

Cambridge City Council

May 16, 2002

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Below is certified mail receipt for attached letter to District Attorney mailed on May 9, 2002. On May 16, 2002, the DA called to say she had NOT received the letter. Where the delay occurred is not known. Knowing of Howard's total surveillance & interference with communications raises strong suspicions of illegal tampering.

Roy Beccow.

PO Box 400297
Comb. MA 02140

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)		
CAMBRIDGE, MA 02141		
Postage	\$ 0.34	UNIT ID: 0140 Postmark Here Clerk: KXSH09 05/09/02
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PS Form 3800, May 2000 (See Reverse for Instructions)

CAMBRIDGE, MASSACHUSETTS
OFFICE OF THE CITY CLERK

2002 MAY 16 P 4: 27

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ENOUGH ROOM
ROY BERCAW, EDITOR
PO BOX 400297, CAMBRIDGE, MA 02140 USA
617-491-0433 bercaw@justice.com

Loretta Lillios, ADA
Office of the District Attorney
Middlesex District Courthouse
40 Thorndike Street
Cambridge MA 02141

May 9, 2002

Re: Open Meetings Law Violation

As per our phone conversation on May 9, 2002, I submit this statement of facts. On April 3, 2002, the Cambridge City Council held a hearing on a petition from Harvard University for an easement to build a tunnel under Cambridge Street near Prescott Street. MA Rep. Alice Wolf when City Councilor, wrote City ordinance Chapter 2.110010 Disposition of city property which applies to this process.

The Council passed three orders on April 3, 2002 O-1, O-2, and O-3 directing the City Manager "to meet," "to confer," and "to negotiate" with Harvard and neighbors. The first meeting under these orders was held on Friday May 3, 2002. No notice was given of this meeting. More private meetings are planned.

In an article in the *Harvard Crimson* (Archives by date on line at <<http://www.thecrimson.com>>, Lauren Dorgan, "Message to tunnel: You've Got Mail," Wednesday May 8, 2002): a letter is quoted saying, "the neighbors argued that the negotiation process that Healy outlined [at the first meeting], which focuses almost entirely on the tunnel itself, takes 'too narrow a view' of what is under discussion."

Also, "Neighbors have long said they would like to see CGIS' south building-surrounded on three sides by apartment buildings-scaled back. They have suggested the neighborhood might accept the tunnel, but only if Harvard builds what the neighbors call a 'modified south building.'"

City ordinance requires a public benefit to transfer public land to a private person. It is not an item to be used in negotiations. The City Council which holds the decision making authority for this procedure created the committee.

But there is no compliance with the requirements of the Open Meetings Law, Chapter 39, § 23B.

*Certified Mail
Return Receipt*

7000 2870 0000 2692 4292

Roy Bercaw

S-171

Consent Communication #7

A communication was received
from Roy Bercaw, regarding
suspicions of illegal tampering.

In City Council May 20, 2002

PLACED ON FILE.