

City of Somerville, Massachusetts
Matters of Business of the Board of Aldermen

SPECIAL MEETING MINUTES

March 13, 2014, 6:00 PM
Aldermanic Chambers

NOTICE: This is NOT the official version of the Board of Aldermen's minutes. While reasonable efforts have been made to assure the accuracy of the data provided, do not rely on this information without first checking with the City Clerk.

OPENING OF THE MEETING

Attendee Name	Title	Status	Arrived
John M. Connolly	Alderman At Large	Present	
Mary Jo Rossetti	Alderman At Large	Present	
Dennis M. Sullivan	Alderman At Large	Present	
William A. White Jr.	Alderman At Large	Present	
Matthew McLaughlin	Ward One Alderman	Present	
Maryann M. Heuston	Ward Two Alderman	Present	
Robert J. McWatters	Ward Three Alderman	Present	
Tony Lafuente	Ward Four Alderman	Absent	
Mark Niedergang	Ward Five Alderman	Present	
Rebekah L. Gewirtz	Ward Six Alderman	Present	
Katjana Ballantyne	Ward Seven Alderman	Present	

1. #196349 Call of the Roll.
Roll Call

RESULT: PLACED ON FILE

CITATIONS

PUBLIC HEARINGS

2. #196340 129 registered voters requesting a public hearing before this Board on
Public divesting the city's pension fund from the fossil fuel industry.
Communication

RESULT: LAID ON THE TABLE

Before opening the Public Hearing, Alderman White asked the City Solicitor to present an opinion he had prepared for this hearing (see Agenda 3, #196350).
Alderman White called the Public Hearing open.
State Representative Denise Provost supported the divesting of the pension fund and discussed the issue of climate change.
Courtney O'Keefe asked that her money be divested out of fossil fuel companies immediately.

Shoshana Blank agreed with Denise Provost and discussed climate change and the detrimental effects of burning fossil fuels.

Samantha Akiha discussed the impact of fossil fuels on climate change, air quality, and rising sea levels.

Joshua Humphries commented on a study he had performed on the fossil free investing. Mr. Humphries emphasized the City's risk management and fiduciary responsibility and urged the Board to pass the resolution.

Peter St. Clair discussed his experience with retirees and voiced support for the proposal.

Chanatal Kcmar discussed the moral and fiscal responsibility associated with passing the resolution.

Joe Sacci discussed the City's environmental and planning policies and emphasized the impact of the item.

Eric Fields discussed the investment of fossil fuels and emphasized the need for renewable energy.

Alderman White recessed the Special Meeting, and Called to Order the Regular Meeting.

The City Clerk completed a Roll Call for the Regular Meeting.

Alderman Connolly motioned to recess the Regular Meeting until the Special Meeting was concluded. There being no opposition, the motion carried, and the Regular Meeting was recessed.

The Public Hearing was reopened.

Peter Ciurczak presented information about the negative impacts of the fossil fuel industry. He expressed concern that the industry does not care about health or the environment, and noted there is a huge divergence between invested and what is returned.

Elizabeth Levy spoke about sustainable and responsible investing. She discussed the investment portfolios of fossil fuels and the effects on the pension plan.

Catie Ferrara read a letter on behalf of another resident, Juliet Rooney Varga. The letter discussed the effects of climate change and financial investment.

Brianna Murphy supported the divestment of the pension fund and discussed sustainable investment portfolios and climate change related risks.

Patricia Wild stated that she is a recipient of the pension. She commented on the future of the planet and the importance of environmental justice, and asked that the Board approve the item.

Drew Bisset discussed the climate movement and the importance of being a leader in change. He asked that the Board keep moving in the right direction.

Matt Rustitha thanked the Aldermen and stated the fossil fuel companies do not need Somerville's help. He voiced support for divesting.

Rebecca Batorsky discussed the danger to the environment and the movement of climate activists. She remarked divesting is only the beginning.

Andrew Kopacz thanked the Aldermen and asked everyone in the meeting to do their part and recycle.

Maureen Barillaro thanked Fossil Free Somerville for supporting the petition and voiced her support for the item.

Eric Packer stated he is a guest of Fossil Free Somerville and agreed with the other speakers regarding fiduciary responsibility.

Eben Bein spoke on behalf of the younger generations and asked that the Board act on their behalf.
Colby Cunningham brought to attention Bill S1225 and commented he believes the Board may be able to act upon that legislation.
Henry Jacks thanked the leadership of the organizers and the leadership of the Board.
Katrina Crocker supported the resolution and voiced concern about the global effects of climate change.
An unidentified speaker pointed out that five other towns and cities in Massachusetts have already voted to divest their pension funds. She commented that the passing of anti-apartheid bills have been successful in the past.
Roy Leboria expressed concern that the Retirement Board was profiting from the destruction of the planet.
Ryan Tom spoke about his work with Divest Somerville and commented that the goal of divestment should be to raise awareness of the issue.
Alderman White declared the Public Hearing closed.
Alderman Gewirtz made a motion that the item be laid on the table. There was no opposition. The motion carried. Alderman Connolly moved to adjourn the Special Meeting.

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

UNFINISHED BUSINESS

REPORTS OF COMMITTEES

COMMUNICATIONS OF THE MAYOR

COMMUNICATIONS OF CITY OFFICERS

NEW BUSINESS

SUPPLEMENTAL ITEMS

3. #196350 City Solicitor conveying an opinion of the State Ethics Commission re:
Officer's Public Hearing on the Retirement Board's divestment of fossil fuels.
Communication

RESULT: PLACED ON FILE

City Solicitor Frank Wright read the opinion he had prepared on the Board's inability to act on the request for the Retirement Board to divest from fossil fuels.
Alderman Niedergang explained that the Board is not allowed to vote on the matter or speak about the item. Alderman Niedergang questioned why they may not vote on the matter. Solicitor Wright answered that the dialogue that takes place can be received by the Retirement Board. He read a letter regarding the restrictions against speaking or voting on the item. Alderman Niedergang questioned whether an individual Board member can write a letter to the Pension Board expressing their personal views on

the matter. Solicitor Wright answered that he would research the matter and get back to the Board.

Alderman Gewirtz discussed her frustration with not being able to speak about the matter and questioned her first amendment rights. Solicitor Wright explained that the State Ethics Commission representative rejected requests to speak on this type of item.

Alderman Sullivan spoke about making a public disclosure. Solicitor Wright explained that disclosures are not appropriate for this item because it involves public officials.

Alderman Heuston questioned whether members of the Board can write letters or articles as an individual citizen about the pension. Solicitor Wright asked if Alderman Heuston could speak to him privately about what she intends to write.

Alderman Rossetti questioned whether she was in violation of seeing a documentary on the matter and discussing it with others. Solicitor Wright answered that there was no violation because she was having a conversation as an individual and not as a Board member.

Alderman Connolly questioned whether the public can request that the recorded meeting be forwarded to the Retirement Board for their consideration. Solicitor Wright suggested that a member of the public should request a copy of the recorded meeting to send to the Retirement Board.

Alderman White commented the Board is frustrated that they are not able to vote on the pension fund because they have financial interest in it.

Solicitor Wright suggested forwarding a copy of the letter he wrote to the Ethics Commission and requesting that they give a formal opinion.

Alderman White presented the option of conducting a public hearing and then laying the item on the table, while the city requests a formal determination from the Ethics Commission. Solicitor Wright agreed with Alderman White.

Alderman Ballantyne questioned why the Board can express their opinions on paper if approved but not verbally. Solicitor Wright suggested that Board members should get approval before they write their opinions on public domains but it is not required.

Alderman McWatters agreed with the other Board members and noted he respects the opinion of the State Ethics Commission.

Alderman Heuston questioned the outcome of the item while they wait for answers from Solicitor Wright. Alderman White answered that the item should be laid on the table while they wait for the answers. He suggested that the members email Solicitor Wright with any questions they might have on the issue.

Alderman McLaughlin questioned why the language in the resolution can "urge" the Retirement Board but Board members can't express their opinions. Solicitor Wright explained that since they are members of the retirement system, any influence they have can be seen as a conflict of interest.

LATE ITEMS

ADJOURNMENT

Submitted by John J. Long, City Clerk.