

NOTICE: This is NOT the official version of the Committee Report as APPROVED by the Board of Aldermen. While reasonable efforts have been made to assure that this is the Committee Report that was presented at a meeting of the Board of Aldermen, you should check the Minutes of that meeting in order to confirm its approval, rejection or amendment. Do not rely on the accuracy of this information without first checking with the City Clerk.

April 8, 2008

REPORT OF THE COMMITTEE
ON LEGISLATIVE MATTERS

The Committee on Legislative Matters convened on April 8, 2008 with Chairman Thomas Taylor presiding and Committee Members Aldermen Walter Pero, Rebekah Gewirtz, Robert Trane and Dennis Sullivan also present and voting. Also present were Alderman John Connolly, Mayor Joseph Curtatone, Chief of Staff Michael Lambert, Police Chief Anthony Holloway, DPW Commissioner Stan Koty, Assistant City Solicitor David Shapiro, SPCD Director Monica Lamboy, Brandon Wilson from Historic Preservation, Ron Bonnie from the SHA and Stephen Mackey and Thomas Bent from the Chamber of Commerce.

185261 - Establishment of a reserve Police Force:

Mayor Curtatone addressed the members and explained how this proposal would benefit the city by allowing vacant positions within the Police Department to be filled more quickly. Chief Holloway stated that this proposal would have no impact on the city's Auxiliary Police Force.

185272 - Demolition by Neglect:

Ms. Lamboy discussed this proposal and said that the building code does not deal with aesthetics and that this does not regulate architectural elements. In order to be in compliance with the building code, vacant properties only need to be secured, and Ms. Lamboy noted that the proposed ordinance does not supercede state building codes. The proposal does not contain a hardship waiver and it would allow the city to step in, perform the work and place a lien on the property. Worcester, Newton and Lowell have similar ordinances, however this proposed ordinance is tailored for Somerville.

Members expressed concern regarding those individuals who might not be able to afford to comply and with the wording, rather than the intent, of the ordinance, itself, offering examples of how this ordinance could pose problems. Ms. Wilson assured the members that the ordinance would only be enforced in very critical situations.

Alderman White requested that Ms. Lamboy provide copies of similar ordinances from other communities for the BOA's review and Chairman Taylor asked that the parameters of the proposal be narrowed and that

a hardship provision be added. Alderman Connolly requested that Ms. Lamboy provide the committee with a list of the 10 properties that are of the most concern, with respect to the proposed ordinance.

184538 - Tree preservation:

Alderman Gewirtz stated her opinions regarding the importance of trees and discussed various sections of the proposed ordinance, noting that it would not allow for a hearing before taking down a tree, with a diameter over 36 inches, when it is a matter of public safety, but it does allow for a hearing for trees under 36 inches in diameter. Alderman White expressed concern about how this proposal might impede development. Alderman Connolly asked for clarification regarding how trees causing damage to sewer pipes would be dealt with and further asked that a draft of the ordinance be circulated before the next meeting.

185121 – Plastic bag recycling program:

Alderman Gewirtz spoke about this proposal and noted that some countries have banned the use of plastic bags. Alderman White suggested that the New York City ordinance regarding plastic bags be reviewed prior to the next meeting.

Chairman Taylor informed the members that the Responsible Employer issue would be dealt with in early May.

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

185261: Communication from Mayor - Requesting approval to adopt MGL c.147 §§ 11, 12 & 13, to enable the establishment of a reserve Police Force.

RECOMMENDATION: Should be approved

VOTE: Unanimous, 5 - 0 in favor

Alderman Thomas F. Taylor, Chairman
Committee on Legislative Matters

COMMITTEE REPORT

Report of the Committee on Legislative Matters,
April 8, 2008

In Board of Aldermen

Clerk