



CITY OF SOMERVILLE, MASSACHUSETTS CLERK OF COMMITTEES

September 11, 2019
REPORT OF THE LICENSES AND PERMITS COMMITTEE

Attendee Name	Title	Status	Arrived
Mary Jo Rossetti	Chair	Present	
Wilfred N. Mbah	Vice Chair	Present	
Jefferson Thomas ("J.T.") Scott	Ward Two City Councilor	Present	

Councilor Mbah had a previous engagement and arrived at 9 pm.

Other city staff in attendance: Angela Allen - Purchasing, Hannah Pappenheim - Law, Annie Connor - Mayor's Office, Nick Antanavica - ISD, Rositha Durham - Clerk of Committees.

The Committee meeting took place in the City Council Committee room and was called to order by Chair Rossetti at 7 pm and the meeting was adjourned at 9 pm.

Approval of the July 10, 2019 Minutes

RESULT:	ACCEPTED
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206864: That the Administration report to this Board, any instances of businesses found guilty of wage theft by the Attorney General's Office, and what action was taken in accordance with our wage theft ordinance.

Chair Rossetti provided a copy of the Somerville Wage Theft cases as noted by the Attorney General's Office since 2015.

RESULT:	KEPT IN COMMITTEE
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208476: That this Council's Committee on Licenses and Permits consider the attached amendment to Ordinance 9-31 regarding Wage Theft.

The Committee welcomed city staff members, Assistant Solicitor Pappenheim, Purchasing Director Allen, Inspectional Services Director Antanavica and Director of Intergovernmental Affairs Connor to discuss with the Committee both their questions and recommendations in follow up to the Committee's prior meeting. The Committee also welcomed input from Attorney Souris, Brian Flynn of Greater Boston Legal Services, Noel Xavier (Carpenters Union) and resident Marcy Goldstein-Gelb. The committee and others at the table continued to review the draft amendment that was submitted at the July 10, 2019

meeting. Ms. Pappenheim submitted a 3 page document with questions regarding the amendment that is attached to the agenda item.

There were discussions about language that may already be in construction contracts and to identify any gaps. Ms. Allen stated that there is a statutory requirement in construction contracts that departments obtain prevailing wage for certified payroll. This would also include waste hauling and street sweeping. Ms. Allen also stated that a payment bond is required if the contract is over \$25,000 to pay employees and sub-contractors.

Councilor Scott had researched similar instances in other states and will share that information directly with Ms. Pappenheim. Ms. Pappenheim had reached out to the city of Lynn to see how they were handling this matter.

Ms. Pappenheim outlined a list of questions which included how many members on the committee and who would select the members. A discussion about the committee could be considered a public body. Mr. Flynn from Greater Boston Legal Services offered to dedicate resources to this effort. Others at the table offered to work outside of the meeting to make edits to the draft amendment and have it ready for the next meeting. Committee members asserted their recommended language which Ms. Pappenheim will prepare for the next meeting. The chair requested that all changes to the document be made in a bold bright color to easily track changes. Ms. Pappenheim will discuss with the Attorney General's office and City staff potential additional amendments to Draft Amended Ordinance currently in Committee.

Councilor Scott will also discuss aspects of the document with Ms. Pappenheim over the ensuing weeks. She additionally agreed to review the revised GBLS's document which will be forwarded to her and the Chair in the next week. They will together discuss as deemed necessary in preparation for October's Committee meeting. The Committee expressed their desire to complete said Draft Amendments at their meeting to be held in October.

RESULT:

KEPT IN COMMITTEE

Handouts:

- Law Rev Art_Regulating Wage Theft (with 206864, 208476)
- Outline of questions for discussion (with 206864, 208476)
- Wage Theft Citations (with 206864)