



City of Somerville, Massachusetts

City Council Legislative Matters Committee

Meeting Minutes

Tuesday, May 13, 2025

7:00 PM

This meeting was held via Zoom and was called to order by Chair Davis at 7:04pm and adjourned at 8:48pm on a roll call vote of 5 in favor (Councilors Strezo, Mbah, Ewen-Campen, Scott, Davis), 0 opposed, and 0 absent.

Others present: Brendan Salisbury - Legislative and Policy Analyst, David Shapiro - Deputy City Solicitor, Sean Sheehan - Police Captain, Jill Lathan - DPW Commissioner, Matt Zaino - Interim Director of Inspectional Services, Rachel Nadkarni - Director of Economic Development.

Roll Call

Present: Ward Six City Councilor Lance L. Davis, Ward Two City Councilor Jefferson Thomas (J.T.) Scott, Ward Three City Councilor Ben Ewen-Campen, City Councilor At Large Wilfred N. Mbah and City Councilor At Large Kristen Strezo

1. Committee Minutes (ID # [25-0891](#)) Approval of the Minutes of the Legislative Matters Committee Meeting of April 29, 2025.

RESULT: **ACCEPTED**

AYE: Ward Six City Councilor Davis, Ward Two City Councilor Scott, Ward Three City Councilor Ewen-Campen, City Councilor At Large Mbah and City Councilor At Large Strezo

2. Ordinance (ID # [24-1754](#)) By Councilor Burnley Jr. Amending Sections 9-31 through 9-44 of the Code of Ordinances to support the end of wage theft.

Councilor Mbah raised a question regarding Section 9-41 of the ordinance, specifically concerning the decision to completely strike language related to building permits. Deputy City Solicitor Shapiro explained that the law department had concerns that the language was not adequately connected to building code regulations, and that the issue of wage theft/payment had no clear relation to property construction. As a result, the language was proposed to be removed from the ordinance. Councilor Mbah continued to question the enforcement mechanism in the ordinance, to which Legislative and Policy Analyst Salisbury clarified that complaints related to wage theft would be directed to the Attorney General's Office or the Department of

Labor, as is outlined in the current version of the ordinance. Additionally, changes to the procedure were highlighted: the ordinance now specifies that complaints forwarded to the appropriate licensing authority should reflect final decisions made by the courts. Councilor Mbah then asked how many complaints had been sent to the Attorney General's Office, to which Legislative and Policy Analyst Salisbury responded that this data was not tracked in his capacity, but the proposed language states the committee will monitor and create reports on such complaints in the future.

Councilor Strezo then directed questions to Director Nadkarni about whether Economic Development would assist with recruitment efforts to ensure quorum for future meetings. Director Nadkarni explained that previously, specific bodies were tasked with filling positions to maintain quorum, but now the city can directly recruit for positions, which will help ensure quorum in the future.

The Legislative and Policy Analyst spoke through the suggested amendments to the ordinance, to be voted on in the meeting. He began in §9-31(a), in the first sentence, there is reference to a "three-year period", and again in §9-31(b) a reference to "three years prior". Law noted that other similar timeframes are set at five years, so for the sake of consistency he recommends changing these two instances to "five" in the ordinance. He then spoke through §9-34(e), the term "business certificate" should be struck. Business certificates, or DBAs, do not grant a license to do business in the city. All they do is allow business owners to file paperwork under their business name rather than their legal name. Director Nadkarni echoed the sentiment and agreed with the removal of the term following questions from the committee on whether it should be included for certain scenarios. The definition for TIF agreement should be amended to read "Tax increment financing ("TIF") agreement means an agreement between a municipality and a real property owner, as defined by M.G.L. c. 23A, § 3A, c. 40, § 59, and 760 C.M.R. 22.00 et seq.". In addition, striking the definition for TIF plan as it only appears once in the ordinance. There was additional conversation around the reasoning for striking the definition of "wage" in the ordinance, which he summarized by saying that there is no statutory definition of "wage", the referenced MGL does not define it. If the committee wishes to craft their own definition of the term they are welcome to, but it is a term in common use without any kind of special definition established by statute but does not recommend defining it.

Chair Davis moved to change the language in §9-31(a), in the first sentence, there is reference to a "three-year period", and again in §9-31(b) a reference to "three years prior" "five". This motion was approved on a roll call vote of 5 in favor (Councilors Strezo, Mbah, Ewen-Campen, Scott, Davis), 0 opposed, 0 absent.

Chair Davis moved to strike term "business certificate" in In §9-34(e).

This motion was approved on a roll call vote of 5 in favor (Councilors Strezo, Mbah, Ewen-Campen, Scott, Davis), 0 opposed, 0 absent.

Chair Davis moved to amend the definition of TIF agreement to read “Tax increment financing (“TIF”) agreement means an agreement between a municipality and a real property owner, as defined by M.G.L. c. 23A, § 3A, c. 40, § 59, and 760 C.M.R. 22.00 et seq.”. This motion was approved on a roll call vote of 5 in favor (Councilors Strezo, Mbah, Ewen-Campen, Scott, Davis), 0 opposed, 0 absent.

Chair Davis moved to strike the definition for TIF plan. This motion was approved on a roll call vote of 5 in favor (Councilors Strezo, Mbah, Ewen-Campen, Scott, Davis), 0 opposed, 0 absent.

Chair Davis moved to replace the language in In §9-36(a) and (b) “a complaint alleging” with “information regarding an allegation of a”. This motion was approved on a roll call vote of 5 in favor (Councilors Strezo, Mbah, Ewen-Campen, Scott, Davis), 0 opposed, 0 absent.

Chair Davis moved to replace language in §9-36(b)(1) “assist the complainant with” with “provide information to the complainant regarding”. This motion was approved on a roll call vote of 5 in favor (Councilors Strezo, Mbah, Ewen-Campen, Scott, Davis), 0 opposed, 0 absent.

Chair Davies moved to amend the definition of timely payment wages to read “Timely payment of wages means payment of wages at regular intervals as established by M.G.L. c. 149, § 148.” This motion was approved on a roll call vote of 5 in favor (Councilors Strezo, Mbah, Ewen-Campen, Scott, Davis), 0 opposed, 0 absent.

Chair Davis moved to strike the definition of “wage”. This motion was approved on a roll call vote of 5 in favor (Councilors Strezo, Mbah, Ewen-Campen, Scott, Davis), 0 opposed, 0 absent.

Chair Davis moved to amend the language of “Wage theft” should read “Wage theft means a failure by an employer, their officers, agents, or employees to: (A) make a timely or complete payment of wages; (B) pay the minimum wage or prevailing wage; or, (C) pay overtime earned and owing to an employee.” This motion was approved on a roll call vote of 5 in favor (Councilors Strezo, Mbah, Ewen-Campen, Scott, Davis), 0 opposed, 0 absent.

Following the approval of the proposed amendments, Councilor Ewen-Campen sought clarification on previous discussions regarding the job associated with the ordinance, asking if any further actions were needed by the Council to get the position posted. Director Nadkarni explained that

multiple conversations had been held to determine the appropriate placement of the position within city departments, noting that the role's focus on enforcement or education would influence where it would be situated. It was decided that the position would not take on a caseload for enforcement but would instead focus on educational duties, and the position would be posted through the city website. Councilor Mbah echoed Councilor Ewen-Campen's sentiment, emphasizing the importance of moving forward with the job posting.

RESULT: **RECOMMENDED TO BE APPROVED AS AMENDED**

AYE: Ward Six City Councilor Davis, Ward Two City Councilor Scott, Ward Three City Councilor Ewen-Campen, City Councilor At Large Mbah and City Councilor At Large Strezo

3. Ordinance
(ID # [25-0357](#))

By Councilor Clingan

Amending Section 12-8 (a) of the Code of Ordinances by inserting the words "including abutting curb cuts if applicable".

Commissioner Jill Lathan was present to discuss recent changes to curb cuts. She explained that it is not feasible to clear every curb cut, and the current procedure involves staff focusing on high-traffic, problematic areas, school routes, and locations with accessibility concerns after the initial clearing has been completed. This process requires strategic planning to prioritize high-traffic areas. In response to Chair Davis, Commissioner Lathan clarified that school zones, square areas, and locations near bus stops are prioritized for clearing. The approach is influenced by various factors, such as the amount of snowfall and subsequent weather conditions, which may require additional assistance to address the workload. Interim Director of ISD Zaino suggested a slight modification in language to restrict curb cuts to crosswalks, noting that the department is willing to collaborate with the solutions office to implement this change. Councilor Scott raised a question, proposing that the law department explore the possibility of extending the snow removal process to properties with a certain number of units, specifically targeting properties with higher unit counts or commercial units.

RESULT: **KEPT IN COMMITTEE**

4. Mayor's
Communication
(ID # [25-0837](#))

Conveying the updated 2024 Surveillance Technology Annual Report.

This item was discussed with 25-0864.

RESULT: RECOMMENDED TO BE PLACED ON FILE

5. Mayor's Request Requesting approval of the Surveillance Technology Impact Report for Pole
 (ID # [25-0864](#)) Cameras.

Captain Sheehan attended the meeting to discuss the report titled *STIR SPD Pole Cameras UPDATED 4.24.25*, which outlines the updates made after the conversion of two cameras into Pole Cameras. Initially, impact reports were filed for the Pole Cameras when the city did not own the technology, so data was not shared. However, over the past year, the cameras were upgraded through grant funding, modified to function as Pole Cameras that can be repositioned for special investigations, with specific guidelines for their setup and angling. The annual report was revised to reflect this change, leading to an adjustment in the Impact Report. After introducing the topic, Captain Sheehan guided the committee through the report in detail, emphasizing the edits made to enhance the clarity and depth of the responses.

RESULT: RECOMMENDED TO BE APPROVED

AYE: Ward Six City Councilor Davis, Ward Two City Councilor Scott, Ward Three City Councilor Ewen-Campen, City Councilor At Large Mbah and City Councilor At Large Strezo