



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

December 4, 2012

REPORT OF THE LEGISLATIVE MATTERS COMMITTEE

Attendee Name	Title	Status	Arrived
Rebekah Gewirtz	Chair	Present	
John M Connolly	Vice Chair	Absent	
Bruce M. Desmond	Alderman At Large	Absent	
William A. White Jr.	Alderman At Large	Present	
Thomas F. Taylor	Ward Three Alderman	Present	
Thomas Pasquarello	Police Chief	Present	
Paul Upton	Deputy Police Chief	Present	
Michael Glavin	Exec. Director, OSPCD	Present	
Dave Shapiro	Asst. City Solicitor	Present	
Jay Weaver	Director of Veterans Services	Present	
Eddie Nuzzo	Supt., ISD	Present	
Andrew Upton	Chairman, Licensing Commission	Present	
Omar Boukili	Aide to Mayor	Present	

191050 - That the Director of SPCD inform this Board how the city can protect our residents when developers with a history of building or other code violations seek permits for new projects.:

RESULT:

WORK COMPLETED

192707 - That the City Solicitor research existing domestic violence ordinances in other communities and prepare a report for this Board's Committee on Legislative Matters.:

RESULT:

WORK COMPLETED

192806 - That this Board requests that the Mayor and the Director of Personnel inform the Committee on Legislative Matters of the city's intentions regarding the development of a domestic violence policy for city employees.:

Mr. Boukili reported that the city brought in an expert on domestic violence matters to train employees in providing sensitivity training to city employees

RESULT:**KEPT IN COMMITTEE**

192930 - Requesting the classification of the Mayor's Advisor for Children and Youth as a Special Municipal Employee, and the approval of an exemption under Section 20(d) of G. L. c. 268A for Stephanie Hirsch.:

This item had been left in committee pending the resolution of some funding issues. Since the FY-13 city budget has been approved, the committee recommends approval of this item.

RESULT:**APPROVED**

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 reported that he was informed by state officials that under federal guidelines, they have the right to test new equipment - in this case, the train horns. Accordingly, the city has initiated a process whereby the state would notify the city in advance of testing train horns.

RESULT:**WORK COMPLETED**

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. Shapiro and Mr. Upton addressed this issue and reviewed the city's current ordinance, state regulations and the Somerville Licensing Commission's practice. This proposal is an attempt to bring the city's ordinance in line with the actual practice of the Licensing Commission.

RESULT:**APPROVED**

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.:

Mr. Shapiro told the members that the ordinance in question was written in 1963. The City of Seattle has said that a single speaker must have a permit in order to speak in a public place, however, the U. S. Supreme Court has not yet weighed in on the matter. The City of Cambridge has an ordinance on this subject but the City of Boston does not. If permits are to be granted, a standard form should be utilized. Mr. Shapiro would like to prepare a revision to the section, for approval by the Board of Aldermen.

RESULT:**KEPT IN COMMITTEE****193925 - Requesting acceptance of MGL c59 s5N re: veterans' earned tax abatements.:**

Mr. Weaver explained that this is similar to the abatement available to the city's elderly property owners. Participants would be required to provide 150 hours of community service in exchange for an abatement of \$750. Mr. Weaver recommends acceptance of the item but noted that he does not expect many veterans to take advantage of it.

RESULT:**APPROVED****193932 - That this Board finalize the pending ethics conflict of interest measure for non-profits, and that the City Solicitor appear before this Board to advise on this Board's power to force transparency.:****RESULT:****WORK COMPLETED****193968 - That the City Solicitor and the Director of Health update this Board on any requirements, conditions or issues pertaining to any person seeking to open a marijuana distribution site.:**

This item pertains to the medical use of marijuana law, scheduled to take effect on January 1, 2013. Mr. Shapiro explained that, due to a lack of regulations, the city is unsure how to proceed at this time.

RESULT:**KEPT IN COMMITTEE****193983 - That the Chief of Police report to the Committee on Legislative Matters the number of junk dealers and pawn brokers operating in the city.:**

Deputy Chief Upton reported that there are no pawn brokers and 15 Second Hand Junk Dealers operating in the city. For the most part, there are no problems with any of these businesses. The committee recommends that there is no need for an ordinance governing pawn brokers.

RESULT:**WORK COMPLETED**