

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

REGULAR MEETING MINUTES

March 10, 2011, 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	Present	
William A. White Jr.	Alderman At Large	Present	
William M. Roche	Ward One Alderman	Present	
Maryann M. Heuston	Ward Two Alderman	Present	
Thomas F. Taylor	Ward Three Alderman	Present	
Walter F. Pero	Ward Four Alderman	Present	
Sean T. O'Donovan	Ward Five Alderman	Present	
Rebekah Gewirtz	Ward Six Alderman	Present	
Robert C. Trane	Ward Seven Alderman	Absent	

- #190949 Call of the Roll.
Roll Call

RESULT: PLACED ON FILE

- #190950 Approval of the Minutes of the Regular Meeting, February 10, 2011.
Minutes

RESULT: APPROVED

CITATIONS

- #190951 Citation
By Ald. Taylor, and the Entire Board and the Mayor
Commending James Powers, who is retiring after 33 years of dedicated service to the city as a Firefighter.

RESULT: LAID ON THE TABLE

- #190952 Citation
By Ald. Connolly, and the Entire Board
Commending Karen Harrington, who is retiring after more than 30 years of dedicated service to the city, primarily in the Recreation Dept.

RESULT: APPROVED

PUBLIC HEARINGS

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

- 5. #190953 Order By Ald. Taylor
That the Director of SPCD (ISD) inspect 93 School Street and make recommendations to the landlord for the storage of trash.

RESULT: APPROVED

- 6. #190954 Order By Ald. Taylor
That the Commissioner of Public Works clean the trash at the Post Office newsracks on Washington Street.

RESULT: APPROVED

- 7. #190955 Order By Ald. Taylor, Heuston
That the Director of SPCD, in conjunction with the manager of the Union Square Post Office, update the Ward 3 and Ward 2 Aldermen on the pending sale and relocation of the Union Square Post Office.

RESULT: APPROVED

FOLLOWUP: Housing and Community Development Committee

- 8. #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: APPROVED

FOLLOWUP: Public Health and Public Safety Committee

- 9. #190957 Order By Ald. Heuston
That the City Solicitor and the Director of SPCD (ISD) provide recommendations for the abandoned property at 47 Harrison Street, and advise this Board on actions the city can take to address safety and health issues as well as taxes and fees owed the city.

RESULT: APPROVED

FOLLOWUP: Public Health and Public Safety Committee

- 10. #190958 Order By Ald. Heuston
That the Director of Capital Projects address the continual structural problems in the roof and doors of the Argenziano School, explaining whether they are covered under a warranty or are now a cost to the City, and provide a detailed reconciliation of those repairs.

RESULT: APPROVED AS AMENDED

AMENDED: That the Director of Capital Projects appear at the next meeting of this Board, on March 24, 2011, at 7 PM, to discuss this issue.

11. #190959
Resolution

By Ald. Heuston
That this Board requests that the Dedication Commission consider placing a memorial in Ward 2 (at a location to be determined) in memory of Donald Loughman, a retired school custodian and Korean War Veteran.

RESULT: APPROVED

12. #190960
Order

By Ald. Roche
That the City Solicitor advise this Board on the process for increasing the number of Beer and Wine licenses in the city.

RESULT: APPROVED

FOLLOWUP: Legislative Matters Committee

13. #190961
Order

By Ald. Roche
That the Commissioner of Public Works begin an aggressive pot hole repair and street sweeping program around Ward One.

RESULT: APPROVED

14. #190962
Order

By Ald. Roche
That the Director of SPCD (ISD) bait for rodents in and around Virginia Street near Aldrich Street, Pearl Street between Wesley and Dana Streets, and Franklin Street near Franklin Avenue.

RESULT: APPROVED

15. #190963
Order

By Ald. Roche
That the Commissioner of Public Works inspect and repair the lights along the median strip in Ward One.

RESULT: APPROVED

16. #190964
Order

By Ald. Sullivan, Pero
That the Commissioner of Public Works clean Temple Street and Shore Drive (under Route 93).

RESULT: APPROVED

17. #190965 By Ald. Sullivan, Pero, Heuston
Order That the Commissioner of Public Works clear Grimmons Park and Lincoln Park of dog feces.

RESULT: APPROVED

UNFINISHED BUSINESS

18. #188396 Requesting Approval of a Home Rule Petition to Amend the City Charter to
Mayor's Bring it into Conformity with Current State Law and Streamline Enactment
Communication of Administrative Matters.

RESULT: APPROVED AS AMENDED. [UNANIMOUS]
AYES: Connolly, Desmond, Sullivan, White Jr., Roche, Heuston,
Taylor, Pero, O'Donovan, Gewirtz
ABSENT: Robert C. Trane

AMENDED:
1. In Title 2 Section 7, the phrase "from amongst its members" is inserted between the words "aldermen" and "by" in the second sentence.
2. In Title 4 Section 27, the phrase ", and then only in case of exigency requiring an immediate appointment or removal, make any permanent appointment or removal" is added at the end of the third sentence.

FOLLOWUP: Legislative Matters Committee

REPORTS OF COMMITTEES

19. CONFIRMATION OF APPOINTMENTS COMMITTEE

- A. #190966 Report of the Committee on Confirmation of Appointments, March 8, 2011.
Committee Report

RESULT: APPROVED

- B. #190377 By Ald. Taylor
Order That the City Solicitor report to the Committee on Confirmation of Appointments on the city's residency requirement, as applicable to department heads, and explain the waiver process for those who do not reside in the city.

RESULT: WORK COMPLETED

- C. #190924 Requesting the appointment of Antonio Cicolini to the position of Permanent
Mayor's Request Firefighter.

RESULT: APPROVED

- D. #190925 Requesting the appointment of Christopher Carroll to the position of Mayor's Request Permanent Firefighter.

RESULT: APPROVED

- E. #190926 Request the appointment of Justin Bonner to the position of Permanent Mayor's Request Firefighter.

RESULT: APPROVED

- F. #190927 Requesting the appointment of Daniel Costa to the position of Permanent Mayor's Request Firefighter.

RESULT: APPROVED

- G. #190928 Requesting the appointment of Brendan Noonan to the position of Permanent Mayor's Request Firefighter.

RESULT: APPROVED

- H. #190929 Requesting the appointment of Andrew Patriquin to the position of Mayor's Request Permanent Firefighter.

RESULT: APPROVED

- I. #190930 Requesting the appointment of Dennis Sullivan to the position of Permanent Mayor's Request Firefighter.

RESULT: APPROVED

- J. #190931 Requesting the re-appointment of Frank Santangelo as Constable. Mayor's Request

RESULT: APPROVED

20. FINANCE COMMITTEE

- A. #190967 Report of the Committee on Finance, March 7, 2011. Committee Report

RESULT: APPROVED

- B. #190708 Requesting the expenditure of \$2,891.39 of FY11 Appropriations to pay Mayor's Request three outstanding FY10 invoices in the Police Dept.

RESULT: APPROVED

- C. #190711 Mayor's Request Requesting authorization to enter into a street tree planting contract in excess of three years.

RESULT: APPROVED WITH CONDITIONS

Approved with the following condition: That the Tree Advisory Committee shall be convened.

- D. #190790 Officer's Request City Solicitor requesting to pay a prior fiscal year invoice of \$4,600 in the Law Office to Lucy Jen.

RESULT: APPROVED

- E. #190791 Officer's Request City Solicitor requesting to pay a prior fiscal year invoice of \$125 in the Law Office to the Boston Bar Assn.

RESULT: APPROVED

- F. #190844 Officer's Request City Clerk requesting approval of his Public Official's Bond.

RESULT: APPROVED

- G. #190918 Mayor's Request Requesting approval of a \$20,000 grant from the MA Cultural Council for the Arts Council's ArtsUnion programming.

RESULT: APPROVED

- H. #190919 Mayor's Request Requesting approval of a \$12,213 grant from the Charles E. Shannon Jr. Community Initiative for Police Dept. anti-gang activities.

RESULT: APPROVED

- I. #190920 Mayor's Request Requesting approval of a \$4,400 grant from the Bureau of Justice Assistance for the Police Dept.

RESULT: APPROVED

- J. #190921 Mayor's Request Requesting approval of a \$1,000 grant from America's Promise Alliance, to conduct a local celebration.

RESULT: APPROVED

21. HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

- A. #190968 Report of the Committee on Housing and Community Development, March Committee Report 3, 2011.

RESULT: APPROVED

22. LEGISLATIVE MATTERS COMMITTEE

- A. #190969 Report of the Committee on Legislative Matters, March 8, 2011. Committee Report

RESULT: APPROVED

- B. #190158 Mayor's Request Requesting approval of an Ordinance to add or amend provisions for vegetative overgrowth, hazardous trees, outdoor wood storage, inoperable vehicles, unregistered vehicles, and the storage of boats or recreational vehicles.

RESULT: PLACED ON FILE

- C. #190286 Mayor's Request Requesting an amendment to Ordinance 9-56 regarding vegetative overgrowth, hazardous trees, and outdoor wood storage, and associated fines.

RESULT: ORDINANCE ORDAINED. [UNANIMOUS]
AYES: Connolly, Desmond, Sullivan, White Jr., Roche, Heuston, Taylor, Pero, O'Donovan, Gewirtz
ABSENT: Robert C. Trane

AMENDED: Delete the phrase "or may reasonably become" from Section 9-56(b).

- D. #190730 Public Communication 51 Registered Voters submitting a petition for a public hearing on KSS Realty Partners and the use of union labor at the MaxPac site.

RESULT: PLACED ON FILE

- E. #190913 Order By Ald. Roche That the City Solicitor appear before this Board's Committee on Legislative Matters to discuss whether KSS has breached its covenant with the city, and if so, to take action to revoke their permits.

RESULT: WORK COMPLETED

23. LICENSES AND PERMITS COMMITTEE

- A. #190970 Report of the Committee on Licenses and Permits, March 2, 2011.
Committee Report

RESULT: APPROVED

- B. #190793 Renewing Garage License, Frongillo Realty, 0 Spring Hill Terrace, 19 autos
License/Permit inside.

RESULT: APPROVED

- C. #190794 Renewing 2009 Garage License, Frongillo Realty, 0 Spring Hill Terrace, 19
License/Permit autos inside.

RESULT: APPROVED

- D. #190795 Renewing 2008 Garage License, Frongillo Realty, 0 Spring Hill Terrace, 19
License/Permit autos inside.

RESULT: APPROVED

- E. #190796 Renewing 2007 Garage License, Frongillo Realty, 0 Spring Hill Terrace, 19
License/Permit autos inside.

RESULT: APPROVED

- F. #190797 Renewing 2006 Garage License, Frongillo Realty, 0 Spring Hill Terrace, 19
License/Permit autos inside.

RESULT: APPROVED

- G. #190798 Renewing 2005 Garage License, Frongillo Realty, 0 Spring Hill Terrace, 19
License/Permit autos inside.

RESULT: APPROVED

- H. #190804 New Flammables License, Cedars Petroleum, 182 Pearl St., 17,000 gallons.
License/Permit

RESULT: APPROVED

- I. #190805 New Garage License, Cedars Petroleum, 182 Pearl St., Mechanical repairs
License/Permit only, 2 autos inside, 4 outside.

RESULT: APPROVED WITH CONDITIONS

Approved for 90 days only with the following conditions:
1. Operating hours of the business are to be daily 7 AM - 10 PM, and fuel deliveries are only permitted during those hours.
2. The neighbor's fence is to be repaired.
3. The owner is to keep customers' vehicles away from the abutter's driveway.

- J. #190806 License/Permit New Garage License, A&M Foreign Motors, 400 Mystic Ave., Mechanical repairs, storing registered autos, 4 autos inside, 8 outside.

RESULT: APPROVED WITH CONDITIONS

Approved for 120 days only with the following condition: That the business address traffic and install a 6-foot fence to alleviate noise.

- K. #190849 License/Permit Sign/Awning Permit, Eastern Bank, 256 Elm St., 1 sign, 1 projecting sign.

RESULT: APPROVED

- L. #190935 License/Permit Renewing Garage License, H & F Motors, 486 Columbia St., 5 autos inside, 1 outside.

RESULT: APPROVED

- M. #190936 License/Permit Renewing Garage License, Motorsports Inc., 486R Columbia St., 3 autos inside, 5 outside.

RESULT: APPROVED

24. YOUTH SERVICES COMMITTEE

- A. #190971 Committee Report Report of the Committee on Youth Services, March 8, 2011.

RESULT: APPROVED

COMMUNICATIONS OF THE MAYOR

25. #190972 Mayor's Request Requesting a transfer of \$60,183.56 from the Computer Equipment Acct. to the IT Capital Outlay Acct. to purchase a centralized storage area network appliance.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

26. #190973 Mayor's Request Requesting to accept a \$1,876,179 Lead Hazard Reduction Demonstration Grant from the federal Dept. of Housing & Urban Development, for SPCD's Lead Hazard Abatement Program.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

27. #190974 Mayor's Request Requesting to accept a \$205,854 CLAMP Grant from MassDOT for the Health Dept.'s Transportation Demand Management project to expand Walk/Ride Day.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

28. #190975 Mayor's Request Requesting acceptance of a \$14,473.50 grant from the MAPC's Regional Bike Parking Program for new bicycle accommodations citywide.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

29. #190976 Mayor's Request Requesting to accept a \$2,869 grant from Factory Mutual Insurance Company for the Fire Dept.'s Fire Investigation Unit.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

30. #190977 Mayor's Communication Conveying the Assembly Row DIF Consultant Analysis on municipal service impacts.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

31. #190978 Mayor's Communication Conveying the Assembly Row DIF Tri-Party Public Funding Agreement.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

COMMUNICATIONS OF CITY OFFICERS

32. #190979 Asst. City Solicitor responding to #190773 re: Shore Drive.
Officer's
Communication

RESULT: PLACED ON FILE

33. #190980 Director of Traffic and Parking responding to #190906 re: pedestrian safety
Officer's at Washington Street at McGrath Highway.
Communication

RESULT: PLACED ON FILE

NEW BUSINESS

34. #190981 Public Event Permit, Somerville Striders Race of Ireland Road Race, Davis
License/Permit Sq. area, Mar 13, 11AM.

RESULT: APPROVED

35. #190982 New Drainlayer's License, J. Marachese and Sons Inc.
License/Permit

RESULT: APPROVED

36. #190983 Sign/Awning Permit, Maria Ferry Salon, 1152 Broadway, 1 sign.
License/Permit

RESULT: APPROVED

37. #190984 Sign/Awning Permit, Broadway Dollar, 314 Broadway, 1 sign.
License/Permit

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

38. #190985 Renewing Garage License, Somerville Auto Repair, 453 Somerville Ave., 2
License/Permit autos inside, 7 outside.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

39. #190986 New Junk Dealer License, Aldrine Beauty Salon, 369 Somerville Ave.,
License/Permit buying and selling gold.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

SUPPLEMENTAL ITEMS

40. #190987 By Ald. Gewirtz
Communication As President, conveying recent activities of the School Committee.

RESULT: PLACED ON FILE

41. #190988 Requesting an appropriation of \$25,750,000 and authorization to borrow
Mayor's Request \$25,750,000 in a bond for the cost of implementing the Assembly Row DIF
District and Development Program.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

42. #190989 Public Event Permit, Tufts Boston Beanpot Cycling Classic, Tufts area, Apr
License/Permit 3.

RESULT: APPROVED

43. #190990 Public Event Permit, Unity Church and 5 other Churches Easter Sunrise
License/Permit Service, Nathan Tufts Park, Apr 24, 6AM.

RESULT: APPROVED

44. #190991 Public Event Permit, Davis Sq. Farmers Market, Day/Herbert Sts. parking
License/Permit lot, Wednesdays May 25-Nov 23, 12-6PM.

RESULT: APPROVED

45. #190992 New Used Car Dealer's License Class 2, Cedar's Petroleum, 182 Pearl St., 2
License/Permit autos inside, 4 outside.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

46. #190993 Sen. Kerry responding to #190904 re: CDBG and CSBG funding.
Public
Communication

RESULT: PLACED ON FILE

LATE ITEMS

47. #190994
Order By Ald. Heuston
That the Director of SPCD (ISD) bait for rodents around Marion Street, Adrian Street, Lincoln Parkway and Joseph Street.

RESULT: APPROVED

48. #190995
Order By Ald. Desmond, O'Donovan
That the Chief of Police verify that organized groups using Trum Field, Albion Park and Argenziano Field have secured the required permits for their use.

RESULT: APPROVED

49. #190996
Order By Ald. Taylor
That the Commissioner of Public Works replace the decorative barrel at 249-251 Washington Street with a "Big Belly" trash barrel.

RESULT: APPROVED

50. #190997
Order By Ald. Heuston
That the Director of SPCD initiate a rezoning study in the vicinity of Washington and Beacon Streets to strengthen commerce, urban design and infrastructure to develop an economic gateway.

RESULT: APPROVED

51. #190998
Order By Ald. O'Donovan
That the Director of SPCD present a list of all development projects over the past ten years and all future development projects to this Board's Committee on Public Utilities and Public Works, for its discussions with NSTAR regarding acceptable electrical service for Somerville.

RESULT: APPROVED

52. #190999
Order By Ald. O'Donovan
That this Board's Committee on Public Health and Public Safety once again address the safety of the abandoned building at 82 Pearson Avenue, which remains in disrepair.

RESULT: APPROVED

FOLLOWUP: Public Health and Public Safety Committee

ADJOURNMENT

Adjournment

Submitted by John J. Long, City Clerk