



**CITY OF SOMERVILLE, MASSACHUSETTS
CLERK OF COMMITTEES**

October 12, 2010

REPORT OF THE LEGISLATIVE MATTERS COMMITTEE

Attendee Name	Title	Status	Arrived
Thomas F. Taylor	Chair	Absent	
Rebekah L. Gewirtz	Vice Chair	Present	
Robert C. Trane	Ward Seven Alderman	Present	
John M Connolly	Alderman At Large	Present	
Bruce M. Desmond	Alderman At Large	Absent	
Sean T. O'Donovan	Ward Five Alderman	Present	
Omar Boukili	Administrative Assistant	Present	
Monica Lamboy	Exec. Director, OSPCD	Present	
Dave Shapiro	Asst. City Solicitor	Present	
Eddie Nuzzo	Supt. of Inspectional Services	Present	
Elizabeth Craveiro	Treasurer	Present	
Steve MacEachern	Supt. of Lines and Lights	Present	
Stan Koty	Commissioner of Public Works	Present	
Matt Buckley	Asst. City Solicitor	Present	

188476 - Requesting Approval of an Ordinance to Limit the Storage of Unregistered Vehicles.:

This item was discussed as part of item #190158 (below).

RESULT: WORK COMPLETED

188383 - That the Director of SPCD Advise This Board Whether the City Should Adopt Appendix 120.AA in Place of the Energy Efficiency Requirements of the "Base" Building Code.:

The deadline for filing an application on this is November 19th. The city is not yet ready to file.

RESULT: KEPT IN COMMITTEE **Next: 12/31/2010 12:00 AM**

188730 - That the City Solicitor Provide This Board with Available Options to Sever the City's Contract with FW Russell Disposal in Light of Their Recent Violation of State Wage and Hour Laws.:

The contract with Russell Disposal has been renewed for a period of 5 years, expiring on December 31, 2015, therefore, the issue at hand has become moot.

RESULT: WORK COMPLETED

188949 - That the Legislative Matters Committee Invite F.W. Russell Co. to Appear to Discuss Recent Violations and the Attorney General's Findings.:

The contract with Russell Disposal has been renewed for a period of 5 years, expiring on December 31, 2015, therefore, the issue at hand has become moot.

RESULT: WORK COMPLETED

189163 - An Order Adopting Appendix 120.AA of the Massachusetts Building Code, Known as the Stretch Energy Code, as the Energy Code for the City of Somerville:

The deadline for filing an application on this is November 19th. The city is not yet ready to file.

RESULT: KEPT IN COMMITTEE **Next: 12/31/2010 12:00 AM**

189600 - That the Chief Assessor Inform This Board Why the City Cannot Accept Partial Payments from Residents for Excise Tax Bills, Especially in Circumstances that Make it Impossible for Them to Pay Entirely Upfront.:

Ms. Craveiro distributed 2 documents, one from the Secretary of the Commonwealth and the other from the MA Department of Revenue, and explained the process used to collect excise taxes. There are no cities or towns in the Commonwealth that accept partial excise tax payments, in keeping with the recommendation from the state. Additionally, there is no software available to accept partial payments. Ms. Craveiro explained that the fines assessed for late payments are governed by law and that she may only waive up to \$15.00 in fines and penalties.

Alderman Trane requested information regarding how much money is owed to the city in outstanding excise taxes for last 2 years and Ms. Craveiro will provide that information to the committee.

RESULT: WORK COMPLETED

189937 - That the Commissioner of Public Works Provide This Board with the City Policy on Insect Infested Private Trees with Respect to Protecting Public Trees and Trees on the Private Property of Others.:

Mr. Koty stated that the city does not have a policy to deal with trees on private property and said that the DPW would work with ISD to try to a property owner to address an issue. If there were a circumstance where a serious threat existed, e.g., infestation by long horned beetles, then precedent exists whereby trees on private property could be removed.

RESULT: WORK COMPLETED

190158 - Requesting approval of an Ordinance to add or amend provisions for vegetative overgrowth, hazardous trees, outdoor wood storage, inoperable vehicles, unregistered vehicles, and the storage of boats or recreational vehicles.:

Ms. Lamboy reviewed the proposed changes and told the members that several issues were included in the proposal. The section regarding vegetation was written to address the issue of removing places that might possibly harbor rodents and allow mosquitoes to breed, rather than strictly dealing with the actual height of the vegetation. A new section dealing with the storage of wood was added and the committee had concerns about the proposed elevation requirement and portions of the language.

Alderman Trane's motion *that the Executive Director of Strategic Planning and Community Development (ISD) determine the average above ground distance of commercially available firewood holders*, was approved.

Alderman O'Donovan said that his concern was about the issue of unregistered vehicles and he requested that the section dealing with same be severed from the proposed ordinance before the committee. A motion was made by Alderman Connolly and approved by the committee to sever the section.

Chairman Gewirtz asked that the language regarding unregistered vehicles be re-worked to address the concerns of the members and Alderman Trane suggested looking at Traffic and Parking language for military exemptions, etc.

The committee made changes to the proposal and removed all language referencing section 9-56 and 9-57. These sections will be re-submitted to the Board of Aldermen individually.

The committee approved sections 9-131, 9-132 and 9-133.

RESULT: APPROVED AS AMENDED