



Medford City Council
Medford, Massachusetts

The Second Regular Meeting, January 20, 2026

City Council

Isaac B. "Zac" Bears
Anna Callahan
Liz Mullane
Emily Lazzaro
Matt Leming
George A. Scarpelli
Justin Tseng

This meeting took place at 7:09 P.M. in the City Council Chamber, 2nd Floor, Medford City Hall, 85 George P. Hassett Drive, Medford, MA and via Zoom.

To submit written comments, please email REliseo@medford-ma.gov.

CALL TO ORDER

President Bears called the meeting to order at 7:09 P.M. on January 20th, 2025, in the City Council Chamber on the second floor of Medford City Hall, 85 George P. Hassett Drive, Medford, Massachusetts, and via Zoom.

ROLL CALL

Present: President Bears; Councilor Callahan; Vice President Lazzaro (Zoom); Councilor Leming; Councilor Mullane; Councilor Scarpelli (Zoom); Councilor Tseng. Inside the Rail: Acting City Clerk Richard Eliseo Jr.

SALUTE TO THE FLAG

ANNOUNCEMENTS, ACCOLADES, REMEMBRANCES, REPORTS AND RECORDS

26-015 - Offered by Isaac Bears, Council President, Justin Tseng, City Councilor



Medford City Council
Medford, Massachusetts

MEETING DATE	SPONSORED BY
January 20, 2026	Isaac Bears, Council President, Justin Tseng, City Councilor
AGENDA ITEM	
26-015 - Condolences to the Family of Clarence "Ed" Ligon	
FULL TEXT AND DESCRIPTION	
Be it Resolved by the Medford City Council that we send our deep and sincere condolences to the family of Clarence E. "Ed" Ligon, Jr. on his passing, especially his wife of over 55 years, Barbara. Ed was a beloved member of our Medford community and a shining light at the West Medford Community Center and NAACP Mystic Valley Branch, among many other organizations.	
RECOMMENDATION	
FISCAL IMPACT	
ATTACHMENTS	
None	

Councilor Tseng Motioned to Approve (Seconded by Councilor Callahan) – Approved on a Roll call vote Seven in favor, Zero opposed

Records

The Records of the Meeting of January 6, 2026 were passed to Councilor Leming

Councilor Leming Motioned to Approve the Records from January 6th, 2026 (seconded by Councilor Tseng) – Approved on a Roll call vote of Seven in favor, Zero opposed

Reports of Committees

26-011 and 25-149 - Offered by Isaac Bears, Council President

COMMITTEE OF THE WHOLE MEETING REPORT TUESDAY, January 13, 2025 @ 6:00 P.M.

Roll Call

Attendees: Council President Isaac "Zac" Bears; Council Vice President Emily Lazzaro; Councilor Callhan; Councilor Matt Leming; Councilor George Scarpelli; Councilor Justin Tseng; Councilor Mullane; Acting City Clerk Richard Eliseo Jr; other participants as noted in the body of this report.

President Bears called the meeting to order at 6:03 p.m. on December 13, 2025. The purpose of the meeting was to discuss Resolution to Conduct Comprehensive Review of Ambulance/EMS Contract Negotiation and Transition, Amendment to Chapter, Article V, Division 2- Medford Standard Compensation Ordinance and Resolution to Establish a Recruitment and Hiring Process for the City Clerk (Paper 26-011, 25-189 and 25-149).

ACTION AND DISCUSSION ITEMS

26-011 - Offered by George Scarpelli, City Councilor, Isaac Bears, Council President



Medford City Council
Medford, Massachusetts

MEETING DATE	SPONSORED BY
January 13, 2026	George Scarpelli, City Councilor, Isaac Bears, Council President
AGENDA ITEM	
26-011 - Resolution to Conduct Comprehensive Review of Ambulance/EMS Contract Negotiation and Transition	
FULL TEXT AND DESCRIPTION	
WHEREAS; the City of Medford has entered into a new ambulance service contract representing a significant change in public safety service delivery; and	
WHEREAS; questions have been raised regarding the negotiation process, financial management, terms of service levels, and cost implications of this transition; and	
WHEREAS; the City Council has a fiduciary responsibility to ensure taxpayer funds are used efficiently and public safety standards are maintained; now therefore:	
Be it Resolved that the Medford City Council hold a Committee of the Whole Meeting to conduct a comprehensive review of the ambulance service contract negotiation process and transition.	
RECOMMENDATION	
FISCAL IMPACT	
ATTACHMENTS	
None	

Council Questions and Discussion

Councilors asked questions regarding:

- Contractual language versus refusal to perform or pay.
- EMS response times and EMD dispatch procedures.
- Mutual aid practices.
- Training, staffing levels, and ambulance availability.
- Comparisons between Armstrong and the incoming provider.
- Whether the new ambulance contract had been shared with the City Council.

Armstrong Ambulance – Presentation and Timeline

Representatives of Armstrong Ambulance provided a detailed chronology of communications and negotiations with the City beginning in April 2025, including:

- Review of Anti-Kickback and Medicare compliance concerns related to contract language and payments.
- Discussion of a request for payment totaling \$450,000 and Armstrong's request for supporting financial documentation.
- Meetings with the Mayor, City Solicitors, and outside counsel.
- Delivery of payments totaling \$225,000 pending documentation.
- Ongoing legal discussions regarding contract language, including transportation of municipal employees, EMD services, and compliance safeguards.
- Statements that Armstrong never refused payment but sought legal compliance and documentation.
- Testimony that no performance or response-time concerns were raised by Police or Fire leadership during negotiations.

Armstrong representatives stated they were informed in December 2025 that the City intended to move in a different direction and that no formal termination notice had been received.

Public Participation

Public participation was opened at 9:48pm. Speakers included:

- Residents, former Council members, EMS professionals, union representatives, and current and former Armstrong employees.
- Speakers spoke to Armstrong's service history, training standards, community involvement, response times, union workforce protections, and concerns regarding the EMS transition timeline and preparedness.
- Speakers raised concerns regarding transparency, lack of an RFP process, housing of ambulances, staffing readiness, and continuity of care.

- Written correspondence was read into the record regarding Armstrong's long-term community involvement and volunteer support.

Public participation was closed at 10:02pm.

Council Motions

Motion 1 – Request to Pause EMS Transition

Motion by Councilor Scarpelli, seconded by Councilor Leming, to request that the Mayor pause the transition of EMS services to Cataldo Ambulance scheduled for January 19, 2026, until:

1. A written transition plan is published and shared with residents; and
2. The information requested by the City Council is provided.

Motion 2 – Request for Information from the Administration

Motion by Councilor Leming, seconded by Councilor Mullane, to request the following from the City Administration:

1. A copy of the new ambulance services contract with Cataldo.
2. EMS response time data for the City of Medford for the past ten (10) years, including average response times and responses exceeding ten (10) minutes.
3. A detailed EMS transition plan for coverage after January 19, 2026.
4. Any reports or coverage plans provided by Cataldo.
5. Year-over-year comparison of Armstrong and Cataldo response times.
6. Year-over-year comparison of mutual aid requests by Armstrong and Cataldo.
7. Documentation regarding Armstrong payments under the 2022 contract, including:
 - o Legal opinions or advice related to payment obligations.
 - o Invoices issued since 2020.
 - o Documentation supporting expenses billed.
 - o

Amendment:

At the request of Councilor Scarpelli, the motion was amended to include a request for the housing and stationing plan for Cataldo ambulances and its impact on Fire Department operations and neighborhoods.

Motion 3 – Request for Information from Armstrong Ambulance

Motion by Councilor Scarpelli, seconded by Councilor Mullane, to request from Armstrong Ambulance:

1. The written communication requesting payment of \$450,000 within ten (10) days.
2. Any correspondence from City legal counsel regarding payment legality.
3. The email from the mayor indicates the city would move in a different direction.
4. Any formal termination notice.
5. Ten (10) years of EMS response time data, including average response times and calls exceeding ten (10) minutes.

Roll Call Vote on (Motions 1–3) Seven in Favor, Zero opposed – Passed

25-189 - Offered by Isaac Bears, Council President

Amendment to Chapter 2, Article V, Division 2 - Medford Standard Compensation Ordinance

Motion by Councilor Scarpelli to table to future Committee of the Whole meeting (seconded by Councilor Mullane) – Approved on a Roll call vote of Seven in Favor, Zero opposed.

25-149 - Offered by Isaac Bears, Council President



Medford City Council
Medford, Massachusetts

MEETING DATE	SPONSORED BY
January 13, 2026	Isaac Bears, Council President

AGENDA ITEM

25-149 - Resolution to Establish a Recruitment and Hiring Process for the City Clerk

FULL TEXT AND DESCRIPTION

Whereas, City Clerk Hurtubise has informed the City Council that he will resign from his position as City Clerk effective December 31, 2025; and,

Whereas, the City Council thanks Clerk Hurtubise for his years of dedicated service to the residents of the City of Medford and to this City Council; and,

Whereas, the City Council President has worked with the City Solicitor and Director of Human Resources to outline a recruitment and hiring process for the appointment of a City Clerk for the City of Medford; now, therefore:

Be it Resolved by the Medford City Council that we adopt the following process for recruitment and hiring of a City Clerk.

Recruitment and Hiring Process for City Clerk

Step 1: Human Resources Requisition Form

- The City of Medford Human Resources Department will develop a job description for the position of City Clerk with minimum and preferred qualifications and attributes for review and approval of the City Council and Mayor.
- **Timeframe: Completed. Description attached.**

Step 2: Advertisement of Position

- The position will be posted on the City's website and advertised externally as with all department head positions and on specific industry sites such as Massachusetts Municipal Association, Betterteam, and specialty sites if applicable.

- Timeframe: job posting will remain active on the City's website for a minimum of two weeks. If there is not enough interest in the position, we will keep it open until filled.
- After the two-week period, the position will be closed in BetterTeam, unless it becomes designated as "open until filled," in which case it will remain open until sufficient qualified candidates have applied, then it will be closed.
- Human Resources will be responsible for reviewing applications received on BetterTeam. The City Council President will have access to those applicant submissions that meet the minimum qualifications and requirements of the position.

Step 3: Interview Process

- The City Council President and Director of HR will review all applications and finalize a list of candidates to interview who meet the minimum requirements of the position. This list will be provided to the HR Coordinator for scheduling of interviews.
- All names of candidates selected for interview will be kept confidential at this stage of the process.
- Initial interviews are conducted by the Chief of Staff, Director of Diversity, Equity and Inclusion, Elections Manager, and City Council designee.
- Specific questions and/or scenario questions prior to the 1st interview must be developed for approval by the Director of HR and DEI Director with input from City Council President prior to approval.
- All candidates selected for interviews will be asked the same standard questions.
- The DEI Director will formulate the Interview Grid associated with the interview questions prior to the interviews.
- A calendar invitation by the HR Coordinator will be sent to all interviewers which will include a copy of the finalized interview grid/scoring sheet, questions, and applications/resumes of those being interviewed.
- Following the interview process, all documentation and scoring sheeting will be collected and tabulated by HR and kept on file.
- The HR coordinator will contact those candidates selected for a second interview and schedule the time for the second interview.
- The second interviews will be conducted by the Director of HR and an interview panel which will include a City Council designee, Building Commissioner, and City Solicitor.
- Specific questions and/or scenario questions prior to the 2nd interview must be developed for approval in the same manner as the 1st round process.
- All candidates selected for second interviews will follow the same process as 1st round.
- The top-ranking 3 candidates will be notified of their selection, and after a reference check, their names will be made public and submitted to the City Council for action.

Step 4: City Council Appointment

- Once the final candidates are selected, HR will schedule final interviews before the City Council.
- The City Council will appoint one of the candidates by majority vote.
- A Conditional Offer is issued to the person appointed by the City Council by the Director of HR at Salary Step 1, subject to education and experience, and a CORI will be conducted.
- Required Education/License Credentials will be collected during the onboarding process.
- Upon receiving satisfactory results of all conditions, the candidate will be required to complete the onboarding process.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Job Description - City Clerk

Motion by Vice President Lazzaro, seconded by Councilor Callahan, to:

- Repost the City Clerk position without minimum requirements.
- Keep the posting open through Friday, February 6, 2026.
- Ensure posting on the MMA Job Board, Master List, and standard HR platforms.
- Authorize a subcommittee consisting of President Bears, Vice President Lazaro, and Councilor Callahan to review applications and schedule interviews from both existing and newly received applications.

Amended Motion passed on a Roll Call vote of Seven in Favor, Zero opposed

Adjournment

Motion to adjourn by Councilor Leming (seconded by Vice President Lazzaro) – Approved on a roll call
vote of Six in favor, One opposed (Councilor Leming)

Respectfully submitted

Richard Eliseo Jr
Acting City Clerk

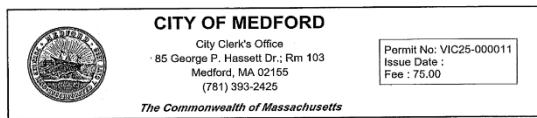
A full unedited version of the Transcript is online in PDF version and available at the City Clerks office. All supporting evidence and documents are also available online in PDF version and available in the City Clerk's office.

Copy and paste below link to access:
<https://medfordma.portal.civicclerk.com/event/430/overview>

Councilor Tseng Motioned to Approve (seconded by Councilor Leming) – Approved on a Roll call vote of Seven in favor, Zero opposed

PETITIONS, PRESENTATIONS, AND SIMILAR PAPERS

26-016 - Petition for a Common Victualler's License - K&C Made, LLC. dba Annie's Pizzeria



This is to Certify that a Common Victualler License is hereby granted to:

K&C Made, LLC, dba Annie's Pizzeria
Location: 207 MIDDLESEX AV Medford, MA

In said City of Medford, and at place only and expires unless sooner suspended or revoked for the violations of the law of the Commonwealth respecting the licensing of the common victuallers. This license is issued in conformity with the authority granted to the licensing authorities by M.G.L. Ch. 140 and amendments thereto.

Hours of Operation : Mon: 11:00 AM-11:00 PM; Tues: 11:00 AM-11:00 PM;
Wed: 11:00 AM-11:00 PM; Thurs: 11:00 AM-11:00 PM; Friday: 11:00 AM-11:00 PM;
PM; Sat: 11:00 AM-11:00 PM; Sun: 11:00 AM-11:00 PM

By Order of the Medford City Council

LICENSING AUTHORITIES
Adam L. Hurubise
Adam L. Hurubise
City Clerk

Provisions set forth by the City of Medford:
1. Notify Medford City Clerk on location, ownership and for name changes.
2. Adhere to Medford sign ordinance S.94-6.2
3. Adhere to Medford Health Dept. Public Sanitation Ordinance.
4. Adhere to Zoning Laws pertaining to Keno.

EXTRACTS FROM GENERAL LAWS, (TER. ED) CHAPTER 140

Section 7. An infractor who, upon request, refuses to receive and make suitable provision for a stranger or traveler shall be punished by a fine of not more than fifty dollars.
Section 8. If, in the opinion of the licensing authorities, a licensee as an infractor or a common victualler ceases to be engaged in the business he is licensed to pursue, or fails to maintain upon his premises the implements and facilities required by this chapter, they shall immediately revoke his license. If a licensee at any time conducts his licensed business in an improper manner, the licensing authorities, after notice to the licensee and reasonable opportunity for a hearing, may upon satisfactory proof thereof suspend or revoke his license or impose a fine; provided that, the fine for the first offense within a 6 month period shall not less than \$500 and not more than \$1,000; for the second offense within a 6 month period the fine shall be not less than \$1,000 and not more than \$2,000; for the third offense within a 6 month period the fine shall be not less than \$2,000 and not more than \$5,000; for the fourth offense within a 6 month period the fine shall be not less than \$5,000 and not more than \$10,000; and for the fifth offense within a 6 month period the fine shall be not less than \$10,000. An infractor who violates section 8, shall forfeit his license. A licensee who is convicted a second time of the violation of any of the provisions of sections six to eighteen, inclusive, shall forfeit his license.
Section 18. Every infractor and common victualler shall at all times have a board or sign affixed to his house, shop, cellar or store, or in a conspicuous place near the same, with his name legibly inscribed thereon in large letters and the business for which he is licensed inscribed thereon, and upon neglect thereof shall forfeit twenty dollars.
Section 20. Whoever assumes to be an infractor or common victualler without being licensed as such under this chapter shall forfeit one hundred dollars.
Section 21. Whoever is convicted a third time of a violation of any provision of the preceding sections, except those contained in sections seven and eight, shall, in addition to the penalties before provided, be punished by imprisonment for not more than three months.

Licence is non-Transferable

Councilor Scarpelli Motioned to Approve (seconded by Councilor Leming – Approved on a Roll call vote of Seven in favor, Zero opposed

Councilor Leming Motioned to Suspend the rules and take 26-020 and 26-021 out of order (seconded by Councilor Tseng) – Approved on a Roll call vote of Six in favor, One opposed (Vice President Lazzaro)

Councilor Tseng to enter Executive Session (seconded by Councilor Callhan) – Approved on a Roll call vote of Seven in favor, Zero opposed

COMMUNICATIONS FROM THE MAYOR

26-020 - Submitted by Mayor Breanna Lungo-Koehn



**MEDFORD, MASSACHUSETTS
MAYOR BREANNA LUNGO-KOEHN**

January 14, 2026

Via Electronic Delivery

To the Honorable President and
Members of the Medford City Council
Medford City Hall
Medford, MA 02155

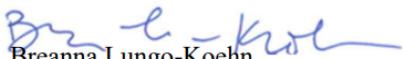
Re: Litigation Settlement

Dear President Bears and Members of the City Council:

I respectfully request and recommend your Honorable Body enter Executive Session pursuant to G.L. c. 30A, § 21(a)(3) to discuss strategy with respect to litigation concerning the matter of DaSilva v. City of Medford, Middlesex Superior Court, CA No.: 2181CV01659. I also recommend that the Council's agenda state in the executive session notice that "votes may be taken". Attorney Justin Perrotta from KP Law will be present to provide the Council with guidance on this matter.

Thank you for your kind attention to this matter.

Sincerely,


Breanna Lungo-Koehn
Mayor

Councilor Leming motioned to Approve (seconded by Councilor Tseng) – Approved on a roll call vote of Seven in favor, Zero opposed

Councilor Tseng Motioned to end Executive session (seconded by Councilor Mullane) – Approved on a Roll call vote of Five in favor, Zero opposed and Two left session (Vice President Lazzaro, Councilor Scarpelli)

26-021 - Submitted by Mayor Breanna Lungo-Koehn



MEDFORD, MASSACHUSETTS MAYOR BREANNA LUNGO-KOEHN

January 14, 2026

Via Electronic Delivery

To the Honorable President and
Members of the Medford City Council
Medford City Hall
Medford, MA 02155

Re: Capital Stabilization Fund Appropriation Request

Dear President Bears and Members of the City Council:

I respectfully request and recommend that your Honorable Body approves the following appropriation from the Capital Stabilization Fund:

That the City of Medford (the "City") hereby appropriates the amount of three hundred thousand (\$300,000) Dollars for the purpose of paying feasibility study and schematic design costs related to a potential Accelerated Repair Project involving a potential roof and heat pump conversion replacement project at Roberts Elementary School, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City has applied for a grant from the Massachusetts School Building Authority (the "MSBA"), said amount to be expended under the direction of the Medford School Committee.

To meet this appropriation, the Mayor, with the approval of the City Council, is authorized to use funds from the Capital Stabilization Account in said amount.

The City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the City to collaborate with the MSBA on this proposed repair project, any project costs the City incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City.

The Capital Stabilization Fund currently has a balance of \$10,531,346.

Thank you for your kind attention to this matter.

Respectfully submitted,


Breanna Lungo-Koehn
Mayor

Vice President Lazzaro Motioned to Approve (seconded by Councilor Leming) –
Approved on a Roll call vote of Seven in favor, Zero opposed

Councilor Tseng Motioned to Approve B Paper to invite Administration and Medford public Schools to a Committee of the Whole to discuss further (seconded by Vice President Lazzaro) – Approved on a Roll call vote of Seven in favor, Zero opposed

MOTIONS, ORDERS, AND RESOLUTIONS

26-017 - Offered by Emily Lazzaro, City Councilor, Anna Callahan, City Councilor, Justin Tseng, City Councilor



Medford City Council
Medford, Massachusetts

MEETING DATE	SPONSORED BY
January 20, 2026	Emily Lazzaro, City Councilor, Anna Callahan, City Councilor, Justin Tseng, City Councilor

AGENDA ITEM

26-017 - Resolution to Condemn Killing of Nicole Renee Good by ICE and Reaffirm Constitutional Rights of Residents

FULL TEXT AND DESCRIPTION

Whereas, on January 7, 2026, Renee Nicole Good was bystander to an action by Immigration and Customs Enforcement (ICE) in Minneapolis, tried to leave the scene, and was shot in her car by ICE officer, Jonathan Ross; and

Whereas, Medford residents have observed and recorded ICE operations, as they have right to under the laws of this Country, Commonwealth, and City; and

Whereas, it is the duty of Medford local government and law enforcement to protect the safety and well-being of Medford residents; and

Whereas, there is no legal code or precedent known to the Medford City Council that prohibits local law enforcement from intervening against agents, be they local, State, or Federal, engaged in unlawful behaviors, especially those which put residents in danger; now therefore:

Be it Resolved, that the Medford City Council condemns the killing of Renee Nicole Good by an Immigration and Customs Enforcement (ICE) officer in Minneapolis on January 7, 2026, and expresses its deep concern over the loss of life and the circumstances surrounding this incident; and

Be it Further Resolved, that the Medford City Council reaffirms the fundamental rights of residents to peacefully protest and to observe and document law enforcement activity, including the conduct of federal immigration officers, consistent with the Constitution and laws of the United States and the Commonwealth of Massachusetts; and

Be it Further Resolved, that the Committee on Public Health and Community Safety is directed to work with the City Administration and local law enforcement to review and develop strategies,

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protocols, and responses that protect residents' rights to peaceful protest and lawful observation and preserve public safety and community trust; and

Be it Further Resolved, that the Committee on Public Health and Community Safety is directed to work with the City Administration and local law enforcement to develop and articulate to the public a clear policy governing responses to active ICE actions within the City of Medford, that prioritizes resident safety, security, and rights over untested, unsupported, or otherwise ambiguous and uncertain interpretations of law; and

Be it Further Resolved, that the Committee on Public Health and Community Safety is further directed to engage with community groups, residents, and relevant advocacy organizations to identify best practices and preventative measures to reduce the risk of similar incidents occurring in the City of Medford.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None

President Bears opened Public Participation 8:34 pm

Addressing the Council:

Miccah Kessleman 499 Main St
Steve Schnapp 36 Hillside Av
Nahit Trivedi Cambridge MA
Jason Rabin 592 Main St
Claire Sheridan 190 High St
Prabit Hanaterajan West Medford
Patrick Clerkin 14 Bennett Place
Munir Jirmanus 3 Summit Rd
Meghan Searl 100 Station Landing
Asia Ricate South Medford
Andrew Castignetti Medford
Ellery Klein 37 Fells Ave
Simone Alcindor 44 Tainter St
Ilene Lerner 3920 Mystic Valley Pkwy
Radhika Kennedy 12 Wildwood Rd
Ellen Epstein Grove St
Mike Denton Business Owner Medford

Public Participation Closed 9:15 pm

Councilor Tseng Motioned to Sever first two resolutions, Amend the below and refer the last four resolutions to public health and safety committee (seconded by Councilor Callhan) – Approved on a Roll call vote of Zeven in Favor, Zero opposed

Be it Further Resolved that the Committee on Public Health and Community Safety is directed to work with the City Administration and local law enforcement to review and develop strategies, protocols, and responses that protect residents' rights to peaceful protest and lawful observation and preserve public safety and community trust; and

Be it Further Resolved, that the Committee on Public Health and Community Safety is directed to work with the City Administration and local law enforcement to develop and articulate to the public a clear policy governing responses to active ICE actions within the City of Medford, that prioritizes resident safety, security, and rights over untested, unsupported, or otherwise ambiguous and uncertain interpretations of law; and

Be it Further Resolved, that the Committee on Public Health and Community Safety is further directed to engage with community groups, residents, and relevant advocacy organizations to identify best practices and preventative measures to reduce the risk of similar incidents occurring in the City of Medford.

Be it Further Resolved, that the Committee on Public Health and Community Safety work with School Administration and School Committee members to protect our students' safety and their right to protest.

26-018 - Offered by Matt Leming, City Councilor



Medford City Council
Medford, Massachusetts

MEETING DATE	SPONSORED BY
January 20, 2026	Matt Leming, City Councilor
AGENDA ITEM	26-018 - Resolution to Increase Vacation Time for Employees of the City of Medford
FULL TEXT AND DESCRIPTION	<p>WHEREAS, employees of the City of Medford receive only two weeks of vacation per year for their first five years, which is lower than surrounding municipalities; and</p> <p>WHEREAS, this makes Medford less competitive when attempting to attract new employees, and surrounding municipalities such as Boston and Somerville more liberal vacation policies; now, therefore:</p> <p>BE IT RESOLVED that Chapter 66, Article III, Section 66-64 of Medford's Code of Ordinances be amended as follows:</p> <p>(b) Length. Subject to the provisions of subsection (a) of this section, vacations shall be computed in the following manner:</p> <ol style="list-style-type: none">1. Four weeks' vacation for employees who have served up to and not more than five years.2. Five weeks' vacation for employees who have served not less than five years nor more than ten years.3. Six weeks' vacation for employees who have served not less than ten years. <p>BE IT FURTHER RESOLVED that this be effective immediately upon passage.</p>

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

Councilor Leming Motioned to refer to Administration and Finance Committee (seconded by Councilor Callahan) Approved on a Roll call vote of Seven in favor, Zero opposed

President Bears asked Councilor Tseng to take the Chair

MOTIONS, ORDERS, AND RESOLUTIONS Cont.

26-019 - Offered by Isaac Bears, Council President

SECTION 50, ARTICLE IV ORDINANCE BANNING FACE SURVEILLANCE TECHNOLOGY

SECTION 50-83. - Definitions

For the purposes of this ordinance:

- (A) "Face surveillance" or "facial recognition" shall mean an automated or semi-automated process that assists in identifying or verifying an individual or analyzing or capturing information about an individual based on the physical characteristics of an individual's face, head or body, or that uses characteristics of an individual's face, head or body to derive information about the associations, activities or location of an individual; provided, however, that "facial recognition" shall not include the use of search terms to sort images in a database.
- (B) "Face surveillance system" shall mean any computer software or application that performs face surveillance or facial recognition.
- (C) Medford shall mean any department, agency, bureau, and/or subordinate division of the City of Medford.
- (D) "Medford official" shall mean any person or entity acting on behalf of the City of Medford, including any officer, employee, agent, contractor, subcontractor, or vendor.

SECTION 50-84. - Ban on City of Medford Use of Face Surveillance

- (A) It shall be unlawful for Medford or any Medford official to:
 - 1. obtain, retain, possess, access, or use (1) any face surveillance system, or (2) information derived from a face surveillance system;
 - 2. enter into an agreement with any third party for the purpose of obtaining, retaining, possessing, accessing, or using, by or on behalf of Medford or any Medford official any face surveillance system; or
 - 3. issue any permit or enter into any other agreement that authorizes any third party, on behalf of Medford or any Medford official, to obtain, retain, possess, access, or use (1) any face surveillance system, or (2) information derived from a face surveillance system
- (B) Nothing in (a) shall prohibit the Medford Police Department from requesting

facial recognition searches in accordance with Section 220 of Chapter 6 of the Massachusetts General Laws, as amended, restated, supplemented or otherwise modified from time to time.

(C) Nothing in (A) shall prohibit Medford or any Medford official from:

1. obtaining or possessing (1) an electronic device, such as a cell phone or computer, for evidentiary purposes, or (2) an electronic device, such as a cell phone or tablet, that performs facial recognition for the sole purpose of user authentication;
2. using facial recognition on an electronic device, such as a cell phone or tablet, owned by Medford or any Medford official, for the sole purpose of user authentication;
3. using social media or communications software or applications for communicating with the public, provided such use does not include the affirmative use of any facial recognition; or
4. using automated redaction software, provided such software does not have the capability of performing facial recognition.

SECTION 50-85. - Enforcement

(A) Facial recognition data collected or derived in violation of this ordinance shall be considered unlawfully obtained.

(B) No data collected or derived from any use of facial recognition in violation of this ordinance and no evidence derived therefrom may be received in evidence in any proceeding in or before any department, officer, agency, regulatory body, legislative committee, or authority subject to the jurisdiction of the City of Medford, except when it is used to investigate or discipline someone for a suspected violation of this ordinance.

(C) Any violation of this ordinance constitutes an injury, and any person may institute proceedings for injunctive relief, declaratory relief, or writ of mandate in any court of competent jurisdiction to enforce this ordinance.

1. An action instituted under this paragraph shall be brought against the respective Medford department, and the City of Medford and, if necessary, effectuate compliance with this ordinance, any other governmental agency with possession, custody, or control of data subject to this ordinance.
- a. A court shall award costs and reasonable attorneys' fees for a plaintiff who is the prevailing party in such proceeding.
2. Violations of this ordinance by a Medford employee shall result in consequences that may include retraining, suspension, or termination, subject to due process requirements and provisions of collective bargaining agreements.
3. Nothing in this section shall be construed to limit any individual's rights under state or federal law.

SECTION 50-86. - Severability

If any provision of this ordinance shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

SECTION 50-87. - Effective Date

The provisions of this ordinance shall be effective immediately upon passage.

Addressing the Council:

Miccah Kessleman 499 Main St
Barry Ingber 9 Draper St

President Bears Motioned to Approve for First Reading (seconded by Councilor Mullane) – Approved on a Roll call vote of Seven in favor, Zero opposed

PUBLIC PARTICIPATION

President Bears opened Public Participation 9:59 pm

President Bears closed Public Participation 10:00 pm

Adjournment

Councilor Leming Motioned to Adjourn (seconded by Councilor Tseng) – Approved on a Roll call vote of Seven in favor, Zero opposed

Respectfully Submitted

Richard Eliseo Jr
Acting City Clerk