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October 2, 2008

**REPORT OF THE COMMITTEE**  
**ON LEGISLATIVE MATTERS**

The Committee on Legislative Matters convened on October 2, 2008 with Chairman Thomas Taylor presiding and Committee Members Aldermen Walter Pero and Rebekah Gewirtz also present and voting. Also present were Aldermen William Roche and William White as well as Stan Koty and Steve MacEachern from the DPW, Chief of Staff Michael Lambert, Assistant City Solicitor David Shapiro, Phil Ercolini, Dana LeWinter, Christie Chase and Ellen Schneider from SPCD and interested members of the public.

**Condominium Conversion Ordinance:**

Mr. Ercolini discussed the results of the relevant task force meetings and explained the differences between the state statute and the proposed ordinance, noting that information on this matter is available for the public. SPCD will conduct a public meeting on October 16th, at 7:00 PM in the SHS auditorium, to present information on the proposed ordinance. Chairman Taylor will schedule a public hearing on this item for November 18th at 7:00 PM to allow the public time to review the information presented in October.

**Tree Preservation:**

Mr. Shapiro discussed the proposed ordinance with the committee and said that affected property owners would pay into a tree replacement fund. The purchase price of a replacement tree is about \$240, but Mr. MacEachern stated that, in addition to this cost, the property owner is required to pay into the fund the full replacement/appraised value of the tree that was removed. Mr. Koty stated that, aside from health, safety and/or welfare situations, the person requesting the removal of a tree would be responsible for paying for the public notice.

Chairman Taylor's motion to amend the ordinance by adding the words "tree warden and/or his designee" to Section 12-104 (b) was approved.

Alderman Gewirtz's motion to amend the ordinance by changing the words from "payment in lieu" to "shall make payment for planting replacement tree" in Section 12-104 (b), was approved.

**Historic District Ordinance:**

Ms. Lamboy discussed Alderman Connolly's suggestion to provide residents with a card to fill out to ensure that they were notified of and understand the procedure involved with this proposal.

The committee discussed matters before it and took action on the following 2 items:

**182518:** Communication from the Mayor – requesting approval of a Home Rule Petition to exempt the position of Supervisor and Asst. Supervisor of School Custodians from the provisions of Civil Service Law.

**RECOMMENDATION:** Should be placed on file

**VOTE:** Unanimous, 3 - 0 in favor

**186025:** Communication - Asst. City Solicitor submitting a draft Ordinance for Tree Preservation.

**RECOMMENDATION:** Should be approved, as amended

**VOTE:** Unanimous, 3 - 0 in favor

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Alderman Thomas F. Taylor, Chairman  
Committee on Legislative Matters

**COMMITTEE REPORT**

Report of the Committee on Legislative Matters,  
October 2, 2008

In Board of Aldermen

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Clerk