



# CITY OF SOMERVILLE, MASSACHUSETTS

## CLERK OF COMMITTEES

April 16, 2015

### REPORT OF THE LEGISLATIVE MATTERS COMMITTEE

Attendee Name	Title	Status	Arrived
Mary Jo Rossetti	Chair	Present	
Mark Niedergang	Vice Chair	Present	
Katjana Ballantyne	Ward Seven Alderman	Present	
Matthew McLaughlin	Ward One Alderman	Absent	
William A. White Jr.	Alderman At Large	Present	
Maryann M. Heuston	Ward Two Alderman	Present	
Robert J. McWatters	Ward Three Alderman	Absent	
Tony Lafuente	Ward Four Alderman	Present	
Rebekah L. Gewirtz	Ward Six Alderman	Present	
John M. Connolly	Alderman At Large	Absent	
Dennis M. Sullivan	Alderman At Large	Present	

Others present: School Committee members Adam Sweeting, Christine Rafal, Paul Bockleman and Carrie Normand; Rob King - Capital Projects, Bob Collins - Law, Jason Grossfield - Law, George Proakis - OSPCD, Omar Boukili - Mayor's Office

#### 1. Approval of the April 2, 2015 Minutes

<b>RESULT:</b>	<b>ACCEPTED</b>
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**198398: That this Board's Committee on Legislative Matters review the current pervious surfaces ordinances for their effectiveness and sufficiency.**

Mr. Grossfield filled in for David Shapiro, (who was unable to attend), and told the members that he would confer with Mr. King about the questions posed at the committee's April 2<sup>nd</sup> meeting.

As to what can and cannot be done to property, with respect to pervious surfaces, Mr. King will defer to the Law Department to make those determinations. Property owners can not increase the size of driveways without having a zoning review. The city has a basic policy on the subject but is required to have a storm water ordinance per the DEP, therefore, a consultant has been hired to assist with that effort, which is expected to take approximately 2 months. Mr. King acknowledged that the city has flooding issues and he cautioned members not to think that adjusting the pervious surfaces ordinances will correct

those problems. Mr. King also expressed his concerned about possible impacts on smaller development, e.g., single family homes.

Alderman White requested that information be provided on the number of permits issued under the existing ordinances and how many fines have been issued. Alderman Niedergang asked for the number of paving contractors doing business in the city that are registered. Members discussed the possibility of including a notice with the property tax or water bills informing property owners what actions require permits. Mr. Boukili will follow up with the Treasurer's Office to determine if this is allowed.

Alderman Heuston asked how permeability might be increased and requested that the Planning Department provide recommendations, taking into account the desire to have tighter controls on new development. Mr. Proakis said that the bottom line is that the city may set pervious area requirement as a statement, a percentage, etc., and he wants to make sure that whatever is decided upon is, in fact, achievable. He noted that the new zoning proposal contains an entire sustainability piece. Mr. Proakis was asked to have recommendation ready by the Committee's scheduled June 4<sup>th</sup> meeting and to research any incentives offered in other communities on this subject.

**RESULT:**

**KEPT IN COMMITTEE**

### **197785: Proposing an Anti-Nepotism Ordinance.**

Chairman Rossetti spoke about the feedback she received from members of the School Committee and read a letter from Alderman Connolly into the record. Mr. Collins distributed and reviewed a revised draft of the proposed ordinance that incorporated previous changes made by the Legislative Matters Committee and changes suggested by the School Committee's counsel. Replying to a question, Mr. Collins stated that this ordinance would not apply to the Housing Authority and that he would check its applicability to the Redevelopment Authority.

There was a discussion about the appropriateness of portions of the draft applying to members of the School Committee and a **motion by Alderman White to delete the words "or School Committee" from the last paragraph, was approved.**

Members of the School Committee spoke, and although they support the idea of such an ordinance, they feel that the proposal being debated here goes too far and doesn't grasp how families actually function. Among the concerns were prohibiting children of elected officials from working for the Recreation Department or as substitute teachers, as examples, which might have an impact on people who might consider running for elective office. There was agreement that there should be a "line" somewhere, but no clear consensus as to where it should be.

A discussion followed about whether to keep the School Committee in the ordinance, or not, and **Alderman Lafuente's motion to delete all reference to the School Committee was approved.**

Mr. Collins was asked to consider how to handle school teachers who might be affected by the ordinance Mr. Boukili believes that if civil service is exempt, then teachers should be too. Alderman White motioned to include part time positions and later withdrew the motion

Members also discussed parameters for full time positions (20 or more hours), seasonal positions (4 months or less) and positions with benefits. Mr. Collins will make the approved changes to the draft for review by the Legislative Matters Committee at a future meeting.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**197411: That the Mayor's Office inform this Board of its dealings with Catalog Choice.**

<b>RESULT:</b>	<b>WORK COMPLETED</b>
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**197684: DPW Commissioner responding to various Board Orders submitted 8/28/14.**

<b>RESULT:</b>	<b>WORK COMPLETED</b>
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