

**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.**

September 12, 2006

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

The Committee on Legislative Matters convened on September 12, 2006 with Chairman Thomas Taylor presiding and Committee Members Aldermen Maryann Heuston, William Roche and Robert Trane also present and voting. Also present were Aldermen Dennis Sullivan and Rebekah Gewirtz, Health Director Noreen Burke, City Solicitor John Gannon, George Landers from SPCD and Skip Schluming, Executive Director of SPOA.

**TRASH ORDINANCE:**

The committee discussed the trash ordinance and some various methods of informing the public about it, noting that the manner in which the ordinance is implemented would be crucial to its success. Aldermen Trane and Roche expressed their desire to investigate methods to assist senior citizens, who are on fixed incomes, with the purchase of the required trash barrels.

Alderman Roche's motion **that the mandatory recycling provision be removed from the trash ordinance and referred back to the Legislative Matters Committee at a later date, when the task force reviews the ordinance in conjunction with the implementation of state mandated recycling**, was passed on a Roll Call vote of 4 in favor, 0 against and 1 absent.

Chairman Taylor's motion **that the trash ordinance implementation be extended 120 days** failed on a Roll Call vote of 2 in favor, 2 against and 1 absent.

Chairman Taylor's motion **that violators of the trash ordinance be given a warning for their first offense**, failed on a Roll Call Vote of 1 in favor, 2 against and 2 absent

Alderman Roche's motion to issue a monetary fine after a 90 day implementation of the trash ordinance passed on a Roll Call vote of 4 in favor, 0 against and 1 absent.

Alderman Roche's motion to approve the trash ordinance, as amended, passed on a Roll Call vote of 4 in favor, 0 against and 1 absent.

## **MUNICIPAL HEARING OFFICER:**

Mr. Gannon informed the members that the city would benefit from having a Municipal Hearing Officer handle appeals because an in-house officer would be more familiar with the city's ordinances than an Assistant Clerk Magistrate. Alderman Gewirtz expressed her opposition to the Home Rule Petition as she believes that the hearing officer might not be impartial.

Alderman Roche's motion to approve the Home Rule Petition to create the position of Municipal Hearing Officer passed on a Roll Call vote of 4 in favor, 0 against and 1 absent.

## **OTHER:**

Chairman Taylor directed the Clerk of Committees to send a communication to Steve Winslow, of the Pedestrian Safety Committee, requesting that he schedule a public hearing in October to discuss traffic mitigation issues.

Chairman Taylor also informed the members that he will schedule a public hearing for October 10, 2006 at 7:00 PM to discuss the Condo conversion ordinance.

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

**181482:** Communication from Mayor - Requesting approval of Home Rule Petition for the establishment of a hearing process for code violations.

**RECOMMENDATION:** Should be approved

**VOTE:** Unanimous 4 - 0 in favor

**181573:** Ordinance - By Ald. Heuston, Sullivan and Gewirtz, Proposing that trash ordinances 11-31, 11-34 and 11-35 be replaced, and new ordinances 11-36, 11-37, 11-38 and 11-39 be established, as attached.

**RECOMMENDATION:** Should be approved as amended

**VOTE:** Unanimous 4 - 0 in favor

**181687:** Communication from Mayor - Requesting acceptance of Chapter 79 of the Special Acts of 2006 modifying the voting requirements associated with municipal boards, committees and commissions.

**RECOMMENDATION:** Should be approved

**VOTE:** Unanimous 4 - 0 in favor

---

Alderman Thomas F. Taylor, Chairman  
Committee on Legislative Matters

**COMMITTEE REPORT**

Report of the Committee on Legislative Matters,  
September 12, 2006

In Board of Aldermen

---

---

---

---

---

Clerk