



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 876-6900

RETIREMENT BOARD

ARTHUR F. LIBITZ
City Auditor
Chairman

JOSEPH E. CONNARTON
Deputy City Clerk
Secretary

GEORGE W. MICKLE
Member

FREDERICK L. KILFOYLE
Executive Secretary

February 13, 1978

John J. Campbell, Esq.
1 Center Plaza
Boston, Ma. 02108

Re: File #4481

Dear Sir:

In reply to your letter of January 26, 1978, please be advised that I have received the death certificate of the late Mr. Kelley and can find no connection of death with the cause for which he was retired.

Therefore I do not believe that there would be any Survivor Benefits for Brian, his dependent son.

In regards to any payments of the proceeds of his father's retirement fund, they must be paid by law to the designated beneficiary as of the date of death.

If you should have any further questions concerning this matter please feel free to call me.

Very truly yours,

Frederick L. Kilfoyle
Executive Secretary

FLK/cec

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

PROBATE COURT

PAUL J. CAVANAUGH,

I, ~~JOHN V. HARVEY~~, Register of Probate for said County of Middlesex, hereby certify, that at a Probate Court held in and for said County, on the...nineteenth day ofJanuary..... in the year of our Lord one thousand nine hundred and ..seventy-eight,.....

.....Elaine M. Kelley.....
ofCambridge..... in the County of ...Middlesex.....

was duly appointed guardian of..the..person..and..estate..of.....

.....Brian D. Kelley.....

ofCambridge..... in the County of Middlesex, ~~minor~~,
~~mentally ill~~, and gave bond as required by law for the due performance of said trust;
and that no appearance was entered against said appointment.

I FURTHER CERTIFY, that it appears by the records and files of said Court, that said appointment remains in full force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the
seal of said Court, thissixteenth..... day of
.....February..... in the year of our Lord one
thousand nine hundred and seventy— eight.....

PAUL J. CAVANAUGH, Register.

by: *William F. Chisholm*, Acting... Register.

John J. Campbell
Counsellor at Law

One Center Plaza, Boston, Mass. 02108

617-542-8800

February 22, 1978

Honorable Thomas W. Danehy, Mayor
Cambridge City Hall
Cambridge, Massachusetts 02139

RE: James P. Kelley
Deceased Cambridge Firefighter

Dear Tom:

On January 1, 1978 the above named retired Cambridge Fire Fighter died. He was divorced five years ago, and he left one minor son, Brian D. Kelley, who was sixteen years old on December 10, 1977. Brian lives with his mother at 44 Dana Street, Cambridge. The cause of Mr. Kelley's death was acute alcoholism and exposure, which were not related to his cause of retirement, and hence Brian is entitled to no survivor's benefits from the City of Cambridge.

In August of 1977 Mr. Kelley changed the designated beneficiary on his City of Cambridge retirement fund and life insurance to a woman whom he was dating at the time. There was approximately Seventy-eight hundred dollars (\$7800.00) left in his retirement fund and Two thousand dollars (\$2,000.00) life insurance. She has already made claims for these funds, and she is legally entitled to receive them.

Attached hereto is a copy of a letter from the Retirement Board stating that there are no benefits for Brian, the minor son.

Enclosed also is a copy of a bill to be filed in the Legislature authorizing the City of Cambridge to pay the legally appointed guardian of said minor, (copy of appointment enclosed) the sum of Two hundred dollars (\$200.00) per month until the minor reaches the age of eighteen years. This would represent an expenditure of approximately Forty-seven hundred dollars (\$4700.00) by the City, and an additional Two hundred dollars (\$200.00) per month while he remained as a full time student or attained the age of twenty-one (21) years. At the time of his death Mr. Kelley was fifty-three years old, and his pension was nearly Twelve thousand dollars (\$12,000.00) per year. Had he lived a normal life span the City would have paid him well over a quarter of a million dollars.

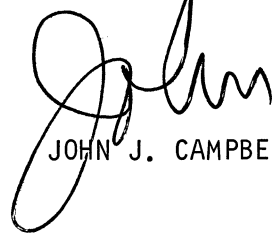
Brian is in the process of having considerable orthodontic dental work which will continue for about two years. His mother is employed by the U.S. Postal Service, and needs some help in Brian's support.

The enclosed bill will require approval by the City Council before it can be filed in the Legislature. Councillor Walter Sullivan has agreed to file the necessary order on February 27, 1978 at your meeting. I hope that you find this bill reasonable and one which you can approve.

If you need further information I will be pleased to answer your questions.

Thank you for your consideration of this request.

Yours truly,

A handwritten signature in black ink, appearing to read 'John J. Campbell', with a large, stylized initial 'J'.

JOHN J. CAMPBELL

JJC:mjr
Encls.

AN ACT TO PROVIDE A SURVIVOR'S BENEFIT FOR BRIAN D. KELLEY, MINOR
SON OF DECEASED CAMBRIDGE FIREFIGHTER, JAMES P. KELLEY

For the purpose of paying a survivor's benefit to Brian D. Kelley, the minor son of James P. Kelley, a deceased Cambridge Fire Fighter, who was retired from the City of Cambridge for accidental disability for an injury incurred in the line of duty, the City of Cambridge, shall be and is hereby authorized to pay to the legally appointed Guardian of Brian D. Kelley, the sum of Two Hundred dollars (\$200.00) per month, beginning January 1, 1978, and ending December 10, 1979; and thereafter said sum shall be payable to said Brian D. Kelley or his legal representative until such time as he shall reach the age of twenty-one years, provided he is a full-time student, in an accredited educational institution offering full time courses of study.



City of Cambridge

IN CITY COUNCIL
February 27, 1978

ORDERED:

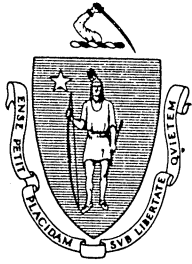
That this City Council go on record as being in favor of the filing of the following proposed legislation: "An Act to Provide a Survivor's Benefit for Brian D. Kelley, a Minor Son of Deceased Cambridge Fire Fighter, James P. Kelley."

In City Council February 27, 1978
Adopted by a yea and nay vote:
Yeas 9; Nays 0; Absent 0.
Attest: Paul E. Healy, City Clerk

A true copy,

ATTEST:

A handwritten signature in cursive script, reading "Paul E. Healy".



The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND

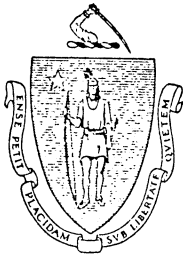
AN ACT TO PROVIDE A SURVIVOR'S BENEFIT FOR BRIAN D. KELLEY, MINOR SON OF DECEASED CAMBRIDGE FIRE FIGHTER, JAMES P. KELLEY

*Be it enacted by the Senate and House of Representatives in General Court assembled,
and by the authority of the same, as follows:*

For the purpose of paying a survivor's benefit to Brian D. Kelley, the minor son of James P. Kelley, a deceased Cambridge Fire Fighter, who was retired from the City of Cambridge for accidental disability for an injury incurred in the line of duty, the City of Cambridge, shall be and is hereby authorized to pay to the legally appointed Guardian of Brian D. Kelley, the sum of Two Hundred dollars (\$200.00) per month, beginning January 1, 1978, and ending December 10, 1979; and thereafter said sum shall be payable to said Brian D. Kelley or his legal representative until such time as he shall reach the age of twenty-one years, provided he is a full-time student, in an accredited educational institution offering full time courses of study.

*The undersigned, citizen of _____, respectfully
for the passage of the accompanying bill and/or for legislation*

9.9 Troubridge St Coalbrook



The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-

AN ACT TO PROVIDE A SURVIVOR'S BENEFIT FOR BRIAN D. KELLEY, A MINOR SON OF DECEASED CAMBRIDGE FIRE FIGHTER, JAMES P. KELLEY

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

For the purpose of paying a survivor's benefit to Brian D. Kelley, the minor son of James P. Kelley, a deceased Cambridge Fire Fighter, who was retired from the City of Cambridge for accidental disability for an injury incurred in the line of duty, the City of Cambridge, shall be and is hereby authorized to pay to the legally appointed Guardian of Brian D. Kelley, the sum of Two Hundred dollars (\$200.00) per month, beginning January 1, 1978, and ending December 10, 1979; and thereafter said sum shall be payable to said Brian D. Kelley or his legal representative until such time as he shall reach the age of twenty-one years, provided he is a full-time student, in an accredited educational institution offering full time courses of study.

To the Honorable Senate and House of Representatives of The Commonwealth of Massachusetts
in General Court assembled.

The undersigned, citizens of _____, respectfully
petition for the passage of the accompanying bill or resolve, and/or for legislation

Petitioners are requested to sign names and addresses legibly.

John J. Sullivan
Joseph E. Sullivan
April A. Wyche
Mr. H. Dunlop
Kevin P. Crane
James W. Funch

28 Main St. Cambridge
421 Porter St. Cambridge
103 Fresh Pond Parkway Cambridge
26 Laurel St. Cambridge
16 Alberta Tenare, Cambridge
99 Tremont St. Cambridge

VOTE OF THE CITY COUNCIL APPROVING
FILING OF **City of Cambridge** *LEGISLATION*
AN ACT TO PROMOTE MASSACHUSETTS **A SURVIVORS BENEFIT**
FOR BRINN KELLEY SON OF In City Council February 27 1978
JAMES P KELLEY, deceased *CAMBRIDGE FIRE DEPT*

	YEA	NAY	ABSENT	PRESENT
Mr. Crane	✓			
Mr. Duehay	✓			
Mr. Frisoli	✓			
Ms. Graham	✓			
Ms. Preusser	✓			
Mr. Sullivan	✓			
Mr. Vellucci	✓			
Mr. Wylie	✓			
Mayor Danehy	✓			

9 0 0

Motion of D Sullivan to file legislation
carried.

KINDLY REFER TO
My File # 4481

John J. Campbell
Counsellor at Law

One Center Plaza, Boston, Mass. 02108

617-542-8800

February 23, 1978

Mr. Paul E. Healey, City Clerk
Cambridge City Hall
Cambridge, Massachusetts

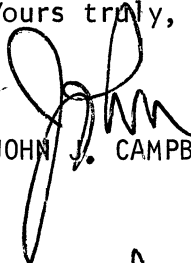
Dear Paul:

Enclosed is the proposed legislation on suitable forms for a survivor's benefit for Brian D. Kelley if the City Council should give its approval on Monday February 27 to the filing of this legislation.

I will see to the actual filing of the bill, but I thought the Councillors might want to look at the proposed legislation as it is prepared for filing.

Thank you for your co-operation in this matter.

Yours truly,


JOHN J. CAMPBELL

JJC:mjr
Encls.

P.S. - I have done it on
Senate + House forms since I
do not know who will file it.

John J. Campbell
Counsellor at Law

RECEIVED BY
OFFICE OF CITY CLERK

FEB 23 12 03 PM '78

One Center Plaza, Cambridge, Mass. 02108
CAMBRIDGE, MASS.
617-542-8800

February 22, 1978

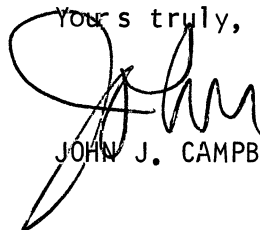
Mr. Paul E. Healey, City Clerk
Cambridge City Hall
Cambridge, Massachusetts 02139

Dear Paul:

Enclosed is a copy of a letter being sent to all the City Councillors with regard to a proposed special bill to allow the City of Cambridge to pay a survivor's benefit to Brian D. Kelley, the minor son of James P. Kelley, a deceased Cambridge Fire Fighter.

Under the retirement law no survivor's benefit is available for Brian unless special legislation is approved.

Yours truly,



JOHN J. CAMPBELL

JJC:mjr
Encl.

John J. Campbell
Counsellor at Law

RECEIVED BY
OFFICE OF CITY CLERK

FEB 23 12 03 PM '78

CAMBRIDGE, MASS.
One Center Plaza, Boston, Mass. 02108
817-542-8800

February 22, 1978

Councillor Walter J. Sullivan
Cambridge City Hall
Cambridge, Massachusetts 02139

RE: James P. Kelley
Deceased Cambridge Firefighter

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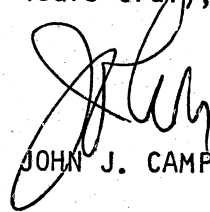
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Yours truly,



JOHN J. CAMPBELL

JJC:mjr
Encls.



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RETIREMENT BOARD

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February 13, 1978

John J. Campbell, Esq.
1 Center Plaza
Boston, Ma. 02108

Re: File #4481

Dear Sir:

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Frederick L. Kilfoyle
Executive Secretary

FLK/cec

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

PROBATE COURT

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and that no appearance was entered against said appointment.

I FURTHER CERTIFY, that it appears by the records and files of said Court, that said appointment remains in full force.

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PAUL J. CAVANAUGH, Register.

by: *William F. Chisholm*, Acting... Register.

AN ACT TO PROVIDE A SURVIVOR'S BENEFIT FOR BRIAN D. KELLEY, MINOR
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Comm. from John J. Campbell, Esq., re: proposed special bill to allow the City of Cambridge to pay a survivor's benefit to the son of James P. Kelley, a deceased Cambridge Fire Fighter.

In City Council,
Feb. 27, 1978

2/27/78

ESR

Order

Adopted

9-0-0

Resolution filed

2/29/78 by T.T.

Ernest Fry