



CITY OF SOMERVILLE, MASSACHUSETTS
CLERK OF COMMITTEES

October 16, 2012

REPORT OF THE LEGISLATIVE MATTERS COMMITTEE

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	Absent	
Dave Shapiro	Asst. City Solicitor	Present	
Jason Grossfield	Asst. City Solicitor	Present	
Omar Boukili	Administrative Assistant	Present	
Michael Glavin	Exec. Director, OSPCD	Present	
Robert C. Trane	Ward Seven Alderman	Present	
Tony Lafuente	Ward Four Alderman	Present	

193078 - That the City Solicitor advise this Board whether the City should accept MGL c40U for the imposition of liens on property for unpaid municipal charges, or rely on the special act of 1996 already in place.:

Mr. Shapiro spoke on this item and informed the committee that the city already has the authority to impose liens on property for unpaid municipal charges. Mr. Shapiro will consult with the City Treasurer to ensure that liens are being placed, when appropriate.

RESULT:

WORK COMPLETED

193082 - That the Director of SPCD contact the appropriate state agency to request that train operators utilize the train's horn only when necessary, especially in the areas of Cobble Hill, Tufts Street, 240 Pearl Street, and Montrose Street at School Street.:

Mr. Glavin told the members that it appears that train operators are sounding the horns to comply with federal regulations requiring that horns be sounded when approaching a work area. Mr. Glavin will contact the transportation company to inquire how long this will continue and whether anything can be done to alleviate the situation.

RESULT:**KEPT IN COMMITTEE**

193360 - Licensing Commission requesting the amendment of Ordinance 2-219(a) to require that Public Hearings be held not less than 10 days after the first publication of the required legal notice.:

Mr. Grossfield explained that according to an amendment made in 2010, the ordinance stipulates that a public hearing may not be held until 3 weeks after the first notice is published in the newspapers, however, the Licensing Commission's practice has been to comply with state law, (which requires at least 1 notice and a public hearing not less than 10 days after that notice). The Commission usually conducts public hearings within 10-11 days of the first notice being published. The Commission is requesting that the ordinance be amended by deleting the words "three weeks" and inserting in place thereof the words "ten days", to address procedural concerns and to bring it in line with the Commission's timeline for newspaper ads and monthly meeting dates. Aldermen White and Connolly requested that members of the Licensing Commission attend a future meeting of the committee to discuss this matter, since it appears that while state law was being followed, the city's ordinance was being violated.

Mr. Grossfield mentioned that the Licensing Commission began discussion on a proposal made by Alderman Connolly regarding the posting of notices within establishments where a license transfer is being sought. The committee also discussed the regulations regarding notification of abutters, schools, churches and hospitals.

Alderman White's motion (suggested by Alderman Trane, who spoke as a private citizen) *that the City Solicitor determine if additional notice requirements should be implemented for licenses and/or permits issued by the Licensing Commission*, was approved.

RESULT:**KEPT IN COMMITTEE**

193643 - That the City Solicitor review Ordinance 8-121 - Musicians and street performers and report to this Board its constitutionality and its accordance with the 1st Amendment right to free speech.:

This item will be discussed at a future meeting.

RESULT:**KEPT IN COMMITTEE**