

**AGENDA FOR THE WAYS AND MEANS COMMITTEE
TUESDAY, MARCH 27, 2012
7:30 P.M. - ROOM 402
COUNCIL ORDERS, RECOMMENDATIONS & REQUESTS**

Council Orders:

1. Councillors Barton and Capano:

RESOLUTION

**IN THE YEAR TWO THOUSAND TWELVE A RESOLUTION IN SUPPORT OF
CONTRACTUAL EMPLOYEES AT LOGAN AIRPORT**

WHEREAS: Workers contracted by airlines at Logan Airport, including security officers, airplane cleaners, baggage handlers, and wheelchair assistants, make as little as \$8 to \$9 per hour; and

WHEREAS: More than 180 of these contracted workers and their families live in the City of Lynn; and

WHEREAS: According to the Massachusetts Economic Independence Index of 2010, a single adult with no dependents must earn \$13.60 per hour in order to live self-sufficiently; and

WHEREAS: Underpaying Airport workers costs Massachusetts taxpayers millions of dollars by burdening the state's public assistance programs such as subsidized housing and Commonwealth Care; and

WHEREAS: Underpaying Airport workers may also impact the quality of service and can jeopardize safety of workers and travelers.

BARTON/CAPANO/RESOLVED:

The City Council of Lynn requests that the Massachusetts Port Authority take all necessary actions to ensure that the contracted employees at Logan Airport receive a living wage, fair benefits, and have the right to dignity, respect and a voice at work.

2. Councillor Colucci: Recommends the Department of Public Works be requested to contact the Courts and request the Community Service Workers clean-up the Cemetery on Union Street.

3. Councillor Colucci: Recommends that the Department of Public Works be requested to contact the Courts and request the Community Service Workers clean-up the Sagamore Street Park.

4. Councillor Lozzi:

HOME RULE PETITION

Voted to petition the General Court to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the City Council and the Mayor approve amendments to the bill before enactment by the General Court. The City Council and the Mayor are hereby authorized to approve amendments, which shall be within the scope of the general public objectives of this petition.

AN ACT AUTHORIZING THE CITY OF LYNN TO ESTABLISH A PROGRAM FOR ENFORCEMENT AGAINST ILLEGAL DUMPING

SECTION 1.

Notwithstanding any general or special law or rule or regulation to the contrary, it shall be unlawful for any person in the city of Lynn, directly or indirectly, to dump, place, throw, deposit or discharge any refuse, rubbish, garbage, household goods, appliances or furniture, construction debris, landscaping debris, scrap, trash or other material of any kind on any way, public or private, appearing on the official map of the city of Lynn, or within 20 yards thereof or on any land owned or controlled by the city.

SECTION 2. Notwithstanding any general or special law or rule or regulation to the contrary, it shall be unlawful for any person owning, in whole or in part, directly or indirectly, any real property, including ownership of any right to pass and repass on a private way in the city of Lynn upon which any refuse, rubbish, garbage, household goods, appliances or furniture, construction debris, landscaping debris, scrap, trash or other material of any kind has been dumped, placed, thrown, deposited or discharged to fail to remove such material within 7 calendar days of receipt of a written notice from a police officer, code inspector or other officer or employee of the city of Lynn duly authorized by ordinance or order of the mayor to remove and lawfully dispose of such material.

SECTION 3. The city of Lynn may enforce section 1 by issuing a citation with the penalty as described in Section 5 or prosecuting criminal or civil actions in the housing court, superior court or the district court of Lynn and may enforce section 2 by issuing citation with the penalty as described in Section 5 or prosecuting civil actions in those courts. The City of Lynn Department of Inspectional Services, the Department of Public Works and/or the Lynn Police Department may issue such citations. No action commenced as a criminal action shall be converted to a civil enforcement action except with the consent of the city.

SECTION 4. A person convicted of a violation of section 1 shall be punished by a fine of not less than \$5,000 nor more than \$10,000 or by imprisonment in the house of correction for not more than 7 days or by both such fine and imprisonment.

SECTION 5. A person found responsible in a civil action for a violation of section 1 or 2 shall be required to pay a civil penalty of 3 times the amount, up to a maximum of \$5,000, estimated or actually paid by the city to remove the dumped material from the property. The court may also issue other orders and injunctions to remedy the circumstances of each case.

SECTION 6. All fines and penalties collected for violations of this act shall be paid to the city of Lynn. Notwithstanding section 53 of chapter 44 of the General Laws or any other general or special law to the contrary, the city shall establish and maintain a Disposal Enforcement Fund into which all such payments shall be deposited. The city treasurer may invest funds in the fund in the manner authorized by sections 55 and 55B of said chapter 44 and any interest earned on the fund shall be credited to and become part of the account. The city shall appropriate and expend amounts from the account to finance the enforcement of this act, removing improperly deposited material from the property subject to this act and financing programs and personnel involved in the collection and lawful disposal of unwanted household goods generated by residents of the city.

SECTION 7. This act shall take effect upon its passage. **(To be Set Down for Public Hearing)**

Discussion re: HRP

/tcy