

## Glazer, Susan

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**From:** kathyborn [kathyborn@gmail.com]  
**Sent:** Monday, January 07, 2013 4:11 PM  
**To:** Glazer, Susan  
**Subject:** Fwd: LOCKED OUT OF A PUBLIC MEETING

----- Forwarded message -----

**From:** kathyborn <kathyborn@gmail.com>  
**Date:** Fri, Dec 28, 2012 at 6:12 AM  
**Subject:** Re: LOCKED OUT OF A PUBLIC MEETING  
**To:** Stephen Kaiser <skaiser1959@gmail.com>  
**Cc:** Conrad Crawford <conradcrawford@gmail.com>, Christopher.Bator@usdoj.gov, Barry Zevin <barryzevin@earthlink.net>, drurybischoff@comcast.net, "Mullan, Jeffrey" <jmullan@foleyhoag.com>, Heather Hoffman <jaquith@thecia.net>, Marc Levy <editor@cambridgeday.com>, Erin Baladassari <ebaldassari@wickedlocal.com>, Tom Stohlman <tstohlman@comcast.net>

Dear Steve,

I am sorry that you had a problem getting into the CRA Board meeting on Dec. 17. Thank you for bringing this to my attention. Please accept my apology. I want to assure you that the CRA Board is committed to public access to CRA meetings, as well as access to a broad range of CRA materials.

As you are aware, this is the second meeting the CRA has held in the Community Room of the Police Station. We chose the location because it was in an accessible public building that was available to us free of charge. It seemed more suitable for a public meeting than the previous location, the Marriott Hotel. I was unaware that door to the room was locked during our meeting last week. At several points during the meeting, latecomers entered. It was my understanding that the reception booth in the entrance lobby of the Police Station is staffed 24 hours a day. I apologize if there was no one available to help you. I will bring this to the attention of the Police Commissioner and I will be sure that the door is propped open at the next meeting.

Regards,  
Kathleen Born  
Chair, Cambridge Redevelopment Authority

On Thu, Dec 27, 2012 at 3:40 PM, Stephen Kaiser <skaiser1959@gmail.com> wrote:  
**To : The Board of the Cambridge Redevelopment Authority**

**From : Stephen H. Kaiser, PhD**

**I have recently learned some of the details arising from an event advertised as a public meeting of the Authority Board on December 19. The meeting had been scheduled to begin at 5:30 PM. When I arrived at 5:35. I found the door to the meeting room locked. There was no sign on the door, and no police officer outside to offer information or assistance. I presumed that for some emergency reason the meeting had been canceled. I left and returned home.**

**Little did I know or contemplate that a meeting was actually going on, behind closed doors, behind**

locked doors.

Only within the past two days did I find out from Heather Hoffman that there actually was a meeting being held behind those locked doors. Heather Hoffman informed me she left the meeting to take a phone call on her cell phone, and had to knock on the locked door in order to get back in.

I see the result of a lockout of the public as being possibly unintended. But once having demonstrated that someone left the meeting and encountered a locked door trying to get back in, there should have been a recognition by everyone that action needed to be taken. A meeting was being held behind locked doors. I worry about the precedent and the possibility that other agencies in the City might attempt a similar technique. After all, we know all too well that the old regime of the Authority operated in a similar fashion -- illegally -- for two and a half years.

Indeed that "old" Redevelopment Authority had gone underground in its business dealings, not holding board meetings .... having an Executive Director resign and then appoint himself to a new position for which he also set his own pay scale. The old Authority continued its operations after the Executive Director had improperly created his own position and pay, and the self-appointed Executive Director continued to function in an "administrative capacity" without any proper legal authority. Fortunately, this offense of self-appointment was sufficiently grave for the new board to seek Mr. Tulimieri's resignation, which he offered this fall. Unfortunately, the Board has been unable to come to grips with this fact : with Mr. Tulimieri's self-appointment being so clearly illegal, every action taken by him subsequently in the name of the Authority was illegal as well, including key approvals of the Microsoft and Google projects.

The Board has also also operating since 2009 without a budget. An attempt to approve a year 2010 budget at the March 17, 2010 meeting was found to be null and void by Authority Counsel because the board lacked a quorum. Thus the years 2010, 2011 and 2012 have all passed with no approved budget for the Authority. This failure immediately raises the issue of how the Authority could legally spend a penny during those years. Since the first meeting of the new Board in May 2012, I do not believe that any meeting agenda included the word "budget", either for discussion or approval. I have raised many of these issues many times before the current Board, with no specific response. On December 19, I encountered a locked door, which prevented me from offering any additional public comment. However, I would expect that at the next meeting of the Board -- hopefully unlocked -- I will have much to say.

We in Cambridge went through two and a half years of secret, underground operations of the Authority under the old regime. Now we recognize that an alleged public meeting has been held but the door was locked. Who knows how many other citizens that evening sought to attend and could not because they encountered the same obstacle that I did? How can the operations of today's board be considered any improvement over those of the old regime?

Most of us are aware of the continuing absence of National Hockey League games, due to actions of the owners in locking out the players. However, the lockout was achieved with a formal announcement and legal action -- neither of which occurred with the December 19 meeting lockout. I never thought that I might look more favorably on the actions of a hockey league than I do on the actions of my own Cambridge City government.

There is one appropriate response for the Board. Because the door was locked and the room was not accessible by the general public, the meeting should be declared null and void. A similar decision was taken relative to the March 19, 2010 defective meeting of the Board. The Open Meeting Law has been violated. The Social Contract between Government and Citizen promised in our state Constitution has been violated. I expect a full clarifying statement and apology for the actions of the Board on December

**19, and a commitment to make corrections for the events of that evening, include voiding any votes of the Board during this locked-door meeting.**

**Stephen H. Kaiser  
191 Hamilton Street  
Cambridge, MA 02139  
49-year resident of the City of Cambridge**

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Kathleen Leahy Born, AIA, LEED AP  
3 Walnut Avenue  
Cambridge, MA 02140  
617-492-0437  
kathyborn@gmail.com

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3 Walnut Avenue  
Cambridge, MA 02140  
617-492-0437  
kathyborn@gmail.com