



CITY OF SOMERVILLE, MASSACHUSETTS
CLERK OF COMMITTEES

April 29, 2014

REPORT OF THE LEGISLATIVE MATTERS COMMITTEE

Attendee Name	Title	Status	Arrived
Rebekah L. Gewirtz	Chair	Present	
Mary Jo Rossetti	Vice Chair	Present	
John M. Connolly	Alderman At Large	Present	
Matthew McLaughlin	Ward One Alderman	Present	
William A. White Jr.	Alderman At Large	Present	

Others present: Ald. McWatters, Ald. Niedergang, Michael Glavin, Hayes Morrison, David Shapiro, Jason Grossfield, Brandon Wilson.

193206 - That the City Solicitor review Boston's and other municipalities' ordinances to eliminate public nuisances caused by problem properties, and appear before the Committee on Legislative Matters to discuss adopting it here.:

Mr. Shapiro discussed similar ordinances in other municipalities and stated that the courts view these cases as remedial rather than punitive.

The committee discussed the possibility of enforcing fines civilly and/or criminally, ways to fine property owners and lien properties, escalating fines (on a daily basis), similar to the method used by Malden, and fining health code violations civilly.

Mr. Shapiro reported that an injunction will be placed on the property at 35-37 Jackson Road. The committee requested that the Law Department compile a list of properties that should be pursued and asked that Boston's and Quincy's methods for dealing with this matter are reviewed.

RESULT:

KEPT IN COMMITTEE

193587 - Requesting approval of a Complete Streets Ordinance to insure equal access for all users of the public ways.:

Alderman Gewirtz recused herself from discussion and action on this item.

Mr. Shapiro reviewed the item with the committee and Ms. Morrison discussed the changes made, including the striking of the city's reference to design guidelines. The item was approved on a vote of 3 - 0.

RESULT:

APPROVED

194062 - That the City Solicitor examine the proposed ordinances of Quincy, Boston and Woburn regarding absentee landlords and appear before this Board's Committee on Legislative Matters to discuss the implementation of a similar ordinance.:

RESULT:

KEPT IN COMMITTEE

194075 - That the City Solicitor review the proposed ordinance, referred to as Chapter 12, Article VII, Complete Streets Ordinance, to limit city liability.:

Alderman Gewirtz recused herself from discussion and action on this item.

RESULT:

WORK COMPLETED

194076 - That the City Solicitor review the proposed ordinance, referred to as Chapter 12, Article VII, Complete Streets Ordinance, to determine what happens in Section (6) when state guidelines change; and to determine if the cost in Section (7) is proportional to the project and how the difference would impact the city.:

Alderman Gewirtz recused herself from discussion and action on this item.

RESULT:

WORK COMPLETED

194968 - Requesting approval of the attached Ordinance Regulating Campaign Contributions from Those Seeking Contracts, Zoning Relief, the Purchase of City Property, or Financial Assistance from the City.:

RESULT:

KEPT IN COMMITTEE

195024 - Requesting, with the sponsorship of Ald. Desmond, Bastardi, Sullivan, O'Keefe and Trane, approval of an Ordinance regulating "pay-to-play" public contracting and campaign contributions for municipal elected office.:

RESULT:

KEPT IN COMMITTEE

195725 - That the City Solicitor provide this Board's Committee on Legislative Matters with input on restricting formula businesses in Somerville by requiring specific review and oversight before they may enter central business districts.:

Mr. Grossfield spoke about applicable case law and how the Commerce Clause impacts this subject. Ald. Gewirtz stated that this is not about banning formula business, but rather about providing another level of scrutiny through the permitting process. There was a discussion about the definition of formula businesses and the acceptable reasons/criteria necessary for moving forward with such an ordinance.

Requests were made for a copy of the Town of Chatham's legal case to be provided and that copies of similar ordinances used by other municipalities be forwarded to OSPCD's Planning staff for their review and input.

RESULT:**KEPT IN COMMITTEE**

195825 - That the City Solicitor and the Director of SPCD (ISD) update this Board on measures requiring property owners to maintain their property so it doesn't negatively impact their neighbors.:

RESULT:**KEPT IN COMMITTEE**

196357 - That the city's Human Rights Policy at Ordinance 2-237 be amended by adding the words "gender identity and expression," to protect transgender individuals from discrimination.:

RESULT:**KEPT IN COMMITTEE**

196362 - That the City Solicitor appear before this Board to describe the process for responding to requests for public records, including fees and redactions, and how this comports with the requirements of state law, the Secretary of State's Public Records Division, and the practices of other communities.:

RESULT:**KEPT IN COMMITTEE**

196385 - That the City Solicitor determine whether the U.S. Postal Service complied with federal law and applicable guidelines regarding the closing and selling of the Union Square Post Office facility.:

Mr. Glavin distributed and commented on 2 letters sent to the USPS's Federal Preservation Officer and Ald. McWatters spoke about his conversation with Congressman Capuano regarding this matter.

The committee discussed:

- The historical significance of the building and mural,
- Ways to delay the sale,
- Whether a public hearing was held by the USPS,
- How the mural would be preserved,
- Possible covenants,
- Re-use of the building and
- The impact of the city's zoning.

RESULT:**KEPT IN COMMITTEE**

196644 - That the City Solicitor provide the Committee on Legislative Matters with an analysis of the Law Department's support to charge for review and redaction of requested information.:

RESULT:

KEPT IN COMMITTEE

196645 - That the City Solicitor provide the Committee on Legislative Matters with the good faith estimate of number of hours and the hourly rates charged for every information request this year, to date.:

RESULT:

KEPT IN COMMITTEE

196646 - That the City Solicitor report to the Committee on Legislative Matters on the Board's ability to create guidelines for public information requests.:

RESULT:

KEPT IN COMMITTEE

196730 - Requesting approval to amend the Ordinances at Chapter 15 with respect to undue influence.:

RESULT:

KEPT IN COMMITTEE

196780 - That the City Solicitor advise this Board of the city's ability to control the dissemination of advertisements from "Globe Direct", and inquire why individual requests to stop unsolicited deliveries are not followed.:

RESULT:

KEPT IN COMMITTEE

196781 - That the Licensing Commission reconsider the regulation for liquor establishments to leave doors open between 8 AM and 9 PM, Monday through Friday, in areas that aren't central business districts, and convey to this Board how this regulation may be altered.:

RESULT:

KEPT IN COMMITTEE

196856 - Assistant City Solicitor responding to #195725 re: restricting formula businesses.:

RESULT:

KEPT IN COMMITTEE