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January 12, 2010

REPORT OF THE COMMITTEE
ON LEGISLATIVE MATTERS

The Committee on Legislative Matters convened on January 12, 2010 with Chairman Thomas Taylor presiding and Committee Members Aldermen Rebekah Gewirtz, Robert Trane and John Connolly also present and voting. Also present were Alderman Maryann Heuston, City Solicitor John Gannon, Assistant Solicitor David Shapiro, DPW Commissioner Stan Koty, Superintendent of Buildings and Grounds George Landers, Ed Nuzzo from Inspectional Services, Stephanie Hirsch and Carlene Campbell.

188595 - Special Municipal Employee designation:

Mr. Shapiro reviewed the request with the members and assured them that no conflict of interest existed. Ms. Hirsch explained what her duties would be as a consultant and how they would impact her duties for the City of Somerville.

188376 – Enforcement of Trash Ordinance:

Chairman Taylor, Alderman Trane and Alderman Connolly relayed situations where they believe that residents were unfairly fined for violations of the ordinance. Alderman Heuston stated that the enforcement officers don't necessarily know the circumstances of individual households, e.g., if there is an illness or some other problem hindering compliance, and noted that there is a process for appealing fines. Alderman Heuston went on to say that landlords need to control their properties and suggested that habitual offenders be ticketed daily. She also suggested that enforcement be increased at the end of May, when the student population moves out of the city. Alderman Trane asked to know how many tickets were written and how many were abated. Ed Nuzzo told the members that he would find a middle ground for enforcement. Commissioner Koty told the members that the DPW does not pick up construction debris for jobs in excess of \$5,000.

188424 – Revised Snow Removal Ordinance:

Mr. Shapiro discussed the revisions to the proposed ordinance and Mr. Landers discussed the enforcement issues, stating that tickets are issued to the business owners rather than to the landlords. Alderman Gewirtz asked for an explanation of how this proposal differs from the current ordinance. Alderman Trane inquired if all new offenses would be considered 1st offenses once the new ordinance goes into effect.

188423 – Display of non-domestic animals:

Mr. Shapiro discussed similar ordinances in other communities and Alderman Gewirtz spoke about her reasons for sponsoring the item.

187939 – Owed property taxes and revenues:

Mr. Gannon explained that the ordinance should mirror the state statute and Alderman Trane discussed circumstances where it would benefit the city if a blighted property were allowed to be fixed up before the taxes were paid.

The committee discussed matters before it and took action on the following 3 items:

188423: Communication - Asst. City Solicitor responding to #186823 re: a draft ordinance on the display of non-domesticated animals.

RECOMMENDATION: Should be approved

VOTE: Unanimous, 4 - 0 in favor

188424: Communication - Asst. City Solicitor submitting a revised ordinance #12-8 and #12-9 re: snow, slush and ice on sidewalks.

RECOMMENDATION: Should be approved

VOTE: Unanimous, 4 - 0 in favor

188595: Communication from Mayor - Requesting approval to classify the part time Project Manager in the Mayor's Office as a Special Municipal Employee per MGL c268A.

RECOMMENDATION: Should be approved

VOTE: Unanimous, 4 - 0 in favor

Alderman Thomas F. Taylor, Chairman
Committee on Legislative Matters