City of Somerville, Massachusetts Matters of Business of the Board of Aldermen

REGULAR MEETING MINUTES

February 14, 2013, 7:00 PM Aldermanic Chambers *****************

NOTICE: This is NOT the official version of the Board of Aldermen's minutes. While reasonable efforts have been made to assure the accuracy of the data provided, do not rely on this information without first checking with the City Clerk.

OPENING OF THE MEETING

Attendee Name	Title	Status	Arrived
John M Connolly	Alderman At Large	Present	
Bruce M. Desmond	Alderman At Large	Present	
Dennis M. Sullivan	Alderman At Large	Absent	
William A. White Jr.	Alderman At Large	Present	
Maureen Cuff-Bastardi	Ward One Alderman	Present	
Maryann M. Heuston	Ward Two Alderman	Present	
Thomas F. Taylor	Ward Three Alderman	Absent	
Tony Lafuente	Ward Four Alderman	Present	
Sean T. O'Donovan	Ward Five Alderman	Present	
Rebekah Gewirtz	Ward Six Alderman	Present	
Robert C. Trane	Ward Seven Alderman	Present	

1. #194286 Call of the Roll. Roll Call

RESULT: PLACED ON FILE

2. #194287 Approval of the Minutes of the Organizational Meeting, January 7, 2013, Minutes and the Regular Meeting, January 10, 2013.

RESULT: APPROVED

CITATIONS

PUBLIC HEARINGS

3. #194288 Grant of Location submitted by NStar Electric to install 41 feet of conduit in Grant of Location Broadway, from a manhole to 1323 Broadway.

RESULT: APPROVED

4. #194289 Grant of Location submitted by NStar Electric to install 9 feet of conduit in Grant of Location Porter St., from a pole to 23 Porter St.

RESULT: APPROVED

5. #194290 Grant of Location submitted by NStar Electric to install 7 feet of conduit in Grant of Location Linden Ave., from a pole to 16 Linden Ave.

RESULT: APPROVED

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

 #194291 By Ald. Cuff-Bastardi
 Order That the Chief of Police monitor the pedestrian signals at Lombardi Way, Broadway and Mt. Vernon Street to ensure that motorists are stopping for pedestrians in the crosswalks and to ticket violators accordingly.

RESULT: APPROVED

7. #194292 By Ald. Cuff-Bastardi
 Order That the Director of SPCD (ISD) inspect all residential and business sidewalks around all public schools and senior buildings to make sure all sidewalks have been shoveled, and to ticket accordingly.

RESULT: APPROVED

8. #194293 By Ald. Gewirtz Order That the Chief of Police advise this Board whether crossing guards can be placed at all crosswalks near schools throughout the city.

RESULT: APPROVED

9. #194294 By Ald. Gewirtz Resolution That this Board requests that municipal lots remain open to resident parking until the snow melts more substantially and street parking becomes available.

RESULT: APPROVED

 10.
 #194295
 By Ald. Gewirtz

 Order
 That the City Solicitor draft an ordinance preventing the construction of occupancy dwellings attached to existing structures in RA and RB Zones without a Special Permit and neighborhood involvement.

RESULT: APPROVED

FOLLOWUP: Land Use Committee

11.#194296By Ald. Connolly, Desmond, Cuff-Bastardi, Taylor, Sullivan, Lafuente,
Heuston, Trane, White Jr., O'Donovan, and the Mayor
That this Board requests that the Mayor consider implementing a
Community Emergency Response Team, a volunteer citizen support group
which is part of FEMA, to assist response efforts during emergencies.

RESULT: APPROVED

FOLLOWUP: Public Health and Public Safety Committee

12. #194297 Resolution By Ald. Connolly, Desmond, Cuff-Bastardi, Taylor, Sullivan, Lafuente, Heuston, Trane, White Jr., O'Donovan, and the Mayor That this Board, with the Mayor, requests that the City of Peabody increase public safety in the area of Saint Adelaide's Church, following the tragic accidental death of a Somerville resident there.

RESULT: APPROVED

#194298 By Ald. White Jr.
 Order That this Board discharges #190456, the Inspectional Services Division organizational review, from the Committee on Finance and the Committee on Public Health and Safety (leaving it solely in the Committee on Public Utilities and Works).

RESULT: APPROVED

14.#194299By Ald. White Jr.CommunicationActing as President, submitting an updated set of Committee assignments.

RESULT: PLACED ON FILE

#194300 By Ald. White Jr.
 Communication Communication Communication Communication Acting as President, requesting that any member of a Committee of this Board who cannot attend a meeting of that Committee, to inform the Committee Chair and the Clerk of Committees of their absence with as much notice as possible.

RESULT: PLACED ON FILE

UNFINISHED BUSINESS

REPORTS OF COMMITTEES

- 16. FINANCE COMMITTEE
- A. #194301 Report of the Committee on Finance, meeting on February 12, 2013. Committee Report

RESULT: APPROVED

B. #193221 Requesting a transfer of \$1,500 from the Constituent Services Stationery Mayor's Request Account to the Constituent Services Salaries and Wages Temporary Account.

RESULT: PLACED ON FILE

C. #194265 Requesting the acceptance of a grant of \$10,000 for Preventive Policing Mayor's Request Analytics from The Bureau of Justice Assistance.

RESULT: APPROVED

D. #194266 Requesting the acceptance of a grant of \$7,625 from the MA Office of Mayor's Request Public Safety and Security for the Fire Dept.'s Student Awareness of Fire Education program.

RESULT: APPROVED

 E. #194267 Requesting the acceptance of an Urban Areas Security Initiative Grant of Mayor's Request
 \$2,332.27 from the Boston Office of Emergency Preparedness for radio installation in the Fire Dept.

RESULT: APPROVED

17. INFORMATION TECHNOLOGY COMMITTEE

A. #194302 Report of the Committee on Information Technology, meeting on January Committee Report 31, 2013.

RESULT: APPROVED

 B. #192102 Communications Director responding to #191733 re: a July 7 phone outage Officer's in the Fire Dept. Communication

RESULT: WORK COMPLETED

C. #192733 By Ald. Lafuente, White Jr., Sullivan Resolution That this Board requests that the Administration consider expanding WI-FI capabilities at all city parks and public areas.

D. #194007 By Ald. Heuston Order That the Director of Constituent Services provide the history and dates of resolution of calls to 311 for trees and fallen branches on Rossmore Street.

RESULT: WORK COMPLETED

18. LEGISLATIVE MATTERS COMMITTEE

A. #194303 Report of the Committee on Legislative Matters, meeting on February 5, Committee Report 2013.

RESULT: APPROVED

19. LICENSES AND PERMITS COMMITTEE

A. #194304 Report of the Committee on Licenses and Permits, meeting on February 6, Committee Report 2013.

RESULT: APPROVED

B. #194004 New Livery License, Sharma Limousine Services, 17 Lake St., 1 auto. License/Permit

RESULT: PLACED ON FILE

C. #194238 Renewing Used Car Dealers License Class 2, PJ's Auto Sales, 161 License/Permit Broadway.

RESULT: APPROVED AS AMENDED

AMENDMENT: Allowed storage is 34 autos inside, 0 autos outside.

D. #194249 New Garage License, PJ's Auto Sales, 161 Broadway, 67 autos inside, 4 License/Permit outside.

RESULT: APPROVED AS AMENDED

AMENDMENT: Allowed storage is 33 autos inside, 4 autos outside.

20. PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE

A. #194305 Report of the Committee on Public Health and Public Safety, meeting on Committee Report February 6, 2013.

RESULT: APPROVED

B. #190375 By Ald. White Jr.
 Order That the Commissioner of Public Works appear before the Committee on Public Health and Public Safety to discuss the impact of the use of brick cross walks, their impact on the handicapped community, the measures in place to ensure that such cross walks comply with all state regulations and whether such cross walks should be used in future road work.

RESULT: WORK COMPLETED

C. #190956 Order By Ald. Heuston, Taylor That the Director of SPCD and the Director of Health update this Board on the public awareness campaign to address rodent control, and describe specific problem areas and plans to address rodent control in those areas.

RESULT: WORK COMPLETED

D. #191014 By Ald. Connolly Order That the Director of SPCD (ISD) and the Director of Health advise this Board of the number, location and status of all abandoned properties reported within the past two years.

RESULT: WORK COMPLETED

E. #192050 By Ald. Roche, White Jr., Sullivan Order That the Chief of Police and the Director of SPCD (ISD) respond to the attached list of problem addresses and be prepared to provide an update at this Board's October 24 Public Health and Safety Committee Meeting.

RESULT: WORK COMPLETED

F. #193202 By Ald. Roche Order That the Director of Health and the 3-member Board of Health Commission report back to this Board regarding their plan/policy to control the rodent problem.

RESULT: WORK COMPLETED

G. #193570 By Ald. Trane Order That the Chief of Police increase enforcement of bicycle regulations in the city's business districts.

RESULT: WORK COMPLETED

H. #193652 By Ald. White Jr., Roche Order That the City Solicitor, Superintendent of Inspectional Services, and Director of Public Health contact communities in the Greater Boston area such as Boston, Lynn, Saugus, Chelsea, Malden and Everett, to investigate any changes they have made to their ordinances or regulations to address rodent problems.

RESULT: WORK COMPLETED

I. #193866 By Ald. Trane Order That the Director of SPCD (ISD) appear before the Committee on Public Health and Safety to review trash disposal issues at Clarendon Hill Towers and provide answers to neighbors' concerns.

RESULT: WORK COMPLETED

J. #193967 By Ald. Desmond, O'Donovan, Connolly Order That the Chief of Police inspect the graffiti on the Lowell Street bridge and its retaining wall adjacent to the railroad tracks, to ascertain whether or not it is gang related.

RESULT: WORK COMPLETED

K. #194041 By Ald. O'Donovan Order That the Chief of Police enforce the STOP sign between Highland Road and Boston Avenue.

RESULT: WORK COMPLETED

L. #194053 By Ald. Desmond, Connolly, Sullivan, White Jr. Order That the Chief of Police order directed patrols to the Armory after 8 PM on Thursday, Friday and Saturday evenings and have those patrols ready to record noise levels from homes directly abutting it.

RESULT: WORK COMPLETED

M. #194189 Order By Ald. Cuff-Bastardi, Connolly, Sullivan, White Jr., and the Entire Board That the Chief of Police and City Solicitor appear before this Board's Public Health and Safety Committee to discuss the December 27, 2012 incident at the Holiday Inn and to make any recommendations to prevent another occurrence.

N. #194190 By Ald. Cuff-Bastardi Order That the Manager of The Home Depot and the Chief of Police appear at the next meeting of this Board's Public Health and Safety Committee to discuss eliminating illegal activity in The Home Depot parking lot.

RESULT: WORK COMPLETED

O. #194253 By Ald. O'Donovan Order That the Chief of Police order directed patrols on Woodbine Street at Lowell Street, to prevent trucks from stopping and/or parking, and that the Chief of Police appear at the next meeting of this Board's Committee on Public Health and Safety to discuss this matter.

RESULT: WORK COMPLETED

21. PUBLIC UTILITIES AND PUBLIC WORKS COMMITTEE

A. #194306 Report of the Committee on Public Utilities and Public Works, meeting on Committee Report January 29, 2013.

RESULT: APPROVED

B. #190133 By Ald. Gewirtz, O'Donovan Order That the Public Utilities and Public Works Committee discuss the damage done to the roof of 140 Willow Avenue by the utility companies working there.

RESULT: WORK COMPLETED

C. #190372 By Ald. O'Donovan Order That the Commissioner of Public Works appear before this Board's Committee on Public Utilities and Public Works regarding the lack of handicap ramps at the intersection of Highland Road and Kidder Avenue.

RESULT: WORK COMPLETED

D. #192598 By Ald. Connolly Order That the Director of Communications appear at the next meeting of the Public Works and Utilities Committee with an update and cost of the cable, internet and telephone providers in Somerville.

E.	#193752 Order	By Ald. O'Donovan That the Commissioner of Public Works and the City Engineer appear at the September 19, 2012 meeting of the Public Utilities and Works Committee to report on the failure of the utility companies to re-surface streets after opening them.
		RESULT: WORK COMPLETED
F.	#193965 Order	By Ald. Desmond, O'Donovan, Connolly That the Commissioner of Public Works remove the graffiti from the Lowell Street bridge.
		RESULT: WORK COMPLETED
G.	#194040 Order	By Ald. O'Donovan That the Commissioner of Public Works repair all sidewalk panels at 27 Josephine Avenue.
		RESULT: WORK COMPLETED
H.	#194043 Order	By Ald. O'Donovan That the Commissioner of Public Works and the Director of SPCD construct handicap crosswalks and ramps at Highland Road and Kidder Avenue.
		RESULT: WORK COMPLETED
I.	#194044 Order	By Ald. O'Donovan That the Director of SPCD and the City Arborist analyze the safety of the large tree across from the Kennedy School and report back in writing to the Ward 5 Alderman.
		RESULT: WORK COMPLETED
J.	#194049 Order	By Ald. O'Donovan That the Commissioner of Public Works erect a barrier or fence at the bottom of Nashua Street that can withstand the force of snow plows pushing snow into it.
		RESULT: WORK COMPLETED
K.	#194050	By Ald. O'Donovan

K.#194050By Ald. O'DonovanOrderThat the Commissioner of Public Works address the storm drain and runoff
issues at the bottom of Nashua Street.

L. #194198 By Ald. Connolly, Desmond, Sullivan, White Jr. Order That the Commissioner of Public Works update this Board's Committee on Public Utilities and Works on the repair/replacement of street-lamps citywide.

RESULT: WORK COMPLETED

M. #194307 By Ald. Connolly Order That the Director of SPCD (Transportation and Infrastructure) contact the MBTA and the State Delegation to eradicate all graffiti on the retaining wall between the railroad tracks and the Lowell Street bridge, and report any

corrective actions to this Board's Committee on Public Utilities and Works.

RESULT: APPROVED

FOLLOWUP: Public Utilities and Public Works Committee

N. #194308 Order By Ald. Connolly That the Director of SPCD (Transportation and Infrastructure) contact the MBTA and the State Delegation to remedy the problems with the fence at the end of Nashua Street, and report any suggested remedies from the MBTA to this Board's Committee on Public Utilities and Works within 30 days.

RESULT: APPROVED

FOLLOWUP: Public Utilities and Public Works Committee

22. VETERANS AND PUBLIC SERVICES COMMITTEE

A. #194309 Report of the Committee on Veterans and Public Services, meeting on Committee Report January 29, 2013.

RESULT: APPROVED

B. #193843 By Ald. Sullivan Order That the Director of Veterans Services present to the Committee on Veterans and Public Service recommendations on various designs for dedication signage.

RESULT: WORK COMPLETED

COMMUNICATIONS OF THE MAYOR

23. #194310 Requesting an appropriation and authorization to borrow \$1,000,000 in a bond for the cost of engineering analyses of buildings needing Capital Improvements.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

24. #194311 Requesting a transfer of \$554,403 from the Salary Contingency Account to Mayor's Request referenced Dept. Personal Services Accounts to fund the FY2013 costs of the Memorandum of Agreement with SMEA Units A, B, and D.

RESULT: APPROVED

25. #194312 Requesting an appropriation of \$24,000 from Unreserved Fund Balance Mayor's Request ("Free Cash") to the Office of Sustainability and Environment Professional Services Account to fund a Climate Change Adaptation and Mitigation Summit.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

26. #194313 Requesting an increase in the Council on Aging Revolving Fund Mayor's Request Expenditure Cap for FY2013 of \$30,000.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

27. #194314 Requesting approval of a \$10,000 grant from the MA Cultural Council to Mayor's Request support the Arts Council's ArtsUnion programming.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

28. #194315 Mayor's Request Berlin Structure (Lesbian, Bi-Sexual, Trans-gender) womenonly clients.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

29. #194316 Requesting confirmation of the appointment of Michael Epstein to the Arts Mayor's Request Council.

RESULT: APPROVED

COMMUNICATIONS OF CITY OFFICERS

30.#194317Planning Board submitting its recommendation on a zoning ordinance to
allow one ground floor supermarket that exceeds the ground level retail size
cap in the Assembly Square Mixed-Use District.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Land Use Committee

31. #194318 Director of Traffic and Parking responding to various Board Orders. Officer's Communication

RESULT: PLACED ON FILE FOLLOWUP: Housing and Community Development Committee

NEW BUSINESS

32.#194319Public Event Permit, Groundwork Somerville Maple Syrup Boil Down
Festival, Community Growing Center, Mar 9, 8:30AM-3PM.

RESULT: APPROVED

33.#194320Public Event Permit, Unity Church Palm Sunday Donkey Walk, College
License/PermitAvenue from Powderhouse Park to Davis Square, Mar 24, 8:30-9:45AM.

RESULT: APPROVED

34.#194321
License/PermitPublic Event Permit, Unity Church Easter Sunrise Service, Powderhouse
Park, Mar 31, 6-7AM.

RESULT: APPROVED

35. #194322 Renewing Outdoor Seating License, PJ Ryans, 239 Holland St. License/Permit

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

36. #194323 Renewing Outdoor Seating License, Blue Shirt Cafe, 424 Highland Ave. License/Permit

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

37.#194324Jobs for Somerville submitting a petition and comments re: #194060, a
zoning amendment to permit a larger ground-floor supermarket at Assembly
Square.

RESULT: PLACED ON FILE

FOLLOWUP: Land Use Committee

38.#194325Ellen Reisner submitting comments re: #194060, a zoning amendment to
permit a larger ground-floor supermarket at Assembly Square.CommunicationEllen Reisner submitting comments re: #194060, a zoning amendment to
permit a larger ground-floor supermarket at Assembly Square.

RESULT: PLACED ON FILE FOLLOWUP: Land Use Committee

39. #194326 David Dahlbacka submitting comments re: #194060, a zoning amendment to permit a larger ground-floor supermarket at Assembly Square.
 Communication

RESULT: PLACED ON FILE

FOLLOWUP: Land Use Committee

40. #194327 Wig Zamore submitting comments re: #194060, a zoning amendment to permit a larger ground-floor supermarket at Assembly Square.

RESULT: PLACED ON FILE

FOLLOWUP: Land Use Committee

41. #194328 Karen Molloy submitting comments re: #194060, a zoning amendment to permit a larger ground-floor supermarket at Assembly Square.

RESULT: PLACED ON FILE

FOLLOWUP: Land Use Committee

42. #194329 Karen Molloy submitting comments re: #193288, a Resolution opposing the transport of ethanol by train through Somerville.

RESULT: PLACED ON FILE

43.#194330Owner of 68 Holland Street submitting comments re: #193946, a Fortune
Teller license issued at that address to Maryann Mitchell dba Astrology by
Gia.

RESULT: PLACED ON FILE

FOLLOWUP: Licenses and Permits Committee

44. #194331 MA DOT responding to #194058 re: Pedestrian lighting under Rt 93 at Public Sullivan Square. Communication

RESULT: PLACED ON FILE		
FOLLOWUP:	Public Utilities and Public Works Committee	

SUPPLEMENTAL ITEMS

45. #194332 By Ald. Heuston, and the Entire Board Order That the Director of SPCD (ISD) inform Burger King officials of the disregard for public safety by the store at 185 Somerville Avenue, which has not shoveled their sidewalks more than 5 days after a major snow event.

RESULT: APPROVED

46. #194333 Resolution By Ald. White Jr. That this Board requests that the Traffic Commission review existing GO SLOW SCHOOL signals and other signage around schools, and add additional signals and signage as needed, to ensure that there is appropriate

RESULT: APPROVED

FOLLOWUP: Traffic and Parking Committee

47. #194334 By Ald. White Jr. Order That the Commissioner of Public Works examine the status of crosswalks around all schools and recommend any locations that should be slated for raised crosswalks.

RESULT: APPROVED

FOLLOWUP: Public Health and Public Safety Committee

traffic signage and signals to protect students from speeding vehicles.

48. #194335 By Ald. White Jr. Order That the Chief of Police implement speeding enforcement measures around schools during the morning and evening, to reduce speeding when children are going to or leaving school.

RESULT: APPROVED

FOLLOWUP: Public Health and Public Safety Committee

49. #194336 Requesting that this Board declare the site of the former Powder House Mayor's Request School available for disposition, with the restriction that any subsequent use provide for at least 40% publicly accessible open space, and that the Land Disposition Agreement be approved by this Board.

RESULT:APPROVED. [UNANIMOUS]AYES:Connolly, Desmond, White Jr., Cuff-Bastardi, Heuston,
Lafuente, O'Donovan, Gewirtz, Trane**ABSENT:**Dennis M. Sullivan, Thomas F. Taylor

50. #194337 Requesting that this Board vote to establish a value of \$5,711,600 for the Mayor's Request former Powder House School.

RESULT: APPROVED

51. #194338 Requesting that this Board adopt a zoning ordinance amending Sections 2.2 Mayor's Request and 7.11.9.2 to separate supermarkets from the general retail and department store use and define these types of stores.

RESULT: REFERRED FOR RECOMMENDATION

Also referred to the Planning Board.

FOLLOWUP: Land Use Committee

52. #194339 Requesting the Appointment of Wallace Forrest to the Position of District Mayor's Request Fire Chief.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

53. #194340 Requesting the Appointment of Gerard Gover to the Position of Fire Mayor's Request Captain.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

54. #194341 Transferring Taxi Medallion, Med. #59 from Ike Inc. to Raymy Inc. License/Permit

RESULT: APPROVED

LATE ITEMS

55.#194342Chief of Police responding to #194283 re: policies for the Police Dept.'s use
of the automated License Plate Recognition System and the Safe City
Monitoring System.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Public Health and Public Safety Committee

 #194343 By Ald. Cuff-Bastardi
 Resolution That the School Superintendent report to this Board's Committee on Legislative Matters the School Dept.'s use of polystyrene containers, before the Committee next meets to discuss a possible ban on such containers on February 27.

RESULT: APPROVED

FOLLOWUP: Legislative Matters Committee

57.#194344By Ald. Trane, GewirtzResolutionThat this Board requests that the Administration work with Tufts to secure
parking at the Tufts Administration Building lot during snow emergencies.

RESULT: APPROVED

58. #191881 Requesting an appropriation of \$62,000 from the Capital Projects
 Mayor's Request
 Stabilization Fund for the purchase of 2 Ford Explorers for the Police Dept.'s traffic division.

RESULT: AYES:	APPROVED. [UNANIMOUS] Connolly, Desmond, White Jr., Cuff-Bastardi, Heuston,
ABSENT:	Lafuente, O'Donovan, Gewirtz, Trane Dennis M. Sullivan, Thomas F. Taylor

Discharged from the Finance Committee.

59. #194214 Requesting that the former Powder House Community School be declared surplus and available for disposition, and that the Board vote on the proposed minimum value for the property, as well as any reuse restrictions.

RESULT: PLACED ON FILE

Discharged from the Finance Committee.

60. #194252
ResolutionBy Ald. Heuston, Connolly, White Jr.
That this Board requests that the Administration update this Board on the
closing and disposition of the Transfer Station, including anticipated dates
for demolition and arrangements for providing for waste disposal services
for the City.

Discharged from the Finance Committee.

61. #194084 Requesting the appointment of James Pero as Constable. Mayor's Request

RESULT: APPROVED

Discharged from the Committee on Confirmation of Appointments.

62. #194345 Sign/Awning Permit, Stanhope Framers, 55 Bow St., new awnings. License/Permit

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

ADJOURNMENT

Adjournment

Submitted by John J. Long, City Clerk