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December 11, 2007

REPORT OF THE COMMITTEE
ON LEGISLATIVE MATTERS

The Committee on Legislative Matters convened on December 11, 2007 with Chairman Thomas Taylor presiding and Committee Members Aldermen Robert Trane and Dennis Sullivan also present and voting. Also present were Alderman Maryann Heuston Madeline Masters and Lisa LePore from SPCD, Davis Shapiro from the Solicitor's Office, Carol Wessling from the Treasurer's Office and Chief of Staff Michael Lambert.

Satellite Dishes:

Ms. Masters addressed the committee and stated that her survey of approximately 12 communities revealed that some communities require building permits to ensure that safety concerns related to height and wind effects are met and other communities only require that the building department is notified. The survey also revealed the following trends:

- ignoring the requirements of the Telecommunications Act (TCA),
- selectively recognizing its provisions or
- totally exempting from regulation those smaller dishes that are protected under the TCA.

Mr. Shapiro spoke about abandonment of satellite dishes and reviewed the provisions of City Ordinance 14.6, which deals with this subject. Mr. Shapiro stated that, under FCC regulations, the city is responsible for establishing a sufficient signal for a consumer. This might mean that the city would have to purchase testing equipment and train employees to determine if an appropriate signal exists.

Alderman Sullivan expressed concern that it may be impossible to enforce regulations for satellite dishes and Alderman Trane stated that he believes that the abandonment issue is more of a problem than regulating the placement of dishes.

Other matters:

Ms. Wessling addressed the committee regarding the approval of an amendment to the Code of Ordinances encouraging the environmental cleanup of Brownfields.

Ms. LePore spoke about request to permanently rededicate for park use in perpetuity, the land known as Central Hill Memorial Park. The city has already secured \$500,000 in funding to develop the space for parkland and is attempting to identify additional funds. By declaring the parcel as parkland, the city would be eligible for more state funding.

The committee discussed matters before it and took action on the following 6 items:

183130: Resolution - By Ald. Roche, That the Condominium Review Board consider only allowing conversions to applicants that agree to mandate that satellite dishes can only be mounted in the rear of their building out of view of pedestrian and vehicular traffic.

RECOMMENDATION: Should be placed on file

VOTE: Unanimous, 3 - in favor

183131: Order - By Ald. Roche, That the City Solicitor work with the Legislative Matters Committee to create an ordinance mandating specific locations of satellite dish installations to the rear of the building, out of the public's view, as long as the customer has an acceptable signal that does not impair reception and complies with FCC regulations.

RECOMMENDATION: Should be approved with conditions (as modified by City Solicitor)

VOTE: Unanimous, 3 - in favor

184050: Resolution - By Ald. Taylor, That this Board requests that all members of the Historic Preservation Commission and all affected property owners be notified to appear before the Legislative Matters Committee on Oct. 2. to discuss the Historic District Expansion Project.

RECOMMENDATION: Should be placed on file

VOTE: Unanimous, 3 - in favor

184062: Communication from Mayor - Requesting the acceptance of MGL c. 59 s. 59A, and the approval of an amendment to the Code of Ordinances, all to encourage the environmental cleanup of Brownfields.

RECOMMENDATION: Should be approved

VOTE: Unanimous, 3 - in favor

184063: Communication from Mayor - Requesting approval to permanently rededicate for park use in perpetuity, the land known as Central Hill Memorial Park.

RECOMMENDATION: Should be approved

VOTE: Unanimous, 3 - in favor

184592: Communication - From W. James Herbert re: the Local Historic District preservation plan and his property at 380 Somerville Ave.

RECOMMENDATION: Should be placed on file

VOTE: Unanimous, 3 - in favor

COMMITTEE REPORT

Report of the Committee on Legislative Matters,
December 11, 2007

In Board of Aldermen

Clerk