The Ordinance Committee conducted a public hearing on Thursday, May 18, 1995 beginning at 5:55 PM in the Sullivan Chamber, City Hall.

Vice Mayor Sheila T. Russell, Chair of the above referenced Committee, convened the hearing and stated that the purpose of this date's proceedings was to discuss a proposed amendment to the Municipal Code in Title 2, Chapter 2.120 entitled "Residency Requirement". Present at the hearing were: Councillors Kathleen C. Born, Francis H. Duehay, Anthony D Gallucio, Michael A. Sullivan, Timothy J. Toomey, Jr., City Manager Robert W. Healy, Personnel Director Michael P. Gardner, Director of the Environmental Program Elizabeth Epstein, Deputy City Solicitor Donald Drisdell and Deputy City City Clerk John E. Flynn.

To begin the discussion, Vice Mayor Russell recognized Councillor Toomey for a presentation and remarks on the proposed amendment to the Municipal Code.

Councillor Toomey acknowledged his colleagues- Vice Mayor Russell, Councillor Gallucio and Councillor Sullivan for co-sponsoring his Council Order Numbered 15 dated February 6, 1995. The Councillor then offered the attached presentation to the Committee.

Upon Completion of the presentation, Councillor Toomey inquired of Mr. Gardner if he had spoken to Kate Auspitz, Personnel Director of the City of Somerville, on the workings of the Somerville residency ordinance. (A statement is attached)

Mr. Gardner responded in the negative.

Councillor Toomey inquired of Mr. Drisdell if he had completed a constitutional review of the proposed amendment to the Municipal Code

Mr. Driscoll responded in the negative but stated that technically the proposed amendment was not referred to the Law Department for a review.

Councillor Toomey then inquired of the City Manager for his comments on the proposed ordinance.

City Manager Healy stated that the phasing in approach was a reasonable one, the presentation was excellent but collective bargaining agreements would be needed regarding working conditions with the all unions. He noted that state law prohibits residency requirements for police fire and Teachers and that problems could exist with Medical and paramedicals positions at the Cambridge Hospital Community Health Network. The Manager stated that although he has the same concerns as in the past he would be willing to negotiate with the various unions if it was the policy of the City Council.

Councillor Toomey inquired of Ms. Epstein if the proposed Ordinance would be environmentally positive.

Ms. Epstein in response stated that she would provide the Committee with the environmental estimates vis a vis the Vehicle Trip Reduction Ordinance.

Councillor Galluccio thanked Councillor Toomey for his presentation in dispelling the myths with regards to the City's affordability in housing costs. He noted that the proposal was a reasonable one given the grandparenting provision. He also stated that residency offers a commitment to the tax base and local service to the community. He also stated that the City Manager

was underestimating his abilities to bringing the various unions to the table on the issue.

The City Manager in response stated that state law allows for a durational one year period with regards to civil service "residential preference" - Police and Fire; Fifteen mile radius and the need to go to the table with all other collective bargaining units.

Councillor Galluccio stated that this Ordinance is just what the Boston Globe has called for a reasonable and workable one. An ordinance that calls for city employees to live in and work in the neighborhoods of Cambridge.

Councillor Duehay stated although he was impressed with Councillor Toomey's presentation he did not agree with it. He stated that he was in favor of city employees living in the community but was not in favor of forcing it. He noted that the abolition of Rent Control could force an economic problem with regards to housing. He also stated that employment barriers could be created if other communities ordained similar Ordinances.

Councillor Toomey in response stated that the proposed Ordinance offered latitude to the City Manager in recruiting and offering employment to qualified candidates for employment. He stated that this is an important issue and that he has had it with the Rent Control argument.

Councillor Sullivan commended Councillor Toomey for his presentation and stated that residency offers a vesting of the heart and soul in the Community. He agreed with the grandperson provision and that it was a good

idea to get employees back into the City. He further stated that it was time that we start preaching to ourselves about residency like we do about private concerns. Councillor Sullivan suggested some re-defining of residency with regards to the business community sitting on boards or Commissions.

Councillor Born stated that the proposed ordinance makes a lot of emotional sense but not logical sense. She stated that residency makes sense in larger cities but fact residency might affect the number of female candidates for an advertised position. She also discounted residency vis a vis the Vehicle Trip Reduction Ordinance.

The City Manager stated that the last year hire statistics show that 61% were Cambridge residents - 75% if health care workers were excluded from the statistics.

At this time the Chair entertained public comment:

James P Cassidy, President Local 495, spoke in opposition to the proposed ordinance.

John Moot, 44 Coolidge Hill Rd spoke in opposition to the proposed ordinance.

William C. Jones, Norfolk St., spoke in opposition to the proposed ordinance.

Councillor Toomey made the following Motion: That the proposed ordinance be referred to the City Manager and City Solicitor for comment and be referred back to the Ordinance Committee within three weeks.

The hearing was adjourned at 7:55 pm.

For the Committee
Master Chair

CCM-101

City of Cambridge

6.

IN CITY COUNCIL

December 20, 1993

MAYOR REEVES

ORDERED: That all items pending before the City Council and not acted upon by the end of the 1993 legislative session be placed in the files of the City Clerk without prejudice, subject to recall by any member, provided that those proposed ordinances which have been passed to a second reading, advertised and listed under "Unfinished Business" shall remain on the Calendar as "Unfinished Business".

In City Council December 20, 1993.
Adopted by the affirmative vote of eight members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:- D. Margaret Drury

D. Margaret Drury
City Clerk

FIRST PUBLICATION NO. 2631.

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Three

AN ORDINANCE

In amendment to an ordinance entitled: "The Cambridge Municipal Code".

Be it ordained by the City Council of the City of Cambridge as follows:

That Chapter 2.58 of the Municipal Code entitled "Officers and Employees Generally" is hereby amended by striking out Section 2.58.010 and substituting in place thereof a new section 2.58.010 entitled "Residency of Employees" which reads as follows:

A. For every vacant position in City positions, as posted and/or advertised, there shall be an indication that Cambridge residents, especially, are invited to apply.

B. Consistent with State law, in interviewing and in the selection process, applicants for City of Cambridge positions who are Cambridge residents will be given special consideration.

C. Departments will be required to submit, along with affirmative action data, the statistics related to the employment of Cambridge residents. These statistics will be reviewed by the City Manager, and the Manager will report to the City Council on a regular basis as to the success the City is having in hiring Cambridge residents.

D. For all new positions filled at the level of Department Head or higher, every effort will be made to see that the employee reside in Cambridge. To the extent that is not feasible that this person reside in or move to the City of Cambridge, the City Manager, for those employees under his jurisdiction, will indicate the barriers that prevented such residency.

Passed to a second reading as amended at the City Council meeting held on November 22, 1993 and on or after December 13, 1993 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury
City Clerk

FIRST PUBLICATION NO. 2631.

City of Cambridge

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City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Three

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City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Three

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City of Cambridge

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C. C. 108

City of Cambridge

The Ordinance Committee held a public hearing on November 16, 1993 beginning at 6:25 p.m. in the Sullivan Chamber for the purpose of considering a proposed amendment to the Municipal Code to establish a residency requirement for City employees.

Present at the hearing were Councillor Wolf, Chair of the Committee, Councillor Duehay, Councillor Myers, Councillor Russell, Councillor Toomey, Councillor Walsh and City Clerk Margaret Drury.

Councillor Wolf convened the hearing and explained its purpose. She introduced a substitute amendment, which amendment is attached to this report.

Councillor Russell stated that she would like to add a requirement for a reason to be given for not hiring a Cambridge resident. Councillor Wolf noted the number of positions and observed that it could significantly increase the paperwork.

Councillor Duehay said that he is more interested in hiring people who are presently Cambridge residents. He also likes the idea of people with supervisory authority living in the City.

Councillor Wolf stated that she does not believe it is feasible to require every employee to live in the City given the variety of familial arrangements and demands.

Councillor Duehay raised the issue of whether there should be a time period - should there be more protection for moderate to long-term residents?

Councillor Wolf said that from her perspective there is a rational limit to how much this can and should be controlled. This proposal sends a message to Cambridge companies that the City is committed to this issue.

Councillor Russell moved that the ordinance be amended in Section C to require that the reason or barriers for not hiring a Cambridge resident be reported for all positions.

Councillor Myers stated that the language "barriers" in Section D might be too limited.

Councillor Wolf explained that "barriers" refer to barriers to moving to the Cambridge area if the person hired was not a resident at the time of hire. Councillor Wolf accepted a friendly amendment from Councillor Myers to add after "feasible" in the last sentence of paragraph D, the language "that this person reside or move to the City of Cambridge."

Councillor Wolf requested that before the requirement for a reason for not hiring be adopted, the City Clerk request information for the City Manager as to the number of employees hired by the City each year.

Councillor Duehay moved that Councillor Wolf's proposed ordinance be substituted and forwarded to the City Council as amended. The motion passed on a voice vote.

Councillor Wolf then reported on the matter of dogs being leased at Fresh Pond. She stated that the Water Department has reported that it is still working on the Watershed Protection Plan, which will address recreation uses in a comprehensive way, and that the position of Chief Ranger has been advertised and candidates will be interviewed next week.

Councillor Duehay moved that the matter be referred back to the City Clerk to be maintained in a file of issues considered by the Ordinance Committee related to Fresh Pond recreation use and dog control.

Councillor Wolf then moved to the outstanding issue of bicycles on the Common, for which the Ordinance Committee is still awaiting a report from the City Manager and the Bicycle Committee on interim measures to improve safety on the common.

Councillor Russell moved that a quick report (within one month) be requested from the Bicycle Committee and the City Manager on interim measures that are being taken with regard to bicycling on the Common, along with any outstanding requests for reports on enforcement from the Police Department. The motion was passed unanimously on a voice vote.

Councillor Wolf than moved to the outstanding issue on air condition units. Councillor Duehay moved that this issue be referred to the next Council's Ordinance Committee so that it can remain alive.

The motion passed by unanimous voice vote.

The hearing was adjourned at 6:58 p.m.

For the Committee,

Councillor Alice K. Wolf,
Chair

CAMBRIDGE CITY COUNCIL

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139
(617) 349-4280
FAX (617) 349-4287

Alice K. Wolf
City Councillor
Mayor
1990-1991

Ordered that it shall be the policy of the City of Cambridge to take affirmative steps to employ Cambridge residents, and further that

Towards that end, The Municipal Code of the City of Cambridge shall be amended as follows:

Chapter 2.58 is hereby amended by

1. Striking out 2.58.010 thereof and substituting the following:

2.58.010 Residency of employees

A. For every vacant position in City positions, as posted and/or advertised, there shall be an indication that Cambridge residents, especially, are invited to apply.

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D. For all new positions filled at the level of Department Head or higher, every effort will be made to see that the employee reside in Cambridge. To the extent that is not feasible, the City Manager, for those employees under his jurisdiction, will indicate the barriers that prevented such residency.

that this person reside in ~~the~~ or move to the City of Cambridge

J. Myers friendly amend

CITY OF CAMBRIDGE

795 MASSACHUSETTS AVENUE
CAMBRIDGE, MASSACHUSETTS 02139
TEL. 349-4332
FAX: 349-4312

PERSONNEL DEPARTMENT
MICHAEL P. GARDNER
Director

MEMORANDUM

TO: Margaret Drury
City Clerk

FROM: Michael Gardner
Personnel Director

DATE: 17 November 1993

RE: Count of New Hires

Please be advised that our records show the total number of new hires for all City departments (not including Schools) from November 1, 1992 to October 31, 1993 to be 1,217.

City of Cambridge

The Ordinance Committee held a public hearing on November 16, 1993, beginning at 5:30 p.m. in the Sullivan Chamber for the purpose of considering a proposed amendment to the Cambridge Municipal Code to prohibit cigarette vending machines in any place where the public is served. Present at the hearing were Councillor Wolf, Chair of the committee, Councillor Duehay, Councillor Myers, Councillor Russell and City Clerk Margaret Drury.

Councillor Wolf convened the hearing and requested that Councillor Duehay who had, by City Council Order, requested the drafting of the proposal, explain the ordinance. Councillor Duehay said the purpose of the proposed ordinance is a public health purpose to help prevent the health hazards of smoking. He urged the Council to take every occasion to limit smoking. He further stated that the proposed ordinance has two purposes:

(1) To ensure that minors do not have owners to cigarettes; and

(2) To limit the places in the city were cigarettes are sold.

Councillor Wolf recognized Dr. Melvin Chalfen, Commissioner of Health and Hospitals and requested that he address the Committee. Dr. Chalfen said that he urges passage of the ordinance. He added that it extremely important to try to prevent adolescents from starting to smoke at the very beginning as well as to assist long-term smokers to stop smoking.

Councillor Wolf opened the hearing to testimony from those in favor of the proposed ordinance.

Jim Bergman, Executive Director, STAT (Stop Teenage Addiction to Tobacco) Springfield, Massachusetts, stated that this is very much a children's issue. Teenagers have very easy access to cigarettes through vending machines.

Councillor Wolf asked whether the vending machines tested had lock-out devices. Mr. Bergman replied that they did not. However, in Brookline, where they have locking devices, in recent "sting" tests, three out of four times the teenagers still got access to the vending machines. Lock-out devices are not effective. The younger the teenager, the more likely they are to use vending machines. Provincetown, West Springfield and Longmeadow have all passed ordinances banning vending machines. The City of Springfield is on the verge of banning vending machines.

Councillor Wolf asked if STAT had investigated what substitutes people make where there are no vending machines. Mr. Bergman said that over-the-counter sales of cigarettes increased, and that bars and restaurants often decided to have them available over the counter so patrons did not have to leave to purchase cigarettes. This measure is aimed at preventing adolescents from smoking, not at preventing smoking.

Kate Dempsey, Tobacco Control Coordinator for the City of Cambridge, residence, 44 Harrison Street, Somerville, stated that she agreed that locking devices do not work well.

Edward Sweeton, Boston, working for Mass Tobacco Control Program, stated that he supports the proposed ordinance, not the locking option. The Towns of Bourne and North Adams have recently adopted similar ordinances.

Margo Dean, 19 R. Brookline Street, Project Director for the Substance Abuse Task Force, stated that she agreed that prohibiting vending machines is more effective than requiring locking devices.

Councillor Wolf then opened the hearing to testimony in opposition to the proposed ordinance.

Mark Levine, 11 South Court, stated that he was representing his company, Melo Tone Vending and that he is president of the State Association of Vending Machine Owners. He said that transferring the sale to over-the-counter is not more effective than lock-out device machines. The same person would sell over the counter or would operate the lock-out-device. There are no failures of the device. The question is one of education. The lock-out device is a reasonable response to the problem. The machine should be 10 to 15 feet from the person operating the lock-out-device. There are approximately sixty-five communities that require lock-out-devices.

Mr. Levine then demonstrated the operation of the lock-out device on a vending machine brought for the demonstration. The vending machine is locked at all times until the operator pushes a button to unlock the machine.

Councillor Duehay asked why this is better than just selling cigarettes at the bar. He added that it seems awkward and complicated.

Mr. Levine said that many small businesses prefer vending machines because of inventory control, theft and because they are less involved with the sale process. Mr. Levine said that responsible individuals will follow the law in either situation, and irresponsible individuals will break the law and sell to minors whether the restriction is over the counter or a lock-out device. He submitted material on ordinances passed by Somerville and Boston and a proposed ordinance for Cambridge. The material is attached to this report to be filed with the records of this hearing.

Councillor Wolf announced that Councillor Toomey is still in session at the State House and that he has a proposed substitute ordinance and requests that the matter be reported out of Committee without a recommendation.

Councillor Myers said that he agrees with Councillor Duehay's comments that it is easier to sell to minors when the method is just pushing a button than when the sale is over the counter. He commended Councillor Duehay's efforts to deal with this problem of sales of cigarettes to minors.

Councillor Duehay stated that this proposed ordinance is an important way to restrict access of minors to tobacco.

Councillor Myers asked Councillor Duehay whether he thought the Inspectional Services Department would be actively involved in enforcement. Councillor Duehay stated that the ordinance should be amended to include the Department of Health and Hospitals and the Department of Human Services in the enforcement efforts. The amendment passed by one vote.

Councillor Russell asked whether there would be any increased risk of cigarette theft through the banning of vending machines. She moved that the committee report the matter without recommendation and that the City Clerk request information from the Police Department as to whether there would be any increased danger of theft.

Jim Bergman reported that in the cities he has observed that there has been no increase in cigarette theft since vending machines have been banned.

Councillor Duehay moved the question, and the motion to report to the City Council without recommendation passed by a unanimous voice vote.

Councillor Wolf then reported to the Ordinance Committee on outstanding matters before the Ordinance Committee. She stated that the City Manager would be putting together a committee to review ordinances relating to peddlers and hawkers. She asked whether the Ordinance Committee still desired to have the City Manager convene a committee on sidewalk structures. Councillor Duehay said that the matter is extremely important. These structures should be underground. Councillor Russell said that the issue should wait for the next City Council because there are many other structures on sidewalks besides telephone interfaces. Councillor Wolf suggested that the Ordinance Committee refer the matter back to the full City Council with the recommendation that it be referred tot he City Manager.

Councillor Duehay moved the addition that the City Manager be requested to do a detailed analysis, including information as to what other communities are doing to clear the public space of those obstacles.

The motion passed unanimously on a voice vote.

The hearing was adjourned at 6:20 p.m.

For the Committee,



Councillor Alice K. Wolf,
Chair

CCM-101

City of Cambridge

COMM. REP. #1A

IN CITY COUNCIL

November 22, 1993

COUNCILLOR WOLF

ORDERED: That the issue of whether dogs should be leashed at Fresh Pond is **referred to the City Clerk's Office to be maintained in a file of issues considered by the Ordinance Committee related to Fresh Pond recreation use and dog control.**

In City Council November 22, 1993.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:- D. Margaret Drury

D. Margaret Drury
City Clerk

CCM-101

City of Cambridge

COMM. REP. #1B

IN CITY COUNCIL

November 22, 1993

COUNCILLOR WOLF

ORDERED: That the City Manager be and hereby is requested to report to the City Council and to request that the Bicycle Committee also so report, both within one month, **regarding interim measures to improve bicycle and pedestrian safety on the Cambridge Common.**

In City Council November 22, 1993.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy; D. Margaret Drury

ATTEST:-

D. Margaret Drury
City Clerk

CCM-101

City of Cambridge

COMM. REP. #1C

IN CITY COUNCIL
November 22, 1993

COUNCILLOR WOLF

ORDERED: That the Outstanding matter of a proposed amendment to the Noise Ordinance regarding Condominium Associations be **referred to the 1994 City Council Ordinance Committee.**

In City Council November 22, 1993.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy; D. Margaret Drury

ATTEST:-

D. Margaret Drury
City Clerk

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety Three

AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code"

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter 8.29 of the Cambridge Municipal Code is hereby repealed and replaced with the following new Chapter 8.29:

Chapter 8.29

PROHIBITION OF THE DISTRIBUTION OF TOBACCO PRODUCTS THROUGH VENDING MACHINES

Sections

8.29.010 Declaration of legislative findings

8.29.020 Definitions

8.29.030 Distribution of tobacco products through vending machines prohibited

8.29.040 Violation - Penalty

8.29.010 Declaration of legislative findings.

The City Council finds that the vast majority of smokers begin smoking in their teens or pre-teens. The health hazards posed by cigarettes and other tobacco products are well documented and the sale of tobacco in any form to persons under the age of eighteen is prohibited in this Commonwealth. However, cigarette vending

machines in public places have provided unsupervised minors with easy access to cigarettes, in contravention of the policy in this Commonwealth. Accordingly, the City Council finds that the ability of unsupervised minors to obtain cigarettes and other tobacco products in violation of the law will be significantly reduced by prohibiting vending machines which dispense such products.

8.29.020 Definitions.

1. "Distribution" means the giving, selling, delivering, dispensing, issuing, offering to give, sell, deliver, dispense or issue, or causing or hiring any person to give, sell, deliver, dispense, issue or offer to give, sell, deliver, dispense or issue.

2. "Person" means any natural person, corporation, partnership, firm, organization or other legal entity.

3. "Public place" means any area to which the public is invited or in which the public is permitted.

4. "Tobacco products" means any substance which contains tobacco, including but not limited to cigarettes, cigars, smoking tobacco and smokeless tobacco.

5. "Vending machine" means any self-service device offered for public use, which, upon insertion of a coin, coins, token, paper currency, or by other means, dispenses tobacco products.

8.29.030 Distribution of tobacco products through vending machines prohibited.

No person shall distribute or permit the distribution of a tobacco product through the operation of a vending machine in a public place.

8.29.040 Violation - Penalty.

Any person who knowingly violates any provision of this Chapter may be penalized by a noncriminal disposition as provided in G.L. c. 40, §21D. For purposes of this section, the following officials shall be enforcing persons: police officers, staff inspectors from the Cambridge License Commission and inspectors from the Inspectional Services Department,

Amended to include Dept. of Health and Hospitals and Department of Human Services VV/unan

The penalty for the first violation shall be one hundred dollars; for the second violation, two hundred dollars; and for all subsequent violations, three hundred dollars.

Each day of violation shall constitute a separate and distinct offense.

ORD#3\TOBACCO\VenMach2.Ord

CITY OF CAMBRIDGE

In the Year One Thousand, Nine Hundred Ninety Three

Submitted to Ordinance Committee By
Mark Levine

AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code"

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter 8.29 of the Cambridge Municipal Code is hereby repealed and replaced with the following new Chapter 8.29:

Chapter 8.29

REGULATION OF THE SALE OF TOBACCO PRODUCTS THROUGH VENDING MACHINES

Sections

8.29.010 Declaration of legislative findings

8.29.020 Definitions

8.29.030 Sales of tobacco products through vending machines

8.29.040 Violation - Penalty

8.92.010 Declaration of legislative findings:

The City Council finds that the vast majority of smokers begin smoking in their teens or pre-teens. The health hazards posed by cigarettes and other tobacco products are well documented and the sale of tobacco in any form to persons under the age of eighteen is prohibited in this Commonwealth. However, cigarette vending

machines in public places have provided unsupervised minors with easy access to cigarettes, in contravention of the policy in this Commonwealth. Accordingly, the City Council finds that the ability of unsupervised minors to obtain cigarettes and other tobacco products in violation of the law will be significantly reduced by regulating vending machines which dispense such products.

8.29.020 Definitions.

1. "Sales" means the giving, selling, delivering, dispensing, issuing, offering to give, sell, deliver, dispense or issue, or cause or hiring any person to give, sell, deliver, dispense, issue or offer to give, sell deliver, dispense or issue.

2. "Person" means any natural person, corporation, partnership, firm, organization or other legal entity.

3. "Public place" means any area to which the public is invited or in which the public is permitted.

4. "Tobacco products" means any substance which contains tobacco, including but not limited to cigarettes, cigars, smoke tobacco and smokeless tobacco.

5. "Vending machine" means any self-service device offered for public use, which, upon insertion of a coin, coins, token, paper currency, or by other means, dispenses tobacco products.

8.29.030 Sales of tobacco products through vending machines.

All sales of tobacco products by vending machines within the City of Cambridge shall be prohibited unless:

1. The vending machine is located within the immediate

vicinity, plain view and control of a responsible employee, so that all purchases are observable and controllable as if the tobacco products were sold over the counter; and

2. The vending machine must not be located in a coatroom, restroom, unmonitored hallway, outer waiting area, or similar unmonitored area and must be inaccessible to the public when the establishment is closed; and

3. The vending machine is equipped with a lock-out device approved by the Health Commissioner. Said device shall lock-out sales from vending machines unless any employee releases the locking mechanism. The release mechanism must not allow continuous operation of the vending machine and must not be accessible to customers. Vending machines shall be posted with a sign stating that the machine is equipped with a lock-out device and identifying the person(s) to contact to purchase tobacco products from the machine; and

4. All tobacco products vending machines must display a conspicuous sign stating that it is illegal for minors to purchase cigarettes; and

5. Or, unless the use of the premises is restricted to persons over the age of eighteen.

8.29.040 Violation - Penalty

Any person who knowingly violates any provision of this Chapter may be penalized by a noncriminal disposition as provided in G.L. c.40, §21D. For purposes of this section, the following officials shall be enforcing persons: police officers, staff

inspectors from the Cambridge License Commission and inspectors from the Inspectional Service Department.

The penalty for the first violation shall be one hundred dollars; for the second violation, two hundred dollars; and for all subsequent violations, three hundred dollars.

Submitted to Ordinance Committee by Mark Levine

CITY OF SOMERVILLE, MASSACHUSETTS
BOARD OF HEALTH

REGULATIONS AFFECTING ACCESS OF TOBACCO PRODUCTS TO MINORS

SECTION 1 – AUTHORITY

There exists conclusive evidence that tobacco smoke causes cancer, respiratory diseases, various cardiac diseases, negative birth outcomes, allergies, and irritations to the eyes, nose, and throat to both the smoker and the nonsmoker exposed to secondary smoke. Evidence further demonstrates that tobacco is extremely addictive. More than 3,000 young people begin smoking every day in this nation. Since almost 90% of all smokers begin smoking before age eighteen (18), the legal age to purchase cigarettes in the Commonwealth, there is an important health need to reduce the easy access to tobacco products by youths through strict enforcement of the state law prohibiting sales to minors. Therefore, these regulations are adopted pursuant to Massachusetts General Laws Chapter 111, Section 31, as reasonable health regulations designed to protect and improve the health of the residents of the City of Somerville.

SECTION 2 – FREE DISTRIBUTION/SAMPLING

No person or entity shall, in or upon any part of the streets, parks, public grounds, public buildings, or other public-owned places within the City of Somerville, distribute any products containing tobacco for any promotional or other commercial purposes. Tobacco distribution includes, but is not limited to, bonus in a game, contest, or tournament involving skill or chance, but does not include redemption of coupons distributed in newspapers or other periodicals or affixed to packaging for products distributed to adults by tobacco retailers.

SECTION 3 – FREE STANDING DISPLAYS

Free standing displays of tobacco products, from which individual packages may be selected by the customer, must be within ten (10) feet and in full view of the regular location of a person designated to supervise the purchase of tobacco products from the display. Carton displays must be within full view.

ATTACHMENT 2

SECTION 4 – SALE BY PERSONS UNDER AGE 18

No person or entity selling tobacco products shall allow anyone under age eighteen (18) to sell cigarettes or other tobacco products until such employee reads the Board of Health regulations and state laws regarding sale of tobacco.

SECTION 5 – TOBACCO SALES TO MINORS PROHIBITED

5.1 In conformance with Massachusetts General Laws Chapter 270, Section 6, no person or entity shall sell a cigarette, chewing tobacco, snuff, or any tobacco in any of its forms to any person under age eighteen (18) or, not being his parent or guardian, give a cigarette, chewing tobacco, snuff, or tobacco in any of its forms to any person under age eighteen (18).

5.2 All clerks selling cigarettes or tobacco products will positively establish the purchaser's age as eighteen (18). A written note or telephone communication from a parent or guardian will not be sufficient to allow a person under age eighteen (18) to purchase a tobacco product.

SECTION 6 – VENDING MACHINES

6.1 The purpose of this section is to restrict access of tobacco products to minors. Within six (6) months of adoption of this regulation, no person, firm, corporation, establishment or agency shall install or maintain a vending machine to distribute or sell tobacco products in the City of Somerville unless:

6.1.1 The vending machine is located within the immediate vicinity, plain view and control of a responsible employee, so that all purchases are as observable and controllable as if cigarettes were sold over the counter; and

6.1.2 The vending machine must not be located in a coatroom, restroom, unmonitored hallway, outer waiting area, or similar unmonitored area and must be inaccessible to the public when the establishment is closed; and

6.1.3 The vending machine is equipped with a lock-out device approved by the Board of Health. Said device shall lock-out sales from vending machines unless an employee releases the locking mechanism. The release mechanism must not allow continuous operation of the vending machine and must not be accessible to customers. Vending machines should be posted with a sign stating that the machine is equipped with a lock-out device and identifying the person(s) to contact to purchase cigarettes from the machine.

6.2 All cigarette vending machines must display a conspicuous sign stating that it is illegal for minors to purchase cigarettes, as defined in Sections 7.1 and 7.2 herein.

SECTION 7 – POSTING

7.1 In conformance with Massachusetts General Laws, Chapter 270, Section 7, a copy of Massachusetts General Laws Chapter 270, Section 6 shall be posted conspicuously by the owner or other person in charge thereof in the shop or other place used to sell cigarettes at retail. The notice to be posted shall be that notice provided by the Massachusetts Department of Public Health stating that the sale of tobacco products to persons under age eighteen (18) is prohibited. Such notice shall be at least forty eight (48) square inches and shall be posted at the cash register which receives the greatest volume of single cigarette package sales in such a manner so that it may be readily seen by a person standing at or approaching the cash register. Such notice shall directly face the purchaser and shall not be obstructed from view. Such notice shall be placed on the cash register or at a distance of no greater than two (2) feet from the cash register.

7.2 For all other cash registers that sell cigarettes and for all vending machines, the same notice as described in Section 6.1 shall be attached which is no smaller than nine (9) square inches, which is the size of the sign provided by the Massachusetts Department of Public Health. Such notice must be posted in a manner so that it may be readily seen by a person standing at or approaching the cash register. Such notice shall directly face the purchaser and shall not be obstructed from view. Such notice shall be placed on the cash register or at a distance of no greater than two (2) feet from the cash register.

SECTION 8 – LICENSE FOR LOCATION OF TOBACCO SALES

No person or entity shall sell tobacco products over the counter or in vending machines within the City of Somerville without a LICENSE FOR LOCATION OF TOBACCO SALES issued by the Board of Health. The fee for this license will be $10, renewable annually by July 1.

SECTION 9 – ENFORCEMENT

The Board of Health or its enforcement officer(s) shall enforce these regulations.

SECTION 10 – PENALTIES

10.1 Any person or entity selling tobacco to any person under age eighteen (18) shall be punished by a fine of not less than one hundred dollars ($100) for the first offense, not less than two hundred dollars ($200) for the second offense, and not less than three hundred dollars ($300) for any third or subsequent offense.

10.2 Any person or entity selling tobacco to any person under age eighteen (18) three (3) times within twelve (12) months shall be cause, after a public hearing, for the revocation of a LICENSE FOR LOCATION OF TOBACCO SALES. All tobacco must be removed from the premises when said license is revoked. Licenses removed cannot be reinstated for one calendar year following the date of removal.

10.3 Any person or entity selling tobacco without a LICENSE FOR LOCATION OF TOBACCO SALES will be subject to fines of up to two hundred dollars ($200) per day.

10.4 Any person or entity who fails to comply with any other of these provisions shall be punished by a fine of not more than fifty dollars ($50).

SECTION 11 – SEVERABILITY

3If any of these regulations is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.

SECTION 12 – VARIANCE

12.1 The Board of Health may, after a public hearing, temporarily vary the application of any provision of these regulations with respect to any particular case when the Board of Health finds the enforcement thereof would do manifest injustice.

12.2 Every request for a variance shall be made in writing on a form provided by the Board of Health and shall state the specific variance sought and the reasons thereof. The fee for a variance request shall be determined by the Board of Health. Notice of a variance request must be published in a local newspaper at least two weeks before the scheduled date of the public hearing.

12.3 Any variance granted must be in writing with a copy available to the public at all reasonable hours in the office of the City Clerk and in the office of the Board of Health. Any variance granted must be posted on the premises in a prominent location for the duration that the variance is in effect.

SECTION 13 – EFFECTIVE DATE

These regulations effectively replace any previous regulations promulgated by the Board of Health as they relate to smoking.

Adopted: February 26, 1992
Effective: July 1, 1992

David Osler, MD, Chairman
Maureen Monagle, RN
Robert McWatters

CAMBRIDGE CITY COUNCIL

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139
(617) 349-4280
FAX (617) 349-4287

Alice K. Wolf
City Councillor
Mayor
1990-1991

Ordered that it shall be the policy of the City of Cambridge to take affirmative steps to employ Cambridge residents, and further that

Towards that end, The Municipal Code of the City of Cambridge shall be amended as follows:

Chapter 2.58 is hereby amended by

1. Striking out 2.58.010 thereof and substituting the following:

2.58.010 Residency of employees

A. For every vacant position in City positions, as posted and/or advertised, there shall be an indication that Cambridge residents, especially, are invited to apply.

B. Consistent with State law, in interviewing and in the selection process, applicants for City of Cambridge positions who are Cambridge residents will be given special consideration.

C. Departments will be required to submit, along with affirmative action data, the statistics related to the employment of Cambridge residents. These statistics will be reviewed by the City Manager, and the Manager will report to the City Council on a regular basis as to the success the City is having in hiring Cambridge residents.

D. For all new positions filled at the level of Department Head or higher, every effort will be made to see that the employee reside in Cambridge. To the extent that is not feasible, the City Manager, for those employees under his jurisdiction, will indicate the barriers that prevented such residency.

that this person resides in ~~[illegible]~~ or move to the City of Cambridge

D. Myers
friendly amend

Committee Report #2

Comm. received from D.Margaret Drury transmitting report from Alice K. Wolf for hearing held on 11/16/93 to consider proposed amendment to prohibit cigarette machines in any place where the public is served.

2.a. Refer matter of proposed amendment re: sidewalk structures to City Manager for a detailed an comprehensive report on how to protect the integrity and appearance of public sidewalks.

#2 - Passed to a second reading as amended.

#2A. - Order adopted.

In City Council Nove ber 22, 1993

IN THE YEAR NINETEEN HUNDRED AND

AN ORDINANCE

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; A 1992 study of youth smoking by the Institute for Social Research at the University of Michigan for the U.S. Department of Health and Human Services found that cigarette smoking prevalence did not significantly change among 8th, 10th and 12th graders in 1992; and

WHEREAS; Thirty-day prevalence rates for smoking were: 16 percent for 8th-graders, 22 percent for 10th graders, and 28 percent for 12th graders; and

WHEREAS; The study concluded that a sizeable portion of teenagers are establishing regular cigarette habits, despite demonstrated health risks; and

WHEREAS; Researchers believe that the massive advertising and promotion of cigarettes, much of it aimed at young people, is a major reason that cigarette smoking has not been falling among adolescents; and

WHEREAS; Cigarette smoking has been identified as an addicting habit and that smoking regularly has led to cancer and other life-threatening and life-ending illnesses; and

WHEREAS; It is currently illegal for young people under the age of eighteen to smoke and that vending machines provide young people with an unrestricted access to cigarettes in vending machines; NOW THEREFORE BE IT

ORDAINED; That all sales of cigarettes by vending machines within the City of Boston shall be prohibited unless: (1) The vending machine is located within the immediate vicinity, plain view and control of a responsible employee, so that all purchases are observable and controllable as if cigarettes were sold over the counter; and (2) The vending machine must not be located in a

11-8-93

coatroom, restroom, unmonitored hallway, outer waiting area, or similar unmonitored area and must be inaccessible to the public when the establishment is closed; and (3) The vending machine is equipped with a lock-out device approved by the Board of Health. Said device shall lock-out sales from vending machines unless an employee releases the locking mechanism. The release mechanism must not allow continuous operation of the vending machine and must not be accessible to customers. Vending machines shall be posted with a sign stating that the machine is equipped with a lock-out device and identifying the person(s) to contact to purchase cigarettes from the machine; and (4) All cigarette vending machines must display a conspicuous sign stating that it is illegal for minors to purchase cigarettes; and (5) or, unless the use of the premises is restricted to persons over the age of eighteen; AND BE IT FURTHER

ORDAINED; The Board of Health or its enforcement officer(s) shall enforce these regulations; AND BE IT FURTHER

ORDAINED; (1) Any person or corporate entity selling tobacco to any person under age eighteen (18) shall be punished by a fine of not less than one hundred dollars ($100) for the first offense, not less than two hundred dollars ($200) for the second offense, and not less than three hundred dollars ($300) for any third and subsequent offense; and (2) Any person or corporate entity selling tobacco to any person under age eighteen (18) three (3) times within twelve (12) months shall be cause, after public hearing, for the suspension of the license to sell tobacco. All tobacco must be removed from the premises when said license is suspended. Licenses suspended cannot be reinstated for one (1) calendar year following the date of removal; AND BE IT FURTHER;

ORDAINED; That if any of these regulations is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect; AND BE IT FURTHER

ORDAINED; That this Ordinance shall take effect four months after passage.

11-8-93

In City Council OCT 20 1993

Passed

Patrick F. McDonough City Clerk

Approved

Thomas M. Menino Mayor

IN THE YEAR NINETEEN HUNDRED AND

AN ORDINANCE

Submitted to Ordinance Committee by Mark Levine

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; A 1992 study of youth smoking by the Institute for Social Research at the University of Michigan for the U.S. Department of Health and Human Services found that cigarette smoking prevalence did not significantly change among 8th, 10th and 12th graders in 1992; and

WHEREAS; Thirty-day prevalence rates for smoking were: 16 percent for 8th-graders, 22 percent for 10th graders, and 28 percent for 12th graders; and

WHEREAS; The study concluded that a sizeable portion of teenagers are establishing regular cigarette habits, despite demonstrated health risks; and

WHEREAS; Researchers believe that the massive advertising and promotion of cigarettes, much of it aimed at young people, is a major reason that cigarette smoking has not been falling among adolescents; and

WHEREAS; Cigarette smoking has been identified as an addicting habit and that smoking regularly has led to cancer and other life-threatening and life-ending illnesses; and

WHEREAS; It is currently illegal for young people under the age of eighteen to smoke and that vending machines provide young people with an unrestricted access to cigarettes in vending machines; NOW THEREFORE BE IT

ORDAINED; That all sales of cigarettes by vending machines within the City of Boston shall be prohibited unless: (1) The vending machine is located within the immediate vicinity, plain view and control of a responsible employee, so that all purchases are observable and controllable as if cigarettes were sold over the counter; and (2) The vending machine must not be located in a

11-8-93

coatroom, restroom, unmonitored hallway, outer waiting area, or similar unmonitored area and must be inaccessible to the public when the establishment is closed; and (3) The vending machine is equipped with a lock-out device approved by the Board of Health. Said device shall lock-out sales from vending machines unless an employee releases the locking mechanism. The release mechanism must not allow continuous operation of the vending machine and must not be accessible to customers. Vending machines shall be posted with a sign stating that the machine is equipped with a lock-out device and identifying the person(s) to contact to purchase cigarettes from the machine; and (4) All cigarette vending machines must display a conspicuous sign stating that it is illegal for minors to purchase cigarettes; and (5) or, unless the use of the premises is restricted to persons over the age of eighteen; AND BE IT FURTHER

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ORDAINED; That if any of these regulations is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect; AND BE IT FURTHER

ORDAINED; That this Ordinance shall take effect four months after passage.

11-8-93

In City Council OCT 20 1993

Passed

Patrick F. McDonough City Clerk

Approved

Thomas M. Menino Mayor

Committee Report #1

Comm. received from D. Margaret Drury City Clerk, transmitting a report from Alice K Wolf for hearing hels on 11/16/93 at 5:30 to establish a residency requirement for City employees.

1.a. Issue of dogs being leashed at Fresh Pond. City Clerk's Office to be maintained in a file of issues considered by the Ordinance Committee re: Fresh Pond recreation use and dog control.

1.b. Interim measures to improve safety (Bicycle Committee) on the Common Report within one month.

1.c. Noise Ordinance refer Condominium Assoc. to the next City Council's Ordinance Committee.

#1 Passed to be ordained reading as amended 11/22/93
#1A- Order adopted
#1B- Order adopted
#1C- Order adopted

In City Council November 22, 1993

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

FAX (617) 349-4307

D. MARGARET DRURY
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

November 17, 1993

Commissioner Perry Anderson
Cambridge Police Department
Western Avenue
Cambridge MA 03139

By FAX

Dear Commissioner Anderson:

On November 16, 1993, the Ordinance Committee held a public hearing on a proposed ordinance to prohibit cigarette vending machines in public establishments. The Ordinance Committee requested that I ask you whether the Police Department has any information as to whether there is an increased risk of cigarette theft when vending machines are banned, which in turn means that over-the-counter sales of cigarettes in bars and restaurants increases.

The report of the Ordinance Committee will go to the City Council for its November 22, 1993 meeting. The Ordinance Committee would very much like to hear from you in time for this meeting if at all possible. The Clerk's Office agenda deadline is Thursday at 5 p.m.; the Manager completes his agenda on Friday, but you would need to talk to his office about what the time requirements are.

Thank you very much for your assistance in this matter.

Sincerely,

Margaret Drury

D. Margaret Drury
City Clerk

minutes
11/16/93

Gail, there are a Hadmarks

The Ordinance Committee held a public hearing on November 16, 1993 beginning at 5:30 p.m. in the Sullivan Chamber for the purpose of considering a proposed amendment to the Cambridge Municipal Code to prohibit cigarette vending machines in any place where the public is served. Present at the ~~meeting~~ hearing were C. Wolf, Chair of the Committee, C. Duehay, C Myers, C Russell, ~~[illegible]~~ + City Clerk DMD

C. Wolf convened the hearing and requested that ~~explained its purpose~~ C. Duehay, who had by City Council order requested the the drafting of proposal, explain the ordinance. C. Duehay said the purpose of the

proposed ord. is a public health purpose to help prevent the health hazards of smoking. He urged the Council to take any measure to limit smoking. He further stated that the proposed ordinance has two purposes: ~~2 purposes~~!

(1.) To ensure that minors do not have access to cigarettes and (2) to limit the places in the city where cigarettes are sold.

C. Dowdy recognized Dr. Melvin Chalfin, Commissioner of Health & Hospitals, and requested that he address the Committee.

Dr. Chalfin said that he favors passage of the ordinance. He added that it is important to try to prevent adolescents from starting to smoke at the very beginning as well as to assist long term smokers to stop smoking.

C. Wolf opened the hearing to testimony from those in favor of the proposed ordinance

Jim ~~Bergamer~~ Bergman ~~Burton~~ (Executive Director) STAT Stop Teenage Addiction to Tobacco, Springfield, Massachusetts, stated that this is (very) v. much a children's issue. Teenagers have v. easy access to cigarettes through vending machines.

C. Wolf asked whether the vending machines tested had ~~locking~~ lock-out devices. Mr. ~~Bergamer~~ Bergman ~~Burton~~ replied that they did not. However, in Brookline, where they have locking devices, in recent "sting" tests, three out of four times the teenagers still got access to the vending machines. ~~Locking~~ Lock-out devices are not effective. The younger the teenager, the more likely they are to use vending machines ~~[illegible]~~ Provincetown, West Springfield and Longmeadow have all

passed ordinances banning vending machines. The City of Springfield is on the verge of banning vending machines.

C. Wolf asked if STAT had investigated what substitute people make where there are no vending machines. Mrs. ~~Booth~~ Bergmer said that over-the-counter sales of cigarettes increased, and that bars and restaurants often decided to have them available over the counter so patrons did not have to leave to purchase cigarettes. This measure is aimed at preventing adolescents from smoking not preventing smoking.

Kate Dempsey, Tobacco Control Coordinator for City of Cambridge, residence 44 Harrison Street, Somerville, ~~Sta~~ stated that she agreed that locking devices do not work well.

Edward Sweetow, Boston, works for Mass ~~Tobacco~~ Tobacco Control Program, stated that he supports the proposed ordinance, not the locking option. The Towns of Brome and North Adams have recently adopted similar ordinances.

Margo Dean, 19 K Brookline Street, Project Director for the Substance Abuse Task Force, ~~ago~~ stated that she agreed that prohibiting vending machines is more effective than requiring locking devices.

C. Wolf then opened the hearing to testimony in opposition to the proposed ordinance.

Mark Levine, 11 South Ct, ~~repr'ing his co~~ stated that he was representing his company Mellow Tone Vending + that he is president of the

State Association of vending Machine Owners. He said that transfering the sale to over-the-counter is not more effective than lock-out device machines - the same person owned sells over the counter or owned operate the lock-out device. There are no failures of the device. The question is one of education. The lock-out device is a reasonable response to the problem. The machine should be 10 to 15 feet from the person operating the lock out device. There are approximately ~~fifty~~ sixty five communities that require lock out devices.

Mr. Levine then demonstrated the operation of the lock-out device on a vending

machine brought for the demonstration. The vending machine is locked at all times until the operator pushes a button to unlock the machine.

C. Dreher asked why this is better than just selling cigarettes at the bar. He added that it seems awkward and complicated.

Mr. Levine said that many small businesses prefer vending machines because of inventory control, theft, and because they are less involved with the sale process. Mr. Levine said that responsible individuals will follow the law in either situation, and irresponsible individuals will break the law and sell to minors whether the restriction

over the counter w a lock-out device. He submitted material on ordinances posed by Somerville and Bishop and a proposed ordinance for Cambridge. The material is attached to this report to be filed with the records of this hearing.

C. Wolf announced that C. Toomey is still in session at the State House and that he has a proposed substitute ordinance and requests that the matter be removed out of Committee without a recommendation.

C. Myers said that he agrees with C. Dunlay's ~~remarks~~ that it is easier to sell to minors when the method is over the counter. just pushing a button than when the sale is ~~over the counter~~. Committee ~~regarding~~ He commended C. Dunlay's efforts to deal with this problem of sales of cigarettes to minors

C. Dunlay stated that this proposed ordinance is an important way to restrict access of minors to tobacco.

C Myers asked C. Dunlay whether he thought

the I S- D- would be actively involved in enforcement. C. Duehay moved stated that the ord should be amended to include the Dept of Health and Hospitals and the Department of Human Services in the enforcement effort. The amend passed by voice vote.

C. Russell ~~Duehay~~ asked whether there would be any increased risk of cigarette theft through the banning of vendg machines, ~~and~~ She moved that the committee report the matter without recommendation and that the City Clerk request info from the Police Department as to whether there would be any increased danger of theft.

Jim Bergman reported that in the cities he has observed there has been no ~~effect~~ increase in cigarette theft since vending machines have been banned.

C. Dueby moved the question, and the motion to report to the City Council without recommendation passed by a unanimous voice vote.

C. Wolf then reported to the Ordinance Committee on outstanding matters before the Ordinance Committee. She stated that the City Manager would be putting together a committee to review ordinances relating to peddlers and hawkers. She asked whether the Ordinance Committee still desired to have the City Manager convene a committee on sidewalk structures. C. Dueby said that the matter is extremely important. These structures should be underground. C. Russell said that the

issue should wait for the next ~~Council~~ City Council because there are many other structures on sidewalks besides serving area interfaces. C. Wolf suggested that the Ordinance Committee refer the matter back to the full City Council with the recommendation that it be referred to the City Manager.

C. Duehay ~~[illegible]~~ ~~[illegible]~~ ~~[illegible]~~ so moved with the addition that the City Manager ~~[illegible]~~ be requested to ~~that~~ ~~be~~ do a detailed analysis, including information ~~info~~ as to what other communities are doing to clear the public space of these obstacles.

The motion passed unanimously on a voice vote.

The ~~meeting~~ hearing was adjourned at 6:20 p.m.

For the Committee

Alice K. Wolf, Chair

The Ordinance Committee held a public hearing on November 16, 1993 beginning at ~~5:30~~ 6:25 p.m. in The Sullivan Chamber for the purpose of considering a proposed amendment to the Municipal Code to establish a residency requirement for City Employees.

Present at the hearing were C. Wolf, Chair of the Committee, C. Dunlay, C. Myers, C. Russell, C. Tonney and C. Walsh and City Clerk DMD.

C. Wolf convened the hearing and explained its purpose. She introduced a substitute

amendment, other amendment is attached to this report.

~~And read the proposed~~ new

C. Russell stated that she would like to add a requirement for a reason to be given for not having a Cambridge resident. C. Wolf noted the number of positions and observed that it ~~would~~ could significantly increase the paperwork.

C. Duehay said that he is more interested in hiring people who are presently Cambridge residents. ~~The~~ He also likes the idea of people with a supervisory authority living in the City.

C. Wolf stated that she does not believe it is feasible to require every employer ~~a~~ to live in the City

given the variety of familial arrangements and demands.

C. Duehay raised the issue of whether there should be a time period - should there be more protection for moderate to longterm residents?

C. Wolf said that, from her perspective, there is a natural limit to how much this can and should be controlled. This proposal sends a message to Cambridge companies that the City is committed to this issue.

C. Russell moved that the ord. be amended in Sect. C to require that the reasons or barriers for not having a Cambridge residence be reported for all positions

C. Myers stated that the language "barriers" in Sec. D might be too limited. C. Wolf explained that "barriers" refers to barriers to moving to the Cambridge

of the person hired was not a resident at the time of hire. C. Wolf accepted a friendly amendment from C. Myers to add after "feasible" in the last sentence of paragraph D, the language "that this person reside or move to the City of Cambridge."

C. Wolf requested that before the requirement for a reason for not being adopted, the City Clerk report up for the City Mgr as to the number of employees hired by the City each year.

C. Wolf's proposed ordinance

C. Dudley m. that ~~it~~ be substituted & City Council forwarded as the ~~CM~~ as amended. The motion passed on a voice vote.

C. Wolf then reported on the matter of dog being washed at Fresh Pond. She asked that the Water Department has reported that it is

still working on the Watershed Protection Plan, which will address recreation use in a comprehensive way, and that the position of Chief Ranger has been advertised and Candidates will be interviewed next week.

C. Dudley m. that the matter be referred back to the City Clerk to be maintained in a file of issues ~~rela~~ considered by the Advance Committee related to Fresh Pond recreational use and dog control.

C. Lucy then moved to the Out Standing Issues ~~Bicycle Committee~~ of bicycles on the Common; for which the Ord Committee is still awaiting a report from the City Manager and the Bicycle Committee on interim measures to improve safety on the Common.

C. Russell moved that a quick report (within one month) be requested for the Bicycle Committee and the City Manager on interim measures that are being taken ~~for~~ with regarding to bicycling in the Common along with any outstanding ~~reports~~ requests for ~~awaiting~~ reports on enforcement from the Police Department. The motion was passed unanimously on a voice vote.

C. Wolf then moved to the outstanding issue on accordion units. C. Dudley moved that this issue be referred to the next Council's Ordinance Committee ~~to act~~ so that it can remain alive. The motion passed by unanimous voice vote

The hearing was adjourned at 6:58 pm

For the Committee

City of Cambridge

The Ordinance Committee held a public hearing on July 13, 1993 beginning at 7:05 p.m. in the Sullivan Chamber, to consider a proposed amendment to the Municipal Ordinances to establish a residency requirement for city employees. Present at the hearing were Councillor Alice K. Wolf, Chair of the Committee, Councillor Sheila Russell, Mayor Kenneth E. Reeves, Councillor Timothy Toomey, Councillor Jonathan Myers, Vice Mayor Edward Cyr, Councillor William Walsh and Councillor Francis Duehay.

Councillor Wolf convened the hearing and requested that the City Clerk read the proposed amendment. She explained that the proposed ordinance had been drafted by the City Solicitor in response to Councillor Russell's order for a proposal for a residency requirement, and requested that Councillor Russell discuss the proposed ordinance.

Councillor Russell spoke in support of the proposed ordinance. She said that as a City Councillor she meets many residents who are desperately in need of jobs and yet sees many city jobs filled by non-residents. City jobs should be held by City residents.

Councillor Toomey stated that he supports the proposal and asked what employees would be exempt under state law. Arthur Goldberg, Legal Counsel, City Solicitor's Office said that Chapter 31 Sec. 58 exempts police and firefighters. Teachers are exempt Under G.L.ch 71 Sec. 38. The teacher exemption includes principals and some other categories of school administration, not including clerical employees or maintenance employees.

Councillor Toomey asked whether Boston requires police to live there. Arthur Goldberg, Legal Counsel, City Solicitor's Office, said that he was not sure about Boston's Ordinance but that it would require home rule legislation in Cambridge to eliminate the exemption provided by state law.

Councillor Wolf asked about the constitutionality of residency requirements. Mr. Goldberg said that the Supreme Judicial Court had struck down a residency requirement that required residence previous to employment. Councillor Wolf noted that the present ordinance section appears to require previous residency and asked whether it is unconstitutional. Mr. Goldberg said that it is unconstitutional.

Councillor Wolf asked how collective bargaining would be affected. Mr. Goldberg said that union employees would have the right to bargain this provision, and it would not apply until it was bargained.

Councillor Wolf opened the hearing to public testimony from members of the public in support of the proposed amendment.

Jim McGrail, 20 Orchard Street, stated that he does support the proposed ordinance, but it needs to have some beef behind it by having a home rule petition to eliminate the state-law exemptions and by making it clear to the unions that they will be expected to bargain this. He also asked about the purpose of the word "domiciled". Mr. Goldberg said that a resident could be someone who maintains an abode in Cambridge without spending much time here. "Domiciled" is a stricter standard requiring that the person actually lives here.

Gerald Bergman, 82 Elm Street, stated that he supports residency requirements but is concerned that this would put a greater strain on the affordable housing stock. He suggests a requirement for a shorter time limit than one year, perhaps a requirement to move in within three months, which might encourage hiring existing Cambridge residents. He also supports looking at a home rule petition to eliminate the exemption.

Councillor Russell agreed that a shorter time frame would discourage outside applicants and moved that the time frame be amended to 3 months.

Neil Rohr, 106 Berkshire Street, said that he has some concerns about residency requirements, especially for teachers, shrinking the available pool, especially of people of color. He strongly supports having city department heads and high level employees live in the City. He shares Mr. Bergman's concerns about the strain on the housing market, and the problems which would be created for low-paid employees trying to find affordable housing in Cambridge.

Councillor Toomey said that he believes it is extremely important for teachers who have such a big policy role in shaping children's futures to be a part of the community.

Thomas P. Weed, 14 Foster Street, said that he agrees with the logic of maximizing the number of Cambridge residents employed since Cambridge seems to have private employers employ residents.

He supports a local option bill rather than a home rule petition because he believes it could get more support. He suggests beginning with a percentage of new hires, for example 60%, rather than 100% as currently proposed.

Councillor Wolf then requested comments from those opposed to the proposed ordinance. No one testified in opposition. The public testimony portion of the hearing was then closed.

Councillor Myers said that he was not sure that the proposal should include 100% of employees.

Councillor Myers asked whether all top-ranking employees would be covered, and said that he would like more information on what top-ranking employees are now City residents. He would like this information for the 20-30 top ranking employees in the City.

Councillor Toomey said that he is not sure that information is relevant. Councillor Myers said that it would help to determine how realistic the proposed ordinance is.

Councillor Wolf asked why Cambridge could give weight to residence in civil service hiring of police in light of state law prohibiting a residency requirement for police and firefighters. She requested that Law Department provide this information to the committee.

Vice Mayor Cyr said that he agrees that high-level employees should live in the City but he is concerned about requiring lower-level and those lower-paid employees to stay in Cambridge when it can mean that they cannot buy homes or otherwise afford housing. He asked what other Councilors think of this issue.

Councillor Toomey said that it cannot be presumed that housing is less expensive in surrounding communities.

Mayor Reeves said that he is not sure of the logic for a residency requirement when the performance between city residents and non-residents is indistinguishable from his point of view. The City Manager does not live in Cambridge. He has experience with two cities with residency requirements - Detroit and Boston. In Detroit, the requirement was implemented because people were abandoning the city in large numbers. In Boston, the requirement is a sham. Regarding teachers, he does not support the requirement; he wants freedom to hire the best, most qualified teachers for Cambridge children. Regarding firefighters and police, the best case can be made for a residency requirement because they are close in case of an emergency. He could only support a residency requirement with no exemptions. He noted the high cost of housing in Cambridge and expressed concern about the ability of average employees to afford housing in Cambridge.

Councillor Walsh stated that Cambridge offers very competitive salaries, so there should not be a problem of finding the best employees. He wishes that the City Manager lived in the City.

Councillor Wolf said that perhaps there should be a system that operates like affirmative action to give a preference to residents and to require explanation if the resident is not hired.

Vice Mayor Cyr said that he supported requiring high-level employees to live in the City, but he remains concerned that requiring lower-paid employees to live in Cambridge may mean that they cannot afford home ownership. He asked whether medical staff at the Cambridge Hospital would be covered, and whether that means that if the best surgeon available doesn't live in Cambridge, that surgeon cannot practice in Cambridge and serve Cambridge residents.

Jim McGrail, 20 Orchard Street spoke in support of requiring 100% of employees to be residents. There is an abundance of talent here.

Mayor Reeves said that it would be very short-sighted to create a policy that means that the people who are from Cambridge cannot stay here.

Councillor Toomey moved that the Law Department prepare home rule legislation to delete the exemptions to residency requirements allowed by state law. The motion failed on a roll call vote.

Councillor Myers moved that proposed amendment remain in committee pending receiving information regarding where the department heads, City Manager, and Deputy and Assistant City Manager live.

Councillor Toomey asked for information regarding average median house price in surrounding communities.

Councillor Duehay requested a breakdown of where all employees live by department.

Councillor Duehay and Councillor Toomey's amendments were accepted as friendly amendments by Councillor Myers..

Vice Mayor Cyr moved to substitute a motion to amend the language of the proposed amendment to require that current city employees, as well as those hired after the effective date of the new ordinance, must remain residents during the entire time they are employed by the City. The motion was adopted by a roll call vote.

Councillor Myers moved his previously proposed motion that the proposed ordinance remain in committee pending receipt of the requested information. The motion failed on a roll call vote.

Councillor Russell moved that the proposed ordinance as amended be referred to the City Council, without waiting for receipt of the information requested by Committee members. The motion was adopted on a roll call vote.

The hearing was adjourned at 8:30 p.m.

For the Committee

Councillor Alice K. Wolf, Chair

C. C. 106

ORDINANCE COMMITTEE

City of Cambridge

MASSACHUSETTS

In City Council July 13 1993

Councillor Toomey: To draft home rule legislation to eliminate exemptions allowed under state law.

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr	X				
Mr. Francis H. Duehay		X			
Mr. Jonathan S. Myers				X	
Mrs. Sheila T. Russell	X				
Mr. Walter J. Sullivan			X		
Mr. Timothy J. Toomey, Jr.	X				
Mr. William H. Walsh	X				
Ms. Alice K. Wolf		X			
Mayor Kenneth E. Reeves				X	
	4	2	1	0	

Failed

C. C. 106

ORDINANCE COMMITTEE

City of Cambridge

MASSACHUSETTS

In City Council July 13 1993

Vice Mayor Cyr: First Substitution to strike "first employed"

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr	X				
Mr. Francis H. Duehay		X			
Mr. Jonathan S. Myers		X			
Mrs. Sheila T. Russell		X			
Mr. Walter J. Sullivan			X		
Mr. Timothy J. Toomey, Jr.	X				
Mr. William H. Walsh	X				
Ms. Alice K. Wolf		X			
Mayor Kenneth E. Reeves		X			
	3	5	1		

Failed

C. C. 106

ORDINANCE COMMITTEE

City of Cambridge

MASSACHUSETTS

In City Council July 13, 199

Councillor Jonathan Myers: Table the Matter in Committee pending receipt of requested info

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr		X			
Mr. Francis H. Duehay	X				
Mr. Jonathan S. Myers	X				
Mrs. Sheila T. Russell		X			
Mr. Walter J. Sullivan			X		
Mr. Timothy J. Toomey, Jr.		X			
Mr. William H. Walsh		X			
Ms. Alice K. Wolf	X				
Mayor Kenneth E. Reeves	X				
	4	4	1		

Failed

C. C. 106

ORDINANCE COMMITTEE

City of Cambridge

MASSACHUSETTS

In City Council July 13 1993

Vice Mayor Cyr: Second Motion to Substitute

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr	X				
Mr. Francis H. Duehay		X			
Mr. Jonathan S. Myers			X		
Mrs. Sheila T. Russell	X				
Mr. Walter J. Sullivan			X		
Mr. Timothy J. Toomey, Jr.		X			
Mr. William H. Walsh	X				
Ms. Alice K. Wolf	X				
Mayor Kenneth E. Reeves	X				
	5	2	2		

Adopted

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Three

AN ORDINANCE

In amendment to an ordinance entitled "The Municipal Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

V. M. Ayer to substitute 2d Motion

Chapter 2.58 of the Code (Officers and Employees Generally) is hereby amended by striking out §2.58.010 thereof and substituting the following new §2.58.010:

2.58.010 Residency requirement - Exception

A. Every person, who, on or after the effective date of this section (, 1993), is first employed by the City of Cambridge, shall become a domiciled resident of the City within one year from the date of such employment. Any current employee residing in Cambridge and any new employee hired after the effective date of this section ~~and~~ shall remain a domiciled resident thereof during the term of such employment.

B. This section shall not apply to City employees who are specifically allowed by statute to reside outside City limits.

ORD##\Residenc.Req\s258010

C. C. 106

ORDINANCE COMMITTEE

City of Cambridge

MASSACHUSETTS

In City Council July 13 1993

Councillor Russell: Moved that the proposed ordinance be referred to the full City Council while the information is requested from the City Manager.

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr	X				
Mr. Francis H. Duehay	X				
Mr. Jonathan S. Myers			X		
Mrs. Sheila T. Russell	X				
Mr. Walter J. Sullivan		(2) X	(1) X		
Mr. Timothy J. Toomey, Jr.	X				
Mr. William H. Walsh	X				
Ms. Alice K. Wolf		X			
Mayor Kenneth E. Reeves		X			
(1)	5	2	2		
(2)	5	3	1		

Adopted

FIRST PUBLICATION NO. 2627.

AMENDED TEXT

CITY OF CAMBRIDGE

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A. Every person, who, on or after the effective date of this section is first employed by the City of Cambridge, shall become a domiciled resident of the City within one year from the date of such employment and any new employee hired after the effective date of this section shall remain a domiciled resident thereof during the term of such employment.

B. This section shall not apply to City employees who are specifically allowed by statute to reside outside City limits.

C. This ordinance shall take effect upon passage.

Passed to a second reading at the City Council meeting held on August 2, 1993 and on or after August 16, 1993 the question comes on passing to be ordained.

ATTEST:-

D. Margaret Drury
City Clerk

9/27/93 - AMENDED TEXT REFERRED BACK TO THE ORDINANCE COMMITTEE ON A ROLL CALL VOTE 5 - 4 - 0.

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B. This section shall not apply to City employees who are specifically allowed by statute to reside outside City limits.

C. This ordinance shall take effect upon passage.

Passed to a second reading at the City Council meeting held on August 2, 1993 and on or after August 16, 1993 the question comes on passing to be ordained.

ATTEST:-

D. Margaret Drury
City Clerk

FIRST PUBLICATION NO. 2627.

CITY OF CAMBRIDGE

In the year One Thousand, Nine Hundred Ninety-Three

An Ordinance

In amendment to an ordinance entitled "The Municipal Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter 2.58 of the Code (Officers and Employees Generally) is hereby amended by striking out §2.58.010 thereof and substituting the following new §2.58.010:

2.58.010 Residency requirement--Exception

A. Every person, who, on or after the effective date of this section is first employed by the City of Cambridge, shall become a domiciled resident of the City within one year from the date of such employment ~~and~~. Any current employee residing in Cambridge and any new employee hired after the effective date of this section shall remain a domiciled resident thereof during the term of such employment.

B. This section shall not apply to City employees who are specifically allowed by statute to reside outside City limits.

C. This ordinance shall take effect upon passage.

Passed to a second reading at the City Council meeting held on August 2, 1993 and on or after August 16, 1993 the question comes on passing to be ordained.

ATTEST:-

D. Margaret Drury
City Clerk

C. C. 106

C

City of Cambridge

MASSACHUSETTS

Unfinished Bus #3

In City Council 9/27 1993

Refer to Ord Committee

YEA	NAY	ABSENT	PRESENT	
✓				Mr. Ed Cyr
✓				Mr. Francis H. Duehay
✓				Mr. Jonathan S. Myers
	✓			Mrs. Sheila T. Russell
	✓			Mr. Walter J. Sullivan
	✓			Mr. Timothy J. Toomey, Jr.
	✓			Mr. William H. Walsh
✓				Ms. Alice K. Wolf
✓				Mayor Kenneth E. Reeves
5	4	0	0	

C. C. 106

City of Cambridge

MASSACHUSETTS

Unfinished Business #3 In City Council 9/27 1993

Residency Requirement - Amend to Municipal Code

C. Russell amend to delete requirement that current employees must stay residents

YEA	NAY	ABSENT	PRESENT	
			✓	Mr. Ed Cyr
	✓			Mr. Francis H. Duehay
✓				Mr. Jonathan S. Myers
✓				Mrs. Sheila T. Russell
✓				Mr. Walter J. Sullivan
✓				Mr. Timothy J. Toomey, Jr.
✓				Mr. William H. Walsh
	✓			Ms. Alice K. Wolf
	✓			Mayor Kenneth E. Reeves
5	4	0	1	

FIRST PUBLICATION NO. 2627.

CITY OF CAMBRIDGE

In the year One Thousand, Nine Hundred Ninety-Three

An Ordinance

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B. This section shall not apply to City employees who are specifically allowed by statute to reside outside City limits.

C. This ordinance shall take effect upon passage.

Passed to a second reading at the City Council meeting held on August 2, 1993 and on or after August 16, 1993 the question comes on passing to be ordained.

ATTEST:-

D. Margaret Drury
City Clerk

CCM-101

City of Cambridge

AMENDED ORDER
CALENDAR ITEM # 7
IN CITY COUNCIL

December 14, 1992
December 21, 1992

COUNCILLOR RUSSELL

WHEREAS: Many Cambridge residents are willing and well-qualified to work but cannot find jobs; now therefore be it

ORDERED: That the City Manager be and hereby is requested to direct the City Solicitor to draft an amendment to the Municipal Code to require that for all jobs that become available in the future where the City of Cambridge is the employer, the jobs shall be filled by Cambridge residents, except for specific categories of jobs where such a requirement is prohibited by state statute; and be it further

ORDERED: That the City Manager be and hereby is requested to report back to the City Council on this matter within one month.

In City Council December 21, 1992.
Adopted as amended by a yea and nay vote:
Yeas 5; Nays 4; Absent 0.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:- D. Margaret Drury

D. Margaret Drury
City Clerk

C. C. 108

Ordenance Committee

City of Cambridge

MASSACHUSETTS

V. M Cyr
1st Substitute
To strike "first employed"

In City Council 7/13 1993

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr	✓				
Mr. Francis H. Duehay		✓			
Mr. Jonathan S. Myers		✓			
Mrs. Sheila T. Russell		✓			
Mr. Walter J. Sullivan			✓		
Mr. Timothy J. Toomey, Jr.	✓				
Mr. William H. Walsh	✓				
Ms. Alice K. Wolf		✓			
Mayor Kenneth E. Reeves		✓			
	3	5	1		

Failed

C. C. 108

Ordinance Committee

City of Cambridge

MASSACHUSETTS

In City Council 7/13 1993

J M

Table the ~~Proj~~ Matter in Committee pending receipt of requested info

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr		✓			
Mr. Francis H. Duehay	✓				
Mr. Jonathan S. Myers	✓				
Mrs. Sheila T. Russell		✓			
Mr. Walter J. Sullivan			✓		
Mr. Timothy J. Toomey, Jr.		✓			
Mr. William H. Walsh		✓			
Ms. Alice K. Wolf	✓				
Mayor Kenneth E. Reeves	✓				
	4	4	1		

Failed

C. C. 106 Ord. Com

City of Cambridge

C. Toomey

MASSACHUSETTS

To draft home rule legislation to eliminate exemptions allowed under state law

In City Council 7/13 1993

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr	✓				
Mr. Francis H. Duehay		✓			
Mr. Jonathan S. Myers				✓	
Mrs. Sheila T. Russell	✓				
Mr. Walter J. Sullivan			✓		
Mr. Timothy J. Toomey, Jr.	✓				
Mr. William H. Walsh	✓				
Ms. Alice K. Wolf		✓			
Mayor Kenneth E. Reeves				✓	
	4	2	1	0	

Failed

C. C. 108

Ord Committee

City of Cambridge

C. Russell:
Moved that the proposed ord. be referred to the full City Council, ~~and that~~ while one w/draw is requested from one C.M.O

MASSACHUSETTS

In City Council 7/13 1993

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr	✓				
Mr. Francis H. Duehay	✓				
Mr. Jonathan S. Myers			✓		
Mrs. Sheila T. Russell	✓				
Mr. Walter J. Sullivan		(2) ✓	(1) NV		
Mr. Timothy J. Toomey, Jr.	✓				
Mr. William H. Walsh	✓				
Ms. Alice K. Wolf	NV	✓			
Mayor Kenneth E. Reeves		✓			
(1)	5	2	2		
(2)	5	3	1		

Adopted

C. C. 108

Ordinance Committee

City of Cambridge

MASSACHUSETTS

V M Cyr:
2d Motion to substitute

In City Council 7/13 1993

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr	✓				
Mr. Francis H. Duehay		✓			
Mr. Jonathan S. Myers			✓		
Mrs. Sheila T. Russell	✓				
Mr. Walter J. Sullivan			✓		
Mr. Timothy J. Toomey, Jr.		✓			
Mr. William H. Walsh	✓				
Ms. Alice K. Wolf	✓				
Mayor Kenneth E. Reeves	✓				
	5	2	2		

VM

Adopted

C. C. 106

Committee Report
#6
Committee ~~[illegible]~~ recommend - Residency requirement
Passed to second reading
C. Russell
moved

City of Cambridge

MASSACHUSETTS

In City Council 8/2 1993

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr	✓				
Mr. Francis H. Duehay		✓			
Mr. Jonathan S. Myers		✓			
Mrs. Sheila T. Russell	✓				
Mr. Walter J. Sullivan	✓		~~A~~		
Mr. Timothy J. Toomey, Jr.	✓				
Mr. William H. Walsh	✓				
Ms. Alice K. Wolf		✓			
Mayor Kenneth E. Reeves		✓			
	5	4	0	0	

CITY OF CAMBRIDGE

Office of the City Solicitor
City Hall
795 Massachusetts Avenue
Cambridge, Massachusetts 02139
Tel. (617) 349-4121
Fax. (617) 349-4134

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Birge Albright
Legal Counsel

Gail S. Gabriel
Legal Counsel

Diane Wynshaw-Boris
Legal Counsel

Laura H. Yager
Legal Counsel

Linda A. Stamper
Legal Counsel

Arthur J. Goldberg
Legal Counsel

January 29, 1993

Robert W. Healy
City Manager
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Residency requirement for City employees
(Calendar item #7, 12/21/92)

Dear Mr. Healy:

In response to the above Order, I enclose an ordinance amendment for submission to the Council.

Very truly yours,

Russell B. Higley

RBH/jab
Enclosure

ORD#3\Residenc.Req\Healy.ltr

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Three

AN ORDINANCE

In amendment to an ordinance entitled "The Municipal Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

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B. This section shall not apply to City employees who are specifically allowed by statute to reside outside City limits.

ORD##\Residenc.Req\s258010

6

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139
TEL. 349-4300
FAX. 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

February 22, 1993

To The Honorable, The City Council:

With reference to Awaiting Report Item No. 14, regarding an amendment to the Municipal Code requiring all future jobs of the City of Cambridge to be filled by Cambridge residents, please find attached a response received from Russell B. Higley, City Solicitor relative to this issue.

Very truly yours,

Robert W. Healy
City Manager

RWH/mev
attachment

100% Recycled Paper

CITY OF CAMBRIDGE

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795 Massachusetts Avenue
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Laura H. Yager
Legal Counsel

Linda A. Stamper
Legal Counsel

Arthur J. Goldberg
Legal Counsel

July 19, 1993

Margaret Drury
City Clerk
City Hall
Cambridge, MA 02139

Re: Amendment to residency ordinance §2.58.010

Dear Ms. Drury:

Enclosed as you requested is the proposed amendment to the residency requirement of §2.58.010, with the additional language proposed by Councillor Cyr at the July 13 Ordinance Committee meeting.

Very truly yours,

Arthur J. Goldberg

Ord Committee 7/13/93 7pm
Minutes

(1)a

present AW, TT, SR, JM, EC, WW, KR
FD

The Ord Committee held a

C. Wolf convened at 7:05 and requested Clerk read the call of the meeting and the proposed Ord.

C. Wolf explained that C. Russell had proposed a residency requirement ~~in an order~~ ~~so that~~ ~~in amend~~ + that the City Solicitor had drafted the attached proposed ~~ord~~ ordinance in response to her order.

C. Russell spoke in support of the proposed ordinance. She said that as a City Councillor she meets many residents who are desperately in need of jobs and yet sees many city jobs filled by non-residents. ~~Resid~~ City jobs should be held by City residents

C. Tooney stated that he supports the proposal and asked what emp'ees would be exempt under state Law. Arthur Goldberg, Legal Counsel, City Solicitor's Office said that Ch 31 sect 58 exempts police + fire fighters. Teachers are exempt ~~and teachers~~ ~~under~~ Under G.L Ch 71 § 38. The teacher exemption includes

principals and some other categories of school administrators, not including clerical employees or maintenance employees.

C. Toomey asked whether Boston requires police to live there. Atty Goldberg said that he was not sure about Boston's ordinance but that it would require home rule legislation in Cambridge to eliminate the exemption provided by state law.

C. Wolf asked about the constitutionality of residency requirements. Mr. Goldberg A. ~~F.~~ said that the Supreme Judicial Court had struck down a residency requirement that required residence prior to employment. C. Wolf noted that ~~asked whether~~ the present ordinance appears to set a requirement prior to residency and asked whether it is unconstitutional. Mr. Goldberg said that it is unconstitutional.

C. Wolf asked how collective bargaining

would be affected. Mr. Goldberg said that union employees would have the right to bargain this provision, and it would not apply until it was bargained.

C. Norcy opened the hearing to public testimony from members of the public in support of the proposed amendment.

Jim McGrail, 20 Orchard Street, stated that he does support the proposed Ordinance, but it needs to have some beef behind it by having a home rule petition to eliminate the state-law exemptions and by making it clear to the unions that they will be expected to bargain this. He also asked about the purpose of the word "domiciled." Mr. Goldberg said that a resident could be someone who maintains an abode in Cambridge without spending much time here. "Domiciled" is a stricter standard requiring that the person actually live here.

Gerald Bergman, 82 Elm Street, stated that he supports residency requirements but is concerned that this would put a greater strain on the affordable housing stock. He suggests a requirement for a shorter time limit than one year, perhaps a requirement to move in within three months, which might encourage hiring existing Cambridge residents. He also supports looking at a home rule petition to eliminate the exemptions.

C. Russell agreed that a shorter time frame would discourage unbridled applicants and moved that the time frame be amended to 3 months

Neil Rothe, 106 Berkshire Street, said that he has some concerns about residency requirements,

especially for teachers, shrinking the available pool, especially of people of color. He strongly supports having city department heads and high level employees live in the city. He shares Mr. Bergman's concerns about the strain on the housing market, and the problems which would be created for low-paid employees trying to find affordable housing in Cambridge.

C. Toomey said that he believes it is extremely important for teachers ~~to~~ who have such a big voting role in shaping children's futures to be a part of the community.

Thomas P. Reed, 14 Foster Street, said that he agrees with the logic of ~~have~~ maximizing

the ~~man~~ number of Cons. residents employed since Cambridge seeks to have ~~all~~ private ~~prot.~~ employers employ residents.

→ He supports a local option bill rather than a home rule petition because he believes it could get more support. He suggests beginning with a percentage of new hires, for example 60%, rather than 100% as currently proposed.

C. Wolf then requested comments from those opposed to the proposed ordinance. No one testified in opposition. The public testimony portion of the hearing was then closed.

C. Myers said that he was not sure

that the proposal should include 100% of employees

¶ C. Myers asked whether ~~said that he agrees that~~ all top-ranking employees would ~~should~~ be covered, and said that he would like more information on what top-ranking employees are now City residents. He would like this information for the 20-30 top ranking employees in the City. ~~[illegible]~~

¶ C. Toomey said that he is not sure that information is relevant. C. Myers said that it would help to determine how realistic the proposed ordinance is.

C. Woelf asked why Cambridge could give weight to residence in civil service hiring of police in light of state law prohibiting a residency requirement for police and firefighters. She requested that ~~the [illegible]~~ Law Department provide this information to the Committee.

V. M. Cyr said that he agrees that high-level employees should live in the City but he is concerned about requiring lower-level and thus lower-paid employees to stay in Cambridge when it can mean that they cannot buy homes or otherwise afford housing. He asked what other Councillors think of this issue.

C. Toomey said that it cannot be presumed that housing is less expensive in surrounding communities.

Mayor Reeves said that he is not sure of the logic for a residency requirement when the performance between city residents and non-residents (The City Manager does not live in Cambridge) is indistinguishable from his point of view. He has

experience with 2 residency requirements - Detroit and Boston. In Detroit, the requirement was implemented because people were abandoning the city in large numbers. In Boston, the requirement is a sham.

Regarding teachers, he does not support the requirement, he wants freedom to hire the best, most qualified teachers for Cambridge children. Regarding firefighters and police, the best case can be made for a residency requirement because they are close in case of an emergency.

He would only support a residency requirement with no exemptions. He noted the high cost of housing in Cambridge and expressed concern about the ability of average employees to afford housing in Cambridge.

C. Walsh stated that Cambridge offers V. competitive salaries, so there should not be a problem of finding the best employees. He wished that the City Manager lived in the city

C. Wolf said that perhaps ~~the letters~~ there should be a system that ~~gives~~ operates like affirmative action to give a preference to residents and to require explanation if the resident is not hired.

V. M. Cyr said that he supported requiring high-level employees to live in the city, but he remarks concerned ~~believes~~ that requiring ~~so~~ lower-paid employees may mean that they cannot afford homeownership. He asked ~~how~~ ~~he~~ C whether ~~the~~ medical staff of the Cambridge Hospital would be covered, and whether that means that if the best surgeon available doesn't live in Cambridge, that surgeon cannot practice in Cambridge and serve Cambridge residents.

Jim McGrail, 20 Orchard Street spoke in support of requiring 100% of employees to be residents. There is an abundance of talent here.

M. Reeves said that it would be very short-sited to create a policy that means that the people who are from Cambridge cannot stay here.

C. Toomey moved that the Law Department prepare a home rule ~~petition~~ legislation to delete the exemptions to residency requirements allowed by state law. The motion ~~passed by unanimous voice vote~~ failed on a roll call vote.

C. Myers moved that proposed amendment remain in committee pending receiving additional information regarding where the department heads, City Manager, and assistant Deputy City and Assistant City Managers live.

C. Toomey asked for information regarding average median house price in surrounding communities.

C. Duehay requested a breakdown where of all employees live by department.

C. Duehay's + C. Toomey's amendments were accepted

V. M. Cyr moved ~~a substitute one~~ to substitute a motion to amend the language of the proposed amendment to require that current ~~Cambridge~~ city employees, as well as those hired after the effective date of the new ordinance, must remain residents during the entire time they are employed by the city. The motion was adopted by a roll call vote.

Councillor Russell moved that the proposed ordinance as amended be referred to the City Council, without awaiting the receipt of the information requested by Committee members. The motion was adopted on a roll call vote.

The hearing was adjourned at 8:30 p.m.

F - + - C -

C- A - K - W, Chair

C. C. 106

City of Cambridge

RECEIVED BY
OFFICE OF CITY CLERK
1993 JUN 25 PM 2:38
CAMBRIDGE MA.

HEARING SCHEDULE

Monday, June 28, 1993	5:30 P. M.	Regular City Council Meeting. (Sullivan Chamber)
	6:00 P. M.	The City Council will conduct a public hearing to receive a report from the Mayor's Commission on Cambridge as a Destination. (Sullivan Chamber)
Tuesday, July 13, 1993	5:00 P. M.	The Economic Development, Training & Employment Committee will conduct a public meeting to develop recommendations for the City Council on employment and training efforts. (Sullivan Chamber)
		The Ordinance Committee will conduct public hearings as follows:
	7:00 P. M.	Proposed amendment to the Municipal Ordinance to establish a residency requirement for city employees. (Sullivan Chamber)
	8:00 P. M.	Proposed amendment to Section 5.36.060 of the Municipal Ordinances to include Cambridge Street between Sumner Street and Maple Avenue as a restricted area for hawkers and peddlers. (Sullivan Chamber)

City of Cambridge

Thursday, July 15, 1993	5:00 P. M.	The Cable TV and Communications Committee will conduct a public hearing to consider the effect on Cambridge Cable TV of the 1992 Cable Television Consumer Protection and Competition Act. (Ackermann Room)
	7:00-10:00 P.M.	Special City Council Meeting to discuss how to maintain the habitability and affordability of the Rent Control stock. (Sullivan Chamber)
Monday, July 19, 1993	5:00 P. M.	The Ordinance Committee will conduct a public hearing to consider proposed amendments to Article 14.000, MXD Zoning District, of the Zoning ordinances of the City of Cambridge,including an amendment to exempt the MXD Zoning District from any additional requirements of Section 7.10 - Signs; and to consider proposed amendments to the Kendall Square. Urban Renewal Plan. (Sullivan Chamber)

City of Cambridge

Monday, August 2, 1993	4:00 P. M.	The City Council and the Planning Board will conduct a joint hearing on an application from Biogen pursuant to Chapter 121A of the Massachusetts General Laws. (Sullivan Chamber)
	5:30 P. M.	Special City Council Meeting. (Sullivan Chamber)
Tuesday, August 3, 1993	5:00 P. M.	The Economic Development, Training and Employment Committee will conduct a public meeting to develop recommendations for the City Council on employment and training efforts. (Sullivan Chamber)

CITY OF CAMBRIDGE

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Legal Counsel

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Diane Wynshaw-Boris
Legal Counsel

Laura H. Yager
Legal Counsel

Linda A. Stamper
Legal Counsel

Arthur J. Goldberg
Legal Counsel

January 29, 1993

Robert W. Healy
City Manager
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Residency requirement for City employees
(Calendar item #7, 12/21/92)

Dear Mr. Healy:

In response to the above Order, I enclose an ordinance amendment for submission to the Council.

Very truly yours,

Russell B. Higley

RBH/jab
Enclosure

ORD#3\Residenc.Req\Healy.ltr

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Three

AN ORDINANCE

In amendment to an ordinance entitled "The Municipal Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

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2.58.010 Residency requirement - Exception

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B. This section shall not apply to City employees who are specifically allowed by statute to reside outside City limits.

ORD##\Residenc.Req\s258010

6

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300
FAX. 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

February 22, 1993

To The Honorable, The City Council:

With reference to Awaiting Report Item No. 14, regarding an amendment to the Municipal Code requiring all future jobs of the City of Cambridge to be filled by Cambridge residents, please find attached a response received from Russell B. Higley, City Solicitor relative to this issue.

Very truly yours,

Robert W. Healy
City Manager

RWH/mev
attachment

100% Recycled Paper

C. C. 106

ORDINANCE COMMITTEE

City of Cambridge

MASSACHUSETTS

In City Council July 13 1993

Councillor Toomey: To draft home rule legislation to eliminate exemptions allowed under state law.

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr	X				
Mr. Francis H. Duehay		X			
Mr. Jonathan S. Myers				X	
Mrs. Sheila T. Russell	X				
Mr. Walter J. Sullivan			X		
Mr. Timothy J. Toomey, Jr.	X				
Mr. William H. Walsh	X				
Ms. Alice K. Wolf		X			
Mayor Kenneth E. Reeves				X	
	4	2	1	2	

Failed

C. C. 106

ORDINANCE COMMITTEE

City of Cambridge

MASSACHUSETTS

In City Council July 13 1993

Vice Mayor Cyr: First Substitution to strike "first employed"

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr	X				
Mr. Francis H. Duehay		X			
Mr. Jonathan S. Myers		X			
Mrs. Sheila T. Russell		X			
Mr. Walter J. Sullivan			X		
Mr. Timothy J. Toomey, Jr.	X				
Mr. William H. Walsh	X				
Ms. Alice K. Wolf		X			
Mayor Kenneth E. Reeves		X			
	3	5	1		

Failed

C. C. 106

ORDINANCE COMMITTEE

City of Cambridge

MASSACHUSETTS

In City Council July 13, 1993

Councillor Jonathan Myers: Table the Matter in Committee pending receipt of requested info

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr		X			
Mr. Francis H. Duehay	X				
Mr. Jonathan S. Myers	X				
Mrs. Sheila T. Russell		X			
Mr. Walter J. Sullivan			X		
Mr. Timothy J. Toomey, Jr.		X			
Mr. William H. Walsh		X			
Ms. Alice K. Wolf	X				
Mayor Kenneth E. Reeves	X				
	4	4	1		

Failed

C. C. 106

ORDINANCE COMMITTEE

City of Cambridge

MASSACHUSETTS

In City Council July 13 1993

Vice Mayor Cyr: Second Motion to Substitute

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr	X				
Mr. Francis H. Duehay		X			
Mr. Jonathan S. Myers			X		
Mrs. Sheila T. Russell	X				
Mr. Walter J. Sullivan			X		
Mr. Timothy J. Toomey, Jr.		X			
Mr. William H. Walsh	X				
Ms. Alice K. Wolf	X				
Mayor Kenneth E. Reeves	X				
	5	2	2		

Adopted

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Three

AN ORDINANCE

In amendment to an ordinance entitled "The Municipal Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

U. M. Ayer to substitute 2d Motion

Chapter 2.58 of the Code (Officers and Employees Generally) is hereby amended by striking out §2.58.010 thereof and substituting the following new §2.58.010:

2.58.010 Residency requirement - Exception

A. Every person, who, on or after the effective date of this section (, 1993), is first employed by the City of Cambridge, shall become a domiciled resident of the City within one year from the date of such employment, ~~and~~ shall remain a domiciled resident thereof during the term of such employment.

Any current employee residing in Cambridge as of the effective date of this section and any new employee hired after the effective date of this section

B. This section shall not apply to City employees who are specifically allowed by statute to reside outside City limits.

ORD##\Residenc.Req\s258010

C. C. 106

ORDINANCE COMMITTEE

City of Cambridge

MASSACHUSETTS

In City Council July 13 1993

Councillor Russell: Moved that the proposed ordinance be referred to the full City Council, while the information is requested from the City Manager.

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr	X				
Mr. Francis H. Duehay	X				
Mr. Jonathan S. Myers			X		
Mrs. Sheila T. Russell	X				
Mr. Walter J. Sullivan		(2) X	(1) X		
Mr. Timothy J. Toomey, Jr.	X				
Mr. William H. Walsh	X				
Ms. Alice K. Wolf		X			
Mayor Kenneth E. Reeves		X			

(1)	5	2	2
(2)	5	3	1

Adopted

City of Cambridge

The Ordinance Committee held a public hearing on July 13, 1993 beginning at 7:05 p.m. in the Sullivan Chamber, to consider a proposed amendment to the Municipal Ordinances to establish a residency requirement for city employees. Present at the hearing were Councillor Alice K. Wolf, Chair of the Committee, Councillor Sheila Russell, Mayor Kenneth E. Reeves, Councillor Timothy Toomey, Councillor Jonathan Myers, Vice Mayor Edward Cyr, Councillor William Walsh and Councillor Francis Duehay.

Councillor Wolf convened the hearing and requested that the City Clerk read the proposed amendment. She explained that the proposed ordinance had been drafted by the City Solicitor in response to Councillor Russell's order for a proposal for a residency requirement, and requested that Councillor Russell discuss the proposed ordinance.

Councillor Russell spoke in support of the proposed ordinance. She said that as a City Councillor she meets many residents who are desperately in need of jobs and yet sees many city jobs filled by non-residents. City jobs should be held by City residents.

Councillor Toomey stated that he supports the proposal and asked what employees would be exempt under state law. Arthur Goldberg, Legal Counsel, City Solicitor's Office said that Chapter 31 Sec. 58 exempts police and firefighters. Teachers are exempt Under G.L.ch 71 Sec. 38. The teacher exemption includes principals and some other categories of school administration, not including clerical employees or maintenance employees.

Councillor Toomey asked whether Boston requires police to live there. Arthur Goldberg, Legal Counsel, City Solicitor's Office, said that he was not sure about Boston's Ordinance but that it would require home rule legislation in Cambridge to eliminate the exemption provided by state law.

Councillor Wolf asked about the constitutionality of residency requirements. Mr. Goldberg said that the Supreme Judicial Court had struck down a residency requirement that required residence previous to employment. Councillor Wolf noted that the present ordinance section appears to require previous residency and asked whether it is unconstitutional. Mr. Goldberg said that it is unconstitutional.

Councillor Wolf asked how collective bargaining would be affected. Mr. Goldberg said that union employees would have the right to bargain this provision, and it would not apply until it was bargained.

Councillor Wolf opened the hearing to public testimony from members of the public in support of the proposed amendment.

Jim McGrail, 20 Orchard Street, stated that he does support the proposed ordinance, but it needs to have some beef behind it by having a home rule petition to eliminate the state-law exemptions and by making it clear to the unions that they will be expected to bargain this. He also asked about the purpose of the word "domiciled". Mr. Goldberg said that a resident could be someone who maintains an abode in Cambridge without spending much time here. "Domiciled" is a stricter standard requiring that the person actually lives here.

Gerald Bergman, 82 Elm Street, stated that he supports residency requirements but is concerned that this would put a greater strain on the affordable housing stock. He suggests a requirement for a shorter time limit than one year, perhaps a requirement to move in within three months, which might encourage hiring existing Cambridge residents. He also supports looking at a home rule petition to eliminate the exemption.

Councillor Russell agreed that a shorter time frame would discourage outside applicants and moved that the time frame be amended to 3 months.

Neil Rohr, 106 Berkshire Street, said that he has some concerns about residency requirements, especially for teachers, shrinking the available pool, especially of people of color. He strongly supports having city department heads and high level employees live in the City. He shares Mr. Bergman's concerns about the strain on the housing market, and the problems which would be created for low-paid employees trying to find affordable housing in Cambridge.

Councillor Toomey said that he believes it is extremely important for teachers who have such a big policy role in shaping children's futures to be a part of the community.

Thomas P. Weed, 14 Foster Street, said that he agrees with the logic of maximizing the number of Cambridge residents employed since Cambridge seems to have private employers employ residents.

He supports a local option bill rather than a home rule petition because he believes it could get more support. He suggests beginning with a percentage of new hires, for example 60%, rather than 100% as currently proposed.

Councillor Wolf then requested comments from those opposed to the proposed ordinance. No one testified in opposition. The public testimony portion of the hearing was then closed.

Councillor Myers said that he was not sure that the proposal should include 100% of employees.

Councillor Myers asked whether all top-ranking employees would be covered, and said that he would like more information on what top-ranking employees are now City residents. He would like this information for the 20-30 top ranking employees in the City.

Councillor Toomey said that he is not sure that information is relevant. Councillor Myers said that it would help to determine how realistic the proposed ordinance is.

Councillor Wolf asked why Cambridge could give weight to residence in civil service hiring of police in light of state law prohibiting a residency requirement for police and firefighters. She requested that Law Department provide this information to the committee.

Vice Mayor Cyr said that he agrees that high-level employees should live in the City but he is concerned about requiring lower-level and those lower-paid employees to stay in Cambridge when it can mean that they cannot buy homes or otherwise afford housing. He asked what other Councilors think of this issue.

Councillor Toomey said that it cannot be presumed that housing is less expensive in surrounding communities.

Mayor Reeves said that he is not sure of the logic for a residency requirement when the performance between city residents and non-residents is indistinguishable from his point of view. The City Manager does not live in Cambridge. He has experience with two cities with residency requirements - Detroit and Boston. In Detroit, the requirement was implemented because people were abandoning the city in large numbers. In Boston, the requirement is a sham. Regarding teachers, he does not support the requirement; he wants freedom to hire the best, most qualified teachers for Cambridge children. Regarding firefighters and police, the best case can be made for a residency requirement because they are close in case of an emergency. He could only support a residency requirement with no exemptions. He noted the high cost of housing in Cambridge and expressed concern about the ability of average employees to afford housing in Cambridge.

Councillor Walsh stated that Cambridge offers very competitive salaries, so there should not be a problem of finding the best employees. He wishes that the City Manager lived in the City.

Councillor Wolf said that perhaps there should be a system that operates like affirmative action to give a preference to residents and to require explanation if the resident is not hired.

Vice Mayor Cyr said that he supported requiring high-level employees to live in the City, but he remains concerned that requiring lower-paid employees to live in Cambridge may mean that they cannot afford home ownership. He asked whether medical staff at the Cambridge Hospital would be covered, and whether that means that if the best surgeon available doesn't live in Cambridge, that surgeon cannot practice in Cambridge and serve Cambridge residents.

Jim McGrail, 20 Orchard Street spoke in support of requiring 100% of employees to be residents. There is an abundance of talent here.

Mayor Reeves said that it would be very short-sighted to create a policy that means that the people who are from Cambridge cannot stay here.

Councillor Toomey moved that the Law Department prepare home rule legislation to delete the exemptions to residency requirements allowed by state law. The motion failed on a roll call vote.

Councillor Myers moved that proposed amendment remain in committee pending receiving information regarding where the department heads, City Manager, and Deputy and Assistant City Manager live.

Councillor Toomey asked for information regarding average median house price in surrounding communities.

Councillor Duehay requested a breakdown of where all employees live by department.

Councillor Duehay and Councillor Toomey's amendments were accepted as friendly amendments by Councillor Myers..

Vice Mayor Cyr moved to substitute a motion to amend the language of the proposed amendment to require that current city employees, as well as those hired after the effective date of the new ordinance, must remain residents during the entire time they are employed by the City. The motion was adopted by a roll call vote.

Councillor Myers moved his previously proposed motion that the proposed ordinance remain in committee pending receipt of the requested information. The motion failed on a roll call vote.

Councillor Russell moved that the proposed ordinance as amended be referred to the City Council, without waiting for receipt of the information requested by Committee members. The motion was adopted on a roll call vote.

The hearing was adjourned at 8:30 p.m.

For the Committee

Alice K. Wolf

Councillor Alice K. Wolf, Chair

COMMITTEE REPORTS

Report from the Ordinance Committee
for a hearing held on July 13, 1993
regarding a proposed amendment to
the Municipal Code to establish a
residency requirement for city employees.

6/12/95- Placed on file
on motion of Vice Mayor
Russell.

In City Council,

August 2, 1993

Report accepted
Passed to a second
reading as amended
9/27/93- Left amended &
referred back to the
Ordinance Committee
5-4-0.

CCM-101

City of Cambridge

AMENDED ORDER
CALENDAR ITEM # 7
IN CITY COUNCIL

December 14, 1992
December 21, 1992

COUNCILLOR RUSSELL

WHEREAS: Many Cambridge residents are willing and well-qualified to work but cannot find jobs; now therefore be it

ORDERED: That the City Manager be and hereby is requested to direct the City Solicitor to draft an amendment to the Municipal Code to require that for all jobs that become available in the future where the City of Cambridge is the employer, the jobs shall be filled by Cambridge residents, except for specific categories of jobs where such a requirement is prohibited by state statute; and be it further

ORDERED: That the City Manager be and hereby is requested to report back to the City Council on this matter within one month.

In City Council December 21, 1992.
Adopted as amended by a yea and nay vote:
Yeas 5; Nays 4; Absent 0.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:- D. Margaret Drury

D. Margaret Drury
City Clerk

CITY OF CAMBRIDGE

Office of the City Solicitor
City Hall
795 Massachusetts Avenue
Cambridge, Massachusetts 02139
Tel. (617) 349-4121
Fax. (617) 349-4134

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Birge Albright
Legal Counsel

Gail S. Gabriel
Legal Counsel

Diane Wynshaw-Boris
Legal Counsel

Laura H. Yager
Legal Counsel

Linda A. Stamper
Legal Counsel

Arthur J. Goldberg
Legal Counsel

January 29, 1993

Robert W. Healy
City Manager
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Residency requirement for City employees
(Calendar item #7, 12/21/92)

Dear Mr. Healy:

In response to the above Order, I enclose an ordinance amendment for submission to the Council.

Very truly yours,

Russell B. Higley

RBH/jab
Enclosure

ORD#3\Residenc.Req\Healy.ltr

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Three

AN ORDINANCE

In amendment to an ordinance entitled "The Municipal Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter 2.58 of the Code (Officers and Employees Generally) is hereby amended by striking out §2.58.010 thereof and substituting the following new §2.58.010:

2.58.010 Residency requirement - Exception

A. Every person, who, on or after the effective date of this section (, 1993), is first employed by the City of Cambridge, shall become a domiciled resident of the City within one year from the date of such employment, and shall remain a domiciled resident thereof during the term of such employment.

B. This section shall not apply to City employees who are specifically allowed by statute to reside outside City limits.

ORD##\Residenc.Req\s258010

6

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300
FAX. 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

February 22, 1993

To The Honorable, The City Council:

With reference to Awaiting Report Item No. 14, regarding an amendment to the Municipal Code requiring all future jobs of the City of Cambridge to be filled by Cambridge residents, please find attached a response received from Russell B. Higley, City Solicitor relative to this issue.

Very truly yours,

Robert W. Healy
City Manager

RWH/mev
attachment

100% Recycled Paper

CCM-101

City of Cambridge

AMENDED ORDER
CALENDAR ITEM # 7
IN CITY COUNCIL

December 14, 1992
December 21, 1992

COUNCILLOR RUSSELL

WHEREAS: Many Cambridge residents are willing and well-qualified to work but cannot find jobs; now therefore be it

ORDERED: That the City Manager be and hereby is requested to direct the City Solicitor to draft an amendment to the Municipal Code to require that for all jobs that become available in the future where the City of Cambridge is the employer, the jobs shall be filled by Cambridge residents, except for specific categories of jobs where such a requirement is prohibited by state statute; and be it further

ORDERED: That the City Manager be and hereby is requested to report back to the City Council on this matter within one month.

In City Council December 21, 1992.
Adopted as amended by a yea and nay vote:
Yeas 5; Nays 4; Absent 0.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:- D. Margaret Drury

D. Margaret Drury
City Clerk

CCM-101

City of Cambridge

12.

IN CITY COUNCIL

May 17, 1993

COUNCILLOR RUSSELL

ORDERED: That the Chair of the Ordinance Committee be and hereby is requested to update this City Council with the schedule of a hearing on the proposed amendment to the Cambridge Municipal Code in Chapter 2.58 by substituting a new subsection 2.58.010 Residency requirement - Exception.

In City Council May 17, 1993.
Adopted by the affirmative vote of eight members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:- D. Margaret Drury

D. Margaret Drury
City Clerk

12/Nov

Non-Consent

May 17, 1993

Councillor Russell

ORDERED: That the Chair of the Ordinance Committee be and hereby is requested to update this City Council on the with the schedule of a hearing on a proposed amendment to the Cambridge Municipal Code in Chapter 2.58 by substituting a new § 2.58.010 Residency requirement - Exception.

LEGAL NOTICES

MORTGAGEE'S NOTICE OF SALE OF REAL ESTATE
Premises: **182-184 Richdale Avenue**
Cambridge, Massachusetts

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Deborah A. Heald, Peter H. Heald, John T. Perkins** a/k/a John J. Perkins, a/k/a John Perkins, and Paige W. Perkins to Progressive Consumers Federal Credit Union dated March 19, 1986, and recorded with Middlesex County (Southern District) Registry District of the Land Court in Document No. 702766, Certificate of Title No. 172356 of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 10:00 A.M. on the 8th day of December, A.D. 1993, upon the mortgaged premises, **182-184 Richdale Avenue,** Cambridge, Massachusetts, as described below, all and singular the premises described in said mortgage,

To wit:

The land in Cambridge, with the buildings thereon, in the County of Middlesex and said Commonwealth, bounded and described as follows:

NORTHEASTERLY: by Richdale Avenue, forty feet;

SOUTHEASTERLY by land now or formerly of Pietro Quattrocchi, one hundred feet;

SOUTHWESTERLY: by lands now or formerly of Ethel M. Jackson and of Lars P. Nelson, forty feet; and

NORTHWESTERLY: by land now or formerly of Michael Tierney, one hundred feet.

All of said boundaries are determined by the Court to be located as shown on a plan, as modified and approved by the Court, filed in the Land Registration Office, a copy of a portion of which is filed in the Registry of Deeds for the South Registry District of Middlesex County in Registration Book 84, Page 177, with Certificate 12831.

The above described land is subject to the passageway rights, stipulation and agreement set forth in Document 276350.

For Title Reference, see Certificate of Title No, 172356, Bk 992, Pg 6.

TERMS OF SALE: Said premises will be sold and conveyed subject to all outstanding municipal or other public taxes, tax titles, assessments, liens or claims in the nature of liens, rights of tenants and parties in possession, and existing encumbrances of record, if any, which take precedence over the said mortgage above described.

FIVE THOUSAND DOLLARS and NO/100 ($5,000.00) must be paid by certified, bank, treasurer's or cashier's check at the time and place of the sale by the purchaser as a deposit. The balance of the purchase price is to be paid in cash or by certified check, bank cashier's check or bank treasurer's check within 30 days thereafter at the Law Offices of Shapiro & Kreisman, 492 Old Connecticut Path, Framingham, MA 01701 (508) 872-0221.

Other terms to be announced at the sale.

FEDERAL HOME LOAN MORTGAGE CORPORATION
PRESENT HOLDER OF SAID MORTGAGE
(C)Nov.11,18,25,Dec.2
#25378

MORTGAGEE'S SALE OF REAL ESTATE

BY VIRTUE AND IN EXECUTION OF THE POWER OF SALE contained in a certain mortgage given by **David Hariri, a/k/a Mohammad Hariri,** of Woburn, Massachusetts, to National Bank of Greece, S.A. of Boston, Massachusetts, dated March 8, 1991, and recorded with the Middlesex County (Southern District) Registry of Deeds at Book 21060, Page 179, of which mortgaged the undersigned National Bank of Greece, S.A. is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 10:00 a.m. on the 14th day of December, 1993, on the mortgaged premises, the post office address of which is **24-26 Howard Street,** Cambridge, Massachusetts, and **210-212 Western Avenue,** Cambridge, Massachusetts, all and singular, the premises described in said mortgage, to wit:

The land with the buildings thereon in Cambridge, Middlesex County, MA, known and numbered 210-212 Western Avenue and 24-26 Howard Street, being a portion of Lot 39 as shown on a plan of "House Lots in Cambridge-Port belonging to the Dana Estate" August 1833, recorded with South Middlesex Deeds, Plan Book 17A, Plan 15, bounded and described as follows:

NORTHERLY: by Western Avenue, fifty (50) feet;

WESTERLY: By Howard Street, sixty (60) feet;

SOUTHERLY: By land now or formerly of Thomas Isaac, fifty (50) feet; and

EASTERLY: By land now or late of G.D. Jackson and land of owner or owners unknown, sixty (60) feet.

Containing 3,000 square feet, more or less.

TERMS OF SALE

The premises will be sold subject to all prior mortgages, restrictions, easements, covenants, and existing encumbrances of record, if any there are, all unpaid taxes and assessments, tax sales, tax titles, and other municipal liens and water liens, if any there are. The highest bidder shall be required to deposit TEN THOUSAND AND 00/100 ($10,000.00) DOLLARS in cash or by certified check or by bank cashier's check at the time and place of sale, and the balance shall be due within thirty (30) days from the date of sale at the attorneys for the Mortgagee. Other terms to be announced at the sale.

NATIONAL BANK OF GREECE, S.A.
Present holder of mortgage,
By its attorney,
MICHAEL S. FIELD
Field & Schultz
One Bulfinch Place
Boston, MA 02114

(C)Nov.18,25,Dec.2
#34768

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the POWER OF SALE contained in a certain mortgage given by **Donald Owen** to University Bank dated November 3, 1978 and recorded with the Middlesex South Registry of Deeds at Book 13576 and Page 390 of which mortgage the undersigned is the present holder by virtue of assignment dated September 7, 1993 and recorded as instrument #1206, for breach of the conditions of said mortgage and for the purpose of foreclosing, the same will be sold at Public Auction at 2:00 p.m. Friday, December 17, 1993, on the mortgaged premises now known as and numbered **Unit #5, 28 Lee Street Condominium, 28 Lee Street,** Cambridge, Middlesex South Registry, Massachusetts, all and singular the premises described in said Mortgage:

In the 28 Lee Street Condominium (a condominium subject to Massachusetts general Laws, Chapter 183A in Cambridge, Middlesex County, created by Master deed dated May 4, 1978, recorded with Middlesex South Registry of Deeds, Book 13436, Page 538.

UNIT #5

The address of which is Unit #5, 28 Lee Street, Cambridge, Massachusetts, together with an undivided 16.66 percent interest appertaining to said Unit in the common areas and facilities of said condominium, and together with the rights and easements appurtenant to said Unit as set forth on said Master deed. Attached hereto is a copy of a portion of the plans attached to said Master Deed bearing the verified statement of a registered architect certifying that it shows the unit designation of the unit hereby being conveyed and of immediately adjoining units, and that it fully and accurately depicts the layout of the Unit hereby conveyed, its location, dimensions, approximate area, main entrance, and immediate common areas to which it has access, as built.

Said Unit is subject to the restrictions as set forth in Section 8 of said Master Deed.

For title reference see deed recorded with said Registry of Deeds in Book 13576, Page 387.

Said premises will be sold subject to above matters and to all restrictions, easements, improvements, outstanding tax titles, municipal or public taxes, assessments, liens or claims in the nature of liens, and existing encumbrances of record, if there be any, and all encumbrances of record which are prior to said mortgage.

TERMS OF SALE: Two Thousand Five Hundred Dollars ($2,500.00) Dollars will be required to be paid in cash or by certified or bank treasurer's or cashier's check by the purchaser at the time and place of sale as earnest money to be held at the option of the mortgagee as liquidated dam ages for any breach by the buyer. The balance is to be paid in cash or by certified or bank treasurer's or cashier's check within Thirty (30) days thereafter at the firm of Kaye, Fialkow, Richmond & Rothstein at 100 Federal Street, Boston, Massachusetts 02110 at which time the deed is to be delivered.

Other terms, if any, to be announced at the sale.

Mortgage Properties Corp.
present holder of said mortgage
c/o Peter Wittenborg,
Attorney for Mortgagee
Kaye, Fialkow, Richmond & Rothstein
100 Federal Street
Boston, MA 02110
Telephone (617) 482-6800

(C)Nov.18,25,Dec.2.9
#34732

COMMONWEALTH OF MASSACHUSETTS
Middlesex County ss. Probate Court No. 93D-3727ANI

Summons by Publication
Davis Bliss Plaintiff
vs.
Colin Simpson Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, Davis Bliss, seeking an annulment.

You are required to serve upon Davis Bliss, plaintiff, whose address is 90 Lexington Ave., Cambridge, MA your answer on or before January 31, 1994. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.

October 22-93

Donna M. Lambert, Register of Probate

(C)Nov.18,25,Dec.1
#34759

Notice of sale

To: **Brodie Auto Rental**
24 Elliot St.
Cambridge, MA 02139

Pat's Tow Service, Inc. of 94 Prospect Street, Somerville, Ma. 02143 has in it's possession a 1985 Buick, Veh. ID #1G4AH19EXF6425891 and last registered in MA.

This vehicle has been in the possession of Pat's Tow Service since 4-13-93 and has not been claimed after due notice.

This vehicle will be sold at public sale, at Pat's Tow Service, Inc. 94 Prospect St. Somerville, Ma. 02143 on 12-6-93.

Walter Tauro
Pat's Tow Service, Inc.

(C)Nov.18,25,Dec.2
#34730

Notice of Sale

To: **Brodie Auto Rental**
24 Elliot St.
Cambridge, MA 02139

Pat's Towing Service, Inc. of 94 Prospect Street, Somerville, Ma. 02143 has in it's possession a 1986 Dodge Colt, Veh. ID # JB3BA24K3GU048772 and last registered in Ma.

This vehicle has been in the possession of Pat's Tow Service since 4-13-93 and has not been claimed after due notice.

This vehicle will be sold at public sale, at Pat's Tow Service, Inc. 94 Prospect St. Somerville, Ma. 02143 on 12-6-93.

Walter Tauro
Pat's Tow Service

(C)Nov.18,25,Dec.2
#34731

LEGAL NOTICE
MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage (the "Mortgage") given by John J. Courtney ("Mortgagor"), to Rack Metzger ("Mortgagee"), which Mortgage is dated November 21, 1986, recorded with the Middlesex South Registry of Deeds (the "Registry") in Book 17872, Page 489, of which Mortgage the undersigned is the present holder, for breach of the conditions of said Mortgage and for the purpose of foreclosing the same, there will be sold at Public Auction at 2:00 p.m. on the 16th day of December, 1993, on the mortgaged premises located at 2508 Massachusetts Avenue, Cambridge, Middlesex County, Massachusetts, all and singular, the premises described in said mortgage; to wit:

A certain parcel of land with the buildings thereon situated in Cambridge, being now numbered 2508 Massachusetts Avenue and being shown as Lot 14 on a plan entitled "Plan of Land in North Cambridge Belonging to Francis R. Henderson", dated May 1890, by J.D. Goodwin, Surveyor, recorded with Middlesex South District Deeds, Plan Book 63, Plan 9, being bounded and described as follows:

NORTHEASTERLY by said Massachusetts Avenue, formerly called and shown on said plan as North Avenue, thirty (30) feet;

EASTERLY by land of owners unknown, eighty-eight and 93/100 (88.93) feet;

SOUTHWESTERLY by Lot 39 on said plan, eighty-seven and 54/100 (87.54) feet; and

NORTHWESTERLY by Lot 13 on said plan, seventy-nine and 90/100 (79.90) feet.

Containing 4496 square feet of land.

Said Mortgaged Premises will be sold subject to a Mortgage dated March 22, 1984 from John J. Courtney and Jean Marie Courtney to Haymarket Cooperative Bank, recorded with the Registry in Book 5494, Page 521.

Said sale shall be subject to and with the benefit of all rights, restrictions, easements, encroachments, improvements, outstanding tax titles, municipal or other public taxes, assessments, betterments, liens or claims in the nature of liens, encumbrances, and matters of occupancy rights of record created prior to or entitled to precedence over the Mortgage, if any there be.

Said Mortgaged Premises also will be sold subject to all leases and tenancies having priority over said Mortgage, to tenancies and occupation by persons on the Mortgaged Premises now and at the time of said auction which tenancies or occupations are subject to said Mortgage and to rights or claims of personal property installed by tenants or former tenants now located on the Mortgaged Premises.

TERMS OF SALE: Five Thousand ($5,000.00) Dollars shall be paid in cash or by certified or bank cashier's check by the purchaser at the time and place of sale, and the balance shall be paid in cash or by certified or bank cashier's check at the office of Goldstein & Manello, P.C., 265 Franklin Street, Boston, Massachusetts 02110 within thirty (30) days after the date of the sale and upon receipt of such funds, the deed for the Mortgaged Premises shall be delivered. The successful bidder shall be required to sign a Memorandum of Terms of Sale containing the foregoing terms at the Auction Sale.

Other terms, if any, to be announced at sale.

JAMES AND MARTA BATMASIAN
Present Holder of Said Mortgage
By their attorneys
GOLDSTEIN & MANELLO, P.C.
By: Jesse Geller, Esq.

(C)Nov.25,Dec.2,9
#34781

COMMONWEALTH OF MASSACHUSETTS
The Trial Court
Probate and Family Court Department
Middlesex Division Docket No. 93A0711-A1
CITATION
M.G.L. c. 210, § 6

In the Matter of **Kenneth Michael Bourque,** minor

To any unknown or unnamed father of parts unknown persons interested in a petition for the adoption of said child

A petition has been presented to said court by Richard D. Bencic, Sr. and Carolyn M. Bencic of Malden praying for leave to adopt said child

IF YOU DESIRE TO OBJECT THERETO YOU OR YOUR ATTORNEY MUST FILE A WRITTEN APPEARANCE IN SAID COURT AT Middlesex Probate & Family Court, 208 Cambridge Street, East Cambridge, MA 02141 before TEN O'CLOCK in the forenoon (10:00 A.M.) on Jan. 13, 1994.

Witness Sheila E. McGovern, Esquire, First Justice of said Court.

Date: Nov. 1,1993

Donna M. Lambert
Register of Probate

(C)Nov.25,Dec.2,9
#34778

COMMONWEALTH OF MASSACHUSETTS
Middlesex County ss. Probate Court No. 93D-3761-D1

Summons by Publication
Mohamed Louquid Plaintiff
vs.
Josephine Louquid Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, MOHAMED LOUQUID, seeking A DIVORCE BASED UPON IRRETRIEVABLE BREAKDOWN

You are required to serve upon ROBERT J. GAYNOR, plaintiff's attorney, whose address is ONE BOSTON PLACE, SUITE 1210 your answer on or before JANUARY 24, 1993. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.

Donna M. Lambert
Register of Probate

(C)Nov.25,Dec.2,9
#34783

REQUEST FOR PROPOSAL
REDEVELOPMENT OF HAMPSHIRE & COLUMBIA STREET SITE
AFFORDABLE HOUSING TRUST
CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

Sealed proposals will be received at the Office of the Purchasing Agent, Room 303, City Hall, 795 Massachusetts Avenue, Cambridge, Massachusetts 02139 until 11:00 A.M., on Thursday, January 13, 1994, at which time and place they will be publicly opened and read aloud for furnishing the following to the Cambridge Affordable Housing Trust:

Proposals for residential development in the City of Cambridge, Massachusetts. The property being offered through this Request for Proposals ("RFP") consists of approximately 36,000 square feet of vacant land on the Hampshire-Columbia Street site in Neighborhood Four.

A proposal will remain in effect for a period of 90 calendar days from the deadline for submission of proposals or until it is formally withdrawn, a contract is executed or this RFP is cancelled, whichever occurs first.

Copies of the Request for Proposal may be obtained at the Office of the Purchasing Agent on and after NOVEMBER 24, 1993, between the hours of 8:30 A.M. and 5:00 P.M.

Each successful offeror must be an Equal Opportunity Employer.

The City of Cambridge reserves the right to reject any or all proposals, waive any minor informalities in the proposal process, and accept the proposal deemed to be in the best interest of the City.

Each proposal must be delivered, along with three (3) additional proposal summaries in a sealed packaged, plainly marked "RFP for Redevelopment of Hampshire & Columbia Street Site Affordable Housing Trust" and addressed to Diane Wynshaw-Boris, Purchasing Agent, City of Cambridge, Room 303, City Hall, 795 Massachusetts Avenue, Cambridge, Ma. 02139.

Diane Wynshaw-Boris
Purchasing Agent

(C)Nov.25,Dec.2
#34748

REQUEST FOR PROPOSALS TO LEASE STATE OWNED PROPERTY AND FACILITIES WITHIN THE CHARLES RIVER RESERVATION AND BASIN
Memorial Drive, Cambridge, Massachusetts

The Commonwealth of Massachusetts' Division of Capital Planning and Operations (DCPO) is soliciting proposals from parties interested in a twenty-five (25) year lease of 38,625± SF of upland and land under the Charles River with a boathouse facility, ramp, floatation dock, slip facilities and premise's docks, subject to Metropolitan District Commission (MDC) conditions. Said land and facilities are located within the Charles River Reservation and Basin with approximately 250' frontage on the southerly side of Memorial Drive and 250' frontage on the Charles River in the City of Cambridge.

To receive a copy of the Request for Proposals, contact:

David D. Opatka, Property Transactions Manager
Office of the General Counsel
Division of Capital Planning and Operations
One Ashburton Place, Room 1505
Boston, Massachusetts 02108
Telephone (617) 727-4053 ext. 350

Deadline: Proposals must be received no later than 10:00 a.m. on Friday, December 24, 1993.

BY: Lark Jurev Palmero, Commissioner, DCPO

(C)Nov.25,Dec.2,9,16
#34773

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court No. 396849
NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Charles C. Peabody** late of Cambridge, in said County, deceased

You are hereby notified pursuant to Mass. R.Civ.P. Rule 72 that the 1st thru 4th accounts of Augustus W. Soule, Junior and G. West Saltonstall as Trustees (the fiduciaries) under the will of said deceased for the benefit of Margaret D. Peabody and others have been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said accounts, you or your attorney must file a written appearance in said Court at Cambridge on or before the 20th day of December, 1993, the return day of this citation. You may upon written request by registered or certified mail to the fiduciaries, or to the attorney for the fiduciaries, obtain without cost a copy of said accounts. If you desire to object to any item of said accounts, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciaries pursuant to Mass. R.Civ.P. Rule 5.

WITNESS, SHEILA E. McGOVERN, Esquire, First Judge of said Court, this 16th day of November, 1993.

Donna M. Lambert
Register

(C)Dec.2
#34860

CITY OF CAMBRIDGE
MASSACHUSETTS
BOARD OF ZONING APPEAL

The Board of Zoning Appeal, will hold a Public Meeting, THURSDAY, DECEMBER 16, 1993, in The Sullivan Chambers, City Hall, Cambridge, Massachusetts, the following cases will be heard:

7:45 P.M. CASE NO. 6822
198 ELM STREET Residence B Zone
JOSEPH CRUGNALE - ALEXANDRE A. ADAMS ATTORNEY

Variance: To convert occupancy from automotive supply to retail/office establishment. Art. 4.000, Sec. 4.34(D) (General Office Establishment). Sec. 4.35(A) 2 (Retail Establishment), Sec. 4.35(K) (Printing Shop Establishment).

8:00 P.M. CASE NO. 6823
177 PEMBERTON STREET Residence B Zone
PORTLAND STONE WARE CO. INC. - DONNA M. MORGAN

Variance: To construct a overhead door on an existing lean-to and put siding on. Art. 4.000, Sec. 4.37(J) (Wholesale Business & Storage Use Regulations). Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

8:15 P.M. CASE NO. 6824
15-17 FLAGG STREET Residence C-1 Zone
MR. & MRS. DERBAK

Variance: To construct three dormers to existing dwelling. Art. 8.000, Sec. 8.22 (Non-Conforming Structure). Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

8:30 P.M. CASE NO. 6825
158-160 APPLETON STREET Residence B Zone
SARAH L. CREIGHTON & MARGARET HUGHES

Variance: To legalize third floor apartment in an existing non-conforming Structure. Art. 8.000, Sec. 8.22 (Non-Conforming Structure). Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements). Sec. 5.26 (Conversion).

8:45 P.M. CASE NO. 6826
46-48 LEXINGTON AVENUE Residence B Zone
RONALD B. & JUDITH R. SCKOL-MARGOLIS

Variance: To construct a dormer on the third floor to be used as a bedroom. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

9:00 P.M. CASE NO. 6827
723-731 CAMBRIDGE STREET Business A Zone
PORTUGUESE RESTAURANT - MANUEL BARROS & MARIA VALENTE

Variance: To expand existing Restaurant with additional seating. Special Permit: To reduce the required amount of parking. Art. 5.000, Sec. 5.33 (Table of Dimensional Requirements). Art. 6.000, Sec. 6.35 (Reduction of Required Parking).

9:15 P.M. CASE NO. 6828
5 FOSTER PLACE Residence A-2 Zone
GILLIAN LEVINE

Variance: To construct a bay window on left side of dwelling. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

(C)Dec.2,9
#34857

NOTICE OF PROPOSED REORGANIZATION

Notice is hereby given that Cambridgeport Savings Bank, Cambridge, Massachusetts, has made application to the Federal Deposit Insurance Corporation, Washington, D.C. 20429, for its written consent to reorganize as a Massachusetts-chartered mutual holding company, to be known as Cambridgeport Mutual Holding Company, and to transfer the substantial part of its assets and liabilities to a Massachusetts-chartered subsidiary savings bank, to be known as Cambridgeport Bank, to be formed in connection with the proposed reorganization. It is contemplated that all of the offices of Cambridgeport Savings Bank will continue to be operated by Cambridgeport Bank following the proposed reorganization.

This notice is published pursuant to Section 10(c) of the Federal Deposit Insurance Act. Any person wishing to comment on this application may file his/her comments in writing with the Regional Director of the Federal Deposit Insurance Corporation at its Regional Office, Westwood Executive Center, 200 Lowder Brook Drive, Westwood, Massachusetts 02090. If any person desires to protest the granting of this application, such person has a right to do so if the protest is filed with the Regional Director by December 30, 1993. The nonconfidential portions of the application are on file in the Regional Office as part of the public file maintained by the Federal Deposit Insurance Corporation. This file is available for public inspection during regular business hours.

November 29, 1993

Cambridgeport Savings Bank
Cambridge, Massachusetts

(C)Dec.2,9,16,23,30
#34863

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY
COURT DEPARTMENT
Middlesex Division Docket No. 93P5325A
ADMINISTRATION WITHOUT SURETIES
Estate of **Nancy Peterson**
died July 27, 1993
late of **Cambridge,**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that William David Peterson of Pittsburgh in the Commonwealth of Pennsylvania be appointed administrator of said estate without giving surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on December 27, 1993.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the twenty third day of November in the year of our Lord one thousand nine hundred and ninety three.

Donna M. Lambert
Register of Probate Court

(C)Dec.2
#34861

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Caribiana, Inc., d/b/a Caribiana, Robert D. Jones, manager,** holder of an all alcoholic beverages as a restaurant license at 315-317 Massachusetts Avenue applied for a change of premises description and a change of d/b/a.

the change of d/b/a from Caribiana to Rhythm & Spice.

The premises are described as follows: One story store front containing 1700 sq. ft. on first floor and 1380 sq. ft. in basement. First floor: kitchen, dining room and bar; basement for storage.

The hearing on this application will be held on Tuesday evening, December 14, 1993 at 7:00 o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor hearing room, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34820

FIRST PUBLICATION NO. 2632.
CITY OF CAMBRIDGE
In the Year One Thousand, Nine Hundred and Ninety-Three
AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code"

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter 8.29 of the Cambridge Municipal Code is hereby repealed and replaced with the following new Chapter 8.29:

Chapter 8.29
PROHIBITION OF THE DISTRIBUTION OF TOBACCO PRODUCTS THROUGH VENDING MACHINES

Sections
8.29.010 Declaration of legislative findings
8.29.020 Definitions
8.29.030 Distribution of tobacco products through vending machines prohibited
8.29.040 Violation - Penalty
8.29.010 Declaration of legislative findings.

The City Council finds that the vast majority of smokers begin smoking in their teens or pre-teens. The health hazards posed by cigarettes and other tobacco products are well documented and the sale of tobacco in any form to persons under the age of eighteen is prohibited in this Commonwealth. However, cigarette vending machines in public places have provided unsupervised minors with easy access to cigarettes, in contravention of the policy in this Commonwealth. Accordingly, the City Council finds that the ability of unsupervised minors to obtain cigarettes and other tobacco products in violation of the law will be significantly reduced by prohibiting vending machines which dispense such products.

8.29.020 Definitions.

1. "Distribution" means the giving, selling, delivering, dispensing, issuing, offering to give, sell, deliver, dispense or issue, or causing or hiring any person to give, sell, deliver, dispense, issue or offer to give, sell, deliver, dispense or issue.

2. "Persons" means any natural person, corporation, partnership, firm, organization or other legal entity.

3. "Public place" means any area to which the public is invited or in which the public is permitted.

4. "Tobacco products" means any substance which contains tobacco, including but not limited to cigarettes, cigars, smoking tobacco and smokeless tobacco.

5. "Vending machine" means any self-service device offered for public use, which, upon insertion of a coin, coins, token, paper currency, or by other means, dispenses tobacco products.

8.29.030 Distribution of tobacco products through vending machines prohibited.

No person shall distribute or permit the distribution of a tobacco product through the operation of a vending machine in a public place.

8.29.040 Violation - Penalty.

Any person who knowingly violates any provision of this Chapter may be penalized by a noncriminal disposition as provided in G.L. c. 40, §21D. For purposes of this section, the following officials shall be enforcing persons: police officers, staff inspectors from the Cambridge License Commission; inspectors from the Inspectional Services Department and the Department of Health and Hospitals, and persons designated by the Assistant City Manager for Human Services.

The penalty for the first violation shall be one hundred dollars; for the second violation, two hundred dollars; and for all subsequent violations, three hundred dollars.

Each day of violation shall constitute a separate and distinct offense.

Passed to a second reading as amended at the City Council meeting held on November 22, 1993 and on or after December 13, 1993 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury
City Clerk

(C)Dec.2
#34824

THE CAMBRIDGE HOSPITAL
CITY OF CAMBRIDGE
REQUEST FOR CONSTRUCTION MANAGEMENT SERVICES

A. The Cambridge Hospital, in compliance with Massachusetts General Laws, Chapter 7, Sections 38A1/2-O, is requesting proposals to provide construction management services in connection with the design and construction of a new ambulatory care building with underground parking adjacent to the main hospital building. The project includes certain additions to existing buildings, approximately 80,000 square feet (sq. ft.) of new construction plus below grade parking for approximately 200 vehicles and associated renovations of existing spaces. Anticipated project cost is estimated at $40 million and approximate construction cost is $30-32 million. The duration of this multiphased project is estimated to be four to five years.

B. In evaluating applications attention will be paid to the following criteria:

1) Demonstrated experience in the construction management of hospital projects of similar scope and complexity, including projects located in dense residential urban neighborhoods of adjoining communities.

2) Demonstrated success working within a highly controlled budget, multi-phase construction and demanding time schedules.

3) Established record of achieving clients' construction management requirements during preconstruction and construction phases.

4) Evidence of adequate number of available qualified personnel and consultants, and of financial resources to perform the contract.

5) Demonstrated experience with the Massachusetts public construction process.

C. Requirements and additional criteria for selection are set forth in full in a Request for Proposals (RFP) which will be available on and after **November 30, 1993** from the Office of the Purchasing Agent, City Hall, 795 Massachusetts Avenue, Room 303, Cambridge, Massachusetts 02139. Proposals will be due no later than noon on **December 30, 1993.** A briefing session for all interested applicants will be held at 9:00 a.m. on **December 10, 1993** at the Lecture Hall, first floor of The Cambridge Hospital, 1493 Cambridge, Street, Cambridge, MA 02139.

D. The fee for the services described in the RFP shall be negotiated.

E. Any applicant awarded a contract for construction management services shall be precluded from bidding on any construction work related to this project.

F. The City of Cambridge reserves the right to reject any or all proposals. Proposals will be evaluated by a Designer Selection Committee following selection procedures adopted in writing pursuant to M.G.L. Chapter 7, Section 38K.

MBM/mac/CM-RFP-AD

(C)Dec.2
#34827

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY
COURT DEPARTMENT
Middlesex Division Docket No. 93P5249GPI
Notice of
GUARDIANSHIP - WITHOUT SURETIES
NOTICE

To **Rose Helene Hynes** of Cambridge in said County Middlesex and heirs apparent or presumptive:

A petition has been presented in the above-captioned matter alleging that said Rose Helene Hynes is a person unable to make or communicate informed decisions due to physical incapacity or illness and praying that Dorothy E. Boye of Cambridge in the County of Middlesex or some other suitable person be appointed her guardian.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before December 17, 1993.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge the eighteenth of November, in the year of our Lord one thousand nine hundred and ninety three.

Donna M. Lambert
Register of Probate Court

(C)Dec.2
#34813

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss Probate Court Docket No. 93P5309EF

To all persons interested in the estate of **Genevieve C. Harkins** late of Englewood in the County of Charlotte and State of Florida, deceased.

A petition has been presented to said Court, with certain papers purporting to be copies of the last will of said deceased, and of the probate thereof in said State of Florida duly authenticated, by G. Clark Harkins of Woburn, in the county of Middlesex, praying that a copy of said will may be filed and recorded in the Registry of Probate in said County of Middlesex, and that he be appointed executor thereunder without surety on his bond.

If you desire to object thereto you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the twenty seventh day of December 1993, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court this twenty fourth day of November 1993.

Donna M. Lambert
Register

(C)Dec.2
#34842

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court No. 91P4053AT
NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Christine J. Genettis** also known as Judi Genettis late of Cambridge, in said County, deceased

You are hereby notified pursuant to Mass. R.Civ.P. Rule 72 that the 1st thru 3rd and final accounts of Raymond H. Young Special Administrator (the fiduciary) of said estate of said deceased have been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said accounts, you or your attorney must file a written appearance in said Court at Cambridge on or before the 17th day of December, 1993, the return day of this citation. You may upon written request or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain without cost a copy of said accounts. If you desire to object to any item of said accounts, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R.Civ.P. Rule 5.

WITNESS, SHEILA E. McGOVERN, Esquire, First Judge of said Court, this 16th day of November, 1993.

Donna M. Lambert
Register

(C)Dec.2
#34812

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY
COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division Docket No. 93P4991E
Estate of **Donald T. Trautman**
Died on September 18, 1993
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that Susanah B. Trautman of Cambridge and David Westfall of Lexington both in the County of Middlesex be appointed executors without giving surety on their bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on December 17, 1993.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the seventeenth day of November in the year of our Lord one thousand nine hundred and ninety three.

Donna M. Lambert
Register of Probate

(C)Dec.2
#34810

The American Heart Association says cardiovascular disease kills an American every 34 seconds.

LEGAL NOTICES

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Valentine's, Inc. d/b/a The Kendall Cafe, James J. DeMassi, manager,** holder of an all alcoholic beverages as a restaurant license, at 233 Cardinal Medeiros Avenue has applied to transfer its license to CLT Enterprises, Inc., d/b/a Kendall Cafe, Matthew Leduc, manager at said address.

This applicant has also applied for an entertainment license to include: dancing by patrons; one (1) dart board; live musical instruments and/or vocalists, with amplification; one (1) juke box; audio tape machine only playing background music below ordinary conversation level; 5 TV's and two (2) video games.

Officers and directors of CLT Enterprises, Inc. are: Matthew Leduc, President and Director; Michael Creamer, Treasurer and Director; Michael Tallon, Clerk and Director.

The premises are described as follows: Two dining rooms, kitchen on the street floor with cellar for storage.

The hearing on this application will be held on Tuesday evening, December 14, 1993 at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue Cambridge.

Alex Rodriguez,, Kevin Fitzgerald
Henry Breen, License Commission

(C)Dec.2
#34815

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that Madaya Corp., doing business as **Cafe Cinderella, by El Habib Kovtaiby, Manager** has applied for a common victualer's license to be exercised on the 1st floor at 901-903 Main Street. Said license if granted would allow food and non-alcoholic beverages to be sold, served, and consumed on said premises, and to have a total occupancy of 34 persons. Said license if granted would be exercised from 6 a.m. to Midnight daily.

A hearing on said application will be held on Tuesday, December 14, 1993 at 6 p.m., in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue. Any person wishing to comment on said application may attend the hearing or such person may prior to the hearing submit a written statement to the License Commission, Michael J. Lombardi Municipal Building, 1st floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez, Kevin Fitzgerald
Henry Breen, License Commission

(C)Dec.2
#34821

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the POWER OF SALE contained in a certain mortgage given by **Judith Dearborn, Trustee** of Dearborn Trust u/dt dated March 15, 1988 recorded at Middlesex County (Southern District) Registry of Deeds Book 17025, Page 271, to NorthEastern Mortgage Company, Inc. dated May 23, 1986 and recorded with Middlesex County (Southern District) Registry of Deeds Book 17025, Page 277, of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 11:30 o'clock A.M. on the 28th day of December A.D. 1993, on the mortgaged premises, to wit: **Unit 2 in the Clinton Hall Condominium, 2 Clinton Street,** Cambridge, Massachusetts all and singular the premises described in said mortgage,

To Wit:

Condominium Unit No. 2 (the Unit) in the Condominium known as 2 Clinton Street Condominium (The Condominium), situated at 2 Clinton Street, Cambridge, Middlesex County, Massachusetts, created by a Master Deed (the Master Deed) dated and recorded July 23, 1979, and recorded in Middlesex South District Registry of Deeds Book 13745, Page 025, as amended.

The Unit is more particularly described in (1) the Master Deed, as amended, (2) such site and floor plans as have been recorded therewith, (3) the first Unit Deed thereof, and (4) copies of portions of such site and floor plans filed therewith. The Unit is conveyed together with an undivided 3.79% interest in the common areas and facilities of the Condominium and the same 3.79% interest in the Organization of Unit Owners known as 2 Clinton Street Condominium Trust (the Unit Owners Organization). The Unit and said undivided interests are together hereinafter referred to as the Mortgaged Premises.

The Mortgaged Premises are conveyed subject to the together with the benefit of (1) the provisions of Chapter 183A of the General Laws (Ter. Ed.) of the Commonwealth of Massachusetts, (2) the provisions and matters set forth and/or referred to in the Master Deed, (3) the provisions of the instrument creating the Unit Owners Organization and the By-Laws thereunder as recorded or filed with the Master Deed and such Rules and Regulations as may be promulgated thereunder, and (4) the provisions set forth and referred to in the Unit Deed of George N. Katsiaficas, Trustee of Hanna K. Realty Trust u/dt dated April 3, 1985, and recorded in Middlesex South Registry of Deeds in Book 16091, Page 412, recorded in Book 17025, Page 274, to which Unit Deed reference is herein made for the title of Mortgagor.

Said premises will be sold together with and subject to and/or with the benefit of any and all easements and restrictions of record and prior to the aforesaid mortgage, if any, to the extent that the same are now in force and applicable. Said premises will be sold subject to all unpaid taxes, outstanding tax titles and municipal liens and assessments, if any.

Terms of Sale:

FIVE THOUSAND DOLLARS ($5,000.00) will be required to be paid in cash or certified check or treasurer's check at the time and place of sale. The balance of the purchase price shall be paid in cash or certified check or treasurer's check at the time and place of sale. The balance of the purchase price shall be paid within twenty-one (21) days thereafter. In the event that the successful bidder at the public auction shall default in purchasing the premises according to the terms of this Notice of Mortgagee's Sale of Real Estate and/or the terms of the Memorandum of Sale executed at the public auction, the Mortgagee reserves the right, at its election, to sell the property by foreclosure deed to the second highest bidder at the public auction provided that said second highest bidder shall pay the amount of the required deposit as set forth herein within three (3) business days after written notice to the second highest bidder of the default of the previous highest bidder. The terms of sale with regard to the consideration paid by the second highest bidder shall be the same as described above.

Other terms to be announced at the sale.

November 24, 1993

Marine Midland Bank, N.A.
Current Mortgage Holder by its attorney,
Samuel D. Shrira, Esquire
31 Milk Street
Boston, MA 02109
(617) 542-3481

(C)Dec.2,9,16
#34826

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court No. 91P5461

NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Mary J. Maguire** of Cambridge, in said County, a mentally ill person.

You have hereby notified pursuant to Mass. R.Civ.P. Rule 72 that the 1st and final account of Kathleen P. Jarry as Temporary Guardian (the fiduciary) of the property of said Ward has been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said account, you or your attorney must file a written appearance in said Court at Cambridge on or before the 20th day of December, 1993, the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain without cost a copy of said account. If you desire to object to any item of said account, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R.Civ.P. Rule 5.

WITNESS, SHEILA E. McGOVERN, Esquire, First Judge of said Court, this 16th day of November, 1993.

Donna M. Lambert
Register

(C)Dec.2
#34831

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Dennis O'Connell d/b/a O'Kle's Canteen** for a peddler's license (mobile truck) to sell food, non-alcoholic beverages, Monday through Friday, 7 a.m. - 5 p.m.

The route is as follows: Shilling (Woodworks), 66 Hamilton St.; Citgo Gas Station, Broadway; Wheeler Manufacturing, 139 Brookline St.; Imogen, 260 Sydney St.; Cambridge Developer, 186 Putnam Ave.; Sky Publishing, 49 Bay State; Cambridge Lumber; Sambos, 9 Decatur St.; Mighty Motors, 12 Decatur St.; Mighty Motors, 12 Decatur St.; Auto Baun, 14 Decatur St.; Const. Huron Towers, Huron Ave.; Woodrow Wilson Ct. (Const.), Fairmont St.; Imogen, 260 Sydney St.; (Cambridge Developers; Mighty Motors; Auto Baun, Sambos; Putnam Ave., 12 Decatur St.; 14 Decatur St.; 9 Decatur St. afternoon route).

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez, Kevin Fitzgerald
Henry Breen, License Commission

(C)Dec.2
#34819

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Sanibel Limited d/b/a Castaways, Gregory P. Halpin, manager** has applied for a license to sell all alcoholic beverages as a restaurant at 757-768 Memorial Drive and 190-206 Pleasant Street. (Hub Bub portion of the Fenway-Cambridge Motor Hotel, Inc. d/b/a Howard Johnson's Motor Lodge)

The officers and directors of Sanibel Limited are: Gregory P. Halpin, President, Treasurer, Clerk and Director.

The premises are described as follows: Second floor: 1 room and foyer, kitchen, two entrances and exits into lobby: emergency exit from kitchen into alley; basement: two storage rooms.

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts, Cambridge.

Alex Rodriguez, Kevin Fitzgerald
Henry Breen, License Commission

(C)Dec.2
#34817

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Fenway Cambridge Motor Hotel, Inc. d/b/a Howard Johnson's Motor Lodge, Paul B. Dunleavy, manager** holder of an all alcoholic beverages as a hotel license at 757-768 Memorial Drive and 190-206 Pleasant Street has applied for a change of premises description.

The premises are described as follows: Meetings rooms, lobby, 2 lounges and restaurant on first floor, meeting and function rooms and lounge on second floor; 3 function rooms on 3rd floor; pool area on 5th floor, floors 2 through 15 are guest rooms.

The hearing on this application will be held on Tuesday evening, December 14, 1993, six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor hearing room, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez, Kevin Fitzgerald
Henry Breen, License Commission

(C)Dec.2
#34816

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Pursuant to General Laws, Chapter 140, notice is hereby given that the License Commission has received an application from **Improvisation Center of Boston, Inc. d/b/a Improv Boston** at 1253 Cambridge Street for an entertainment license to include one stage.

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez, Kevin Fitzgerald
Henry Breen, License Commission

(C)Dec.2
#34818

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Clonmacnois, Inc. d/b/a The Plough & The Stars, George F. Crawley, manager** holder of an all alcoholic beverages as a restaurant license at 912 Massachusetts Avenue has applied for a change of premises description and increase in capacity.

The capacity to change from 35 to 60.

The premises are described as follows: Dining room on first floor, cellar for storage and kitchen.

The hearing on this application will be held on Tuesday evening, December 14, 1993, six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor hearing room, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez,, Kevin Fitzgerald
Henry Breen, License Commission

(C)Dec.2
#34825

FIRST PUBLICATION NO. 2631
CITY OF CAMBRIDGE
In the Year One Thousand,
Nine Hundred Ninety-Three
AN ORDINANCE

In amendment to an ordinance entitled: "The Cambridge Municipal Code".

Be it ordained by the City Council of the City of Cambridge as follows:

That Chapter 2.58 of the Municipal Code entitled "Officers and Employees Generally" is hereby amended by striking out Section 2.58.010 and substituting in place thereof a new section 2.58.010 entitled "Residency of Employees" which reads as follows:

A. For every vacant position in City positions, as posted and/or advertised, there shall be an indication that Cambridge residents, especially, are invited to apply.

B. Consistent with State law, in interviewing and in the selection process, applicants for City of Cambridge positions who are Cambridge residents will be given special consideration.

C. Departments will be required to submit, along with affirmative action data, the statistics related to the employment of Cambridge residents. These statistics will be reviewed by the City Manager, and the Manager will report to the City Council on a regular basis as to the success the City is having in hiring Cambridge residents.

D. For all new positions filled at the level of Department Head or higher, every effort will be made to see that the employee reside in Cambridge. To the extent that is not feasible that this person reside in or move to the City of Cambridge, the City Manager, for those employees under his jurisdiction, will indicate the barriers that prevented such residency.

Passed to a second reading as amended at the City Council meeting held on November 22, 1993 and on or after December 13, 1993 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury
City Clerk

(C)Dec.2
#34823

LEGAL NOTICE
COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF
ENVIRONMENTAL PROTECTION

Pursuant to M.G.L. c. 21E, Section 14(a) and the Massachusetts Contingency Plan (310 CMR 40.00), the Department of Environmental Protection announces that a Preliminary Assessment and/or Limited Site Investigation has been performed at the following location: #3-0003897, MIT - PROPERTY, 112 SIDNEY STREET, CAMBRIDGE, MA.

This investigation has confirmed that a release of oil and/or hazardous materials has occurred at this location. Therefore, the Department has identified it as a confirmed disposal site. The Department has also determined that this site is a non-priority disposal site (as defined by M.G.L. c. 21E, Section 2). M.G.L. c. 21E, Section 3A (f) (3) requires, that, if feasible, permanent solutions be implemented at disposal sites. If a permanent solution is not feasible, then a temporary solution must be implemented, and a plan for achieving a permanent solution must be developed.

This site has also been granted a Waiver of Approvals by DEP. Waiver sites are non-priority disposal sites which have been granted a Waiver of Approvals by the Department, pursuant to 310 CMR 40.537. This waiver allows the person granted it to conduct remedial response actions at the disposal site without prior Department approval of these actions.

M.G.L. c. 21E and the Massachusetts Contingency Plan provide several opportunities for public notice of and involvement of decisions regarding response actions at disposal sites, including:

" The Chief Municipal Official and Board of Health of the community in which the site is located will be provided with notices of the results of investigations, plans for remedial responses, and field work involving the use of heavy construction equipment and/or protective clothing (310 CMR 40.202).

" Upon receipt of a petition from ten or more residents of the municipality in which the disposal site is located, or of a municipality potentially affected by a disposal site, a plan for involving the public in decisions regarding response actions at the site will be prepared and presented at a public meeting. This plan will be revised based on comments received, and will be implemented over the course of the response action (310 CMR 40.203).

For information on how to make an appointment to review the files and obtain more information on the confirmed disposal site referenced above, and the opportunities for public involvement during its remediation, please contact Karen Stromberg, DEP Northeast Regional Office, Site Assessment and Cleanup Section, 10 Commerce Way, Woburn, MA 01801 (Telephone: 617/935-2160).

Pursuant to M.G.L. c. 21E, Section 14 (a) and the Massachusetts Contingency Plan (310 CMR 40.00), the Department of Environmental Protection announces changes to a previously published notice concerning the classification of the following and/or hazardous material disposal site: #3-0000289, BELMONT OIL, 671 CONCORD STREET, CAMBRIDGE, MA.

DEP has reclassified this site due to new information. This site is now classified as a non-priority disposal site (as defined by M.G.L. c. 21E, Section 2).

For more information on the disposal site referenced above, and on opportunities for public involvement in remedial response actions, please contact Karen Stromberg, DEP Northeast Regional Office, Site Assessment and Cleanup Section, 10 Commerce Way, Woburn, MA 01801 (Telephone: 617/935-2160).

(C)Dec.2
#34832

LEGAL NOTICE

REQUEST FOR PROPOSALS. Employment Resources, Inc., has approximately $1,235,000 available in federal Job Training Partnership Act (JTPA) and state MassJOBS funding for education and training contracts for Fiscal Year 1995 (7/1/94 - 6/30/95). ERI is seeking proposals from interested parties to provide training and/or educational services to unemployed residents of the following cities and towns: Arlington, Belmont, Burlington, Cambridge, Chelsea, Everett, Malden, Medford, Melrose, North Reading, Reading, Revere, Somerville, Stoneham, Wakefield, Watertown, Wilmington, Winchester, Winthrop, and Woburn. Three requests for proposals will be issued: Occupational Skills Training, Education, and Special Youth Programs. Private profit or nonprofit firms, public organizations, women- and minority-owned businesses are encouraged to apply. Specification packages will be available on or after 12/16/93 and may be obtained at ERI or by calling Peggy Libby at (617) 494-1154 or c/o ERI, 432 Columbia Street, Cambridge, MA 02141. A Bidders' Conference will be held at ERI on 12/16/93, 9:30-11:30 a.m. An original proposal and 9 copies must be delivered to ERI by 1:00 p.m., 2/1/94. ERI is an EOE/program. Auxiliary aids/services are available upon request to individuals with disabilities. New England Relay Service for TDD Users: 1-800-439-2370 (V/TTY).

(C)Dec.2
#34829

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Parkingway Wines, Inc., James P. Cifrino, manager,** holder of an all alcoholic beverages as a package goods store license at 598-614 Massachusetts Avenue has applied for a change of manager, officers, directors and shareholders.

The change of manager from James P. Cifrino to Edward Riley.

The officers and directors of Parkingway Wines, Inc. are: Thomas Cifrino, President and Director; James Cifrino, Treasurer and Director; Joshua M. Alper, Clerk; David Cifrino, Director.

James P. Cifrino sole shareholder (200 shares) made gifts of 92 shares: James P. Cifrino, 108 shares; Thomas Cifrino, 22 shares; James Cifrino, Jr., 10 shares; Mary Ellen McNamara, 10 shares; David A. Cifrino, 10 shares; Steven Cifrino, 10 shares; Anne M. Cifrino, 10 shares; Amy Rooney 10 shares.

The hearing on this application will be held on Tuesday evening, December 14, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34805

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138 as amended that **Aku Aku Corp., Jeffrey Katz, manager,** holder of an all alcoholic beverages as a restaurant license, 2 a.m. closing, at 149 Alewife Brook Parkway has applied to have its Cattleman Restaurant portion of its pocket license expiration date extended.

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34796

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Clube Recreio Madeirense, Inc., Jose Mendes Fernandes, manager,** holder of an all alcoholic beverages as a club license at 178 Elm Street has applied for a change of manager and change of officers and directors.

Change of manager from Jose Mendes Fernandes to Agostinho Martins.

The officers and directors of Clube Recreio Madeirense, Inc. are: Jose M. Silva, President and Director; Jose J. Silva, Treasurer; Jose A. Fernandes, Clerk and Director; Armando Abreu, Director; Agostinho Martins, Director; Joao Faria, Director; Gregorio Rosa, Director; Jose M. Fernandes, Director.

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34797

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that Picante Mexican Grill II, Inc. d/b/a **Picante Mexican Grill, Steven Matthews, manager** has applied for a license to sell wines and malt beverages as a restaurant at 735 Massachusetts Avenue.

The officers and directors of Picante Mexican Grill II, Inc. are: Steven Matthews, President and Director; Raymond Faulkner, Treasurer, Clerk and Director; Richard Faulkner, Director.

The premises are described as follows: Counter, 2 dining areas, display kitchen, prep/dishwashing area.

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34798

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that Frank Giglio d/b/a **East West Antiques** has applied for an antique store license at 169 Monsignor O'Brien Highway.

The hearing on this application will be held on Tuesday evening, December 14, 1993, six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34799

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that John M. Adams & Philip C. Bannatyne d/b/a **Flat Top Johnny's, John M. Adams, manager** holder of an all alcoholic beverages as a restaurant license at One Kendall Square has applied to transfer its license to a corporation. (Flat Top Johnny's, Inc.)

The offices and directors of Flat Top Johnny's, Inc. are: Philip C. Bannatyne, President and Director; John M. Adams, Treasurer, Clerk and Director.

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34795

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Fumiyo Kanai Genova d/b/a Tokai of Japan** has applied for an antique store license at 1815 Massachusetts Avenue.

The hearing on this application will be held on Tuesday evening, December 14, 1993, six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34804

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **The Ground Round, Inc., Edward Riley, manager,** holder of an all alcoholic beverages as a restaurant license at 555 Concord Avenue has applied for a change of manager from Edward Riley to Thomas M. Holleran.

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34803

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138 as amended that **Mt. Auburn Post Vets of Foreign Wars, Inc. #8818,** holder of an all alcoholic beverages as a club license, at 688 Huron Avenue has applied for a change of name.

Change of name from Mt. Auburn Post Vets of Foreign Wars, Inc. #8818 to Mount Auburn Memorial Post #8818, Veterans of Foreign Wars of the United States.

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34802

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Dynasty Gallery, Inc., John Pho, manager** has applied for an antique store license at 1033 Massachusetts Avenue.

The hearing for this application will be held on Tuesday evening, December 14, 1993, at six o'clock, 831 Massachusetts Avenue, 2nd floor, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34801

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138 as amended that M.T. Glynn, Inc. d/b/a **The Black Rose, Philip W. Sweeney, manager,** holder of an all alcoholic beverages as a restaurant license at 50 Church Street has applied for a change of d/b/a..

Change of d/b/a from The Black Rose to The Black Rose/Rosalita's Texas Backyard Barbecue.

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34800

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Yardarm, Inc. d/b/a Pizzeria Regina, Robert J. DiAndrea, manager,** holder of a wines and malt beverages as a restaurant license at 8 Holyoke Street has applied to transfer its license to American Rotisseries, Inc. d/b/a 8 Holyoke Bistro, Pierre Jospe, manager at said address.

Officers and directors of American Rotisseries, Inc. are: Pierre Jospe, President, Treasurer, Clerk and Director; Moncef Meddeb, Vice-President, Director; Maurice Jospe, Director.

The premises are described as follows: Large dining room and kitchen area on street floor; large dining room and storage room on the lower level.

The hearing on this application will be held on Tuesday evening, December 14, 1993 at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34822

Don't fret... **If you're looking** for a band, **selling** your sax or **seeking** a bigger amp, get in tune with classified's musical marketplace. Everyday, **Community Classified can help** you plug into an appreciative audience tuned into your message—no strings attached. Whatever you seek, we're playing your song. **Community Classified—it's a hit** with readers & advertisers alike!

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United Way
Voluntary Action Center

EARTH TO CAMBRIDGE

University forum explores Latino concerns

More than 225 Latino students met at Harvard University last week for the 22nd annual conference of the East Coast Chicano Student Forum.

The students from more than 20 East Coast universities, including Ivy League and Seven Sister colleges, focused this year on recent events at Cornell University. Most years, the conference held by the Boston-based organization addresses general issues of concern to Latinos on and off campus.

A Nov. 19 rally at Cornell, however, raised concerns the group decided to address this year. The rally, held to denounce vandalism of a Latino art display sponsored by Cornell, turned into a broader rally in support of the Latino community and its demands for respect and recognition at the Ithaca campus.

The rally resulted in many students occupying Day Hall, the campus administration building. Students refused to leave the building until the administration guaranteed an open meeting with the university president, the provost and student representatives at which several demands were to be discussed.

The demands focused on an increase in support services and resources for the recruitment and retention of Latino students, improving Latino faculty representation and the prevention of attacks on programs and activities of the Latino community.

As the largest intercollegiate Latino student organization on the East Coast, the forum made recommendations to other universities and student groups that are similarly impacted by issues facing Latino students. The emphasis was on resolving problems in an orderly, effective manner. The meeting lasted from Nov. 24 to 28. Both Harvard and MIT are members of the forum.

Latinos make up 6 percent of the student body at MIT, said administrative chair Alejandro Padilla, an MIT senior studying mechanical engineering. The biggest percentage is Mexican Americans.

El Salvadoran presidential candidate to speak at MIT

Ruben Zamora, presidential candidate for two left of center parties in El Salvador, will speak at MIT Monday, Dec. 6 (7 pm, Building 26, Room 100).

"The people have lost confidence in the political parties and their representatives as legitimate champions of their rights," said Zamora, candidate for the Democratic Convergence and the Farabundo Marti National Liberation Front. "The saddest part of this situation is that the people are right to a certain extent, given the long years of lies they have listened to."

Referring to recent history, Zamora said the ruling party was famous for unmet promises through its 20 years of military governments; then the Christian Democrats enjoyed 10 years of corruption; and now ARENA, which promised to struggle for "the poorest of the poor," has only managed to enrich the rich," according to Zamora.

For the next four months, the party will focus on public safety, lack of water and destruction of the environment, as well as the problem of health and betterment of the education for the great majorities," said Zamora. During his 24-hour visit, Zamora will meet with editorial boards and members of the academic community.



HOLIDAY GIFT GUIDE
Coming December 16
To advertise call 628-6200

LEGAL NOTICES

MORTGAGEE'S NOTICE OF SALE OF REAL ESTATE
Premises: **182-184 Richdale Avenue Cambridge, Massachusetts**

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Deborah A. Heald, Peter H. Heald, John T. Perkins** a/k/a John J. Perkins, a/k/a John Perkins, and Paige W. Perkins to Progressive Consumers Federal Credit Union dated March 19, 1986, and recorded with Middlesex County (Southern District) Registry District of the Land Court in Document No. 702766, Certificate of Title No. 172356 of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 10:00 A.M. on the 8th day of December, A.D. 1993, upon the mortgaged premises, **182-184 Richdale Avenue,** Cambridge, Massachusetts, as described below, all and singular the premises described in said mortgage,

To wit:

The land in Cambridge, with the buildings thereon, in the County of Middlesex and said Commonwealth, bounded and described as follows:

NORTHEASTERLY: by Richdale Avenue, forty feet;

SOUTHEASTERLY by land now or formerly of Pietro Quattrocchi, one hundred feet;

SOUTHWESTERLY: by lands now or formerly of Ethel M. Jackson and of Lars P. Nelson, forty feet; and

NORTHWESTERLY: by land now or formerly of Michael Tierney, one hundred feet.

All of said boundaries are determined by the Court to be located as shown on a plan, as modified and approved by the Court, filed in the Land Registration Office, a copy of a portion of which is filed in the Registry of Deeds for the South Registry District of Middlesex County with Registration Book 84, Page 177, with Certificate 12831.

The above described land is subject to the passageway rights, stipulation and agreement set forth in Document 276350.

For Title Reference, see Certificate of Title No, 172356, Bk 9G, Pg 8.

TERMS OF SALE: Said premises will be sold and conveyed subject to all outstanding municipal or other public taxes, tax titles, assessments, liens or claims in the nature of liens, rights of tenants and parties in possession, and existing encumbrances of record, if any, which take precedence over the said mortgage above described.

FIVE THOUSAND DOLLARS and NO/100 ($5,000.00) must be paid by certified, bank, treasurer's or cashier's check at the time and place of the sale by the purchaser as a deposit. The balance of the purchase price is to be paid in cash, or by certified check, bank cashier's check or bank treasurer's check within 30 days thereafter at the Law Offices of Shapiro & Kreisman 492 Old Connecticut Path, Framingham, MA 01701 (508) 872-0221.

Other terms to be announced at the sale.

FEDERAL HOME LOAN MORTGAGE CORPORATION
PRESENT HOLDER OF SAID MORTGAGE
(C)Nov.11,18,25,Dec.2
#25378

MORTGAGEE'S SALE OF REAL ESTATE

BY VIRTUE AND IN EXECUTION OF THE POWER OF SALE contained in a certain mortgage given by **David Hariri, a/k/a Mohammad Hariri,** of Woburn, Massachusetts, to National Bank of Greece, S.A. of Boston, Massachusetts, dated March 8, 1991, and recorded with the Middlesex County (Southern District) Registry of Deeds at Book 21060, Page 179, of which mortgaged the undersigned National Bank of Greece, S.A. is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 10:00 a.m. on the 14th day of December, 1993, on the mortgaged premises, the post office address of which is **24-26 Howard Street,** Cambridge, Massachusetts, and **210-212 Western Avenue,** Cambridge, Massachusetts, all and singular, the premises described in said mortgage, to wit:

The land with the buildings thereon in Cambridge, Middlesex County, MA, known and numbered 210-212 Western Avenue and 24-26 Howard Street, being a portion of Lot 39 as shown on a plan of "House Lots in Cambridge-Port belonging to the Dana Estate" August 1833, recorded with South Middlesex Deeds, Plan Book 17A, Plan 15, bounded and described as follows:

NORTHERLY: by Western Avenue, fifty (50) feet;

WESTERLY: By Howard Street, sixty (60) feet;

SOUTHERLY: By land now or formerly of Thomas Isaac, fifty (50) feet; and

EASTERLY: By land now or late of G.D. Jackson and land of owner or owners unknown, sixty (60) feet.

Containing 3,000 square feet, more or less.

TERMS OF SALE

The premises will be sold subject to all prior mortgages, restrictions, easements, covenants, and existing encumbrances of record, if any there are, all unpaid taxes and assessments, tax sales, tax titles, and other municipal liens and water liens, if any there are. The highest bidder shall be required to deposit TEN THOUSAND AND 00/100 ($10,000.00) DOLLARS in cash or by certified check or by bank cashier's check at the time and place of sale, and the balance shall be due within thirty (30) days from the date of sale at the attorneys for the Mortgagee. Other terms to be announced at the sale.

NATIONAL BANK OF GREECE, S.A.
Present holder of mortgage,
By its attorney,
MICHAEL S. FIELD
Field & Schultz
One Buffum Place
Boston, MA 02114
(C)Nov.18,25,Dec.2
#34768

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the POWER OF SALE contained in a certain mortgage given by **Donald Owen** to University Bank and Trust dated November 3, 1978 and recorded with the Middlesex South Registry of Deeds at Book 13576 and Page 390 of which mortgage the undersigned is the present holder by virtue of assignment dated September 7, 1993 and recorded as instrument #1206, for breach of the conditions of said mortgage and for the purpose of foreclosing, the same will be sold at Public Auction at 2:00 p.m. Friday, December 17, 1993, on the mortgaged premises now known as and numbered **Unit #5, 28 Lee Street Condominium, 28 Lee Street,** Cambridge, Middlesex South Registry, Massachusetts, all and singular the premises described in said Mortgage:

In the 28 Lee Street Condominium (a condominium subject to Massachusetts general Laws, Chapter 183A in Cambridge, Middlesex County, created by Master deed dated May 4, 1978, recorded with Middlesex South Registry of Deeds, Book 13436, Page 538.

UNIT #5

The address of which is Unit #5, 28 Lee Street, Cambridge, Massachusetts, together with an undivided 16.66 percent interest appertaining to said Unit in the common areas and facilities of said condominium, and together with the rights and easements appurtenant to said Unit as set forth on said Master deed. Attached hereto is a copy of a portion of the plans attached to said Master Deed bearing the verified statement of a registered architect certifying that it shows the unit designation of the unit hereby being conveyed and of immediately adjoining units, and that it fully and accurately depicts the layout of the Unit hereby conveyed, its location, dimensions, approximate area, main entrance, and immediate common areas to which it has access, as built.

Said Unit is subject to the restrictions as set forth in Section 8 of said Master Deed.

For title reference see deed recorded with said Registry of Deeds in Book 13576, Page 387.

Said premises will be sold subject to above matters and to all restrictions, easements, improvements, outstanding tax titles, municipal or public taxes, assessments, liens or claims in the nature of liens, and existing encumbrances of record, if there be any, and all encumbrances of record which are prior to said mortgage.

TERMS OF SALE: Two Thousand Five Hundred Dollars ($2,500.00) Dollars will be required to be paid in cash or by certified or bank treasurer's or cashier's check by the purchaser at the time and place of sale as earnest money to be held at the option of the mortgagee as liquidated dam ages for any breach by the buyer. The balance is to be paid in cash or by certified or bank treasurer's or cashier's check within Thirty (30) days thereafter at the firm of Kaye, Fialkow, Richmond & Rothstein at 100 Federal Street, Boston, Massachusetts 02110 at which time the deed is to be delivered.

Other terms, if any, to be announced at the sale.

Mortgage Properties Corp.
present holder of said mortgage
c/o Peter Wittenberg,
Attorney for Mortgagee
Kaye, Fialkow, Richmond & Rothstein
100 Federal Street
Boston, MA 02110
Telephone (617) 482-6800
(C)Nov.18,25,Dec.2,9
#34732

COMMONWEALTH OF MASSACHUSETTS
Middlesex County ss. Probate Court No. 93D-3727ANI

Summons by Publication
Davis Bliss Plaintiff
vs.
Colin Simpson Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, Davis Bliss, seeking an annulment.

You are required to serve upon Davis Bliss, plaintiff, whose address is 90 Lexington Ave., Cambridge, MA your answer on or before January 31, 1994. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.
October 22-93
Donna M. Lambert, Register of Probate
(C)Nov.18,25,Dec.1
#34759

Notice of sale
To: **Brodie Auto Rental**
24 Elliot St.
Cambridge, MA 02139
Pat's Tow Service, Inc. of 94 Prospect Street, Somerville, Ma. 02143 has in it's possession a 1985 Buick, Veh. ID #1G4AH19EXF6425891 and last registered in MA.

This vehicle has been in the possession of Pat's Tow Service since 4-13-93 and has not been claimed after due notice.

This vehicle will be sold at public sale, at Pat's Tow Service, Inc. 94 Prospect St. Somerville, Ma. 02143 on 12-6-93.

Walter Tauro
Pat's Tow Service, Inc.
(C)Nov.18,25,Dec.2
#34730

Notice of Sale
To: **Brodie Auto Rental**
24 Elliot St.
Cambridge, MA 02139
Pat's Towing Service, Inc. of 94 Prospect Street, Somerville, Ma. 02143 has in it's possession a 1986 Dodge Colt, Veh. ID # JB3BA24K3GU048772 and last registered in Ma.

This vehicle has been in the possession of Pat's Tow Service since 4-13-93 and has not been claimed after due notice.

This vehicle will be sold at public sale, at Pat's Tow Service, Inc. 94 Prospect St. Somerville, Ma. 02143 on 12-6-93.

Walter Tauro
Pat's Tow Service
(C)Nov.18,25,Dec.2
#34731

LEGAL NOTICE
MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage (the "Mortgage") given by John J. Courtney ("Mortgagor"), to Ralph Metzger ("Mortgagee"), which Mortgage is dated November 21, 1986, recorded with the Middlesex South Registry of Deeds (the "Registry") in Book 17872, Page 489, of which Mortgage the undersigned is the present holder, for breach of the conditions of said Mortgage and for the purpose of foreclosing the same, there will be sold at Public Auction at 2:00 p.m. on the 16th day of December, 1993, on the mortgaged premises located at 2508 Massachusetts Avenue, Cambridge, Middlesex County, Massachusetts, all and singular, the premises described in said mortgage; to wit:

A certain parcel of land with the buildings thereon situated in Cambridge, being now numbered 2508 Massachusetts Avenue and being shown as Lot 14 on a plan entitled "Plan of Land in North Cambridge Belonging to Francis R. Henderson", dated May 1890, by J.O. Goodwin, Surveyor, recorded with Middlesex South District Deeds, Plan Book 63, Plan 9, being bounded and described as follows:

NORTHEASTERLY by said Massachusetts Avenue, formerly called and shown on said plan as North Avenue, thirty (30) feet;

EASTERLY by land of owners unknown, eighty-eight and 93/100 (88.93) feet;

SOUTHWESTERLY by Lot 39 on said plan, eighty-seven and 54/100 (87.54) feet; and

NORTHWESTERLY by Lot 13 on said plan, seventy-nine and 90/100 (79.90) feet.

Containing 4496 square feet of land.

Said Mortgaged Premises will be sold subject to a Mortgage dated March 22, 1984 from John J. Courtney and Jean Marie Courtney to Haymarket Cooperative Bank, recorded with the Registry in Book 5494, Page 521.

Said sale shall be subject to and with the benefit of all rights, restrictions, easements, encroachments, improvements, outstanding tax titles, municipal or other public taxes, assessments, betterments, liens or claims in the nature of liens, encumbrances, and matters of occupancy rights of record created prior to or entitled to precedence over the Mortgage, if any there be.

Said Mortgaged Premises also will be sold subject to all leases and tenancies having priority over said Mortgage, to tenancies and occupation by persons on the Mortgaged Premises now and at the time of said auction which tenancies or occupations are subject to said Mortgage and to rights or claims of personal property installed by tenants or former tenants now located on the Mortgaged Premises.

TERMS OF SALE: Five Thousand ($5,000.00) Dollars shall be paid in cash or by certified or bank cashier's check by the purchaser at the time and place of sale, and the balance shall be paid in cash or by certified or bank cashier's check at the office of Goldstein & Manello, P.C., 265 Franklin Street, Boston, Massachusetts 02110 within thirty (30) days after the date of the sale and upon receipt of such funds, the deed for the Mortgaged Premises shall be delivered. The successful bidder shall be required to sign a Memorandum of Terms of Sale containing the foregoing terms at the Auction Sale.

Other terms, if any, to be announced at sale.

JAMES AND MARTA BATMASIAN
Present Holder of Said Mortgage
By their attorneys
GOLDSTEIN & MANELLO, P.C.
By: Jesse Geller, Esq.
(C)Nov.25,Dec.2,9
#34781

COMMONWEALTH OF MASSACHUSETTS
The Trial Court
Probate and Family Court Department
Middlesex Division Docket No. 93A0711-A1

CITATION
M.G.L. c. 210, § 6

In the Matter of **Kenneth Michael Bourque,** minor

To any unknown or unnamed father of parts unknown persons interested in a petition for the adoption of said child

A petition has been presented to said court by Richard D. Bencic, Sr. and Carolyn M. Bencic of Malden praying for leave to adopt said child

IF YOU DESIRE TO OBJECT THERETO YOU OR YOUR ATTORNEY MUST FILE A WRITTEN APPEARANCE IN SAID COURT AT Middlesex Probate & Family Court, 208 Cambridge Street, East Cambridge, MA 02141 before TEN O'CLOCK in the forenoon (10:00 A.M.) on Jan. 13, 1994.

Witness Sheila E. McGovern, Esquire, First Justice of said Court.
Date: Nov. 1,1993

Donna M. Lambert
Register of Probate
(C)Nov.25,Dec.2,9
#34778

COMMONWEALTH OF MASSACHUSETTS
Middlesex County ss. Probate Court No. 93D-3761-D1

Summons by Publication
Mohamed Louquid Plaintiff
vs.
Josephine Louquid Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, MOHAMED LOUQUID, seeking A DIVORCE BASED UPON IRRETRIEVABLE BREAKDOWN

You are required to serve upon ROBERT J. GAYNOR, plaintiff's attorney, whose address is ONE BOSTON PLACE, SUITE 1210 your answer on or before JANUARY 24, 1993. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.

Donna M. Lambert
Register of Probate
(C)Nov.25,Dec.2,9
#34783

REQUEST FOR PROPOSAL
REDEVELOPMENT OF HAMPSHIRE & COLUMBIA STREET SITE
AFFORDABLE HOUSING TRUST
CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

Sealed proposals will be received at the Office of the Purchasing Agent, Room 303, City Hall, 795 Massachusetts Avenue, Cambridge, Massachusetts 02139 until 11:00 A.M., on Thursday, January 13, 1994, at which time and place they will be publicly opened and read aloud for furnishing the following to the Cambridge Affordable Housing Trust:

Proposals for residential development in the City of Cambridge, Massachusetts. The property being offered through this Request for Proposals ("RFP") consists of approximately 36,000 square feet of vacant land on the Hampshire-Columbia Street site in Neighborhood Four.

A proposal will remain in effect for a period of 90 calendar days from the deadline for submission of proposals or until it is formally withdrawn, a contract is executed or this RFP is cancelled, whichever occurs first.

Copies of the Request for Proposal may be obtained at the Office of the Purchasing Agent on and after NOVEMBER 24, 1993, between the hours of 8:30 A.M. and 5:00 P.M.

The successful offeror must be an Equal Opportunity Employer.

The City of Cambridge reserves the right to reject any or all proposals, waive any minor informalities in the proposal process, and accept the proposal deemed to be in the best interest of the City.

Each proposal must be delivered, along with three (3) additional proposal summaries in a sealed packaged, plainly marked "RFP for Redevelopment of Hampshire & Columbia Street Site Affordable Housing Trust" and addressed to Diane Wynshaw-Boris, Purchasing Agent, City of Cambridge, Room 303, City Hall, 795 Massachusetts Avenue, Cambridge, Ma. 02139.

Diane Wynshaw-Boris
Purchasing Agent
(C)Nov.25,Dec.2
#34748

REQUEST FOR PROPOSALS TO LEASE STATE OWNED PROPERTY AND FACILITIES WITHIN THE CHARLES RIVER RESERVATION AND BASIN
Memorial Drive, Cambridge, Massachusetts

The Commonwealth of Massachusetts' Division of Capital Planning and Operations (DCPO) is soliciting proposals from parties interested in a twenty-five (25) year lease of 38,625± SF of upland and land under the Charles River with a boathouse facility, ramp, flotation dock, slip facilities and premise's utilities, subject to Metropolitan District Commission (MDC) conditions. Said land and facilities are located within the Charles River Reservation and Basin with approximately 250' frontage on the southerly side of Memorial Drive and 250' frontage on the Charles River in the City of Cambridge.

To receive a copy of the Request for Proposals, contact:

David D. Opatka, Property Transactions Manager
Office of the General Counsel
Division of Capital Planning and Operations
One Ashburton Place, Room 1505
Boston, Massachusetts 02108
Telephone (617) 727-4053 ext. 350

Deadline: Proposals must be received no later than 10:00 a.m. on Friday, December 24, 1993.

BY: Lark Jurev Palmero, Commissioner, DCPO
(C)Nov.25,Dec.2,9,16
#34773

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court No. 396849
NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Charles C. Peabody** late of Cambridge, in said County, deceased

You are hereby notified pursuant to Mass. R.Civ.P. Rule 72 that the 1st thru 4th accounts of Augustus W. Soule, Junior and G. West Saltonstall as Trustees (the fiduciaries) under the will of said deceased for the benefit of Margaret D. Peabody and others have been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said accounts, you or your attorney must file a written appearance in said Court at Cambridge on or before the 20th day of December, 1993, the return day of this citation. You may upon written request by registered or certified mail to the fiduciaries, or to the attorney for the fiduciaries, obtain without cost a copy of said accounts. If you desire to object to any item of said accounts, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciaries pursuant to Mass. R.Civ.P. Rule 5.

WITNESS, SHEILA E. McGOVERN, Esquire, First Judge of said Court, this 16th day of November, 1993.

Donna M. Lambert
Register
(C)Dec.2
#34860

CITY OF CAMBRIDGE
MASSACHUSETTS
BOARD OF ZONING APPEAL

The Board of Zoning Appeal, will hold a Public Meeting, THURSDAY, DECEMBER 16, 1993, In The Sullivan Chambers, City Hall, Cambridge, Massachusetts, the following cases will be heard:

7:45 P.M. CASE NO. 6822
198 ELM STREET Residence B Zone
JOSEPH CRUGNALE - ALEXANDRE A. ADAMS ATTORNEY

Variance: To convert occupancy from automotive supply to retail/office establishment. Art. 4.000, Sec. 4.34(D) (General Office Establishment). Sec. 4.35(A).2 (Retail Establishment), Sec. 4.35(K) (Printing Shop Establishment).

8:00 P.M. CASE NO. 6823
177 PEMBERTON STREET Residence B Zone
PORTLAND STONE WARE CO. INC. - DONNA M. MORGAN

Variance: To construct a overhead door on an existing lean-to and put siding on. Art. 4.000, Sec. 4.37(J) (Wholesale Business & Storage Use Regulations). Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

8:15 P.M. CASE NO. 6824
15-17 FLAGG STREET Residence C-1 Zone
MR. & MRS. DERBALI

Variance: To construct three dormers to existing dwelling. Art. 8.000, Sec. 8.22 (Non-Conforming Structure). Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

8:30 P.M. CASE NO. 6825
158-160 APPLETON STREET Residence B Zone
SARAH L. CREIGHTON & MARGARET HUGHES

Variance: To legalize third floor apartment in an existing non-conforming Structure. Art. 8.000, Sec. 8.22 (Non-Conforming Structure). Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements). Sec. 5.26 (Conversion).

8:45 P.M. CASE NO. 6826
46-48 LEXINGTON AVENUE Residence B Zone
RONALD B. & JUDITH R. SOKOL-MARGOLIS

Variance: To construct a dormer on the third floor to be used as a bedroom. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

9:00 P.M. CASE NO. 6827
723-731 CAMBRIDGE STREET Business A Zone
PORTUGALIA RESTAURANT - MANUEL BARROS & MARIA VALENTE

Variance: To expand existing Restaurant with additional seating. Special Permit: To reduce the required amount of parking. Art. 5.000, Sec. 5.33 (Table of Dimensional Requirements). Art. 6.000, Sec. 6.35 (Reduction of Required Parking).

9:15 P.M. CASE NO. 6828
5 FOSTER PLACE Residence A-2 Zone
GILLIAN LEVINE

Variance: To construct a bay window on left side of dwelling. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

(C)Dec.2,9
#34857

NOTICE OF PROPOSED REORGANIZATION

Notice is hereby given that Cambridgeport Savings Bank, Cambridge, Massachusetts, has made application to the Federal Deposit Insurance Corporation, Washington, D.C. 20429, for its written consent to reorganize as a Massachusetts-chartered mutual holding company, to be known as Cambridgeport Mutual Holding Company, and to transfer the substantial part of its assets and liabilities to a Massachusetts-chartered subsidiary savings bank, to be known as Cambridgeport Bank, to be formed in connection with the proposed reorganization. It is contemplated that all of the offices of Cambridgeport Savings Bank will continue to be operated by Cambridgeport Bank following the proposed reorganization.

This notice is published pursuant to Section 18(c) of the Federal Deposit Insurance Act. Any person wishing to comment on this application may file his/her comments in writing with the Regional Director of the Federal Deposit Insurance Corporation at its Regional Office, Westwood Executive Center, 200 Lowder Brook Drive, Westwood, Massachusetts 02090. If any person desires to protest the granting of this application, such person has a right to do so if the protest is filed with the Regional Director by December 30, 1993. The nonconfidential portions of the application are on file in the Regional Office as part of the public file maintained by the Federal Deposit Insurance Corporation. This file is available for public inspection during regular business hours.

November 29, 1993

Cambridgeport Savings Bank
Cambridge, Massachusetts
(C)Dec.2,9,16,23,30
#34863

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 93P5325A
ADMINISTRATION WITHOUT SURETIES
Estate of **Nancy Peterson**
died July 27, 1993
late of **Cambridge,**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that William David Peterson of Pittsburgh in the Commonwealth of Pennsylvania be appointed administrator of said estate without giving surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on December 27, 1993.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the twenty third day of November in the year of our Lord one thousand nine hundred and ninety three.

Donna M. Lambert
Register of Probate Court
(C)Dec.2
#34861

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Caribiana, Inc., d/b/a Caribiana, Robert D. Jones, manager,** holder of an all alcoholic beverages as a restaurant license at 315-317 Massachusetts Avenue applied for a change of premises description and a change of d/b/a.

the change of d/b/a from Caribiana to Rhythm & Spice.

The premises are described as follows: One story store front containing 1700 sq. ft. on first floor and 1300 sq. ft. in basement. First floor: kitchen, dining room and bar; basement for storage.

The hearing on this application will be held on Tuesday evening, December 14, 1993, six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor hearing room, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission
(C)Dec.2
#34820

FIRST PUBLICATION NO. 2632.
CITY OF CAMBRIDGE
In the Year One Thousand, Nine Hundred and Ninety-Three
AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code"

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter 8.29 of the Cambridge Municipal Code is hereby repealed and replaced with the following new Chapter 8.29:

Chapter 8.29

PROHIBITION OF THE DISTRIBUTION OF TOBACCO PRODUCTS THROUGH VENDING MACHINES

Sections

8.29.010 Declaration of legislative findings
8.29.020 Definitions
8.29.030 Distribution of tobacco products through vending machines prohibited
8.29.040 Violation - Penalty
8.29.010 Declaration of legislative findings.

The City Council finds that the vast majority of smokers begin smoking in their teens or pre-teens. The health hazards posed by cigarettes and other tobacco products are well documented and the sale of tobacco in any form to persons under the age of eighteen is prohibited in this Commonwealth. However, cigarette vending machines in public places have provided unsupervised minors with easy access to cigarettes, in contravention of the policy in this Commonwealth. Accordingly, the City Council finds that the ability of unsupervised minors to obtain cigarettes and other tobacco products in violation of the law will be significantly reduced by prohibiting vending machines which dispense such products.

8.29.020 Definitions.

1. "Distribution" means the giving, selling, delivering, dispensing, issuing, offering to give, sell, deliver, dispense or issue, or causing or hiring any person to give, sell, deliver, dispense, issue or offer to give, sell, deliver, dispense or issue.

2. "Persons" means any natural person, corporation, partnership, firm, organization or other legal entity.

3. "Public place" means any area to which the public is invited or in which the public is permitted.

4. "Tobacco products" means any substance which contains tobacco, including but not limited to cigarettes, cigars, smoking tobacco and smokeless tobacco.

5. "Vending machine" means any self-service device offered for public use, which, upon insertion of a coin, coins, token, paper currency, or by other means, dispenses tobacco products.

8.29.030 Distribution of tobacco products through vending machines prohibited.

No person shall distribute or permit the distribution of a tobacco product through the operation of a vending machine in a public place.

8.29.040 Violation - Penalty.

Any person who knowingly violates any provision of this Chapter may be penalized by a noncriminal disposition as provided in G.L. c. 40, §21D. For purposes of this section, the following officials shall be enforcing persons: police officers, staff inspectors from the Cambridge Licensing Commission, inspectors from the Inspectional Services Department and the Department of Health and Hospitals, and persons designated by the Assistant City Manager for Human Services.

The penalty for the first violation shall be one hundred dollars; for the second violation, two hundred dollars; and for all subsequent violations, three hundred dollars.

Each day of violation shall constitute a separate and distinct offense.

Passed to a second reading as amended at the City Council meeting held on November 22, 1993 and on or after December 13, 1993 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury
City Clerk
(C)Dec.2
#34824

THE CAMBRIDGE HOSPITAL
CITY OF CAMBRIDGE
REQUEST FOR CONSTRUCTION MANAGEMENT SERVICES

A. The Cambridge Hospital, in compliance with Massachusetts General Laws Chapter 7, Sections 38A1/2-0, is requesting proposals to provide construction management services in connection with the design and construction of a new ambulatory care building with underground parking adjacent to the main hospital building. The project includes certain additions to existing buildings, approximately 80,000 square feet (sq. ft.) of new construction, plus below grade parking for approximately 200 vehicles and associated renovations of existing spaces. Anticipated project cost is estimated at $40 million and approximate construction cost is $30-32 million. The duration of this multiphased project is estimated to be four to five years.

B. In evaluating applications attention will be paid to the following criteria:

1) Demonstrated experience in the construction management of hospital projects of similar scope and complexity, including projects located in dense residental urban neighborhoods of adjoining communities.

2) Demonstrated success working within a highly controlled budget, multi-phase construction and demanding time schedules.

3) Established record of achieving clients' construction management requirements during preconstruction and construction phases.

4) Evidence of adequate number of available qualified personnel and consultants, and of financial resources to perform the contract.

5) Demonstrated experience with the Massachusetts public construction process.

C. Requirements and additional criteria for selection are set forth in full in a Request for Proposals (RFP) which will be available on and after **November 30, 1993** from the Office of the Purchasing Agent. City Hall, 795 Massachusetts Avenue, Room 303, Cambridge, Massachusetts 02139. Proposals will be due no later than noon on **December 30, 1993.** A briefing session for all interested applicants will be held at 9:00 a.m. on **December 10, 1993** at the Lecture Hall, first floor of The Cambridge Hospital, 1493 Cambridge, Street, Cambridge, MA 02139.

D. The fee for the services described in the RFP shall be negotiated.

E. Any applicant awarded a contract for construction management services shall be precluded from bidding on any construction work related to this project.

F. The City of Cambridge reserves the right to reject any or all proposals. Proposals will be evaluated by a Designer Selection Committee following selection procedures adopted in writing pursuant to M.G.L. Chapter 7, Section 38K.

MBM/mac/CM-RFP-AD
(C)Dec.2
#34827

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 93P5249GPI
Notice of
GUARDIANSHIP - WITHOUT SURETIES
NOTICE

To **Rose Helene Hynes** of Cambridge in said County Middlesex and heirs apparent or presumptive:

A petition has been presented in the above-captioned matter alleging that said Rose Helene Hynes is a person unable to make or communicate informed decisions due to physical incapacity or illness and praying that Dorothy E. Boye of Cambridge in the County of Middlesex or some other suitable person be appointed her guardian.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before December 17, 1993.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge the eighteenth of November, in the year of our Lord one thousand nine hundred and ninety three.

Donna M. Lambert
Register of Probate Court
(C)Dec.2
#34813

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss Probate Court Docket No. 93P5309EF

To all persons interested in the estate of **Genevieve C. Harkins** late of Englewood in the County of Charlotte and State of Florida, deceased.

A petition has been presented to said Court, with certain papers purporting to be copies of the last will of said deceased, and of the probate thereof in said State of Florida duly authenticated, by G. Clark Harkins of Woburn, in the county of Middlesex, praying that a copy of said will may be filed and recorded in the Registry of Probate in said County of Middlesex, and that he be appointed executor thereunder without surety on his bond.

If you desire to object thereto you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the twenty seventh day of December 1993, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court this twenty fourth day of November 1993.

Donna M. Lambert
Register
(C)Dec.2
#34842

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court No. 91P4053AT
NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Christine J. Genettis** also known as Judi Genettis late of Cambridge, in said County, deceased

You are hereby notified pursuant to Mass. R.Civ.P. Rule 72 that the 1st thru 3rd and final accounts of Raymond H. Young Special Administrator (the fiduciary) of said estate of said deceased have been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said accounts, you or your attorney must file a written appearance in said Court at Cambridge on or before the 17th day of December, 1993, the return day of this citation. You may upon written request or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain without cost a copy of said accounts. If you desire to object to any item of said accounts, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R.Civ.P. Rule 5.

WITNESS, SHEILA E. McGOVERN, Esquire, First Judge of said Court, this 16th day of November, 1993.

Donna M. Lambert
Register
(C)Dec.2
#34812

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division Docket No. 93P4991E
Estate of **Donald T. Trautman**
Died on September 18, 1993
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that Susanah B. Trautman of Cambridge and David Westfall of Lexington both in the County of Middlesex be appointed executors without giving surety on their bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on December 17, 1993.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the seventeenth day of November in the year of our Lord one thousand nine hundred and ninety three.

Donna M. Lambert
Register of Probate
(C)Dec.2
#34810

The American Heart Association says cardiovascular disease kills an American every 34 seconds.

LEGAL NOTICES

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Valentine's, Inc. d/b/a The Kendall Cafe, James J. DeMassi, manager,** holder of an all alcoholic beverages as a restaurant license, at 233 Cardinal Medeiros Avenue has applied to transfer its license to CLT Enterprises, Inc., d/b/a Kendall Cafe, Matthew Leduc, manager at said address.

This applicant has also applied for an entertainment license to include: dancing by patrons; one (1) dart board; live musical instruments and/or vocalists, with amplification; one (1) juke box; audio tape machine only playing background music below ordinary conversation level; 5 TV's and two (2) video games.

Officers and directors of CLT Enterprises, Inc. are: Matthew Leduc, President and Director; Michael Creamer, Treasurer and Director; Michael Tallon, Clerk and Director.

The premises are described as follows: Two dining rooms, kitchen on the street floor with cellar for storage.

The hearing on this application will be held on Tuesday evening, December 14, 1993 at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue Cambridge.

Alex Rodriguez,, Kevin Fitzgerald
Henry Breen, License Commission

(C)Dec.2
#34815

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that Madaya Corp., doing business as **Cafe Cinderella, by El Habib Kovtalby, Manager** has applied for a common victualer's license to be exercised on the 1st floor at 901-903 Main Street. Said license if granted would allow food and non-alcoholic beverages to be sold, served, and consumed on said premises, and to have a total occupancy of 34 persons. Said license if granted would be exercised from 6 a.m. to Midnight daily.

A hearing on said application will be held on Tuesday, December 14, 1993 at 6 p.m., in the Michael J. Lombard Municipal Building, 2nd floor, 831 Massachusetts Avenue. Any person wishing to comment on said application may attend the hearing or such person may prior to the hearing submit a written statement to the License Commission, Michael J. Lombardi Municipal Building, 1st floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez, Kevin Fitzgerald
Henry Breen, License Commission

(C)Dec.2
#34821

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the POWER OF SALE contained in a certain mortgage given by **Judith Dearborn, Trustee** of Dearborn Trust u/d/t dated March 15, 1986 recorded at Middlesex County (Southern District) Registry of Deeds Book 17025, Page 271, to NorthEastern Mortgage Company, Inc. dated May 23, 1986 and recorded with Middlesex County (Southern District) Registry of Deeds Book 17025, Page 277, of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 11:30 o'clock A.M. on the 28th day of December A.D. 1993, on the mortgaged premises, to wit: **Unit 2 in the Clinton Hall Condominium, 2 Clinton Street,** Cambridge, Massachusetts all and singular the premises described in said mortgage,
To Wit:

Condominium Unit No. 2 (the Unit) in the Condominium known as 2 Clinton Street Condominium (The Condominium), situated at 2 Clinton Street, Cambridge, Middlesex County, Massachusetts, created by a Master Deed (the Master Deed) dated and recorded July 23, 1979, and recorded in Middlesex South District Registry of Deeds Book 13745, Page 025, as amended.

The Unit is more particularly described in (1) the Master Deed, as amended, (2) such site and floor plans as have been recorded therewith, (3) the first Unit Deed thereof, and (4) copies of portions of such site and floor plans filed therewith. The Unit is conveyed together with an undivided 3.79% interest in the common areas and facilities of the Condominium and the same 3.79% interest in the Organization of Unit Owners known as 2 Clinton Street Condominium Trust (the Unit Owners Organization). The Unit and said undivided interests are together hereinafter referred to as the Mortgaged Premises.

The Mortgaged Premises are conveyed subject to the together with the benefit of (1) the provisions of Chapter 183A of the General Laws (Ter. Ed.) of the Commonwealth of Massachusetts, (2) the provisions and matters set forth and/or referred to in the Master Deed, (3) the provisions of the instrument creating the Unit Owners Organization and the By-Laws thereunder as recorded or filed with the Master Deed and such Rules and Regulations as may be promulgated thereunder, and (4) the provisions set forth and referred to in the Unit Deed of George N. Katsiaficas, Trustee of Hanna K. Realty Trust u/d/t dated April 3, 1985, and recorded in Middlesex South Registry of Deeds in Book 16091, Page 412, recorded in Book 17025, Page 274, to which Unit Deed reference is herein made for the title of Mortgagor.

Said premises will be sold together with and subject to and/or with the benefit of any and all easements and restrictions of record created prior to the aforesaid mortgage, if any, to the extent that the same are now in force and applicable. Said premises will be sold subject to all unpaid taxes, outstanding tax titles and municipal liens and assessments, if any.
Terms of Sale:

FIVE THOUSAND DOLLARS ($5,000.00) will be required to be paid in cash or certified check or treasurer's check at the time and place of sale. The balance of the purchase price shall be paid in cash or certified check or treasurer's check at the time and place of sale. The balance of the purchase price shall be paid within twenty-one (21) days thereafter. In the event that the successful bidder at the public auction shall default in purchasing the premises according to the terms of this Notice of Mortgagee's Sale of Real Estate and/or the terms of the Memorandum of Sale executed at the public auction, the Mortgagee reserves the right, at its election, to sell the property by foreclosure deed to the second highest bidder at the public auction provided that said second highest bidder shall pay the amount of the required deposit as set forth herein within three (3) business days after written notice to the second highest bidder of the default of the previous highest bidder. The terms of sale with regard to the consideration paid by the second highest bidder shall be the same as described above.

Other terms to be announced at the sale.
November 24, 1993

Marine Midland Bank, N.A.
Current Mortgage Holder by its attorney
Samuel D. Shriro, Esquire
31 Milk Street
Boston, MA 02109
(617) 542-8481

(C)Dec.2,9,16
#34826

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court No. 91P5461

NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Mary J. Maguire** of Cambridge, in said County, a mentally ill person.

You are hereby notified pursuant to Mass. R.Civ.P. Rule 72 that the 1st and final account of Kathleen P. Jarry as Temporary Guardian (the fiduciary) of the property of said Ward has been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said account, you or your attorney must file a written appearance in said Court at Cambridge on or before the 20th day of December, 1993, the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain without cost a copy of said account. If you desire to object to any item of said account, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R.Civ.P. Rule 5.

WITNESS, SHEILA E. McGOVERN, Esquire, First Judge of said Court, this 16th day of November, 1993.

Donna M. Lambert
Register

(C)Dec.2
#34831

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Dennis O'Connell d/b/a O'Kle's Canteen** for a peddler's license (mobile truck) to sell food; non-alcoholic beverages, Monday through Friday, 7 a.m. - 5 p.m.

The route is as follows: Shilling (Woodworks), 66 Hamilton St.; Citgo Gas Station, Broadway; Wheeler Manufacturing, 139 Brookline St.; Imogen, 260 Sydney St.; Cambridge Developer, 186 Putnam Ave.; Sky Publishing, 49 Bay State; Cambridge Lumber; Sambo's, 9 Decatur St.; Mighty Motors, 12 Decatur St.; Mighty Motors, 12 Decatur St.; Auto Baun, 14 Decatur St.; Const. Huron Towers, Huron Ave.; Woodrow Wilson Ct. (Const.), Fairmont St.; Imogen, 260 Sydney St.; (Cambridge Developers; Mighty Motors; Auto Baun, Sambos; Putnam Ave., 12 Decatur St.; 14 Decatur St.; 9 Decatur St. afternoon route).

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez, Kevin Fitzgerald
Henry Breen, License Commission

(C)Dec.2
#34819

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Sanibel Limited d/b/a Castaways, Gregory P. Halpin, manager** has applied for a license to sell all alcoholic beverages as a restaurant at 757-768 Memorial Drive and 190-206 Pleasant Street. (Hub Bub portion of the Fenway-Cambridge Motor Hotel, Inc. d/b/a Howard Johnson's Motor Lodge)

The officers and directors of Sanibel Limited are: Gregory P. Halpin, President, Treasurer, Clerk and Director.

The premises are described as follows: Second floor: 1 room and foyer, kitchen, two entrances and exits into lobby: emergency exit from kitchen into alley; basement: two storage rooms.

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts, Cambridge.

Alex Rodriguez, Kevin Fitzgerald
Henry Breen, License Commission

(C)Dec.2
#34817

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Fenway Cambridge Motor Hotel, Inc. d/b/a Howard Johnson's Motor Lodge, Paul B. Dunleavy, manager** holder of an all alcoholic beverages as a hotel license at 757-768 Memorial Drive and 190-206 Pleasant Street has applied for a change of premises description.

The premises are described as follows: Meetings rooms, lobby, 2 lounges and restaurant on first floor, meeting and function rooms and lounge on second floor; 3 function rooms on 3rd floor; pool area on 5th floor, floors 2 through 15 are guest rooms.

The hearing on this application will be held on Tuesday evening, December 14, 1993, six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor hearing room, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez, Kevin Fitzgerald
Henry Breen, License Commission

(C)Dec.2
#34816

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Pursuant to General Laws, Chapter 140, notice is hereby given that the License Commission has received an application from **Improvisation Center of Boston, Inc. d/b/a Improv Boston** at 1253 Cambridge Street for an entertainment license to include: stage.

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez, Kevin Fitzgerald
Henry Breen, License Commission

(C)Dec.2
#34818

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Clonmacnois, Inc. d/b/a The Plough & The Stars, George F. Crawley, manager** holder of an all alcoholic beverages as a restaurant license at 912 Massachusetts Avenue has applied for a change of premises description and increase in capacity.

The capacity to change from 35 to 60.

The premises are described as follows: Dining room on first floor, cellar for storage and kitchen.

The hearing on this application will be held on Tuesday evening, December 14, 1993, six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor hearing room, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez,, Kevin Fitzgerald
Henry Breen, License Commission

(C)Dec.2
#34825

FIRST PUBLICATION NO. 2631
CITY OF CAMBRIDGE
In the Year One Thousand, Nine Hundred Ninety-Three
AN ORDINANCE

In amendment to an ordinance entitled: "The Cambridge Municipal Code".

Be it ordained by the City Council of the City of Cambridge as follows:

That Chapter 2.54 of the Municipal Code entitled "Officers and Employees Generally" is hereby amended by striking out Section 2.58.010 and substituting in place thereof a new section 2.58.010 entitled "Residency of Employees" which reads as follows:

A. For every vacant position in City positions, as posted and/or advertised, there shall be an indication that Cambridge residents, especially, are invited to apply.

B. Consistent with State law, in interviewing and in the selection process, applicants for City of Cambridge positions who are Cambridge residents will be given special consideration.

C. Departments will be required to submit, along with affirmative action data, the statistics related to the employment of Cambridge residents. These statistics will be reviewed by the City Manager, and the Manager will report to the City Council on a regular basis as to the success the City is having in hiring Cambridge residents.

D. For all new positions filled at the level of Department Head or higher, every effort will be made to see that the employee reside in Cambridge. To the extent that is not feasible that this person reside in or move to the City of Cambridge, the City Manager, for those employees under his jurisdiction, will indicate the barriers that prevent such residency.

Passed to a second reading as amended at the City Council meeting held on November 22, 1993 and on or after December 13, 1993 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury
City Clerk

(C)Dec.2
#34823

LEGAL NOTICE
COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF
ENVIRONMENTAL PROTECTION

Pursuant to M.G.L. c. 21E, Section 14(a) and the Massachusetts Contingency Plan (310 CMR 40.00), the Department of Environmental Protection announces that a Preliminary Assessment and/or Limited Site Investigation has been performed at the following location: #3-0003897, MIT - PROPERTY, 112 SIDNEY STREET, CAMBRIDGE, MA.

This investigation has confirmed that a release of oil and/or hazardous materials has occurred at this location. Therefore, the Department has identified it as a confirmed disposal site. The Department has also determined that this site is a non-priority disposal site (as defined by M.G.L. c. 21E, Section 2). M.G.L. c. 21E, Section 3A (f) (3) requires, that, if feasible, permanent solutions be implemented at disposal sites. If a permanent solution is not feasible, then a temporary solution must be implemented and a plan for achieving a permanent solution must be developed.

This site has also been granted a Waiver of Approvals by DEP. Waiver sites are non-priority disposal sites which have been granted a Waiver of Approvals by the Department, pursuant to 310 CMR 40.537. This waiver allows the person granted it to conduct remedial response actions at the disposal site without prior Department approval of these actions.

M.G.L. c. 21E and the Massachusetts Contingency Plan provide several opportunities for public notice of and involvement of decisions regarding response actions at disposal sites, including:

° The Chief Municipal Official and Board of Health of the community in which the site is located will be provided with notices of the results of investigations, plans for remedial responses, and field work involving the use of heavy construction equipment and/or protective clothing (310 CMR 40.1402).

° Upon receipt of a petition from ten or more residents of the municipality in which the disposal site is located, or of a municipality potentially affected by a disposal site, a plan for involving the public in decisions regarding response actions at the site will be prepared and presented at a public meeting. This plan will be revised based on comments received, and will be implemented over the course of the response action (310 CMR 40.203).

For information on how to make an appointment to review the files and obtain more information on the confirmed disposal site referenced above, and the opportunities for public involvement during its remediation, please contact Karen Stromberg, DEP Northeast Regional Office, Site Assessment and Cleanup Section, 10 Commerce Way, Woburn, MA 01801 (Telephone: 617/935-2160).

Pursuant to M.G.L. c. 21E, Section 14 (a) and the Massachusetts Contingency Plan (310 CMR 40.00), the Department of Environmental Protection announces changes to a previously published notice concerning the classification of the following oil and/or hazardous material disposal site: #3-0000269, BELMONT OIL, 671 CONCORD STREET, CAMBRIDGE, MA.

DEP has reclassified this site due to new information. This site is now classified as a non-priority disposal site (as defined by M.G.L. c. 21E, Section 2).

For more information on the disposal site referenced above, and on opportunities for public involvement in remedial response actions, please contact Karen Stromberg, DEP Northeast Regional Office, Site Assessment and Cleanup Section, 10 Commerce Way, Woburn, MA 01801 (Telephone: 617/935-2160).
(C)Dec.2
#34832

LEGAL NOTICE

REQUEST FOR PROPOSALS. Employment Resources, Inc., has approximately $1,235,000 available in federal Job Training Partnership Act (JTPA) and state MassJOBS funding for education and training contracts for Fiscal Year 1995 (7/1/94 - 6/30/95). ERI is seeking proposals from interested parties to provide training and/or educational services to unemployed residents of the following cities and towns: Arlington, Belmont, Burlington, Cambridge, Chelsea, Everett, Malden, Medford, Melrose, North Reading, Reading, Stevens, Somerville, Stoneham, Wakefield, Watertown, Wilmington, Winchester, Winthrop, and Woburn. Three requests for proposals will be issued: Occupational Skills Training, Education, and Special Youth Programs. Private profit or nonprofit firms, public organizations, women- and minority-owned businesses are encouraged to apply. Specification packages will be available on or after 12/16/93 and may be obtained at ERI or by calling Peggy Libby at (617) 494-1154 or c/o ERI, 432 Columbia Street, Cambridge, MA 02141. A Bidders' Conference will be held at ERI on 12/16/93, 9:30-11:30 a.m. An original proposal and 9 copies must be delivered to ERI by 1:00 p.m., 2/1/94. ERI is an EOE/program. Auxiliary aids/services are available upon request to individuals with disabilities. New England Relay Service for TDD Users: 1-800-439-2370 (V/TTY).
(C)Dec.2
#34829

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Parkingway Wines, Inc., James P. Cifrino, manager,** holder of an all alcoholic beverages as a package goods store license at 598-614 Massachusetts Avenue has applied for a change of manager, officers, directors and shareholders.

The change of manager from James P. Cifrino to Edward Riley.

The officers and directors of Parkingway Wines, Inc. are: Thomas Cifrino, President and Director; James Cifrino, Treasurer and Director; Joshua M. Alper, Clerk; David Cifrino, Director.

James P. Cifrino sole shareholder (200 shares) made gifts of 92 shares: James P. Cifrino, 108 shares; Thomas Cifrino, 22 shares; James Cifrino, Jr., 10 shares; Mary Ellen McNamara, 10 shares; David A. Cifrino, 10 shares; Steven Cifrino, 10 shares; Anne M. Cifrino, 10 shares; Amy Rooney 10 shares.

The hearing on this application will be held on Tuesday evening, December 14, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34805

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138 as amended that **Aku Aku Corp., Jeffrey Katz, manager,** holder of an all alcoholic beverages as a restaurant license, 2 a.m. closing, at 149 Alewife Brook Parkway has applied to have its Cattleman Restaurant portion of its pocket license expiration date extended.

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34796

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Clube Recreio Madeirense, Inc., Jose Mendes Fernandes, manager,** holder of an all alcoholic beverages as a club license at 178 Elm Street has applied for a change of manager and change of officers and directors.

Change of manager from Jose Mendes Fernandes to Agostinho Martins.

The officers and directors of Clube Recreio Madeirense, Inc. are: Jose M. Silva, President and Director; Jose J. Silva, Treasurer; Jose A. Fernandes, Clerk and Director; Armando Abreu, Director; Agostinho Martins, Director; Joao Faria, Director; Gregorio Rosa, Director; Jose M. Fernandes, Director.

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34797

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that Picante Mexican Grill II, Inc. d/b/a **Picante Mexican Grill, Steven Matthews, manager** has applied for a license to sell wines and malt beverages as a restaurant at 735 Massachusetts Avenue.

The officers and directors of Picante Mexican Grill II, Inc. are: Steven Matthews, President and Director; Raymond Faulkner, Treasurer, Clerk and Director; Richard Faulkner, Director.

The premises are described as follows: Counter, 2 dining areas, display kitchen, prep/dishwashing area.

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34798

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that Frank Giglio d/b/a **East West Antiques** has applied for an antique store license at 169 Monsignor O'Brien Highway.

The hearing on this application will be held on Tuesday evening, December 14, 1993, six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34799

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that John M. Adams & Philip C. Bannatyne d/b/a **Flat Top Johnny's, John M. Adams, manager** holder of an all alcoholic beverages as a restaurant license at One Kendall Square has applied to transfer its license to a corporation. (Flat Top Johnny's, Inc.)

The offices and directors of Flat Top Johnny's, Inc. are: Philip C. Bannatyne, President and Director; John M. Adams, Treasurer, Clerk and Director.

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34795

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Fumiyo Kanai Genova d/b/a Tokai of Japan** has applied for an antique store license at 1815 Massachusetts Avenue.

The hearing on this application will be held on Tuesday evening, December 14, 1993, six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34804

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **The Ground Round, Inc., Edward Riley, manager,** holder of an all alcoholic beverages as a restaurant license at 555 Concord Avenue has applied for a change of manager from Edward Riley to Thomas M. Holleran.

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34803

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138 as amended that **Mt. Auburn Post Vets of Foreign Wars, Inc. #8818,** holder of an all alcoholic beverages as a club license, at 688 Huron Avenue has applied for a change of name.

Change of name from Mt. Auburn Post Vets of Foreign Wars, Inc. #8818 to Mount Auburn Memorial Post #8818, Veterans of Foreign Wars of the United States.

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34802

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Dynasty Gallery, Inc., John Pho, manager** has applied for an antique store license at 1033 Massachusetts Avenue.

The hearing for this application will be held on Tuesday evening, December 14, 1993, at six o'clock, 831 Massachusetts Avenue, 2nd floor, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34801

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138 as amended that M.T. Glynn, Inc. d/b/a **The Black Rose, Philip W. Sweeney, manager,** holder of an all alcoholic beverages as a restaurant license at 50 Church Street has applied for a change of d/b/a..

Change of d/b/a from The Black Rose to The Black Rose/Rosalita's Texas Backyard Barbecue.

The hearing on this application will be held on Tuesday evening, December 14, 1993, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34800

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Yardarm, Inc. d/b/a Pizzeria Regina, Robert J. DiAndrea, manager,** holder of a wines and malt beverages as a restaurant license at 8 Holyoke Street has applied to transfer its license to American Rotisseries, Inc. d/b/a 8 Holyoke Bistro, Pierre Jospe, manager at said address.

Officers and directors of American Rotisseries, Inc. are: Pierre Jospe, President, Treasurer, Clerk and Director; Moncef Meddeb, Vice-President, Director; Maurice Jospe, Director.

The premises are described as follows: Large dining room and kitchen area on street floor; large dining room and storage room on the lower level.

The hearing on this application will be held on Tuesday evening, December 14, 1993 at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Dec.2
#34822

Don't fret... **If you're looking** for a band, **selling** your sax or **seeking** a bigger amp, get in tune with classified's musical marketplace. Everyday, **Community Classified can help** you plug into an appreciative audience tuned into your message—no strings attached. Whatever you seek, we're playing your song. **Community Classified—it's a hit** with readers & advertisers alike!
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United Way
Voluntary Action Center

EARTH TO CAMBRIDGE

University forum explores Latino concerns

More than 225 Latino students met at Harvard University last week for the 22nd annual conference of the East Coast Chicano Student Forum.

The students from more than 20 East Coast universities, including Ivy League and Seven Sister colleges, focused this year on recent events at Cornell University. Most years, the conference held by the Boston-based organization addresses general issues of concern to Latinos on and off campus.

A Nov. 19 rally at Cornell, however, raised concerns the group decided to address this year. The rally, held to denounce vandalism of a Latino art display sponsored by Cornell, turned into a broader rally in support of the Latino community and its demands for respect and recognition at the Ithaca campus.

The rally resulted in many students occupying Day Hall, the campus administration building. Students refused to leave the building until the administration guaranteed an open meeting with the university president, the provost and student representatives at which several demands were to be discussed.

The demands focused on an increase in support services and resources for the recruitment and retention of Latino students, improving Latino faculty representation and the prevention of attacks on programs and activities of the Latino community.

As the largest intercollegiate Latino student organization on the East Coast, the forum made recommendations to other universities and student groups that are similarly impacted by issues facing Latino students. The emphasis was on resolving problems in an orderly, effective manner. The meeting lasted from Nov. 24 to 28. Both Harvard and MIT are members of the forum.

Latinos make up 6 percent of the student body at MIT, said administrative chair Alejandro Padilla, an MIT senior studying mechanical engineering. The biggest percentage is Mexican Americans.

El Salvadoran presidential candidate to speak at MIT

Ruben Zamora, presidential candidate for two left of center parties in El Salvador, will speak at MIT Monday, Dec. 6 (7 pm, Building 26, Room 100).

"The people have lost confidence in the political parties and their representatives as legitimate champions of their rights," said Zamora, candidate for the Democratic Convergence and the Farabundo Marti National Liberation Front. "The saddest part of this situation is that the people are right to a certain extent, given the long years of lies they have listened to."

Referring to recent history, Zamora said the ruling party was famous for unmet promises through its 20 years of military governments; then the Christian Democrats enjoyed 10 years of corruption; and now ARENA, which promised to struggle for "the poorest of the poor," has only managed to enrich the rich," according to Zamora.

For the next four months, the party will focus on public safety, lack of water and destruction of the environment, as well as the problem of health and betterment of the education for the great majorities," said Zamora. During his 24-hour visit, Zamora will meet with editorial boards and members of the academic community.


HOLIDAY GIFT GUIDE
Coming December 16
To advertise call 628-6200

CCM-101

City of Cambridge

12.

IN CITY COUNCIL

May 17, 1993

COUNCILLOR RUSSELL

ORDERED: That the Chair of the Ordinance Committee be and hereby is requested to update this City Council with the schedule of a hearing on the proposed amendment to the Cambridge Municipal Code in Chapter 2.58 by substituting a new subsection 2.58.010 Residency requirement - Exception.

City Council May 17 1993
Adopted by the affirmative vote
of 8 members
Attest: D. Margaret Drury City Clerk

NON-CONSENT ORDER #12

O-19

Councillor Russell re: Proposed amendment to the Cambridge Municipal Code in Chapter 2.58.

6/12/93 Placed on file on motion of Vice Mayor Russell

In City Council,

May 17, 1993

Order adopted

5/19/93 Copy sent to Ordinance Committee