



CITY OF SOMERVILLE, MASSACHUSETTS CLERK OF COMMITTEES

December 10, 2018

REPORT OF THE CONFIRMATION OF APPOINTMENTS AND PERSONNEL MATTERS COMMITTEE

Attendee Name	Title	Status	Arrived
Jefferson Thomas ("J.T.") Scott	Chair	Present	
Stephanie Hirsch	Vice Chair	Absent	
Wilfred N. Mbah	Alderman at Large	Present	
Lance L. Davis	Ward Six Alderman	Present	
Ben Ewen-Campen	Ward Three Alderman	Absent	

Others Present: Annie Connor (Mayor's Office), Hannah Carillo (SPCD Housing).

The meeting started at 6:07 p.m. and adjourned at 8:50 p.m.

205847: Requesting the re-appointment of Frank Santangelo as Constable.

The appointee did not appear before the Committee.

RESULT:	KEPT IN COMMITTEE
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206874: Requesting the re-appointment of Berlin Haynes as Constable.

The Chair Scott had talked with Mr. Haynes son, Andrew who is also a constable. Mr. Berlin Haynes has been a constable for 30 years and has been living in Somerville almost his entire life. Ald. Davis noted that there was no one from the administration at the meeting tonight to speak on behalf of the re-appointed candidates. Mr. Long, the city's clerk, was not able to attend the meeting. Ald. Mbah asked the candidate what he likes about this job. Mr. Haynes responded that he likes helping people. This was his first time meeting the aldermen and being called in for re-appointment approval. Mr. Haynes was asked about the challenges of this job, but he did not want to go into details. He did state there are a lot of foreigners who do not know the process. He also stated that it feels like a jungle out there, instead of the United States of America. It was noted that last time constables came before the committee for approval, the police chief was in the room on another matter, and could explain the process. Ald. Davis asked Ms. Connor from the Mayor's office why someone from the administration was not in attendance to represent the constables. Ald. Scott met with Sargent Whalen who talked about the process. The constables have a CORI check done on them, check internally for files and records about incidents or complaints. There is no face-to-face with the candidates for constables. The chair also referenced an incident back in 2015 when a constable's license was revoked by the committee. Information was given to the administration about that constable's character from another municipality, who then forwarded that information to the Board with a request to revoke that constable's appointment.

Ald. Scott is confident that the police reviewed the information and knows the candidates would not be there if there was anything wrong. However, there were questions as to why the administration is not following the procedure. Mr. Haynes explained to the committee that he serves papers for eviction, serves warrants, and can arrest in case of a warrant.

Since there were no one from the administration at tonight's meeting, the aldermen discussed how to proceed with the appointments. It was suggested to send the items to the BOA without a recommendation and hope by Thursday's BOA meeting they will receive other documents on the constables. The committee needs some substance to make a decision on the constables. Ald. Davis stated this was an issue raised a year ago. This is an important position in the Commonwealth. Ms. Connor stated that the constables are statutory positions. There may not be any more information on the constables. Mr. Long may have more information only because he is the person to process the requests. One of the other constables in the room stated that there used to be 37 constables before there was a residence requirement. Now there are only 5 or 6 constables. Mr. Haynes asked why the process changed to have the constables be re-appointed. It was stated that it is the BOA's duty as per the city charter to confirm appointments and they have an obligation to review candidates approved by the Mayor. Mr. Browne, also one of the constables waiting to be re-appointed, stated candidates go through a rigorous background check and community writes a letter of recommendation. Ald. Davis asked if the constables have any involvement with police department.

The aldermen voted in favor with Mbah and Scott voting for approval. Ald. Davis did not vote in favor and will seek more information from the administration before Thursday. This item was approved.

RESULT:

APPROVED

206875: Requesting the re-appointment of Alan Bishop as Constable.

Mr. Alan Bishop is a resident of Somerville and lives in Ten Hills. In his job as constable, he does physical arrests, child support and arrest warrants. He is a full time constable and a private investigator with a license for a firearm. Mr. Bishop frequently checks in with the police. He also talked about the landlords paying the constables to remove tenants. Ald. Mbah asked if he has encountered anyone who does not speak English. He stated when people reach the court, the court assigns a translator and the warrants can be served in multiple languages. Mr. Bishop is a constable in Somerville, Malden and Medford and works regularly with the police and housing authority.

Aldermen Davis, Mbah and Scott voted in favor of the re-appointment.

RESULT:

APPROVED

206876: Requesting the re-appointment of Michael Browne as Constable.

Mr. Browne position is unique because he also works in the City's DPW as the fleet operations manager. He has been a constable since 2005 and will probably pick up more work when he retires. Mr. Browne does not like doing evictions and finds himself being a tenant advocate. He talked about slumlords taking advantage of tenants. Mr. Browne stated that a lot of people do not know the laws. He learns something new all the time and communicates it to the community. He has had to deal with deadbeat parents and have no sympathy. Mr. Browne communicates with the Somerville Police Department to give them heads up or call them for help. The police serve criminals and not allowed to be involved with civil issues. The constables serve federal, state and county to serve letters or promissory notes.

Aldermen Davis, Scott and Mbah voted in favor of the re-appointment of this constable.

RESULT:

APPROVED

206877: Requesting the re-appointment of Catello Battinelli II as Constable.

Items 5 and 6 were discussed together and the husband and wife work as a team. Mr. Battenelli is a full time constable and his wife works as a constable part time with a full time job in an insurance office. They go out at night and weekends to handle evictions. Mr. Battenelli is a constable for the Clarendon Hill Apartments. They always check in with the Somerville police department. Both also work in Medford and Everett as constables. This is his ninth year as a constable. Mr. Battenelli stated that Mr. Bishop and Mr. Browne both helped him get into constable position. He does not get involved with arrests and will contact Mr. Bishop to handle this type of service. Ms. Battenelli is her husband's backup. Mr. and Mrs. Battenelli both wear body cameras for their protection, as well as, for the protection of the individuals. Mr. Battenelli feels there will be more eviction when the casino opens in Everett. Some people live paycheck to paycheck and may lose their money at the casinos. Ald. Mbah asked who owns the trucks when they are forced to evict a tenant and where does the truck go. They have to use a bonded moving company. Tenants have 20-30 minutes to get their personal items before the movers come in to remove their items. The tenant's items are taken to a warehouse. If the tenants get there before the 30 days, they can get their items free, no cost. Tenants can also make a deal with the storage company to continue to store their items at \$200 a month. After 90 days, the storage company may sell or throw away the items.

Ald. Davis, Mbah and Scott voted in favor of re-appointment.

RESULT:

APPROVED

206878: Requesting the re-appointment of Mary Battinelli as Constable.

For discussion of this item, see #206877.

Ald. Davis, Mbah and Scott voted in favor of re-appointment.

RESULT:

APPROVED

207120: Requesting the appointment of Vikram Kanda to the position of Condominium Review Board member.

Ms. Hannah Carrillo from housing introduced Mr. Kanda who moved to Somerville in 2016. He stated he rented for a few years. He was asked about the position on the condo review board and the role. Mr. Kanda wants to make sure tenants are not displaced. He talked about living in a co-op in New York and went to a lot of meetings. He was also involved in the newly created co-op. He has also dealt with a lot of landlords. Since living in Somerville, he has seen the community change with houses being torn down and more condo's going up. It was stated that Somerville is the only municipality in the Commonwealth with a condo review board. The chair said the candidate for this position must have a good understanding of this board's role. Ald. Mbah asked the candidate his thoughts on having more condos and fewer houses. He responded there would be more cars on the streets and would lose the community feelings. Questions were asked if there are other renters on the review board. This candidate lives in Maxwell Green, a new development with four buildings and four floors each. Chairman Scott noted that this tenant experience does not reflect the common reality of the vast majority of renters in Somerville, and stated that he felt a candidate for the tenant position on this board should be someone who shares the lived experience of renters whose units will be coming before the Condo Review Board for conversion. Mr. Kanda has seen a lot through his parents who lived in apartments. Ald. Davis and Scott had some concerns with this candidate and know the candidate will get up to speed on the needs in this position.

Ald. Davis and Mbah voted in favor of the appointment of Mr. Kanda. Ald. Scott was opposed to the appointment of this candidate. The item was approved.

RESULT:

APPROVED

207121: Requesting the appointment Elizabeth Janiak to the position of Condominium Review Board member.

Ms. Janiak was introduced by Ms. Carillo who is a Massachusetts native. Ms. Janiak is a homeowner and bought a condo in 2011 near Lincoln Park. This is the only home she has ever owned. Her son goes to the Argenziano School. It was stated that the condo conversion has an important role to play to help preserve the character of Somerville. Ms. Janiak lives in a triple decker that was converted to a condo. Ald. Scott explained how it is of value to have an activist on this board. Ald. Mbah remembered meeting this candidate previously at a meeting on discussions about equity and concerns for school kids. Ms. Carillo was asked how these candidates are recruited. OSPCD put out one ad for open positions and people will either come in or email with questions. There were seven applicants for this position.

Ald. Mbah, Davis and Scott all voted in favor of this candidate's appointment.

RESULT:

APPROVED