

Union Square Neighborhood Council - Fifth Meeting January 22, 2018

Attendance

USNC Voting Members:

Mike Firestone, Bill Caveillini, Ben Bradlow, Rachel Weil, Michele Hanson, Ann Camara, Pennie Taylor, Afruza Akther, Jacob Kramer, Tori Antonino.

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Neighborhood Resident Members: 7

Co-Facilitators: Rachel Weil, Peter Insley

Agenda

1. Welcome & Introductions
 - Rachel welcomed the board and led introductions
 - Special guest from the MA Attorney General's office: Jonathan Sklarzik
2. Open Meeting Law Presentation and Discussion (40m)
 - Mike Firestone introduced the presentation and rationale for the discussion
 - [Material Available Here](#), [Open Meeting Law FAQ](#)
 - Discussion:
 - Mike Gintz- Biggest issue is what can be done to facilitate this group online while adhering to public meeting law
 - i. Jonathan- Bill under consideration to open deliberation up to web sites
 - ii. As a non-public body we have an opportunity to experiment with innovating.
 - Tori Antonino- Physical posting- where does one post?
 - i. Must be posted by city clerk in the place where they post things.
 - ii. City can adopt its web site, which becomes legal posting method
 - Bill Cavellini- How much time does clerk need in order to post 48 hours in advance?
 - i. Give yourself at least an extra day. Get to know your clerk and what kind of time they need.
 - Jacob Kramer- Sums up what we're already doing in the spirit of this law
 - Bill Cavellini- One primary purpose of the board is negotiating with developers or designating a group to do so. There will be a need to strategize a negotiating position that we don't want known to developers.
 - i. Develop our own reasoning for going into executive session, possibly different from the official 10.
 - ii. There is rule in our bylaws to allow going into executive session for this purpose
 - Mike Gintz- Are there any other versions of open meeting laws?
 - i. Robert's Rules of order. Nongovernmental entities are not legally required to abide by it. They abide by their bylaws.
 - Bill Cavellini- There are times when we may be acting as an advisor to a public body
 - i. There are other neighborhood groups that are not public bodies but who do act in an advisory role similar to USNC and do not abide by open meeting laws. There have been court cases. Three

factors beyond the definition (must encompass all three to be considered): 1. Does govt establish, control, appoint members, etc? 2. Public Business. 3. Empowered to act collectively.

- Ben Bradlow- Important to have a recognized standard to promote transparency and accountability. All issues that we have needed to deal with were better dealt with in a meeting.
 - i. One issue impacted by open meeting law is drafting a document on Google Docs- technically deliberation
- FAQ sheet
- 3. Ethics Discussion (20m)
 - Mike Firestone passed out conflict of interest conversation worksheet for consideration.
 - The greatest ethical concern is that board members are acting with a conflict of interest, or have the appearance of a conflict.
 - Board to submit worksheet and chairs to review for conflicts of interest that require more than simple disclosure
 - Examples: Someone with a property interest very close to D2 eg Dunkin Donuts
 - i. Mostly financial conflicts. State law applies to immediate family members. Distant family may be “appearance of conflict”
 - ii. Conflict doesn’t bar membership on the board- just needs to be stated and particular issues may require recusal.
 - Disclosure doesn’t necessarily mean recusal. Recusal would mean disqualifying from discussion and decisionmaking.
 - Jacob- What is process for recusal?
 - i. Bill Cavellini- Proposal: Chair would pay attention but each board member to pay attention, too.
- 4. Other Business (25m)
 - Rachel Weil - Letter to the mayor, board of aldermen, US2 has been submitted. Will be discussed at next legislative matters meeting February 1 at 7pm. There will be a reportback from legal team of the city solicitor.
 - i. Response to letter will be forwarded to board
 - ii. Ben Bradlow - Letter requested a meeting, which we haven’t heard back about. May apply more to the mayor’s office.
 - Jacob Kramer gave a summary of the previous legislative matters meeting
 - i. Could this recognition be made without passing a CBA ordinance?
 - ii. Point of the letter was not recognized. Can the covenant be reopened to specify us as the nonprofit recipient of a CBA?
 - iii. There is a mechanism for recognizing a member of the public in those meetings
 - Tori Antonino- They haven’t decided which way to go. Seems like they are leaning toward having CBA funds go to the city. It’s not city money it’s community money
 - Mike Firestone- Official position is that we are independent nonprofit, designated as party to a CBA, based on a covenant that the city brokered with the developer, and that the CBA has a list of allowable topics. There’s a separate provision about a CBA fee assessed on a sq ft of development basis. City is interested in who is in charge of divvying up that money. We are interested in other things not necessarily related to these fees. We need to clarify our ask to the alderman.

- Alderman Scott issued a letter commending us for our election and establishment.
 - Scheduling further meetings:
 - i. CBA Summit: Argenziano Cafeteria (fee ~\$250 for both meetings), Police Station (free)
 - 1. Feb 7 and 10 have been proposed
 - 2. Argenziano Cafeteria is free on weeknights for community groups of less than 100
 - a. To host the 2/7 CBA summit
 - 3. Vote on using the Police Station for the Saturday meeting: 12 yes, 0 no
 - a. To host the 2/10 CBA summit
 - ii. Green room is open for free smaller meetings on Bow St.
 - iii. Bill Cavellini - Propose USNC Board meeting on 1/31
 - 1. Mike Firestone- Propose to put a finance or budget committee onto the agenda.
 - 2. Argenziano is not available on 31st, police station can be reserved
 - 3. Mike Firestone- Is it possible to invite people to come to meetings to represent for USMS or other small business perspective?
 - a. USMS is looking for a new director
 - Ben Bradlow - We need a line of communication with the small business community. Possibly a subcommittee. We don't have a mechanism for input on economic development.
 - i. We should put it on the agenda for 1/31
 - Peter Insley- vote to extend the meeting by 20 minutes
 - i. 12 yes, 0 no
5. Public Comment Period (20m)
- CBA Committee meeting at police station 1/23 7pm
 - Outreach & Communications meeting at police station Saturday 1/27 10am
 - Pennie Taylor- need a process for approving spending for reimbursement, specified in bylaws
 - Bill Cavellini - WBUR Open Source features Somerville USNC
 - Public attendance has been dropping off. Some issues with outreach to advertise meetings. Addressing aldermen as such to keep community informed on who we're talking about.
6. Adjourn