMR 13.03

Section 32.03 GENERAL REQUIREMENTS

These requirements apply equally to Section 32A Construction Blasting and Section 32B Quarry Blasting.

(A) Use And Handling Permit (Permit To Blast) Provisions

- (1) Use and Handling Permit shall be issued by the Head of the Boston Fire Department for all blasting conducted within Boston City limits.
- (2) Prior to a Use and Handling Permit being issued, the Blaster shall provide the following:
- (3) A Valid Explosive Users Certificate (Own and Possess Certificate) issued by the State Fire Marshal.
- (4) A certificate of insurance providing General Liability insurance with limits of not less than \$1,000,000/\$1,000,000. (Note: A Use and Handling Permit shall be issued only for the explicit time period covered by the effective dates of the GL policy.)
- (5) A Blasting Bond with the City of Boston or the Commonwealth of Massachusetts named as the certificate holder. (Note: A Use and Handling Permit shall be issued only for the period of time covered by the effective dates of the Bond.)
- (6) A Certificate of Competency (Blaster's License) for each person(s) who could be responsible for blasting operations including shot design, charge loading, wiring, and detonation.
- (7) Written proof, in a form approved by the Head of the Fire Department that Dig Safe has been notified of the proposed blasting

operations and a dig safe number was issued in accordance with M.G.L. c. 82 §40.

- (8) Proof that the required Preblast Inspection Surveys have been completed.
- (9) The route that the explosives are going to be transported to the site must be pre-approved by the Special Hazards Section of the Fire Prevention Division. The time of arrival at the site and the time leaving the site should be included.

32.04 PREBLAST INFORMATION REQUIREMENTS

- (A) A blast analysis and a blast design plan as specified in 527 CMR 13.09 (1), (k) & (1), shall be provided and explained to the Head of the Fire Department.
- (B) The blast analysis shall consider adjacent area structure(s), building(s), building foundations, utilities, including gas and water supply lines, septic systems and swimming pools, and area geology within the distances defined in Table 1 in 32.08. The blast analysis shall identify commercial equipment such as computers, electron microscopes, laser equipment, relays etc., which are sensitive to vibrations, and other underground objects that might be damaged by the effects of a blast.
- (C) In preparing the blast design plan and blast analysis, the following shot variables, as a minimum, shall be considered to minimize the adverse effects of ground vibrations and flyrock:
 - Maximum charge weight detonating at one time (i.e. within 8 milliseconds).
 - True Distance (distance the waves must travel).
 - Geological conditions.
 - Degree of confinement.
 - Physical properties of the rock.
 - Coupling.
 - Spatial distribution.
 - Detonator timing scatter.
 - Time duration of energy release.
 - Type of explosive or blasting agent.
- (D) The following shot variables, as a minimum, shall be considered to minimize the adverse effects of air blast:
 - Maximum charge weight detonating at one time (i.e. within 8 milliseconds).
 - Depth of burial of the charges.
 - Exposed detonating material on the ground surface.
 - Atmospheric conditions.
 - Temperature and temperature gradients.
 - Wind velocity, direction, and gradients.
 - Atmosphere and time of day.
 - Topography.
 - Volume of displaced rock.
 - Delay interval and orientation.
 - Type of explosive.
- (E) The Blaster shall familiarize the Fire Department with the site and proposed Blasting Operations. The blaster shall provide a vicinity map drawn to scale to illustrate the blasting zone(s) and all structures and other infrastructure. The vicinity map should include all structures to a radial distance determined from Table 1 in 32.08. A visit to the site to familiarize the Fire Department's designated personnel with conditions may be required per order of the Head of the Fire Department.
Exception: For quarries complying with all of the requirements of 32B of this ordinance, the radial distance of the vicinity map shall be the distance of the Blast Analysis as determined in 32B.03.
- (F) A preblast conference may required by the Head of the Fire Department, at which the Head of the Fire Department shall review its concerns and

comments with the blaster. Any conditions resulting from this conference shall be made in writing and shall become part of the Permit by reference.

- (G) The Head of the Fire Department, in a written statement, shall, if it deems it necessary and in the public interest, require an independent blasting consultant, specialist, engineer or geologist, at the cost of the applicant, acceptable to the Head of the Fire Department be retained as a consultant. Said consultant, specialist, engineer or geologist shall produce a preblast analysis and assist the blaster in the preparation of a blast design plan as defined in 527 CMR 13.09 (1), (k) & (1), and by this ordinance. The analysis will include an assessment of the impacts of blasting on the stability of existing steep soil or rock slopes in the vicinity, sufficient to meet approval of the Head of the Fire Department.

32.05 STORAGE OF EXPLOSIVE MATERIALS

- (A) On site storage of explosive materials shall be in approved day boxes or in DOT approved truck mounted magazines as detailed in 527 CMR 13.05 Storage.
- (B) Adequate security must be provided to prevent unauthorized access to the explosive material while it is onsite.
- (C) A system must be in place to warn responding emergency personnel about location of explosives. The system utilized should be documented and submitted at time of permit application.
- (D) An effort shall be made to locate the day box, or truck mounted magazine, at safe distances from homes and roads.
- (E) Overnight storage of explosives on site shall not be allowed unless written permit is obtained from the Fire Chief or his designee. If a storage permit is granted then location of the magazine shall comply with Table 1 of 527 CMR 13.05. In addition, a fire watch as determined by the Head of the Fire Department of not more than two (2) uniformed firefighters shall be posted on site, at the blaster's expense with sufficient fire fighting equipment to extinguish or control any fire exposure to the stored explosives.

32.06 TRANSPORTATION OF EXPLOSIVES

- (A) All vehicles transporting Explosives in or through the City of Boston shall be under the jurisdiction of the Fire Department. All vehicles transporting Explosives in or through the City of Boston shall also be under the jurisdiction of any other authority given legal jurisdiction by applicable state or federal regulation or law.
- (B) The route that the explosives are going to be transported to the site must be pre-approved by the Special Hazards Section of the Fire Prevention Division. The time of arrival at the site and the time leaving the site should be included.
- (C) All traffic violations involving vehicles transporting explosives shall be reported to the Head of the Fire Department for investigation.
- (D) The Fire Chief, or his designee, or the State Fire Marshal, or his designee, shall investigate all traffic accidents involving vehicles that are transporting explosives.
- (E) None of the vehicles involved in the accident, or the explosives, shall be moved without the approval of the Fire Chief, or his designee, or the State Fire Marshal, or his designee.

32.07 RECORD KEEPING

- (A) All blasting operations must be fully documented, as required in 527 CMR 13.09 (8)

Blasting Log and herein. The following are minimum standards for what are regarded as the essentials of adequate blasting logs and vibration records. These logs and vibration records must be provided to the Head of the Fire Department the same day as the blast. Records of each event must be kept, by the licensed blaster, for a minimum of three years. Quarries, and other locations where long-term blasting occurs, should also keep records on-site. Records of each event shall:

- Include the name and blaster's license, of the operator conducting the blast.
 - Include the location, date and time of the blast and reference to the blasting permit granted for the blast.
 - Identify the nearest dwelling, public building, school, church, institutional building or underground structure outside the permit area and establish the direction and distance from the nearest blasthole to the nearest structure. All distances shall be made accurately by direct measurement in the field or by measurement from a scale drawing of the blast vicinity.
 - Include weather conditions, including those which may cause possible adverse blasting effects.
 - Record the type of material blasted.
 - Incorporate sketches of the blast pattern, including number of holes, burden, spacing, decks, and delay pattern.
 - Specify the diameter and depth of the holes, and type and length of stemming at the top of borehole and between explosive decks in multi-deck shots.
 - Record the type of explosive used, the total weight of explosive used, the weight per hole and the maximum weight of explosives detonated in any one-delay period.
 - Specify the initiation system and the nominal firing time of each distinct detonation.
 - Provide detailed descriptions of mats or other protection used.
 - Document the type of seismographic instruments, their sensitivity (or range setting) and their calibration signals and certificates of annual calibration.
 - Document the exact location of seismographic instrument, date, time and accurate distance from the blast.
 - Show that name and firm (can be the operator) analyzing the seismographic record.
- (B) Vibration levels and airblast recorded. The levels that were actually recorded should be compared to the predicted levels in the blast plan and blast analysis. If the actual observations are consistently higher than those predicted, then modifications should be made to the scaled distance relationship being used and the new scaled distance predictive relationship, including all data and statistical analyses, should be forwarded to the Head of the Fire Department.

32.08 PREBLAST INSPECTION SURVEYS

- (A) Preblast inspection surveys shall be conducted as outlined in 527 CMR 13.09 (10) Preblast Inspection Surveys, and by this ordinance.
- (B) For blasting operation for which no historical data exists to assist in predicting probable vibration levels, the Head of the Fire Department may, order preblast inspection surveys to be conducted to distances that differ from the 250 feet distance required by 527 CMR 13.09. The required distance for preblast inspection surveys is dependent on the size of the blast, as measured in terms of the maximum pounds of explosives detonated per delay. Table 1 provides distances to which

preblast inspection surveys shall be required. Exception: Quarries complying with all of the requirements of 32B of this ordinance shall not be required to conduct preblast surveys unless required by 527CMR.

- (C) A map drawn to scale shall be submitted to identify all structures for which preblast surveys were made. This site map shall include all structures located at distances determined from Table 1.

TABLE 1

Required Radial Distances for Preblast Inspection Surveys

Explosives, W pounds over	Explosives, W pounds not over	Distance to nearest blasthole, feet
0	10	250
11	20	325
21	30	400
31	40	475
41	50	550
51	60	625
61	70	700
71	80	775
81	90	850
91	100	925
101 or more		100 * W ^{1/2}

W = maximum pounds of explosives per delay (i.e. detonated within 8 milliseconds)

Note: The distances in Table 1 are derived from 527 CMR Section 13.09 Table 2. The distances in Table 1, The Preblast Survey Table, are increased by approximately 50% over the distances in 527CMR Section 13.09 Table 2. This increase is needed to take into account that particle velocities may be much higher than anticipated using the scaled distances assumed in 527CMR Section 13.09 Table 2. Under some geological conditions particle velocities may be higher by a factor of two or more. Under conditions of high confinement, such as the opening holes in a heading or pre-splitting they may be higher by a factor of five or more. These numbers can also be derived approximately by utilizing the statistics published in RI-8507 and developing a model for the 95th percentile.

32.09 BLASTING OPERATIONS

- (A) No loaded drillholes shall be left unattended. Loaded drillholes that are present after normal working hours shall not be detonated unless and until approval is received from the Head of the Fire Department or his designee, or the Fire Marshal or his designee.
- (B) The Fire Department shall be notified by the blaster in charge each day that blasting is done at least two hours before any blasting on site. It is required that the blaster shall also call the Fire Alarm Office immediately before each blast.
- (C) Blasting mats shall be used for all blasts except where the Head of the Fire Department deems it impractical.
Exception: Quarries complying with all of the requirements of 32B of this ordinance shall not be required to use blasting mats unless required by 527CMR.
- (D) The blast site shall be tested for extraneous, static and electromagnetic currents, especially when electric blasting caps are used near overhead power transmission lines, and within the recommended Tables of Distance from radio transmitters as listed and graphed in Institute of Makers of Explosives, Safety Library Publication No. 20, Safety Guide for the Prevention of Radio Frequency Radiation

Hazards in the use of Commercial Electric Blasting Detonators (Blasting Caps)", December 1988.

32.10 SEISMOGRAPH MONITORING OF BLASTS

- (A) All seismographs shall be placed and utilized in accordance with 527 CMR Section 13 and the Seismograph Field Practice Guidelines as listed in Appendix K of ISEE Blasters Handbook 17th Edition.
- (B) In all cases, the operator should describe the field conditions and set-up procedures in the permanent record of each blast.
- (C) One seismograph shall be placed at the location of the closest residence or above ground structure, not controlled by the project, to the blast. A second seismograph shall be placed at the location that is at the closest house or structure, not controlled by the project, approximately 180° away from the first seismograph, or at another location mutually agreed upon by the Blaster and the Head of the Fire Department. Where it is deemed necessary by the Head of the Fire Department, a third seismograph shall be located at a residence or other structure mutually agreed upon by the Blaster and the Head of the Fire Department.

32.11 VIBRATION AND AIRBLAST

Blasts that exceed the maximum allowable limit for peak particle velocity vs. frequency, or decibel levels as established by this ordinance or are known to the blaster to have produced flyrock shall immediately be reported to the Head of the Fire Department. In case of exceedance of vibration or airblast limits, the blaster shall, prior to the next blast, forward to the Head of the Fire Department a written statement, signed by the responsible Blaster, as to why the exceedance occurred and what steps will be taken to prevent further exceedance. In the case of flyrock, the Blasting Permit must be re-applied for and will not be issued without an independent analysis of the blast, which shall include an explanation of the reasons why the flyrock occurred and recommended steps to be taken to prevent further flyrock incidents.

32A CONSTRUCTION BLASTING

32A.01 VIBRATION AND AIRBLAST

- (A) The blaster shall be required to record the effects of all blasts on a seismograph of the type specified in 527 CMR 13.09 (9) (C) 1 and 2.
- (B) Blasting logs containing the information listed in 527 CMR 13.09 (8) Blasting Log shall be kept for each blast.
- (C) The ground vibration limits shall be the limits shown in 527 CMR 13.09 (9) Allowable Limits of Effects of Blasting Option 2, Figure (b), Particle Velocity v. Frequency, USBM Recommendation (R18507, 1980).
- (D) The air blast limit shall be 133 dB peak.

32B QUARRY BLASTING

32B.01 SIGNAGE, NOTIFICATION, AND ACCESS

- (A) Blasting Signs, Warnings and Access Control. The operator shall:
 - (1) Conspicuously place a series of durable signs reading "WARNING! BLASTING AREA-DANGER" along the edge of any blasting area that comes within 100 feet of any public right of way and at the point where any other road provides access to the blasting area.
 - (2) At all entrances to the permit area from pub-

lic roads or highways, place conspicuous signs that state "WARNING! EXPLOSIVES IN USE" which clearly list and describe the meaning of the audible blast warning and the all-clear signals that are in place, and which the marking of blasting areas and charge holes waiting for firing within the permit area.

- (3) Warning and all clear signals of different character or pattern shall be sounded prior to and following each blast. Warning sirens or horns shall be deployed at the perimeter of the quarry and directed toward abutting inhabited structures. These devices shall produce a sound level in the range of 115 to 125 dB at the source. Prior to the start of each blasting season, all residences and businesses, identified in the blast analysis, shall be notified by means of legal notice in local newspapers or other equivalent means of public notice. Notification shall report the approximate date that blasting will commence for the upcoming season, the expected number of blasts per day and per week during the season, and clear explanations of the meaning of all warning and all clear signals.
- (4) Access within the blasting area shall be controlled to prevent the presence of unauthorized persons during blasting. No person shall enter the blasting area until an authorized representative has reasonably determined that no unusual hazards, such as imminent slides or undetonated charges exist, and access to and travel within the blasting area can be safely resumed.

32B.02 SAFE VIBRATION LIMITS

- (A) The ground vibration limits shall be the limits shown in 527 CMR 13.09 (9) Allowable Limits of Effects of Blasting Option 2, Figure (b), Particle Velocity v. Frequency, USBM Recommendation (R18507, 1980), except that the maximum peak particle velocity for all frequencies greater than 20 Hz shall be 1.0 in./sec.

Allowable vibration limits for quarry blasting are shown on FIGURE 1 and are listed in TABLE 2.

FIGURE 1 Vibration Limits for Quarries.

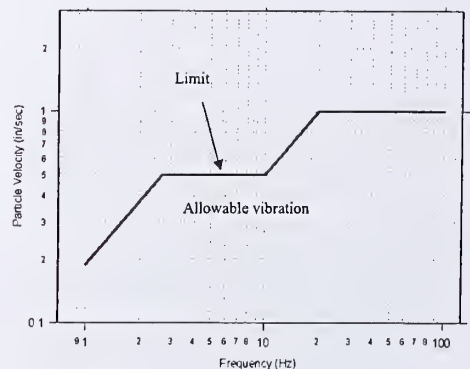


TABLE 2
Vibration Limits for Quarries

	VIBRATION LIMIT Particle Velocity (in/sec)
1.0	0.19
2.0	0.38
2.65 to 9.95	0.50
10	0.50
12	0.60
14	0.70
16	0.80
19.9	1.0
20 to 100	1.0

- (B) Where sufficient blast data is available to prepare square root scaled distance plots, compliance with vibration limits shall be achieved by submittal of blast designs that predict 90% of the permitted vibration level with a 95% degree of confidence. For the case that 95% of the vibrations have frequencies greater than or equal to 20 Hz, the target vibration for blast design shall be 0.90 x 1.0 in/sec, or 0.90 in/sec. For the case that 95% of the vibrations are greater than or equal to 10 Hz, the target vibration with a 95% degree of confidence shall be 0.90 x 0.75 in/sec, or approximately 0.70 in/sec. For the case that 5% or more of the vibrations are less than 10 Hz, the target vibration for blast design shall be 0.90 x 0.5 in/sec, or 0.45 in/sec.
- (C) Existing quarries shall analyze vibration data acquired during the previous blasting year for the purpose of designing blasts to comply with these vibration limits.
- (D) New quarries, or quarries for which historical data is lacking, shall conduct a series of test blasts to establish vibration and noise propagation trends sufficient to predict vibrations at the 95% confidence level for proposed production blasts. Details of the test blasting procedures shall be submitted to the Head of the Fire Department for review and approval.

32B.03 BLAST ANALYSIS

The area for the blast analysis for quarries will include the area completely included within the line at which peak particle velocity exceeded 0.25 ips, during the previous 3 years. These distances shall be determined in the blast analysis using published or site-specific predictive equations. For the case that peak vibration and airblast observations significantly differ from predictions of published models, the blast analysis shall be performed using site-specific data and predictive models. Development and planned usage of site-specific predictive models for ground vibration and airblast propagation shall be documented in reports submitted to the Head of the Fire Department.

32B.04 SEISMOGRAPH MONITORING

One seismograph shall be placed at the location of the closest inhabited building or structure, not controlled by the quarry, to the blast. A second seismograph shall be placed at the closest residence behind the open face of the blast. The third seismograph shall be placed at a location mutually agreed upon by the quarry and the Head of the Fire Department.

32B.05 INDEPENDENT CONSULTATION

Quarries shall retain the services of a consultant who shall, on an annual basis, review the seismographic reports from the preceding year and make recommendations designed to minimize the impact from vibrations on the surrounding neighborhood, for the upcoming

year based on the location in which the quarry intends to blast. Prior to each blasting season, representatives from the quarry together with representatives from the licensed blaster hired by the quarry and the consultant shall meet with the Head of the Fire Department or his designee to review the quarry's plans for blasting for the upcoming season.

The consultant's annual reports should include analyses of all items that mitigate the effects of noise and vibration (N/V) transmitted into the neighborhoods surrounding the quarry. These reports need to be comprehensive and cumulative so that any new blasting contractor will have readily accessible the entire year-by-year history (i.e. past 5 years) of implementations of blast designs and the success or failure of such designs to maintain N/V amplitudes at levels acceptable to the Head of the Fire Department.

At a minimum the shot variables to be considered are:

- Maximum charge weight detonating at one time.
- True distance (distance the waves must travel).
- Geological conditions.
- Confinement.
- Physical properties of the rock.
- Coupling.
- Spacial distribution.
- Detonator timing scatter.
- Time of energy release.
- Type of explosive.

32C SEVERABILITY

32C.01 Partial Validity

In the event any part or provision of this article is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions thereof, which are determined to be legal; and it shall be presumed that this article would have been passed without such illegal or invalid parts or provisions.

32C.02 Segregation of Invalid Provisions

Any invalid part of this article shall be segregated from the remainder of this article by the court holding such part invalid, and the remainder shall remain in effect.

On motion of Councillor HENNIGAN, the rules were suspended; the ordinance was passed.

ORDER RELATIVE TO TRANSFER OF CITY LAND PARCEL 11, CITY HALL PLAZA (DOCKET NO. 1364)

Councillors TURNER, KELLY, FEENEY, YANCEY, ROACHE, DAVIS-MULLEN, CONLEY, HENNIGAN, HONAN, FLAHERTY, ROSS and SCAPICCHIO offered the following:

Whereas, In May of 1967 the Boston Redevelopment Authority conveyed title of City Hall Plaza, parcel 11, to the City of Boston; and

Whereas, On May 17, 1996, the mayor, on his signature, requested that the Boston Redevelopment Authority assume ownership of parcel 11, which has been held as public open space by the City of Boston for over thirty years; and

Whereas, Such transfer requires a proper conveyance of title along with legal statutory authority as well as city council approval to do so; be it therefore

Ordered, That the City of Boston Law Department is respectfully requested to provide the city council with the appropriate conveyance documents necessary to effectuate such transfers, along with appropriate legal authority in the form of legislation to accomplish the desired end.

Councillor FEENEY in the Chair.

Councillor KELLY in the Chair.

Councillor TURNER moved that the order be passed under suspension of the rules.

On motion of the Chair, the question first came on suspension of the rules.

The rules were suspended; yeas 13.

The order was passed; yeas 13.

RECESS

ORDINANCE REGARDING RECYCLING MECHANISMS (DOCKET NO. 0754)

Councillor ROSS moved that Docket No. 0754 be taken from the table; yeas 12, nays 0:

Yeas — Councillors Conley, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross, Scapicchio, Turner, Yancey — 12.

Nays — 0.

On motion of Councillor ROSS, the ordinance, in the new draft, was referred to the Committee on Environment and Historic Preservation.

STATEMENT OF COUNCILLOR ROSS

Having unanimous consent to do so, Councillor ROSS wanted to acknowledge the Fenway residents who were here regarding the recycling and Fenway Park issues.

LATE-FILED MATTERS

The Chair stated that, in absence of objection, three late-filed matters would be added to the Agenda.

No objection being heard, the following matters were added:

ORDER FOR HEARING TO DISCUSS AND BE INFORMED AND UPDATED ON CONTRACT NEGOTIATIONS BETWEEN CITY AND FIRE-FIGHTERS (DOCKET NO. 1370)

Councillors DAVIS-MULLEN, KELLY, CONLEY, FLAHERTY, FEENEY, MURPHY, ROACHE, HONAN, HENNIGAN, ROSS, TURNER and YANCEY offered the following:

Whereas, The Boston Fire Department has been working without a contract since July of 1999; and

Whereas, Contract negotiations have been ongoing with no resolution in sight; and

Whereas, The Boston Fire Department under State Law is unable to strike; and

Whereas, Contract negotiations, as reported in the *Boston Globe* on 12/5/00, have been abandoned by City officials; therefore be it

Ordered, That the Boston City Council hold a hearing to discuss this matter and to be informed and updated on the contract negotiations up to this point.

Referred to the Committee on Public Safety.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 0371)

Councillor KELLY offered the following:

Ordered, That effective Saturday, December 2, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, December 8, 2000:

Joyce L. Holland, secretary, \$1,665.32, full time

Karen M. Pinckney, secretary, \$1,055.56, full time

Kenneth W. Yarbrough, secretary, \$1,022.61, full time

Passed under suspension of the rules.

REPORT ON ORDER TO DETERMINE HOW CITY CAN ENFORCE ABILITY TO COLLECT UNPAID FINES FOR CODE ENFORCEMENT VIOLATORS AND THAT NAMES OF TOP TEN COMMERCIAL AND RESIDENTIAL VIOLATORS WHO HAVE ACCUMULATED LARGEST SUMS OF FINES FOR CODE VIOLATIONS BE MADE KNOWN TO RESIDENTS THROUGH BROADCASTING ON MUNICIPAL CABLE STATIONS (DOCKET NO. 0335)

Councillor FEENEY on behalf of the Committee on Government Operations, submitted the following:

Report on Docket No. 0335, order to determine how the City can more effectively enforce its ability to collect unpaid fines from Code Enforcement violators and determine if the top ten commercial and residential violators who have accumulated the largest sums for code violations and infractions can be made known to the residents of Boston through broadcasting on the city's municipal cable stations (referred February 16) — recommending passage of the order.

The report was accepted; the order was passed.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillor Flaherty: Congratulating nine winners in the South Boston Main Streets Children's Christmas Coloring Contest 2000 (Docket No. 1365).

Councillor Murphy: Declaring December 11-18 "Falun Dafa Week" (Docket No. 1366); congratulating Sean Sullivan (Docket No. 1367).

Councillor Honan: Declaring November 30, 2000 "Judge James W. Dolan Day" (Docket No. 1368).

Councillor Flaherty: Congratulating the Utility Workers Union of America Local #387 (Docket No. 1369).

The Chair stated that in the absence of objection, ten late-filed matters would be added to the Consent Agenda.

No objection being heard, the following matters were added:

Councillor Yancey: Congratulating Mayor Bob Knight (Docket No. 1372); congratulating nine members of the National Black Caucus of Local elected officials (Docket Not 1373); congratulating Council member Sonia Reece (Docket No. 1374); congratulating Council member Victor Hernandez (Docket No. 1375); congratulating Council member Lara Larramendi Blakely (Docket Not 1376); congratulating Council member Lormong Lo (Docket No. 1377); congratulating Council member John Heilman (Docket No. 1378); congratulating Council member Carol Clark (Docket No. 1379); congratulating Council member Roosevelt Coats (Docket No. 1380); congratulating Mayor Dennis W. Archer (Docket No. 1381).

The matters contained within the Consent Agenda were severally adopted.

STATEMENT OF COUNCILLOR SCAPICCHIO

Having unanimous consent to do so, Councillor SCAPICCHIO wanted to wish Councillor ROSS a very happy birthday and presented him with a cupcake.

STATEMENT OF COUNCILLOR TURNER

Having unanimous consent to do so, Councillor TURNER introduced 90-year-old Amelia Robinson who was a driving force on voting rights in Alabama in the sixties and who is still active today here in Boston to speak on the unexplained rising cost of oil.

STATEMENT OF COUNCILLOR DAVIS-MULLEN

Having unanimous consent to do so, Councillor DAVIS-MULLEN asked when we adjourn today, we do so in memory of Eddie Morrissey.

STATEMENT OF COUNCILLOR FLAHERTY

Having unanimous consent to do so, Councillor FLAHERTY wanted to also remember Eddie Morrissey who was a devoted father, husband; friend and Veteran.

STATEMENT OF COUNCILLOR ROSS

Having unanimous consent to do so, Councillor ROSS asked when we adjourn today, we also do so in memory of Alex Ganz who worked for the City of Boston for some time.

STATEMENT OF PRESIDENT KELLY

President KELLY also wanted to adjourn in memory of Jean Keating, sister of his friend Helen Allix, who passed away this week.

STATEMENT OF COUNCILLOR TURNER

Having unanimous consent to do so, Councillor TURNER asked if the Council could hear a few words from Amelia Robinson.

STATEMENT OF AMELIA ROBINSON

Amelia Robinson spoke on the importance of keeping an eye on the rising cost of oil.

Adjourned at 2:50 p.m. on motion of President KELLY in memory of Eddie Morrissey, Alexander Ganz and Jean Keating, to meet again on Wednesday, December 13, 2000 at 12:00 noon.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

CITY OF BOSTON

Proceedings of City Council

Wednesday, December 13, 2000

Regular meeting of the City Council held in the Christopher A. Iannella Council Chamber, City Hall, at 12:45 p.m., President KELLY in the Chair and all members present.

INVOCATION

Monsignor Paul T. Ryan, St. Gregory's Church, delivered the invocation, and the meeting was opened with the pledge of allegiance to the flag.

VISITORS TO CITY COUNCIL

Councillor MURPHY welcomed students from the Franklin Delano Roosevelt School in Hyde Park and especially his second grade teacher Ms. Marilyn Murphy.

PRESENTATION BY COUNCILLOR CONLEY

Councillor CONLEY presented a group of firefighters with resolutions for the heroic acts in a fire in October where they saved an elderly couple's lives.

PRESENTATION BY COUNCILLOR DAVIS-MULLEN

Councillor DAVIS-MULLEN presented Nelson Schallmo a resolution and congratulated him on his seventy-fifth birthday.

ORDER TO REDUCE APPROPRIATION FOR RESERVE FOR COLLECTIVE BARGAINING BY \$541,000 TO PROVIDE FUNDING IN PUBLIC HEALTH COMMISSION FOR FY01 COST OF COLLECTIVE BARGAINING AGREEMENT WITH AFSCME, COUNCIL 93, LOCAL 787 AS WELL AS GENERAL WAGE INCREASES FOR NON-UNION PERSONNEL (DOCKET NO. 1382)

The following was received:

City of Boston
Office of the Mayor

December 12, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval an order to reduce the appropriation for the Reserve for Collective Bargaining by \$541,000 to provide funding in the Public Health Commission for the FY01 cost of the collective bargaining agreement with AFSCME, Council 93, Local 787 as well as general wage increases for non-union personnel.

I respectfully request your favorable action on this important matter.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the appropriation heretofore made, to meet the current operating expenses in the fiscal year commencing July 1, 2000 and ending June 30, 2001, be reduced by the following amount:

2001-100-999000-51000 Reserve for Collective Bargaining \$541,000

On motion of Councillor MURPHY, the rules were suspended; the order was passed.

ORDER APPROVING SUPPLEMENTAL APPROPRIATION OF \$541,000 TO COVER FY01 COST IN PUBLIC HEALTH COMMISSION OF COLLECTIVE BARGAINING AGREEMENT WITH AFSCME, COUNCIL 93, LOCAL 787 AS WELL AS GENERAL WAGE INCREASES FOR NON-UNION PERSONNEL (DOCKET NO. 1383)

The following was received:

City of Boston
Office of the Mayor

December 12, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval a supplemental appropriation, totaling \$541,000, to cover the FY01 costs in the Public Health Commission of the collective bargaining agreement with AFSCME, Council 93, Local 787 as well as general wage increases for non-union personnel.

As originally presented to you, the FY01 budget request included a Reserve for Collective Bargaining - a separate appropriation to fund projected collective bargaining increases. A separate order has been filed to reduce that appropriation to support this supplemental request. The FY00 cost of these increases will be covered by a FY00 collective bargaining reserve established for that year. The City budget remains balanced.

I respectfully request your favorable action on this important matter.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That in addition to the appropriations heretofore made, to meet the current operating expenses in the fiscal year commencing July 1, 2000 and ending June 30, 2001, the following sum be, and hereby is appropriated, said sum to be raised by taxation pursuant to Section 23 of Chapter 59 of the General Laws: 2001-100-620100-56200 Public Health Commission \$541,000.

On motion of Councillor MURPHY, the rules were suspended; the order was passed.

ORDER TO REDUCE APPROPRIATION FOR RESERVE FOR COLLECTIVE BARGAINING BY \$79,030 TO PROVIDE FUNDING IN POLICE DEPARTMENT FOR COLLECTIVE BARGAINING SETTLEMENT WITH BOSTON POLICE SCHOOL TRAFFIC SUPERVISORS ASSOCIATION (DOCKET NO. 1384)

The following was received:

City of Boston
Office of the Mayor

December 12, 2000

To the City Council

Dear Councillors:

I transmit herewith for your approval an order to reduce the appropriation for the Reserve for Collective Bargaining by \$79,030 to provide funding in the Police Department for the collective bargaining settlement with the Boston Police School Traffic Supervisors' Association.

I respectfully request your favorable action on this important matter.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That the appropriation heretofore made, to meet the current operating expenses in the fiscal year commencing July 1, 2000 and ending June 30, 2001, be reduced by the following amount: 2001-100-999000-51000 Reserve for Collective Bargaining \$79,030

On motion of Councillor MURPHY, the rules were suspended; the order was passed.

ORDER APPROVING SUPPLEMENTAL APPROPRIATION OF \$79,030 TO COVER FY01 COST IN POLICE DEPARTMENT OF COLLECTIVE BARGAINING AGREEMENT WITH POLICE DEPARTMENT OF COLLECTIVE BARGAINING AGREEMENT WITH BOSTON POLICE SCHOOL TRAFFIC SUPERVISORS ASSOCIATION (DOCKET NO. 1385)

The following was received:

City of Boston
Office of the Mayor

December 12, 2000

To the City Council.

Dear Councillors:

I transmit herewith for your approval a supplemental appropriation, totaling \$79,030, to cover the FY01 cost in the Police Department of the collective bargaining agreement with the Boston Police School Traffic Supervisors' Association.

As originally presented to you, the FY01 budget request included a Reserve for Collective Bargaining - a separate appropriation to fund projected collective bargaining increases. A separate order has been filed to reduce that appropriation to support this supplemental request. The City budget remains balanced.

I respectfully request your favorable action on this important matter.

Sincerely,
Thomas M. Menino,
Mayor of Boston.

Ordered, That in addition to the appropriations heretofore made, to meet the current operating expenses in the fiscal year commencing July 1, 2000 and ending June 30, 2001, the following sum be, and hereby is appropriated, said sums to be raised by taxation pursuant to Section 23 of Chapter 59 of the General Laws: 2001 -100-211500-51000 \$79,030

On motion of Councillor MURPHY, the rules were suspended; the order was passed.

ORDER AUTHORIZING POLICE COMMISSIONER TO ACCEPT AND EXPEND GRANT OF \$1,500 FROM LAYNE GEO CONSTRUCTION FOR PURPOSE OF EDUCATING YOUTH ON HAZARDS OF DRUG ABUSE THROUGH ITS D.A.R.E. PROGRAM (DOCKET NO. 1386)

The following was received:

City of Boston
Office of the Mayor

December 8, 2000

To the City Council.

Dear Councillors:

I hereby transmit for your approval an order authorizing the City of Boston to accept and expend an award in the amount of \$1,500 in the form of a Layne GEO Construction donation to the Boston Police Department, for the purpose of educating youth on the hazards of drug abuse through its D.A.R.E. Program.

I urge your Honorable Body to adopt this order as soon as possible so that the City of Boston may accept these funds expeditiously and expend them for the purposes for which these funds were granted.

Sincerely,

Thomas M. Menino,
Mayor of Boston.

Ordered, That, pursuant to M.G.L. c. 44, § 53A, the City of Boston, acting by and through its Police Commissioner, be, and hereby is authorized to accept and expend an award from the Layne GEO Construction Company in an amount not to exceed \$1,500 for the purpose of educating youth on the hazards of drug abuse through its D.A.R.E. Program.

On motion of Councillor MURPHY, the rules were suspended; the order was passed.

APPOINTMENT BY THE MAYOR (DOCKET NO. 1387)

Notice was received from the Mayor of the appointment of Vivian Leo as Temporary Collector-Treasurer for a period not to exceed sixty days.

Placed on file.

NOTICE FROM CITY CLERK OF FILING BY BRA OF CHAPTER 121A PROJECT (DOCKET NO. 1388)

The following was received

City of Boston
Office of the City Clerk

December 12, 2000

To the City Council.

Councillors:

In compliance with the order passed by your Honorable Body December 6, 1976, this is to inform you that the following was filed by the Boston Redevelopment Authority with the City Clerk on December 5, 2000:

"Report and Decision Application for Approval of the Foley Chapter 121A Project".

Very truly yours,
Rosaria Salerno,
City Clerk.

Placed on file.

NOTICE RECEIVED FROM DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY OF HEARING ON JANUARY 16, 2001 RE: REVISING BILLING AND TERMINATION PROCEDURE (DOCKET NO. 1389)

Notice was received from the Department of Telecommunications and Energy of a hearing on January 16, 2001 re: revising the billing and termination procedures.

Placed on file.

APPROVAL OF CONSTABLES' BONDS (DOCKET NO. 1390)

The Constables' Bonds of the following, having been duly approved by the Collector-Treasurer, was received and approved:

Joseph E. Digirolamo

COMMUNICATION RECEIVED FROM BOB DURAND, EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS, RE: SOUTH BOSTON WATERFRONT MUNICIPAL HARBOR PLAN (MHP) (DOCKET NO. 1391)

Communication was received from Bob Durand, Executive Office of Environmental Affairs, re: South

Boston Waterfront Municipal Harbor Plan (MHP).
Placed on file.

NOTICE FROM CITY CLERK RE ACTIONS TAKEN
BY MAYOR ON PAPERS ACTED UPON BY
COUNCIL AT ITS 11/15/00 MEETING
(DOCKET NO. 1392)

The following was received
City of Boston
Office of the City Clerk
December 12, 2000

To the City Council.
Councillors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of November 15, 2000, viz:

0981 Order approving a petition for a special law re: expediting state and federal funding for redevelopment of severely distressed public housing.

Approved by the Mayor November 20, 2000.

1116 Ordinance relative to banning the sale of mercury thermometers.

Approved by the Mayor November 20, 2000.

1184 Order approving a petition for a special law relative to an increase in the exemption for residential real property from 20 per cent to 30 per cent.

Approved by the Mayor November 20, 2000.

1287 Order authorizing the Director of Intergovernmental Relations to accept and expend a grant of \$79,100 from the Massachusetts Turnpike Authority Metropolitan Highway System Tourism Grant Program, to help defray the costs of hosting the National League of Cities Conference in December 2000.

Approved by the Mayor November 20, 2000.

1308 Order approving a petition for a special law re: creditable service.

Approved by the Mayor December 5, 2000.

1298 10 Constable's Bonds.

Approved by the Mayor November 20, 2000.

1299 45 Constable's Bonds (Housing Inspectors).

Approved by the Mayor November 20, 2000.

Very truly yours,

Rosaria Salerno,
City Clerk.

Placed on file.

REPORT ON ORDER FOR HEARING RE: SAIL
BOSTON 2000 (DOCKET NO. 0751)

Councillor DAVIS-MULLEN, on behalf of the Committee on Tourism, submitted the following:

Report on Docket No. 0751, order for hearing re: Sail Boston 2000 (referred June 7) - recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDER FOR HEARING RE: CONDI-
TION OF STREET LIGHTING FIXTURES
AROUND CITY AS WELL AS CONDITION OF
ELECTRICAL BOXES AND MANHOLES
THAT, UNATTENDED, COULD RESULT IN
SERIOUS INJURY OR DEATH TO CITIZENS
AND PETS ALIKE (DOCKET NO. 0299)

Councillor FEENEY, on behalf of the Committee on City and Neighborhood, submitted the following:

Report on Docket No. 0299, order for hearing re: condition of street lighting fixtures around the City as well as the condition of electrical boxes and manholes that, unattended, could result in serious injury or death to citizens and pets alike (referred February 2) - recommend-

ing the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDER FOR HEARING TO DETER-
MINE HOW WE CAN FACILITATE PROCESS
OF ASSISTING IN REBUILDING OF ORIENT
HEIGHTS YACHT CLUB AND ALSO HELP
DISPLACED FAMILIES WHOSE HOMES
WERE DAMAGED (DOCKET NO. 0536)

Councillor FEENEY, on behalf of the Committee on City and Neighborhood, submitted the following:

Report on Docket No. 0536, order for hearing to determine how we can facilitate the process of assisting in the rebuilding of the Orient Heights Yacht Club and also help the displaced families whose homes were damaged (referred April 12) - recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDER FOR HEARING RE:
REDESIGN AND RECONSTRUCTION OF
CITY HALL PLAZA (DOCKET NO. 0968)

Councillor FEENEY, on behalf of the Committee on City and Neighborhood, submitted the following:

Report on Docket No. 0968, order for hearing re: redesign and reconstruction of City Hall Plaza (referred July 12) - recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDINANCE AMENDING C.B.C. 6-2.4
BOARD OF REVIEW (DOCKET NO. 0119)

Councillor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket No. 0119, ordinance amending C.B.C. 6-2.4 Board of Review (referred November 17, 1999) — recommending the ordinance be placed on file.

The report was accepted; the ordinance was placed on file.

REPORT ON ORDER RE: DEPOSITION TAKEN IN
CASE OF JANE DOE V. THOMAS MENINO
(DOCKET NO. 0120)

Councillor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket No. 0120, order re: deposition taken in the case of Jane Doe v. Thomas Menino (referred November 17, 1999) — recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDINANCE REGARDING CITY
COMMISSIONED STUDIES AND REPORT-
ING (DOCKET NO. 0698)

Councillor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket No. 0698, ordinance regarding city commissioned studies and reporting (referred May 17) — recommending the ordinance be placed on file.

The report was accepted; the ordinance was placed on file.

REPORT ON ORDER FOR HEARING TO ACCEPT
TESTIMONY FROM EMPLOYEES OF ELEC-

TION DEPARTMENT TO DETERMINE NATURE OF COMPLAINTS AND TO DETERMINE IF ACTIONS TAKEN BY MANAGEMENT ARE IN VIOLATION OF CITY CODE (DOCKET NO. 0967)

Councillor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket No. 0967, order for hearing to accept testimony from the employees of the Election Department to determine the nature of complaints and to determine if actions taken by management are in violation of city code (referred July 12) — recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDINANCE RE: USE AND IMPLEMENTATION OF TRAFFIC CALMING DEVICES (DOCKET NO. 0123)

Councillor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket No. 0123, ordinance re: use and implementation of traffic calming devices (referred December 15, 1999) — recommending the ordinance be placed on file.

The report was accepted; the ordinance was placed on file.

REPORT ON ORDER THAT TREASURY DEPARTMENT SECURE EMPLOYEES INDIVIDUAL CHECKS IN ENVELOPES OR ANOTHER METHOD TO PROTECT PRIVACY OF CITY EMPLOYEES (DOCKET NO. 0442)

Councillor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket No. 0442, order that the Treasury Department secure employees individual checks in envelopes or another method to protect privacy of city employees (referred March 15) — recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDER FOR HEARING RE: VACATION AND CREDIT TIME BENEFITS TO WIDOW OF JOHN ROACHE (DOCKET NO. 0756)

Councillor FEENEY, on behalf of the Committee on Government Operations, submitted the following:

Report on Docket No. 0756, order for hearing re: vacation and credit time benefits to the widow of John Roache (referred June 7) - recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDER FOR HEARING RE: ENHANCED 911 EMERGENCY SYSTEM (DOCKET NO. 0914)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0914, order for hearing re: enhanced 911 Emergency System (referred June 28) - recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDER FOR HEARING RE: KENNETH CONLEY (DOCKET NO. 0943)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0943, order for hearing re: Kenneth Conley (referred July 12) - recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDER FOR HEARING TO BE ADVISED OF PROGRESS OF COUNTDOWN CROSSWALK SIGNALS INITIATIVE (DOCKET NO. 0700)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0700, order for hearing to be advised of the progress of the countdown crosswalk signals initiative (referred May 17) - recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDER FOR HEARING ON ISSUE OF PUBLISHING PHOTOGRAPHS OF INDIVIDUALS ARRESTED FOR POSSESSION OF DRUGS (DOCKET NO. 0639)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0639, order for hearing on the issue of publishing photographs of individuals arrested for possession of drugs (referred May 3) - recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDER FOR HEARING RE: TEEN CURFEW (DOCKET NO. 0637)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0637, order for hearing re: teen curfew (referred May 3) - recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDER FOR HEARING RE: STATUS OF VACANT SCHOOL CROSSING GUARD POSITIONS AND PLANS IN PLACE TO FILL THESE POSITIONS VITAL TO SAFETY OF OUR CHILDREN (DOCKET NO. 0233)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0233, order for hearing re: the status of vacant school crossing guard positions and the plans in place to fill these positions vital to the safety of our children (referred January 26) - recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDER FOR HEARING TO EXPLORE CREATING CITY ORDINANCE THAT WOULD MANDATE DESTRUCTION OF POLICE DEPARTMENT'S OLDER AND/OR OUTDATED GUNS AND FIREARMS (DOCKET NO. 0129)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 0129, order for hearing to explore creating a city ordinance that would mandate destruction of the Police Department's older and/or outdated guns and firearms (referred November 17, 1999) - recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDER APPROVING APPROPRIATION OF \$1,300,000 TO PARKS AND RECREATION DEPARTMENT FROM INCOME OF GEORGE FRANCIS PARKMAN FUND FOR MAINTENANCE AND IMPROVEMENT OF BOSTON COMMON AND PARKS IN EXISTENCE AS OF JANUARY 12, 1887 (DOCKET NO. 1326)

Councillor FEENEY, on behalf of the Committee on City and Neighborhood, submitted the following:

Report on Docket No. 1326, message of the Mayor and order approving an appropriation of \$1,300,000 to the Parks and Recreation Department from the income of the George Francis Parkman Fund for the maintenance and improvement of Boston Common and Parks in existence as of January 12, 1887 (referred November 29) - recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER ACCEPTING PROVISIONS OF CHAPTER 242 OF ACTS OF 2000 (NO PERSON WILL BE ELIGIBLE TO HAVE HIS/HER NAME CERTIFIED FOR ORIGINAL APPOINTMENT TO THE POSITION OF FIREFIGHTER OR POLICE OFFICER IF THE PERSON HAS REACHED THEIR THIRTY-SECOND BIRTHDAY ON THE DATE OF THE ENTRANCE EXAMINATION) (DOCKET NO. 1187)

Councillor MURPHY on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 1187, message of the Mayor and order accepting the provisions of Chapter 242 of the Acts of 2000 (no person will be eligible to have his/her name certified for original appointment to the position of firefighter or police officer if the person has reached their thirty-second birthday on the date of the entrance examination) (referred November 17, 1999) - recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF EUGENE F. KELLY AS ALTERNATE MEMBER OF ZONING BOARD OF APPEALS FOR TERM EXPIRING MAY 1, 2003 (DOCKET NO. 1029)

Councillor SCAPICCHIO, on behalf of the Committee on Economic Development and Transportation, submitted the following:

Report on Docket No. 1029, message of the Mayor and order for confirmation of the appointment of Eugene F. Kelly as an alternate member of the Zoning Board of Appeals for a term expiring May 1, 2003 (referred August 30) - recommending the order be confirmed.

The report was accepted; the appointment was confirmed.

REPORT ON ORDER AUTHORIZING COMMISSIONER OF PUBLIC WORKS TO ACCEPT

AND EXPEND GRANT OF \$70,000 FROM TOWN OF WINTHROP TO BE USED TOWARDS COST OF DESIGN SERVICES ASSOCIATED WITH RECONSTRUCTION AND REHABILITATION OF BELL ISLE BRIDGE (SARATOGA STREET BRIDGE PROJECT) (DOCKET NO. 1017)

Councillor HONAN, on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 1017, message of the Mayor and order authorizing the Commissioner of Public Works to accept and expend a grant of \$70,000 from the Town of Winthrop to be used towards the cost of design services associated with the reconstruction and rehabilitation of the Bell Isle Bridge (Saratoga Street Bridge Project) (referred August 30) - recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING COMMISSIONER OF PUBLIC WORKS TO ACCEPT AND EXPEND GRANT OF \$25,000 FROM U.S. FOREST SERVICE AND ENVIRONMENTAL PROTECTION AGENCY FOR RECYCLING PROGRAM (DOCKET NO. 1018)

Councillor HONAN, on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 1018, message of the Mayor and order authorizing the Commissioner of Public Works to accept and expend a grant of \$25,000 from the U.S. Forest Service and the Environmental Protection Agency for the Recycling Program (referred August 30) - recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER AUTHORIZING COMMISSIONER OF PUBLIC WORKS TO ACCEPT AND EXPEND \$125,000 FROM MASSACHUSETTS EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS FOR PUBLIC WORKS DEPARTMENT RECYCLING PROGRAM (DOCKET NO. 1022)

Councillor HONAN, on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 1022, message of the Mayor and order authorizing the Commissioner of Public Works to accept and expend \$125,000 from Massachusetts Executive Office of Environmental Affairs for the Public Works Department Recycling Program (referred August 30) - recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF JOHN AMODEO AS MEMBER OF BOSTON LANDMARKS COMMISSION FOR TERM EXPIRING JUNE 30, 2002 (DOCKET NO. 1219)

Councillor HONAN on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 1219, message of the Mayor and order for confirmation of the appointment of John Amodio as a member of the Boston Landmarks Commission for a term expiring June 30, 2002 (referred October 25) - recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF PAMELA HAWKES AS MEMBER OF BOSTON LANDMARKS COMMISSION FOR TERM EXPIRING JUNE 30, 2002 (DOCKET NO. 1220)

Councillor HONAN on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 1220, message of the Mayor and order for confirmation of the appointment of Pamela Hawkes as a member of the Boston Landmarks Commission for a term expiring June 30, 2002 (referred October 25) - recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF DAVID BERADUCCI AS ALTERNATE MEMBER OF BOSTON LANDMARKS COMMISSION FOR TERM EXPIRING JUNE 30, 2002 (DOCKET NO. 1221)

Councillor HONAN on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 1221, message of the Mayor and order for confirmation of the appointment of David Beraducci as an alternate member of the Boston Landmarks Commission for a term expiring June 30, 2002 (referred October 25) - recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDER FOR CONFIRMATION OF APPOINTMENT OF JEFFREY POND AS ALTERNATE MEMBER OF BOSTON LANDMARKS COMMISSION FOR TERM EXPIRING JUNE 30, 2002 (DOCKET NO. 1222)

Councillor HONAN on behalf of the Committee on Environment and Historic Preservation, submitted the following:

Report on Docket No. 1222, message of the Mayor and order for confirmation of the appointment of Jeffrey Pond as an alternate member of the Boston Landmarks Commission for a term expiring June 30, 2002 (referred October 25) - recommending passage of the order.

The report was accepted; the order was passed.

REPORT ON ORDINANCE AMENDING MINORITY AND WOMEN BUSINESS ENTERPRISE (MWBE) (DOCKET NO. 1290)

Councillors FEENEY and YANCEY, on behalf of the Committees on Government Operations and Equity, submitted the following:

Report on Docket No. 1290, message and ordinance amending the Minority and Women Business Enterprise Ordinance(MWBE) (referred November 15) - recommending passage of the ordinance.

The report was accepted; the ordinance was passed.

REPORT ON ORDINANCE CONCERNING INSTALLATION OF FIRE, SMOKE AND CARBON MONOXIDE DETECTORS (DOCKET NO. 1260)

Councillor MURPHY, on behalf of the Committee on Public Safety, submitted the following:

Report on Docket No. 1260, ordinance concerning installation of Fire, Smoke and Carbon Monoxide Detectors (referred November 1) - recommending passage of the ordinance in the following new draft:

Section 1. Notwithstanding the provisions of any other ordinance now in existence it shall be the duty and responsibility of the legal owner or his/her agent of a building structure to install fire and/or smoke detectors and carbon monoxide detectors within the premises as defined in section 26c of Chapter 148 of the Massachusetts General Laws.

Section 2. Carbon monoxide detectors shall not be required in buildings without carbon monoxide producing agents as defined by the Boston Fire Department.

Section 3. This Ordinance shall be effective July 1, 2001

The report was accepted; the ordinance, in the new draft, was passed.

Later in the session, Councillor YANCEY moved reconsideration.

Reconsideration prevailed.

Councillor YANCEY moved to amend the ordinance by adding the words "approved by the Boston Fire Department" in Section 1 after the words "carbon monoxide detectors" and before the words "within the premises."

The amendment was adopted.

The ordinance, as amended, was passed; yeas 10, nays 1:

Yeas - Councillors Conley, Davis-Mullen, Feeney, Hennigan, Honan, Kelly, Murphy Roache, Turner, Yancey - 10.

Nays - Councillor Scapicchio - 1.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 1393)

Councillor KELLY offered the following:

Ordered, That effective Saturday, December 16, 2000 the following-named person be, and hereby is, appointed to the position set against their name until March 9, 2001:

Diane Albano, Administrative Asst., \$699.24, full time

Felix Arroyo-Montano, Administrative Asst., \$536.50, full time

Matthew Benedetti, Administrative Asst., \$603.45 full time

Leann Bowman, Secretary, \$785.44, full time

Maria S. Bunuan, Secretary, \$300.00, full time

James J. Carroll, Jr., Secretary, \$150.00, part time

Mark A. Chardavoigne, Secretary, \$637.83, full time

Adriana Cillo, Secretary, \$613.03, full time

Jean M. Conti, Secretary, \$188.60, part time

Samuel S. Conti, Secretary, \$344.85, part time

Helena Creamer, Administrative Asst., \$957.86, full time

Janet M. Doherty, Secretary, \$345.65, part time

Dennis P. Dwyer, Administrative Asst., \$699.24, full time

Patricia S. Flaherty, Secretary, \$766.28, full time

Sean Flaherty, Secretary, \$622.60, full time

Lorraine E. Fowlkes, Secretary, \$804.60, full time

Anmarie Geary, Secretary, \$457.75, part time

Carolyn Gcary, Administrative Asst., \$986.73, full time

Alex Geourntas, Secretary, \$948.28, full time

Katherine P. Gillen, Secretary, \$670.50, full time

James P. Gordon, Secretary, \$891.46, full time

John P. Hannigan, Administrative Asst., \$1,024.90, full time

Christa K. Hawkins, Administrative Asst., \$1,053.64, full time

Joyce L. Holland, Secretary, \$1,015.32, full time

Tracy Holt, Administrative Asst., \$670.50, full time

Martin J. Keogh, Secretary, \$1,053.64, full time

Vincent A. LaBella, Administrative Asst., \$1,015.33, full time

Bernadette Lally, Secretary, \$300.00, part time

Michael F. Larkin, Secretary, \$1,035.16, full time
 Jonathan M. Marsh, Secretary, \$100.00, part time
 Aoibhean McDermott, Secretary, \$358.00, part time
 Thomas M. McDonough, Administrative Asst., \$574.72, full time
 Patricia A. Miller, Administrative Asst., \$555.56, full time
 Michael Moran, Secretary, \$250.00, full time
 George Morancy, Administrative Asst., \$996.17, full time
 Laura O'Brien, Secretary, \$622.60, full time
 Sean T. Pierce, Administrative Asst., \$250.00, part time
 Karen M. Pinckney, Secretary, \$555.56, full time
 Marta E. Rivera, Administrative Asst., \$766.28, full time
 Irene M. Smith, Administrative Asst., \$85.44, full time
 Timothy E. Stack, Secretary, \$287.40, part time
 Constance Sullivan, Administrative Asst., \$172.42, part time
 Kathleen Sullivan, Administrative Asst., \$766.29, full time
 Paul J. Walkowski, Administrative Asst., \$958.57, full time
 Richard Wood, Administrative Asst., \$220.00, part time
 Kenneth W. Yarbrough, Secretary, \$622.61, full time
 Angela S. Yarde, Administrative Asst., \$785.44, full time
 Marilyn Brambilla, Business Manager, \$878.18, full time
 Ron Cobb, City Messenger, \$788.47, full time
 Ann Hess, Staff Director, \$1,111.12, full time
 Jennifer Kelley, Receptionist, \$576.93, full time
 Juan Lopez, Legislative Asst., \$852.49, full time
 Cora F. Montrond, Legislative Asst., \$766.28, full time
 James J. O'Donnell, Legislative Asst., \$788.47, full time
 Patricia Sartori Braid, Research Director, \$919.54, full time
 Lincoln Smith, Asst. Research Director, \$862.06, full time
 Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 1394)

Councillor KELLY offered the following:
 Ordered, That effective Saturday, December 9, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, December 15, 2000
 Diane Albano, Administrative Asst., \$1,099.24, full time
 Mark A. Chardavoyne, Secretary, \$1,237.83, full time
 Vincent A. LaBella, Administrative Asst., \$2,215.33, full time
 Passed under suspension of the rules.

ORDER FOR HEARING TO DETERMINE THROUGH WHAT PROCESS BOSTON WATER AND SEWER COMMISSION CHOSE THE STRIDE-RITE SITE AND ALSO DETER- MINE CONDITIONS UNDER WHICH D STREET PROPERTY WAS RELINQUISHED TO BOSTON REDEVELOPMENT AUTHOR- ITY (DOCKET NO. 1395)

Councillors ROACHE, SCAPICCHIO, MURPHY, FEENEY, DAVIS-MULLEN, YANCEY, TURNER and HENNIGAN offered the following:
 Whereas, Boston Water and Sewer Commission's purchase of the former Stride Rite property in Roxbury

has raised questions of appropriate process; and

Whereas, It has been reported that prior to the purchase of this site, BWSC passed on several locations that might have been purchased at a lesser cost, saving their ratepayers added expense; and

Whereas, It has also been reported that BWSC had expended in excess of eight million dollars to prepare their D Street location before turning it over to the Boston Redevelopment Authority at no cost; and

Whereas, The combined cost of these transactions has a direct impact on the cost of BWSC services to ratepayers in the City of Boston; and

Whereas, The ratepayers have the right to fully understand the process through which their funds are being spent; therefore be it

Ordered, That the Boston City Council hold a hearing to determine through what process BWSC chose the Stride-Rite site, and also to determine the conditions under which the D Street property was relinquished to the BRA; be it further

Ordered, That the Boston Water and Sewer Commission, the Boston Redevelopment Authority, and other relevant City agencies be invited to provide testimony.

Referred to the Committee on Economic Development and Transportation.

LOAN ORDER OF \$57,000,000 FOR SCHOOL DEPARTMENT (DOCKET NO. 0640)

Councillor YANCEY called Docket No. 0640 from the Assignment Sheet.

Hearing no objection, the matter was before the body.
 Docket No. 0640 was given its second reading and final passage; yeas 13.

ORDER FOR HEARING TO DISCUSS ISSUES REL- EVANT TO SWEATSHOP MANUFACTURING AND PROPOSE STRATEGIES TO ENSURE THAT BEST INTERESTS OF CITY ARE REFLECTIVE IN ITS PURCHASING PRAC- TICES (DOCKET NO. 1396)

Councillors ROSS, FEENEY, ROACHE, HONAN, HENNIGAN, DAVIS-MULLEN, FLAHERTY, TURNER, YANCEY, MURPHY, SCAPICCHIO, KELLY and CONLEY offered the following:

Whereas, It is in the interest of the City of Boston to purchase goods and services from responsible contractors that provide quality products and services at a competitive price; and

Whereas, The City of Boston does not want to do business with companies that compete by exploiting their workforce; and

Whereas, Such conditions in apparel and other industries threaten the jobs and working conditions of all workers; and

Whereas, The City should not spend its citizens' money in ways that shock the conscience of a vast majority; and

Whereas, Pressure from institutional purchasers such as governments is one of the most effective ways to combat sweatshop production; now therefore be it

Ordered, That the Boston City Council hold a public hearing to discuss issues relevant to sweatshop manufacturing and propose strategies to ensure that the best interests of the City are reflective in its purchasing practices.

Referred to the Committee on Labor.

RESOLUTION FOR HEARING IN NEIGHBOR- HOOD ON CITY'S AND STATE'S PLAN TO ADDRESS STATUS OF TITLE V SITUATION IN GROVE AREA OF WEST ROXBURY

(DOCKET NO. 1397)

Councillors HENNIGAN, MURPHY, HONAN, FLAHERTY and YANCEY offered the following:

Whereas, The State imposed Title V unfunded mandate affects resident of the Grove area of West Roxbury, and

Whereas, A hearing was held at the State House, for the purpose of providing some financial assistance but as of yet no action has been taken, and

Whereas, The City and the Boston Water and Sewer Commission has taken initial steps to ascertain the scope of the problem, and

Whereas, The residents, particularly those on fixed incomes, continue to be concerned about the cost ramifications of the project, therefore be it

Resolved, That the appropriate City Council committee hold a hearing in the neighborhood on the City's and State's plan to address the status of the Title V Situation in the Grove and invite representatives from the State Environmental Affairs, Boston Sewer and Water Commission and the Boston's Environment Department to attend.

Referred to the Committee on Environment and Historic Preservation.

ORDER TRANSFERRING UP TO \$13,000,000 FROM "SURPLUS PROPERTY DISPOSITION FUND" TO GENERAL FUND AND FURTHER APPROPRIATING SAID FUNDS IN FY01 TO SUPPORT PRODUCTION AND PRESERVATION OF AFFORDABLE HOUSING (DOCKET NO. 1226)

Councillor HENNIGAN called Docket No. 1226 from the Committee on Ways and Means.

Hearing no objection, the matter was before the body.

Councillor FEENEY in the Chair.

Councillor KELLY in the Chair.

RECESS

Later in the session, Councillor KELLY offered the following amendment:

Docket #1226 be amended by adding the following language after the word "units" in the last paragraph: "and be it

Further Ordered, That the Department of Neighborhood Development (DND), the Boston Redevelopment Authority (BRA), and Boston Housing Authority (BHA) inform members of the City Council of projects being considered for development SIMULTANEOUSLY with the filing of an application for additional funding sources and PRIOR to the filing of an application for City building permits; and be it

Further Ordered, That the BRA, DND, and BHA submit monthly reports on the development status of each parcel listed in the attached 'DND/BRA Pipeline' broken down by district, source of City funds to be used, amount encumbered and or expended, and matching federal or state funding approved to the City Council; and be it

Further Ordered, That the DND, BRA, and BHA appear before the Boston City Council every other month to update the Council on the progress made to resolve the housing crisis, answer questions on particular issues, and listen and respond to public testimony; and be it

Further Ordered, That no funds from this appropriations be used for the project designated 'Riley House

202' "

Councillor YANCEY moved to amend the amendment by adding, "No funds from this appropriation be used for the project designated Riley House 202 without further approval of the Boston City Council."

The motion was carried.

The amendment, as amended, was passed; yeas 12, nays 1:

Yeas - Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross, Scapicchio, Yancey - 12.

Nays - Councillor Turner - 1.

Docket No. 1226, as amended, was passed; yeas 12, nays 1:

Yeas - Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross, Scapicchio, Yancey - 12.

Nays - Councillor Turner - 1.

ORDER PURSUANT TO PROVISIONS OF MGL CHAPTER 41, SECTION 100B, ATTACHED INDEMNIFICATION PETITION OF DECEASED JOSEPH CADY BE PAID AS ALLOWED BY LAW (DOCKET NO. 1398)

Ordered, Pursuant to the provisions of Massachusetts General Law Ch. 41, Sec 100B, which states that upon the submission of a petition to the City Council for medical expenses incurred by a retired police officer or firefighter, whose treatment is a result of a condition sustained while in service to a municipality, the City Council may vote to direct the State-Boston Retirement Board to pay said person's medical bills. The City Council hereby directs that the attached Indemnification Petition - Joseph Cady be approved, and the amount of \$6,576.09 be paid, as allowed by law.

On motion of Councillor MURPHY, the rules were suspended; **the order was passed.**

(Annexed hereto is the documentation referred to.)

ORDER PURSUANT TO PROVISION OF MGL CHAPTER 41, SECTION 100B, ATTACHED INDEMNIFICATION PETITION OF FIRE-FIGHTER ALONZO P. BROOKS BE PAID AS ALLOWED BY LAW (DOCKET NO. 1399)

Councillor MURPHY offered the following:

Ordered, Pursuant to the provisions of Massachusetts General Law Ch. 41, Sec 100B, which states that upon the submission of a petition to the City Council for medical expenses incurred by a retired police officer or firefighter, whose treatment is a result of a condition sustained while in service to a municipality, the City Council may vote to direct the State-Boston Retirement Board to pay said persons medical bills. The City Council hereby directs that the attached Indemnification Petition - No. 38 Mr. Alonzo P. Brooks be approved, and the amount of \$61, 923.46 be paid, as allowed by law.

On motion of Councillor MURPHY, the rules were suspended; **the order was passed.**

RESOLUTION IN SUPPORT OF 31 EMPLOYEES OF UNITED FOOD AND COMMERCIAL WORKERS LOCAL 1445 EMPLOYED BY FHM, INC. WHO WORK AT FANEUIL HALL MARKET PLACE (DOCKET 1400)

Councillors ROACHE, HONAN, CONLEY, FLAHERTY, HENNIGAN, FEENEY, DAVIS-MULLEN, TURNER, ROSS and KELLY offered the following

Whereas, Faneuil Hall Market Place is a treasured piece of Historic Boston and a vital part of the downtown tourist industry; and

Whereas, It is of the most importance that the quality and integrity of this treasure be maintained to its highest level; and

Whereas, The Rouse Company has been entrusted to manage Faneuil Hall Market Place in the best interest of the City; and

Whereas, The thirty-one custodians of United Food and Commercial Workers Local 1445, employed by FHM, Inc. provide this service for the well being of Faneuil Hall Market Place and the City of Boston; and

Whereas, A labor dispute between the Rouse Company and UFCW Local 1445 has raised the threat that these thirty-one workers may be released during the Holiday Season; and

Whereas, It has been reported that negotiations have resumed and the impending threat of a Holiday release of these dedicated workers has been temporarily alleviated; and

Whereas, This Honorable Body has a strong history of supporting the rights of working men and women, and as elected officials of the City of Boston, are obliged to protect the interests of the commonwealth of the City; therefore be it

Resolved, That the Boston City Council supports the thirty-one employees of United Food and Commercial Workers Local 1445, and strongly encourage that the Rouse Company towards bringing this issue to an timely and equitable resolution.

On motion of Councillor ROACHE, the rules were suspended; the resolution was adopted.

RESOLUTION ON EMERGENCY GOVERNMENTAL ACTION TO REDUCE OIL AND NATURAL GAS PRICES (DOCKET NO. 1261)

Councillor TURNER called Docket No. 1261 from the Committee on State and Federal Relations.

The matter was objected to and remained in Committee, yeas 8; nays 3:

Yeas - Councillors Conley, Davis-Mullen, Feeney, Hennigan, Honan, Kelly, Roache, Ross-8.

Nays - Councillors Flaherty, Murphy, Turner - 3.

LATE FILED MATTERS

The Chair stated that, in absence of objection, 7 late-filed matters would be added to the Agenda.

No objection being heard, the following matters were added:

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO 1415)

Councillor KELLY offered the following:

Ordered, That effective Saturday, December 9, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, December 15, 2000:

Felix Arroyo-Montano, Administrative Asst., \$736.50, full time

Lorraine E. Fowlkes, Secretary, \$1,004.60, full time

Jonathan M. Marsh, Secretary, \$200.00, part time

Richard Wood, Administrative Asst., \$320.00, part time

Angela S. Yarde, Administrative Asst., \$985.44, full time

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 1416)

Councillor KELLY offered the following:

Ordered, That effective Saturday, December 16, 2000, the following-named person be, and hereby is, appointed to the position set against their name until Friday, December 29, 2000:

Maria S. Bunuan, Secretary, \$800.00, full time

Thomas M. McDonough, Administrative Asst., \$1,074.72, full time

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY EMPLOYEES (DOCKET NO. 1417)

Ordered, That effective Saturday, December 30, 2000, the following named person be, and hereby is, appointed to the position set against their name until Friday, March 30, 2001:

Thomas M. McDonough, Administrative Asst., \$670.50, full time

Passed under suspension of the rules.

REPORT ON ORDER FOR HEARING TO DETERMINE FEASIBILITY OF GIVING CITY EMPLOYEES WHO MEET CERTAIN CRITERIA PRIORITY STATUS WHEN CITY-OWNED PROPERTIES WOULD BE DEVELOPED OR REHABILITATED FOR AFFORDABLE HOUSING BECOME AVAILABLE (DOCKET NO. 0454)

Councillor HENNIGAN, on behalf of the Committee on Housing, submitted the following:

Report on Docket No. 0454, order for a hearing to determine the feasibility of giving city employees who meet certain criteria priority status when city owned properties would be developed or rehabilitated for affordable housing become available (referred March 29) - recommending the order be placed on file.

The report was accepted; the order was placed on file.

REPORT ON ORDER FOR HEARING TO DISCUSS OPPORTUNITIES FOR PROVIDING CITY EMPLOYEES ASSISTANCE IN HOUSING CRISIS THAT MAY INCLUDE LOWER TAX RATE FOR EMPLOYEES, PREFERRED MORTGAGE RATES THROUGH CREDIT UNION OR OTHER FINANCIAL INSTITUTIONS OR RENT-TO-OWN PROGRAMS (DOCKET NO. 1235)

Councillor HENNIGAN, on behalf of the Committee on Housing, submitted the following:

Report on Docket No. 1235, order for a hearing to discuss opportunities for providing city employees assistance in the housing crisis that may include lower tax rate for employees, preferred mortgage rates through Credit Union or other financial institutions or rent-to-own programs (referred October 25) - recommending the order be placed on file and the attached resolution be passed:

RESOLUTION THAT COMMITTEE FOR HOUSING AFFORDABILITY AND HOW IT AFFECTS CITY EMPLOYEES BE FORMED (DOCKET NO. 1418)

BE IT RESOLVED:

That a Committee for Housing Affordability and How It Affects City Employees be formed. That the makeup of this Committee be as follows:

That the minimum makeup of the committee include: Representatives from AFSME Council 93, SEIU Local #285, SENA, The Mayor's Office, The Boston Housing Authority, The Department of Neighborhood

Development, The City of Boston Credit Union and a member from a Housing Advocacy Group.

The charge of this committee, would be to study and identify possible solutions and alternatives regarding the Affordability of Housing for Boston City Employees, including but not limited to:

1) Mortgage assistance programs, through the City of Boston Credit Union and/or other friendly lenders.

2) Look for creative ideas and solutions similar to what other cities throughout the nation are doing.

3) Housing programs expressly designed to include City Employees.

4) Creation of a rental list.

The report was accepted; the order was placed on file; the resolution was adopted; yeas 12:

Yeas - Councillors Conley, Davis-Mullen, Feeney, Flaherty, Hennigan, Honan, Kelly, Murphy, Roache, Ross, Turner, Yancey - 12.

ORDER AUTHORIZING OFFICE OF CULTURAL AFFAIRS DEPARTMENT TO ACCEPT AND EXPEND GRANT OF \$500,000 FROM COMMONWEALTH TO BE UTILIZED TO REGRANT TO NON-PROFIT ART, CULTURAL AND EDUCATIONAL ORGANIZATIONS AND INDIVIDUALS (DOCKET NO. 1145)

Councillor HONAN called Docket No. 1145 from the Committee on Arts and Humanities.

Hearing no objection, the matter was before the body.

On motion of Councillor HONAN, the order was passed.

ORDER AUTHORIZING COMMISSIONER OF PARKS AND RECREATION TO ACCEPT AND EXPEND GRANT OF \$773,750 FROM COMMONWEALTH OF MASSACHUSETTS FOR REIMBURSEMENT OF COSTS OF 2000 SUMMER YOUTH EMPLOYMENT PROGRAM (DOCKET NO. 1019)

Councillor FEENEY called Docket No. 1019 from the Committee on City and Neighborhood Services.

Hearing no objection, the matter was before the body.

On motion of Councillor FEENEY, the order was passed.

STATEMENT OF THE CHAIR

President KELLY stated that the plaques upon the desks of the Councillors were his gift to them for his appreciation of a job well-done this past year.

ORDER AUTHORIZING OFFICE OF COMMUNITY PARTNERSHIPS TO ACCEPT AND EXPEND GRANT OF \$800,000 FROM COMMONWEALTH OF MASSACHUSETTS TO DEVELOP STRONG SCHOOL AND COMMUNITY ALLIANCES TO STRENGTHEN OPPORTUNITIES FOR CHILDREN DURING AFTER-SCHOOL HOURS (DOCKET NO. 1021)

Councillor DAVIS-MULLEN called Docket No. 1021 from the Committee on Education and School Matters.

Hearing no objection, the matter was before the body.

On motion of Councillor DAVIS-MULLEN, the order was passed.

RESOLUTION THAT BOSTON CITY COUNCIL ASK STATE BOARD OF EDUCATION TO

POSTPONE USE OF MCAS TEST AS CRITERION FOR GRADUATION (DOCKET NO. 1419)

Having previously objected to the late-filed Resolution, Councillor Conley withdrew his objection and the matter was before the body.

Councillors DAVIS-MULLEN, TURNER, ROACHE, YANCEY, ROSS, FEENEY and FLAHERTY offered the following:

Whereas, The Education Reform Act does not require that students pass a standardized test in order to graduate from high school; and

Whereas, The State Board of Education is requiring that seniors in 2003 pass the Massachusetts Comprehensive Assessment System (MCAS) test in order to graduate; and

Whereas, The tenth graders last year failed the math MCAS portion by 59% and the English MCAS portion by 49%; and

Whereas, There is concern that the dropout rate has increased by 34% since 1996, partially as a response to the 2003 requirement; and

Whereas, Superintendent Payzant acknowledges that 10% - 15% of the teachers in the system are not certified and that 50% of the teachers of math in high schools have math as a secondary certification; and

Whereas, Superintendent Payzant in a November 1, 2000 letter on Standards-Based Instruction and Assessment to all administrative and academic personnel acknowledged that the BPS has not fully implemented the standards when he said "I recognize that we are only beginning to implement the standards in some subjects and grades (e.g. elementary social studies); and

Whereas, Superintendent Payzant has said at various discussions of MCAS that the Boston Public School system is still in the process of aligning the state standards with BPS curriculum; therefore be it

Resolved, That the Boston City Council ask the State Board of Education to postpone the use of the MCAS test as a criterion for graduation until school systems throughout the state:

1) Demonstrate that their curriculum standards are aligned with the state standards;

2) Demonstrate that they have a sufficient number of certified teachers to teach the courses; and

3) Demonstrate that at least 95% of their students have passed each subject area.

Councillor FEENEY in the Chair.

Councillor KELLY in the Chair.

Councillor MURPHY moved the question.

The motion was carried.

The resolution was adopted; yeas 8, nays 4:

Yeas - Councillors Davis-Mullen, Feeney, Honan, Murphy, Roache, Ross, Turner, Yancey - 8.

Nays - Councillors Conley, Hennigan, Kelly, Scapicchio - 4.

ORDER FOR HEARING TO DISCUSS AND BE INFORMED AND UPDATED ON CONTRACT NEGOTIATIONS BETWEEN CITY AND FIREFIGHTERS (DOCKET NO. 1370)

Councillor MURPHY called Docket No. 1370 from the Committee on Public Safety.

Hearing no objection, the matter was before the body.

On motion of Councillor MURPHY, the order was placed on file.

RESOLUTION THAT ADMINISTRATION RETURN
TO NEGOTIATING WITH BOSTON FIRE
DEPARTMENT (DOCKET NO. 1420)

Councillors DAVIS-MULLEN, MURPHY, KELLY, CONLEY, ROACHE, HONAN, HENNIGAN, SCAPICCHIO, YANCEY, TURNER and FEENEY offered the following:

Whereas, The Boston Fire Department has been working without a contract since July 1999; and

Whereas, Contract negotiations have been ongoing with no resolution in sight; and

Whereas, The Boston Fire Department under State Law is unable to strike; and

Whereas, Contract negotiations, as reported in the *Boston Globe* on December 5, 2000, have been abandoned by City Officials; therefore be it

Resolved, That the Boston City Council strongly urges the Administration to return to negotiating with the Boston Fire Department in good faith to resolve this collective bargaining agreement with all due speed so that these committed men and women can receive the pay increase they deserve and focus on protecting the City of Boston.

The resolution was adopted.

MESSAGE DISAPPROVING ORDER THAT CITY
COUNCIL ADOPT SECTION 59A FOR MASS-
ACHUSETTS GENERAL LAWS (DOCKET
NO. 0704)

Councillor YANCEY called Docket No. 0704 from the Committee on Environment and Historic Preservation.

Hearing no objection, the matter was before the body.

On motion of Councillor YANCEY, the order was passed notwithstanding the disapproval of the Mayor; yeas 11, nays 0.

Yeas - Councillors Conley, Davis-Mullen, Feeney, Hennigan, Honan, Kelly, Murphy, Roache, Scapicchio, Turner, Yancey- 11.

MESSAGE DISAPPROVING ORDINANCE
REGARDING NEGOTIATION AND
APPROVAL OF BROWNFIELD TAX ABATE-
MENT AGREEMENTS (DOCKET NO. 0705)

Councillor YANCEY called Docket No. 0705 from the Committee on Environment and Historic Preservation.

Hearing no objection, the matter was before the body.

On motion of Councillor YANCEY, the ordinance was passed notwithstanding the disapproval of the Mayor.

Yeas - Councillors Conley, Davis-Mullen, Feeney, Hennigan, Honan, Kelly, Murphy, Roache, Scapicchio, Turner, Yancey- 11.

STATEMENT OF COUNCILLOR YANCEY

Having unanimous consent to do so, Councillor Yancey thanked President Kelly for his dedication this year realizing there were many issues everyone disagreed on but far many more issues they agreed on and for the efforts of the President in keeping the body together in some trying circumstances and for his hard work on his belief of the Counsel to the Council. He wanted to publicly thank the President and wished him the best for the holiday season.

STATEMENT OF COUNCILLOR SCAPICCHIO

Having unanimous consent to do so, Councillor Scapicchio asked when we adjourn today we do so in memory of William Curtis, a nineteen-year-old who died this past week and sent condolences to his family.

STATEMENT OF PRESIDENT KELLY

Council President Kelly asked that when we adjourn today we do so also in memory of Edso Welch and Hank Zablocki.

CONSENT AGENDA

The Chair moved adoption of a Consent Agenda in which the following-named Councillors offered resolutions of a condolence or congratulatory nature as set forth after each Councillor's name:

Councillors Roache and Feeney: Congratulating Alice Boswell (Docket No. 1401).

Councillor Conley: Congratulating Mil-Par Senior (Docket No. 1402).

Councillor Feeney: Congratulating the students, faculty, staff and parents of Boston Latin School (Docket No. 1403); congratulating 5 person for their service and dedication to the young people of Boston (Docket No. 1404); congratulating Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C. (Docket Not 1405).

Councillor Conley: Congratulating Captain Robert Dowling (Docket No. 1406); congratulating Firefighter William Gottwald (Docket No. 1407); congratulating Firefighter Edward Saniuk (Docket No. 1408); congratulating David Burns (Docket No. 1409); congratulating Paul Vozzella (Docket No. 1410).

Councillors Turner and Yancey: Congratulating BWIA Invaders Steel Orchestra (Docket No. 1411); congratulating BREEJ Technologies, Inc. (Docket No. 1412); congratulating Dr. Marlyne M. Campbell (Docket No. 1413).

Councillor Scapicchio: Congratulating Cathy Rossi (Docket No. 1414).

The Chair stated that in the absence of objection, three late-filed matters would be added to the Consent Agenda.

No objection being heard, the following matters were added:

Councillor Yancey: Congratulating Dr. James Jennings (Docket No. 1421); congratulating St. Matthew Parish (Docket No. 1422); congratulating Reverend Thomas Cross (Docket No. 1423).

The matters contained within the Consent Agenda were severally adopted.

NEXT MEETING

President KELLY moved that when the Council adjourn today it be in memory of William Curtis, Edso Welch and Hank Zablocki to meet again on Monday, January 1, 2001 at 10:00 a.m.

The motion was carried.

Adjourned at 5:20 p.m. on motion of President Kelly to meet again on Monday, January 1, 2001 at 10:00 a.m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

