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

## **REGULAR MEETING MINUTES**

February 22, 2018, 7:00 PM Aldermanic Chambers, City Hall, 93 Highland Avenue

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**

The meeting was called to order at 7:00 PM by Ward Seven Alderman Katjana Ballantyne

Attendee Name	Title	Status	Arrived
Stephanie Hirsch	Alderman At Large	Absent	
Wilfred N. Mbah	Alderman At Large	Present	
Mary Jo Rossetti	Alderman At Large	Present	
William A. White Jr.	Alderman At Large	Present	
Matthew McLaughlin	Ward One Alderman	Present	
Jefferson Thomas ("J.T.") Scott	Ward Two Alderman	Present	
Ben Ewen-Campen	Ward Three Alderman	Present	
Jesse Clingan	Ward Four Alderman	Present	
Mark Niedergang	Ward Five Alderman	Present	
Lance L. Davis	Ward Six Alderman	Present	
Katjana Ballantyne	Ward Seven Alderman	Present	

1. Roll Call 205178 (ID:17975) Call of the Roll.

Alderman Clingan sponsored a moment of silence for Chris Nadeau.

RESULT: PLACED ON FILE

2. Minutes 205179 (ID:17976)

Approval of the Minutes of the Regular Meeting, January 25, 2018.

**RESULT:** APPROVED

**CITATIONS** 

**PUBLIC HEARINGS** 

## ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

3. Resolution 205180 (ID:17956)

By Ald. Mbah, Davis, Ballantyne

That the Administration report to this Board on what is being done to prevent gun violence in our schools, including any active shooter training provided to teachers.

Alderman Mbah stated that as a result of the shooting in Florida, he would like to know what is being done to prevent such violence in our schools.

**RESULT:** APPROVED

4. Resolution 205181 (ID:17958)

By Ald. Mbah

That the Administration consider hiring additional school nurses as soon as possible.

Alderman Mbah has heard from teachers that there are not enough health care providers in school to take care of the students.

RESULT: APPROVED

5. Order 205182 (ID:17957)

By Ald. Mbah, McLaughlin

That the City Solicitor draft an ordinance to stop Globe Direct from leaving its weekly circulars at residents' homes.

Alderman Mbah has heard from many constituents that they would like Globe Direct to stop delivery to their homes.

**RESULT:** APPROVED

6. Resolution 205183 (ID:17954)

By Ald. Rossetti, McLaughlin, Ballantyne

That the Administration reassess the city's agreement with Globe Direct regarding stopping deliveries upon request.

Alderman McLaughlin stated that this request has been submitted before and Globe Direct responded satisfactorily by putting Globe Direct circulars in mailboxes. But there was a change in management and the new owners feel they don't have to do this, as it's a Freedom of Speech issue. Alderman White stated that this issue has been around for many years as there are First Amendment rights involved.

**RESULT:** APPROVED

**FOLLOWUP:** Housing and Community Development Committee

7. Order 205184 (ID:17953)

By Ald. Rossetti, Ballantyne

That the Director of Traffic and Parking consider adding painted street lane arrows and signage at the intersection of Holland Street and Broadway to improve safety.

8. Communication By Ald. Rossetti

205185 (ID:17955) Reporting on the High School Building Committee meeting of February 15, 2018.

Alderman Rossetti reported on the items discussed at the meeting. The Committee reported that the two outside consultants determined that we are close enough to the 90% cost estimate gap so the Committee won't have to look at the project line by line: we are on time and on target. A Request for Qualifications was sent out a few weeks back and 109 contractors have expressed interest in various areas of the construction project. A Committee has been formed to review their responses. There will be a Community Meeting held in the spring.

RESULT: PLACED ON FILE

9. Order 205186

(ID:17959)

By Ald. Niedergang

That the Commissioner of Public Works fill the potholes on the south side of Highland Avenue between Somerville Hospital and Benton Road, and at 188 Lowell Street.

### **RESULT:** APPROVED

10. Order 205187 (ID:17960) By Ald. Niedergang

That the Director of Traffic and Parking re-stripe the crosswalk on Lowell Street at Princeton Street near the bridge.

### **RESULT:** APPROVED

11. Order 205188 (ID:17961)

By Ald. Niedergang, Ewen-Campen

That the Director of SPCD report to this Board on the feasibility of installing a crosswalk on Highland Avenue in front of the Armory.

### **RESULT:** APPROVED

12. Order 205189 (ID:17962)

By Ald. Niedergang

That 7 environmental items currently in the Legislative Matters Committee be discharged and assigned to another committee.

These seven items were discharged from the Committee on Legislative Matters and referred to the Committee on Open Space, Environment and Energy.

**RESULT:** APPROVED

13. Order 205190 (ID:17963) By Ald. Niedergang

That 2 financial items currently in the Legislative Matters Committee be discharged and assigned to another committee.

These two items were discharged from the Committee on Legislative Matters and referred to the Committee on Finance.

14. Resolution 205191 (ID:17964)

By Ald. Ewen-Campen, and the Entire Board

That the Administration inform this Board on the annual number of eviction cases heard in Somerville District Court, the proportion for which the tenant has no legal representation, and the estimated cost of ensuring that all Somerville tenants have such representation.

Alderman Ewen-Campen would like to see the data available pertaining to eviction cases and how many defendants had legal representation.

**RESULT:** APPROVED

**FOLLOWUP:** Housing and Community Development Committee

15. Order 205192 (ID:17965)

By Ald. Ewen-Campen

That the Director of SPCD work with the Ward 3 Alderman and the Union Square Master Developer to clarify the plan and timeline for the "out-parcels" in later-phase development blocks, so businesses can plan accordingly.

Alderman Ewen-Campen stated that he was approached by a property owner in Union Square who is retiring and would like to sell one of his properties. It is very hard to reach a deal with any potential buyer because the Union Square redevelopment timeline is very unclear. He would like meet with US2 and SPCD to clarify that timeline.

Ald. Scott recused.

**RESULT:** APPROVED

16. Order 205193 (ID:17966)

By Ald. Ewen-Campen, Davis

That the Director of Traffic and Parking explain whether it is possible to program alternative LED patterns for blinking STOP signs and other traffic signs.

Alderman Ewen-Campen is curious if any other pattern of blinking lights can be programmed into the STOP signs. Alderman Davis said he submitted a similar Order last year and was told that there could be no adjustments, but it is a year later and technology may have improved.

**RESULT:** APPROVED

**FOLLOWUP:** Public Health and Public Safety Committee

17. Order 205194 (ID:17967)

By Ald. Ewen-Campen

That the Director of SPCD consider making the audible pedestrian signals in Union Square push-button activated, and inform this Board on the relative advantages and drawbacks of doing so.

18. Order 205195 (ID:17968)

By Ald. Ewen-Campen

That the Director of SPCD work with the Ward 3 Alderman to devise traffic calming strategies on Bow Street, from Warren Avenue to Walnut Street.

Alderman Ewen-Campen stated that traffic is down everywhere at Union Square except for one intersection at block 11 and something needs to done about it to devise a traffic calming strategy.

**RESULT:** APPROVED

19. Order 205196 (ID:17969)

By Ald. Ewen-Campen

That the Commissioner of Public Works contact the appropriate utility to remove the double poles at the intersection of Central and Summer Streets, where they are blocking a pedestrian walk signal.

**RESULT:** APPROVED

20. Order 205197 (ID:17970) By Ald. McLaughlin

That the Director of Traffic and Parking Place a NO PARKING sign between 161 and 165 Broadway, between the bus stop and the metered spot, to increase vehicle visibility.

**RESULT:** APPROVED

**FOLLOWUP:** Traffic and Parking Committee

21. Order 205198 (ID:17971) By Ald. McLaughlin

That the Director of Veterans Services appear before this Board's Committee on Veterans and Public Services to discuss a Global War on Terror memorial and a Women's Service memorial.

**RESULT:** APPROVED

**FOLLOWUP:** Veterans and Public Services Committee

22. Order 205199 (ID:17972) By Ald. McLaughlin

That the Superintendent of Inspectional Services, the Director of Health and Human Services, and the Director of any other department involved in rodent control efforts, appear before this Board's Special Committee on Rodent Issues each month to highlight rodent control efforts.

Alderman McLaughlin will be having monthly meetings with updates on rodent control citywide.

**RESULT:** APPROVED

**FOLLOWUP:** Rodent Issues Special Committee

23. Resolution 205200 (ID:17973)

By Ald. Hirsch

That the Administration consider making a mid-year appropriation for an Out-of-School-Time Coordinator, to begin planning out-of-school-time programming, including this coming summer vacation.

24. Resolution 205201 (ID:17974)

By Ald. Scott, Davis, Ewen-Campen, and the Entire Board That the Administration work with US2 to amend the Development Covenant to allow this Board to recognize a Neighborhood Council to negotiate a CBA and discuss the amendment with this Board prior to execution.

Alderman Scott and Alderman Davis are requesting an amendment to the Development Covenant to recognize a Neighborhood Council.

RESULT: APPROVED

**FOLLOWUP:** Legislative Matters Committee

### **UNFINISHED BUSINESS**

### REPORTS OF COMMITTEES

## 25. CONFIRMATION OF APPOINTMENTS AND PERSONNEL MATTERS COMMITTEE

A. Committee Report 205202 (ID:17951) Report of the Committee on Confirmation of Appointments and Personnel Matters, meeting on February 20, 2018.

Alderman Scott reported on the items discussed at the meeting. The Committee is in the process of putting together a guide to appointment and re-appointment procedures since this Committee has new members. The Committee also asked the Administration to provide information it reviewed for appointees, so the Committee knows what information was gathered.

RESULT: APPROVED

B. Order 205203 (ID:17995) By Ald. Davis

That the City Solicitor advise this Board's Committee on Confirmation of Appointments and Personnel Matters of any legal requirements and/or standards that may exist for appointments and re-appointments.

**RESULT:** APPROVED

**FOLLOWUP:** Confirmation of Appointments and Personnel Matters

Committee

C. Resolution 205204 (ID:17996) By Ald. Davis

That the Administration provide this Board's Committee on Confirmation of Appointments and Personnel Matters with all documentation considered for each appointee's appointment, and any updated information since the time of any appointment to a "reserve list".

**RESULT:** APPROVED

**FOLLOWUP:** Confirmation of Appointments and Personnel Matters

Committee

## 26. FINANCE COMMITTEE

A. Committee Report 205205 (ID:17950) Report of the Committee on Finance, meeting on February 20, 2018.

Alderman White reported on the items discussed at the meeting. The Committee approved entering into a tax agreement with Sun Wealth for a solar system at 440 Somerville Avenue. The Committee also approved a Home Rule Petition so the Retirement Board could divest from fossil fuel companies. The Retirement Board had voted to divest from fossil fuel companies but the State had said they did not have the ability to do that. In addition, the Committee approved a bond for design services for the West Branch Library renovation project, and some grants. The Committee discussed the lease of a portion of a city building. First the Board would have to declare it surplus and approve a request for proposals. Then the Board would have to approve the disposition.

**RESULT:** APPROVED

B. Mayor's Request 202153 (ID:14826) Requesting an appropriation and authorization to borrow \$94,000 in a bond for additional design services for the West Branch Library Renovation Project.

RESULT: APPROVED. [UNANIMOUS]

**AYES:** Mbah, Rossetti, White Jr., McLaughlin, Scott, Ewen-

Campen, Clingan, Niedergang, Davis, Ballantyne

**ABSENT:** Hirsch

C. Mayor's Request 204518 (ID:17247) Requesting a transfer of \$32,500 from the Salary Contingency Account to the Health & Human Services Personal Services Salaries Account to fund an Environmental Health Liaison.

RESULT: PLACED ON FILE

D. Mayor's Request 205011 (ID:17699) Requesting acceptance of a 36 month lease of the West Somerville Police Substation and office space at 1112-1114 Broadway.

**RESULT:** APPROVED

E. Mayor's Request 205013 (ID:17707) Requesting the appropriation of \$29,890.97 from Free Cash to the EPA Brownfield Revolving Loan Account for payment #1 of the Conway Rink Repayment.

**RESULT:** APPROVED

F. Mayor's Request 205015 (ID:17718) Requesting the appropriation of \$20,750 from Unreserved Fund Balance ("Free Cash') to the Engineering Division Salaries Account to fund a Construction Liaison and Compliance Manager.

RESULT: PLACED ON FILE

G. Mayor's Request 205016 (ID:17719) Requesting the appropriation of \$24,500 from Unreserved Fund Balance ("Free Cash") to the Engineering Division Salaries Account to fund a Construction Project Manager.

## RESULT: PLACED ON FILE

H. Mayor's Request 205017 (ID:17720) Requesting the appropriation of \$20,750 from Unreserved Fund Balance ("Free Cash') to the Communications Department Salaries Account to fund a Construction Information Officer.

### RESULT: PLACED ON FILE

I. Mayor's Request 205019 (ID:17722) Requesting the appropriation of \$23,250 from Unreserved Fund Balance ("Free Cash") to SPCD's Transportation & Infrastructure Division Salaries Account to fund a GLX Project Liaison.

## RESULT: PLACED ON FILE

J. Mayor's Request 205020 (ID:17723) Requesting the appropriation of \$25,750 from Unreserved Fund Balance to the Capital Projects Department Salaries Account to fund a Project Manager.

## RESULT: PLACED ON FILE

K. Mayor's Request 205021 (ID:17724) Requesting the appropriation of \$23,250 from Unreserved Fund Balance ("Free Cash") to SPCD's Transportation & Infrastructure Division Salaries Account to fund a Streetscape and Public Space Planner.

### RESULT: PLACED ON FILE

L. Mayor's Request 205022 (ID:17725) Requesting the appropriation of \$25,750 from Unreserved Fund Balance ("Free Cash") to the Engineering Department Salaries Account to fund a Project Manager.

### RESULT: PLACED ON FILE

M. Mayor's Request 205023 (ID:17726) Requesting the appropriation of \$24,500 from Unreserved Fund Balance ("Free Cash") to the Engineering Department Salaries Account to fund a Junior Project Manager.

## RESULT: PLACED ON FILE

N. Mayor's Request 205024 (ID:17727) Requesting the appropriation of \$25,750 from Unreserved Fund Balance ("Free Cash") to SPCD's Transportation & Infrastructure Division Salaries Account to fund a Senior Urban Forestry & Landscape Planner.

### RESULT: PLACED ON FILE

O. Mayor's Request 205025 (ID:17728) Requesting the appropriation of \$25,250 from Unreserved Fund Balance ("Free Cash") to SPCD's Transportation & Infrastructure Division Salaries Account to fund a Transportation Planner.

#### **RESULT:** PLACED ON FILE

P. Mayor's Request 205026 (ID:17729) Requesting the appropriation of \$25,750 from Unreserved Fund Balance ("Free Cash") to the Inspectional Services Department Salaries Account to fund a Senior Zoning Review Planner.

#### **RESULT:** PLACED ON FILE

Q. Mayor's Request 205027 (ID:17730)

Requesting the appropriation of \$27,000 from Water Enterprise Fund Retained Earnings to the Water Enterprise Fund Salaries Account to fund a Director of Finance & Administration.

#### **RESULT:** PLACED ON FILE

R. Mayor's Request 205028 (ID:17731)

Requesting the appropriation of \$32,000 from Unreserved Fund Balance ("Free Cash") to the Capital Projects Department Salaries Account to fund a Capital Projects Assistant Director.

#### **RESULT:** PLACED ON FILE

S. Mayor's Request 205030 (ID:17747)

Requesting the appropriation of \$29,500 from Unreserved Fund Balance ("Free Cash") to the SPCD Office of Housing Stability Salaries Account to fund a Director of Housing Stability.

#### **RESULT:** PLACED ON FILE

T. Mayor's Request 205031 (ID:17748)

Requesting the appropriation of \$24,500 from Unreserved Fund Balance ("Free Cash") to the SPCD Office of Housing Stability Salaries Account to fund a Deputy Director of Housing Stability/Program Development.

#### **RESULT:** PLACED ON FILE

Mayor's Request 205032 (ID:17749)

U.

Requesting the appropriation of \$19,500 from Unreserved Fund Balance ("Free Cash") to the SPCD Office of Housing Stability Salaries Account to fund a Housing Counselor/Case Manager.

#### **RESULT:** PLACED ON FILE

V. Mayor's Request 205033 (ID:17750) Requesting the appropriation of \$19,500 from Unreserved Fund Balance ("Free Cash") to the SPCD Office of Housing Stability Salaries Account to fund a Housing Counselor/Case Manager.

#### **RESULT:** PLACED ON FILE

W. Mayor's Request 205034 (ID:17751) Requesting the appropriation of \$17,000 from Unreserved Fund Balance ("Free Cash") to the SPCD Office of Housing Stability Salaries Account to fund a Housing Intake Specialist.

RESULT: PLACED ON FILE

X. Mayor's Request 205119 (ID:17824) Requesting approval to establish a Consolidated Gift Account to accept donations for commemorative benches.

RESULT: APPROVED

Y. Mayor's Request 205120 (ID:17803) Requesting approval to enter into a tax agreement with Sunwealth for a solar energy system at 444 Somerville Avenue.

**RESULT:** APPROVED

Z. Mayor's Request 205123 (ID:17806) Requesting acceptance of a \$50,000 grant with no new match required, from UASI to the Police Department for purchasing maritime equipment.

RESULT: APPROVED

AA. Mayor's Request 205155 (ID:17874) Requesting approval of a Home Rule Petition relative to Retirement Board divestment from fossil fuel companies.

**RESULT:** APPROVED. [UNANIMOUS]

AYES: Mbah, Rossetti, White Jr., McLaughlin, Scott, Ewen-

Campen, Clingan, Niedergang, Davis, Ballantyne

**ABSENT:** Hirsch

AB. Order 205206 (ID:17997) By Ald. Rossetti

That the Manager of Grants Development investigate grant opportunities available to the city's proposed Office of Housing Stability.

**RESULT:** APPROVED

### 27. HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

A. Committee Report 205207 (ID:17948) Report of the Committee on Housing and Community Development, meeting on February 14, 2018.

Alderman Ewen-Campen reported on the items discussed at the meeting. First, there was an amendment adopted to the 11/29/17 minutes, related to #203222. The goal of this first meeting was to review the different items in Committee. First was a procedure to donate memorial trees and benches. The Committee also discussed a Citizen's Advisory Group, and an Office of Housing Stability, as a front line for people facing eviction, landlords having issues, and data-based policy recommendations. The Committee discussed forming Community Land Trusts, and setting up a universal wait list for affordable housing, as there are now many different such lists.

B. Order

ler By Ald. Ballantyne

202308 (ID:14983) That the Director SPCD request a redesign and upgrade to the asphalt playground, tot lot and "cave" courtyard at the West Somerville Neighborhood School.

RESULT: WORK COMPLETED

C. Resolution 204321

By Ald. Heuston

(ID:17045)

That the Administration create a Pedestrian Safety Committee. (2nd request)

RESULT: WORK COMPLETED

D. Order

By Ald. Clingan

204862 (ID:17625) That the Director of SPCD appear before this Board to discuss the timeline for repaying Broadway, between Central Street and the McGrath Highway.

RESULT: WORK COMPLETED

E. Order

By Ald. Hirsch

204868 (ID:17635) That the Director of SPCD provide an update on the progress made on all recommendations included in the December 2015 Sustainable Neighborhood Working Group report.

RESULT: WORK COMPLETED

F. Order

By Ald. Mbah, McLaughlin

204969 (ID:17733) That the Director of SPCD explain why the process of applying for affordable housing hasn't been consolidated into a single, universal, persistent application,

lottery, and wait list.

RESULT: WORK COMPLETED

G. Officer's Director of Si Communication Plan process.

Director of SPCD conveying an overview and summary of the 5-Year HUD

205128

(ID:17818)

RESULT: PLACED ON FILE

### 28. LAND USE COMMITTEE

A. Committee Report 205208 (ID:17947) Report of the Committee on Land Use, meeting as a Committee of the Whole on February 13, 2018.

Alderman Davis reported on the items discussed at the meeting. The meeting was an introduction to the new proposed Zoning overhaul. The meeting and slide presentation by Planning Director George Proakis was videotaped and is available on www.somervillezoning.com. The three main topics discussed were a policy overview of SomerVision and the Neighborhood Plans, and how they tie in; a comparison between the 2015 draft and the current draft; and a discussion of the 125 new acres of open space. There will be a Public Hearing on the overhaul on March 13.

#### LEGISLATIVE MATTERS COMMITTEE 29.

A. Committee Report 205209 (ID:17949)

Report of the Committee on Legislative Matters, meeting on February 15, 2018.

Alderman Niedergang reported on the items discussed at the meeting. He discussed the request for a Home Rule Petition authorizing the City to propose a real estate transfer fee. There will be Public Hearing on this on March 15 or 29. The Committee looked at possible exemptions from the transfer fee. Members discussed increasing the proposed 1% fee to 2%, as an anti-speculation effort. The Committee talked about whether the transfer fee would be a burden on buyers, and where the revenue should go. The Committee reviewed State Rep. Mike Connolly's House Bill #4196, which would enable transfer fees. The Committee also discussed a Home Rule Petition to preserve affordable housing through a tenant's Right to Purchase, also known as Right of First Refusal, which could enable a tenant to purchase the apartment where they live when that property is put up for sale. The seller would be required to submit a formal notice to tenants and the City that a sale was pending as soon as there was an offer to purchase it. Single family houses and owner/family member-occupied two family houses would be exempt. The Committee then approved an Order that the City Solicitor prepare a Home Rule Petition to change the name of the Board of Aldermen to City Council, and will discuss it when there's an actual draft of the Home Rule Petition. Finally, the Committee approved creating a Somerville Municipal Job Creation and Retention Trust Fund.

**RESULT: APPROVED** 

B. Order 202023 (ID:14686) By Ald. Niedergang

That the Director of SPCD report to this Board on the Administration's plans for the Somerville Municipal Job Creation and Retention Trust Fund and jobs linkage fee for new commercial development.

#### **RESULT:** WORK COMPLETED

C. Mayor's Request 204516 (ID:17248) Requesting approval of an Ordinance for the Somerville Municipal Job Creation and Retention Trust Fund.

This item was replaced by #205251, which was Ordained.

**RESULT:** PLACED ON FILE

D. Officer's

Director of Economic Development submitting recommendations from the Communication Mayor's Advisory Committee on Jobs Linkage.

204663 (ID:17376)

**RESULT:** WORK COMPLETED

E. Order 205071 (ID:17827)

By Ald. White Jr., Clingan, Mbah, Ewen-Campen, Scott, Niedergang, Davis, McLaughlin, Ballantyne

That the City Solicitor prepare a Home Rule Petition to change the name of the Board of Aldermen to City Council.

## 30. LICENSES AND PERMITS COMMITTEE

A. Committee Report 205210 (ID:17952) Report of the Committee on Licenses and Permits, meeting on February 21, 2018.

Alderman Rossetti reported on the items discussed at the meeting. First, an application to extend operating hours of Dumpling Kitchen at 217 Highland Avenue was approved for a 6-month trial. Next was extending the operating hours of Venus Pizza and Grill at 1295 Broadway, for service until 5 am, 7 days a week. This was not approved. Dunkin Donuts, 504 Broadway, had applied to be open 24 hours, 7 days a week, and has in fact been open 24 hours, 7 days a week for years, but an; issue was noted on his original paperwork. This request/correction was approved by the Committee. Parise's, which has operated for many years at 97 Washington Street, was granted a Billiards and Bowling license to add a pool table. An amendment to the Used Car Dealer License Class 2 for Master Used Cars at 121 Prospect Street, to increase the number of vehicles in the lot to 38 vehicles and to stay open Saturdays to 6 pm was discussed at length, with neighbors speaking against the amendment. As a result, the applicant withdrew his request. The Committee discussed with the City Clerk and Assistant City Solicitor a policy to review prior infractions for any businesses applying to renew a license, and will await a report from the Law Office. Next was the renewal of a Used Car Dealer License Class 2 for Broadway Motor Cars, 161 Broadway. Alderman McLaughlin explained to Attorney DiGiralamo, representing the applicant, that the applicant's license had been previously amended to reduce the number of vehicles allowed in front of the building. He now wants the ability to park 4 vehicles in front of the building be removed from the license. The Committee decided to renew the license but reserve the right to consider imposing conditions on the license within 60 days, based on reports from Traffic and Parking, ISD, and Planning. The Committee renewed several Used Car Dealer Licenses without a condition stating that they are now located in the Union Square Urban Renewal District area, with no guarantee of a renewable license in the future. Instead, a motion was made that SPCD, the City Solicitor and the City Clerk first confirm that that language will not infringe upon a licensee's ability to conduct their business.

Alderman Mbah made a motion to sever the report to separately discuss the application for extended operating hours for Venus Pizza and Grill. Alderman Rossetti said the application was denied by a 2-1 vote. Alderman Mbah said he feels that Venus Pizza and Grill should have been offered a compromise if the Committee didn't feel they could extend the hours to 5:00 am, such as granting a license to 2:00 am with conditions. Alderman Ballantyne stated that she was that Ward Alderman for 4+ years and that there have been chronic problem with that establishment. The Health Department has been called frequently to make inspections due to violations. Numerous phone calls to the owners have been needed to make something happen. The neighbors are disappointed with the type of neighbor they have with this business. Alderman Niedergang, having been present at for the neighbors' testimony at the Committee meeting, agreed with Aldermen Ballantyne and Rossetti. Alderman Mbah then thanked the Aldermen for their information and Venus' application was denied with a10-0 vote

B. 204774

License/Permit New Billiards and Bowling License, Parise's Cafe, 97 Washington St, 1 pool table.

(ID:17506)

**RESULT: APPROVED** 

C. License/Permit 204806 (ID:17538)

New Extended Operating Hours License, Dumpling Kitchen, 217 Highland Ave, Opening for take-out and delivery service only, Sun-Thu to 2AM and Fri-Sat to 2:30AM.

APPROVED WITH CONDITIONS **RESULT:** 

**CONDITION:** Approved for 6 months only.

D. 204931 (ID:17672)

License/Permit New Extended Operating Hours License, Venus Pizza and Grill, 1295 Broadway, remaining open for in-store, take-out and delivery service until 5AM 7 days/week.

> The Board voted to approve the Committee's recommendation to NOT APPROVE this application.

NOT APPROVED. [0 TO 10] **RESULT:** 

NAYS: Mbah, Rossetti, White Jr., McLaughlin, Scott, Ewen-

Campen, Clingan, Niedergang, Davis, Ballantyne

**ABSENT:** Hirsch

E. License/Permit 204932 (ID:17673)

Amending Used Car Dealers License Class 2, Master Used Cars, 121 Prospect St, to increase the number of vehicles outside to 38, and increase Saturday hours to 6PM.

**RESULT:** WITHDRAWN

F. License/Permit 205134

New Extended Operating Hours License, Dunkin Donuts, 504 Broadway, opening 24/7.

(ID:17895)

**RESULT: APPROVED** 

G. License/Permit 205135

Renewing Used Car Dealers License Class 2, Somerville Motors, 182 Washington St.

(ID:17902)

**RESULT: APPROVED** 

License/Permit H. 205136 (ID:17901)

Renewing Used Car Dealers License Class 2, Broadway Motor Cars, 161 Broadway.

**RESULT:** APPROVED WITH CONDITIONS

CONDITION: That this Board may impose conditions upon this license

within 60 days, following the receipt of findings from several city departments.

I. 205137

License/Permit Renewing Used Car Dealers License Class 2, 28 Motorsports, 486R Columbia

(ID:17900)

**RESULT: APPROVED** 

J. License/Permit 205138

Renewing Used Car Dealers License Class 2, CM Auto Sales, 39 Webster Ave.

(ID:17899)

**RESULT: APPROVED** 

K. License/Permit 205139

Renewing Used Car Dealers License Class 2, Union Gulf Service, 231 Washington St.

(ID:17898)

**APPROVED RESULT:** 

L. License/Permit 205140

Renewing Used Car Dealers License Class 2, Webster Auto Sales, 61 Prospect

(ID:17897)

**RESULT: APPROVED** 

M. License/Permit 205141

Renewing Used Car Dealers License Class 2, Executive Auto Leasing and Sales, 30 Medford St.

(ID:17896)

**RESULT: APPROVED** 

N. Order 205211 (ID:18009) By Ald. Rossetti

That the condition submitted by SPCD for used car dealer licenses issued in the Union Square Urban Revitalization Plan area be reviewed by SPCD, the City Solicitor and the City Clerk to confirm it will not infringe upon licensees' ability to conduct business.

**RESULT:** APPROVED

**FOLLOWUP:** Licenses and Permits Committee

### COMMUNICATIONS OF THE MAYOR

31. Mayor's Request 205212 (ID:17812) Requesting approval to create the Medical Marijuana Stabilization Fund and accept payments to the Fund from medical marijuana dispensaries.

Alderman White requested to waive the readings of items 31 through 40 and refer them to the Finance Committee. There being no opposition, the motion was approved.

RESULT: REFERRED FOR RECOMMENDATION

**FOLLOWUP:** Finance Committee

32. Mayor's Request 205213 (ID:17935) Requesting approval to create the 259 McGrath Stabilization fund and accept a payment to the Fund of \$3,500.

REFERRED FOR RECOMMENDATION **RESULT:** 

**FOLLOWUP:** Finance Committee 33. Mayor's Request 205214 (ID:17938) Requesting to transfer CPA funds totaling \$1,214,322 from the CPA Fund Budgeted Reserve to designated CPA reserves per the recommendation of the Community Preservation Committee.

RESULT: REFERRED FOR RECOMMENDATION

**FOLLOWUP:** Finance Committee

34. Mayor's Request 205215 (ID:17977) Requesting a transfer of \$205,000 from the Police Department Salaries Account and \$45,000 from the E-911 Salaries Account to the Fire Department Salaries Account to correct an under-funding in the FY18 budget.

RESULT: REFERRED FOR RECOMMENDATION

**FOLLOWUP:** Finance Committee

35. Mayor's Request 205216 (ID:17978) Requesting a transfer of \$98,000 from the E-911 Salaries Account and \$77,000 from the Parks & Recreation Field Maintenance Salaries Account to the Law Legal Services Account to fund anticipated outside legal counsel invoices.

RESULT: REFERRED FOR RECOMMENDATION

**FOLLOWUP:** Finance Committee

36. Mayor's Request 205217 (ID:17834) Requesting approval to transfer \$60,000 in the Health & Human Services Department from the Salaries Account to the Professional & Technical Services Account, for temporary school nursing services.

RESULT: REFERRED FOR RECOMMENDATION

**FOLLOWUP:** Finance Committee

37. Mayor's Request 205218 (ID:17933) Requesting acceptance of a \$400,000 grant that requires a match, from the MA Office of Energy and Environmental Affairs PARC Grant Program to SPCD for renovations to Lincoln Park.

RESULT: REFERRED FOR RECOMMENDATION

**FOLLOWUP:** Finance Committee

38. Mayor's Request 205219 (ID:17932) Requesting acceptance of a \$150,000 grant with no new match required, from the MA Gaming Commission Community Mitigation Fund Transportation Planning program to SPCD for mitigation at the intersection of Rts 93, 28, and 38.

RESULT: REFERRED FOR RECOMMENDATION

**FOLLOWUP:** Finance Committee

39. Mayor's Request 205220 (ID:17931) Requesting acceptance of a \$100,000 grant with no new match required, from the MA Gaming Commission Community Mitigation Reserve Fund to SPCD for baseline monitoring of air quality and vehicular traffic in impacted neighborhoods.

RESULT: REFERRED FOR RECOMMENDATION

**FOLLOWUP:** Finance Committee

40. Mayor's Request 205221 (ID:17936) Requesting the acceptance of a grant of \$59,747 from HUD to support SPCD's Continuum of Care planning efforts.

RESULT: REFERRED FOR RECOMMENDATION

**FOLLOWUP:** Finance Committee

41. Mayor's Request 205222 (ID:17872) Requesting acceptance of a \$10,000 grant with no new match required, from the National Endowment for the Arts to the Arts Council for a Puppet performers series.

**RESULT:** APPROVED

42. Mayor's Request 205223 (ID:17937) Requesting acceptance of a \$5,000 grant with no new match required, from the MA Department of Housing and Community Development to the Housing Division for the 2018 Youth Count.

**RESULT:** APPROVED

43. Mayor's Request 205224 (ID:17946) Requesting the reappointment of Elaine Severino to the Zoning Board of Appeals.

Alderman Scott requested to waive the readings of items 43 through 46 and refer them to the Confirmation of Appointments Committee. There being no opposition, the motion was approved.

RESULT: REFERRED FOR RECOMMENDATION

**FOLLOWUP:** Confirmation of Appointments and Personnel Matters

Committee

44. Mayor's Request 205225 (ID:17945) Requesting the re-appointment of Pooja Phaltankar as an Alternate Member to the Zoning Board of Appeals.

RESULT: REFERRED FOR RECOMMENDATION

**FOLLOWUP:** Confirmation of Appointments and Personnel Matters

Committee

45. Mayor's Request 205226 (ID:17870) Requesting the re-appointment of Dennis Fischman to the Fair Housing Commission.

RESULT: REFERRED FOR RECOMMENDATION

**FOLLOWUP:** Confirmation of Appointments and Personnel Matters

Committee

46. Mayor's Request 205227 (ID:17871) Requesting the re-appointment of Rona Fischman to the Fair Housing Commission.

RESULT: REFERRED FOR RECOMMENDATION

**FOLLOWUP:** Confirmation of Appointments and Personnel Matters Committee

## COMMUNICATIONS OF CITY OFFICERS

47. Officer's Planning Board submitting recommendations re: #204638, amending the Communication Zoning Ordinance for a recreational marijuana study period.

205228 (ID:17943)

**RESULT:** REFERRED FOR RECOMMENDATION

**FOLLOWUP:** Land Use Committee

48. Officer's Planning Board submitting recommendations re: #204893, a zoning Communication amendment regarding PUD waivers.

205229 (ID:17944)

Alderman Davis requested to waive the reading of item 48 and refer it to the Land Use Committee. There being no opposition, the motion was approved.

REFERRED FOR RECOMMENDATION **RESULT:** 

**FOLLOWUP:** Land Use Committee

49. Officer's 205230 (ID:17984)

City Solicitor requesting approval to retain outside counsel in the matters of Communication Kiely's Civil Service Commission request and Open Meeting Law complaint.

> The City Solicitor stated that Officer Kiely requested an investigation by the Civil Service Commission as it relates to this Board's decision not to confirm his promotion. That matter is now pending at the Civil Service Commission. Officer Kiely is also filing a complaint that there was an open meeting law violation as relates to meetings concerning his prospective promotion. At this time, the City Solicitor recommends that the Board consider retaining outside counsel, and he introduced Attorney Darren Klein of KP Law. Alderman White asked Attorney Klein what his hourly rate is, and if he would be using paralegal assistance. Mr. Klein responded that the fee would be \$200 per hour which is a blended rate. Paralegal work would be charged half of that. President Ballantyne stated that this time sensitive and the Board needs to meet on this within 14 days. The Board approved retaining Attorney Klein and scheduled a meeting with him on Tuesday, February 27 at 7 pm.

**RESULT: APPROVED** 

50. Officer's

Assistant City Solicitor responding to #204947 re: any requirement for this Communication Board's opening prayer and salute to the flag.

205231 (ID:17927)

Alderman Davis requested to waive the readings of items 50 through 52 and place them on file. There being no opposition, the motion was approved.

**RESULT:** PLACED ON FILE

Officer's City Clerk and Communications Director conveying the protocol for recording 51. Communication this Board's Committee meetings.

205232 (ID:17993)

RESULT: PLACED ON FILE 52. Officer's

Director of Sustainability and Environment responding to #205105 re: Communication recycling in municipal buildings.

205233 (ID:17940)

**RESULT:** PLACED ON FILE

53. Officer's 205234

(ID:17941)

Director of Sustainability and Environment submitting an update on the Communication Administration's sustainability initiatives.

> Alderman Davis requested to waive the reading of item 53 and place it on file with a copy to the Open Space, Environment and Energy Committee.

There being no opposition, the motion was approved.

**RESULT:** PLACED ON FILE

**FOLLOWUP:** Open Space, Environment and Energy Committee

54. Officer's Communication meeting.

DPW Commissioner responding to various Board Orders from the 2/8/18

205235 (ID:17934)

Alderman Davis requested to waive the readings of items 54 through 55 and place them on file with a copy of item 55 to the Traffic and Parking Committee. There being no opposition, the motion was approved.

**RESULT:** PLACED ON FILE

55. Officer's Director of Traffic and Parking responding to Items from the 2/8/18 meeting.

Communication 205236 (ID:17942)

**RESULT:** PLACED ON FILE

**FOLLOWUP:** Traffic and Parking Committee

### **NEW BUSINESS**

56. License/Permit 205237

(ID:17986)

Public Event Permit, Groundwork Somerville Maple Syrup Boil Down, Community Growing Center, Mar 10, 8AM-4PM (raindates Mar 11, 17, 18, 24, 25, 31, Apr 1).

Alderman Rossetti requested to waive the readings of items 56 through 62 and approve them. There being no opposition, the motion was approved.

**APPROVED** RESULT:

57. 205238 (ID:17987)

License/Permit Public Event Permit, Arts Council Arbor Day Starting Over Festival, Quincy St Park, Apr 22, 9AM-2PM (raindate Apr 29).

> **RESULT: APPROVED**

58. 205239

License/Permit Public Event Permit, Dysautonomia International POTS Walk and Run, Mystic River path, May 12, 8AM-3PM.

(ID:17988)

59. 205240 (ID:17989)

License/Permit Public Event Permit, St Benedict Marion Parade, St Benedict Parish area streets, May 13, 11AM-Noon.

> **RESULT:** APPROVED

60. License/Permit 205241 (ID:17990)

Public Event Permit, Arts Council Jody Weber Dance Performance, Union Sq. Plaza, Jun 14, 6-10:30PM (raindate Jun 15).

**RESULT: APPROVED** 

61. 205242

License/Permit Renewing Outdoor Seating License, Cantina La Mexicana, 247 Washington St.

**APPROVED RESULT:** 

62. License/Permit

Renewing Outdoor Seating License, Diesel Cafe, 257 Elm St.

205243 (ID:17992)

(ID:17991)

**APPROVED RESULT:** 

63. Public 205244 (ID:17985)

15 registered voters proposing an amendment to the Zoning Ordinances by Communication adding a new Ordinance 7.16 regulating certain buildings near heavily trafficked roadways.

> Fred Berman addressed the Board and informed them that this proposal would amend the Zoning Ordinances to require certain air quality mitigation as the condition of Special Permits, Building Permits and Occupancy Permits for housing, pre-schools, and nursing home facilities that are built near heavily-trafficked roadways.

The item was also referred to the Planning Board.

REFERRED FOR RECOMMENDATION **RESULT:** 

FOLLOWUP: Land Use Committee

### SUPPLEMENTAL ITEMS

64. Resolution 205245

(ID:17979)

By Ald. Clingan, and the Entire Board

Condemning the outsourcing of 100 medical coding jobs by Partners Healthcare to India, and requesting from Partners Healthcare how many of those jobs were based in Somerville and/or held by Somerville residents.

Alderman Clingan is against the outsourcing of 100 medical coding jobs by Partners, and would like to know what the impact of this is in Somerville.

**RESULT: APPROVED** 

**FOLLOWUP:** Housing and Community Development Committee

Order 65. 205246 (ID:17981) By Ald. Ballantyne

That the Director of Engineering inspect the last 20-yard section of Ware Street, near Russell Road, and advise the Ward Alderman if it is sinking.

66. Order

205247 (ID:17982) By Ald. Ballantyne

That the Director of Sustainability and Environment report to this Board on the progress of the Mayor's initiative to attain carbon neutrality by 2050.

RESULT: APPROVED

**FOLLOWUP:** Open Space, Environment and Energy Committee

67. Order

205248 (ID:17983) By Ald. Ballantyne

That the Commissioner of Public Works fill the potholes on Holland, North and Elmwood Streets.

RESULT: APPROVED

68. Order

205249 (ID:17994) By Ald. Ewen-Campen

That the Director of Traffic and Parking install a NO RIGHT TURN 7–10 AM AND 4–6 PM sign facing west on the corner of Church and Summer Streets.

**RESULT:** APPROVED

69. Mayor's Request 205250 Requesting approval of a Home Rule Petition to authorize the Housing Authority to reconstruct the state funded Clarendon Hill Public Housing Project.

RESULT: REFERRED FOR RECOMMENDATION

**FOLLOWUP:** Legislative Matters Committee

70. Officer's Communication 205251

(ID:18002)

Officer's Assistant City Solicitor submitting an Ordinance to create a Somerville Communication Municipal Job Creation And Retention Trust Fund.

(ID:18000)

See #204516 for discussion of this item.

**RESULT:** ORDINANCE ORDAINED. [UNANIMOUS]

AYES: Mbah, Rossetti, White Jr., McLaughlin, Scott, Ewen-

Campen, Clingan, Niedergang, Davis, Ballantyne

**ABSENT:** Hirsch

71. Officer's Assistant City Solic Communication Vista Garage lease.

Assistant City Solicitor responding to #205004 re: re-negotiation of the Buena Vista Garage lease.

205252 (ID:17930)

**RESULT:** PLACED ON FILE

72. Officer's Communication 205253 (ID:17904)

Director of Personnel responding to #204866 re: city staff demographics.

Alderman Rossetti requested to waive the reading of item 72 and place it on file with a copy to the Confirmation of Appointments Committee. There being no opposition, the motion was approved.

RESULT: PLACED ON FILE

**FOLLOWUP:** Confirmation of Appointments and Personnel Matters

Committee

73. 205254

(ID:18005)

License/Permit Public Event Permit, Big Apple Circus, Assembly Row Block 7, Mar 26 - May 9 with performances Apr 7 - May 6.

> **RESULT:** REFERRED FOR RECOMMENDATION

**FOLLOWUP:** Licenses and Permits Committee

License/Permit 74. 205255 (ID:18006)

Public Event Permit, Jatra Nepal Holi Color Fest, Buena Vista Parking Lot, Apr 29, 9AM-8PM (raindate May 13).

Alderman Rossetti requested to waive the reading of item 74 and refer it to Committee. There being no opposition, the motion was approved.

REFERRED FOR RECOMMENDATION **RESULT:** 

**FOLLOWUP:** Licenses and Permits Committee

License/Permit 75. 205256 (ID:18007)

Public Event Permit, MOM's 5K Run start and after-party (Run approved Jan 25 as #205049), Summer St from Cutter Ave to Windom St, May 13, 7AM-2PM.

Alderman Rossetti requested to waive the readings of items 75 through 76 and approve them. There being no opposition, the motion was approved.

**RESULT: APPROVED** 

License/Permit Renewing Drainlayer's License, LM Heavy Civil Construction. 76.

**RESULT: APPROVED** 

205257 (ID:18004)

77. Public 205258

(ID:18001)

SMEA President submitting comments re: the Mayor's mid-year requests for Communication new non-union positions.

> Alderman Rossetti requested to waive the reading of item 77 and place it on file with a copy to the Finance Committee. There being no opposition, the motion was approved.

**RESULT:** PLACED ON FILE **FOLLOWUP:** Finance Committee

78. Public Michael Kiely submitting an Open Meeting Law complaint against this Board.

Communication 205259 (ID:18008)

**RESULT: FOLLOWUP:**  LAID ON THE TABLE Board of Aldermen

LATE ITEMS

(ID:18010)

79. Order 205260 By Ald. White Jr.

That the Director of Finance update this Board's Finance Committee, meeting as a Committee of the Whole, on the mid-year status of the city budget.

Alderman White feels this would be helpful for the new Board Members before the Budget process begins in June.

**RESULT: APPROVED Finance Committee** FOLLOWUP:

80. Public 205261

Venus Pizza and Grill Owner responding to the Licenses and Permits Communication Committee's recommendation for their Extended Operating Hours License application (#204931).

(ID:18011)

**RESULT:** PLACED ON FILE

81. Public Jennifer Shepherd submitting comments re: Master Used Cars, 121 Prospect St

Communication 205262 (ID:18012)

**RESULT:** PLACED ON FILE

**FOLLOWUP:** Licenses and Permits Committee

82. **Public** Communication 202400

(ID:15075)

Green and Open Somerville submitting comments re: a dark sky ordinance.

Discharged from the Committee on Legislative Matters per #205189. REFERRED FOR DISCUSSION **RESULT:** 

**FOLLOWUP:** Open Space, Environment and Energy Committee

83. Order 203230 (ID:15935) By Ald. Davis

That the City Solicitor advise this Board whether the city may restrict financial institutions from participating in city borrowing based on their business activities, and whether the city may engage in a negotiated underwriting process with a pre-selected lending institution under certain circumstances.

Discharged from the Committee on Legislative Matters per #205190.

REFERRED FOR DISCUSSION **RESULT:** 

**FOLLOWUP:** Finance Committee

84. Order 203365 (ID:16068) By Ald. Ballantyne, Davis

That the City Solicitor draft an ordinance requiring native tree and plantings for all open space, to meet the goals of sustainability and biodiversity.

Discharged from the Committee on Legislative Matters per #205189.

**RESULT:** REFERRED FOR DISCUSSION

**FOLLOWUP:** Open Space, Environment and Energy Committee

85. Order 203646 (ID:16335) By Ald. Ballantyne

That the City Solicitor draft a Building Energy Use Disclosure Ordinance to reduce greenhouse gas emissions by requiring owners of larger buildings to disclose annual energy use.

Discharged from the Committee on Legislative Matters per #205189.

**RESULT:** REFERRED FOR DISCUSSION

**FOLLOWUP:** Open Space, Environment and Energy Committee 86. Resolution

203881 (ID:16547) By Ald. Ballantyne

That the Administration draft a Dark Sky ordinance addressing applicability, color temperature standards, prescriptive or performance standards, DPW oversight, and exemptions.

Discharged from the Committee on Legislative Matters per #205189.

REFERRED FOR DISCUSSION **RESULT:** 

**FOLLOWUP:** Open Space, Environment and Energy Committee

87. Officer's

Asst. City Solicitor responding to #203230 re: restricting or pre-selecting Communication financial institutions for city borrowing.

204025

(ID:16679)

Discharged from the Committee on Legislative Matters per #205190.

REFERRED FOR DISCUSSION **RESULT:** 

**FOLLOWUP:** Finance Committee

88. Public Communication 204419 (ID:17144)

Renee Scott submitting comments re: #203059, the Tree Advisory Committee ordinance, #203365, the native species ordinance, and #203881, the dark sky ordinance.

Discharged from the Committee on Legislative Matters per #205189.

REFERRED FOR DISCUSSION **RESULT:** 

**FOLLOWUP:** Open Space, Environment and Energy Committee

89. Public 204420

Lee Erica Palmer submitting comments re: #203059, the Tree Advisory Communication Committee ordinance, #203365, the native species ordinance, and #203881, the dark sky ordinance.

(ID:17145)

Discharged from the Committee on Legislative Matters per #205189.

**RESULT:** REFERRED FOR DISCUSSION

**FOLLOWUP:** Open Space, Environment and Energy Committee

90. Public 204421

Janine Fay submitting comments re: #203059, the Tree Advisory Committee Communication ordinance, #203365, the native species ordinance, and #203881, the dark sky ordinance.

(ID:17146)

Discharged from the Committee on Legislative Matters per #205189.

**RESULT:** REFERRED FOR DISCUSSION

**FOLLOWUP:** Open Space, Environment and Energy Committee

### ADJOURNMENT

The meeting was Adjourned at 9:25 PM.