



## CITY OF SOMERVILLE, MASSACHUSETTS CLERK OF COMMITTEES

October 16, 2012

### REPORT OF THE LEGISLATIVE MATTERS COMMITTEE Meeting as a Committee of the Whole

Attendee Name	Title	Status	Arrived
Rebekah Gewirtz	Chair	Present	
John M Connolly	Vice Chair	Present	
Bruce M. Desmond	Alderman At Large	Present	
William A. White Jr.	Alderman At Large	Present	
Thomas F. Taylor	Ward Three Alderman	Present	
William M. Roche	Ward One Alderman	Absent	
Maryann M. Heuston	Ward Two Alderman	Present	
Tony Lafuente	Ward Four Alderman	Present	
Sean T. O'Donovan	Ward Five Alderman	Absent	
Dennis M. Sullivan	Alderman At Large	Absent	
Robert C. Trane	Ward Seven Alderman	Present	
Joseph Curtatone	Mayor	Present	
Sarah Kloos	Director of Personnel	Present	
Frank Wright	City Solicitor	Present	
Ed Bean	Director of Finance	Present	
Thomas Bent	MCAB Member	Present	
Phil Ercolini	MCAB Member	Present	
Gerald McCue	MCAB Member	Present	
Sandra McGoldrick	MCAB Member	Present	
Isaac Machado	MCAB Member	Present	
Department Heads		Present	

#### **193632 - Requesting the amendment of Ordinances 2-322 and 2-323 pursuant to the Municipal Compensation Advisory Board recommendations.:**

Chairman Gewirtz commented on the committees efforts to deal with this issue in a transparent manner and then reviewed the questions raised at the previous meeting. Ms. Kloos clarified why the Committee Clerks positions were not included in this study, noting that those positions would be include in the study to be conducted at a later date. Members of the Municipal Compensation Advisory Board (MCAB) answered questions and spoke about the methodology used in the study.

Chairman Gewirtz, explaining that it is her policy as Chairman, to allow individuals to speak at committee meetings, introduced Mr. Jim Thomas, a resident of Ward 6 who had reviewed the MCAB report on his own, and asked him to briefly address the committee on his interpretation of the report.. Aldermen Desmond and Connolly noted their objections to allowing members of the public to speak at this meeting and instead, requested that Mr. Thomas' information be provided to the members and noted in the record. Aldermen Taylor and White stated that Mr. Thomas should be allowed to address the committee, and after a brief discussion on the matter, the City Solicitor was asked if it would be a violation of the open meeting law to allow public speakers without the meeting having been advertised as a public hearing. Mr. Wright informed the members that Rule 21 of the Rules of the Board of Aldermen states that "*...Robert's Rules of Order shall be the authority on all questions of debate in committee wherever they do not conflict with the several rules of the board that apply to committees.*", therefore, it is permissible to allow public speakers, however, it is also appealable under Rule 16 of the Rules of the Board of Aldermen, which states that "*Any member may sponsor a member of the public to address the board on any matter properly before the board unless such sponsorship is objected to by any member. Upon such objection, the address shall occur only by a two thirds vote of the entire membership.*"

Chairman Gewirtz's motion to allow Mr. Thomas to address the committee was defeated on a roll call vote of 3 in favor (Ald. Gewirtz, White and Taylor), 5 against (Ald. Lafuente, Desmond, Connolly, Heuston and Trane) and 3 absent (Ald. Roche, Sullivan and O'Donovan).

The committee discussed reassigning 2 positions to higher grade levels and Ms. Kloos stated that although she could not speak to the recommendation of the consultant, she had no objections. Ms. McGoldrick cautioned the members from making any changes to the grade levels since it could diminish the integrity of the study by affecting other positions in higher and/or lower grade levels. She suggested sending the study and the committee's recommendations back to the Collins Center for re-factoring and said that not doing so undercuts the process used. Mr. Bent, Chairman of the MCAB, also recommended that the committee members consult with the Collins Center before making any changes. Alderman Taylor asked for guidance on how to handle this and Ms. Kloos stated that she could bring the matter to the Collins Center for review, but that city had no objection to the bump.

Alderman Desmond's motion to move the position of Capital Projects Manager from Grade C to Grade B, was approved.

Alderman Trane's motion to move the position of Administrative Aide from Grade F to Grade E and to re-title the position to Executive Administrative Aide, was approved.

Chairman Gewirtz explained that although she anticipates supporting this item when it is voted on by the Board of Aldermen at its next meeting, she wants to review the material from Mr. Thomas before then, therefore, she will vote against approval of the item at this meeting, and most likely in favor of approval at the Board of Aldermen meeting.

A motion to approve to amend §2-322 of the Somerville Code of Ordinances pursuant to the Municipal Compensation Advisory Board recommendations was passed on a roll call vote of 7 in favor, 1 against and 3 absent.

**RESULT:****APPROVED . [7 TO 1]****AYES:**

Connolly, Desmond, White Jr., Taylor, Heuston, Lafuente, Trane

**NAYS:**

Rebekah Gewirtz

**ABSENT:**

Dennis M. Sullivan, William M. Roche, Sean T. O'Donovan

A motion to approve to amend §2-323 of the Somerville Code of Ordinances pursuant to the Municipal Compensation Advisory Board recommendations, as amended, was passed on a roll call vote of 7 in favor, 1 against and 3 absent. [Amendments: move the position of Capital Projects Manager from Grade C to Grade B and move the position of Administrative Aide from Grade F to Grade E and to re-title the position to Executive Administrative Aide.]

**RESULT:****APPROVED AS AMENDED. [7 TO 1]****AYES:**

Connolly, Desmond, White Jr., Taylor, Heuston, Lafuente, Trane

**NAYS:**

Rebekah Gewirtz

**ABSENT:**

Dennis M. Sullivan, William M. Roche, Sean T. O'Donovan