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December 5, 2006

REPORT OF THE COMMITTEE
ON LEGISLATIVE MATTERS

The Committee on Legislative Matters convened on December 5, 2006 with Chairman Thomas Taylor presiding and Committee Members Aldermen Maryann Heuston, Sean O'Donovan and William Roche also present and voting. Also present were Alderman Walter Pero, SPCD Director James Kostaras, Solicitor John Gannon, DPW Commissioner Stan Koty, representatives from RCN and Comcast and Stephen Mackey from the Chamber of Commerce.

The committee discussed the matter of increasing from one year to five years, the limitation on reconstructing streets. Commissioner Koty informed the members that over 100 streets have been resurfaced this year and that the utility companies have all been notified about this proposal. The Administration, as well as the Board of Aldermen, would like the ordinance to state that utility companies cannot perform work in the streets for five years, unless it is an emergency. The representatives from RCN and Keyspan told the members that their companies have no objection to the proposal.

Chairman Taylor suggested that a condition be added requiring that utility companies be responsible for restructuring and resurfacing open streets from curb to curb. Alderman Heuston told the members that developers should also be responsible for resurfacing streets and would like language ordained in Planning Board decisions and instructed Mr. Kostaras to make it part of a staff recommendation to the Planning Board. Alderman Heuston, responding to a request by Solicitor Gannon that the committee send a communication to Mr. Kostaras, stated that she has submitted Board orders to SPCD and that they have failed to respond. Since all utility companies were not represented at this meeting, Chairman Taylor will hold the matter in committee.

The committee also discussed Stop Work Orders. Mr. Kostaras stated that the city can take action when safety issues are involved and that such action could include court action, fines and/or a civil injunction. ISD may issue a Stop Work Order for building code violations where safety issues are involved.

No papers were acted on.

Alderman Thomas F. Taylor, Chairman
Committee on Legislative Matters

COMMITTEE REPORT

Report of the Committee on Legislative Matters,
December 5, 2006

In Board of Aldermen

Clerk