

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

REGULAR MEETING AGENDA

December 12, 2013, 7:00 PM
Aldermanic Chambers

OPENING OF THE MEETING

1. Roll Call Call of the Roll.
2. Minutes Approval of the Minutes of the Regular Meeting,
November 14, 2013.

CITATIONS

3. Citation By the Entire Board

Commending outgoing Alderman Thomas F. Taylor for his outstanding service to the people of Ward Three and the entire City as Alderman, from 1986 to 2013, making him the longest-serving Ward Alderman in the City's history.
4. Citation By the Entire Board

Commending outgoing Alderman Bruce M. Desmond for his outstanding service to the people of Somerville as Alderman at Large, from 2002 to 2013.
5. Citation By the Entire Board

Commending outgoing Alderman Robert C. Trane for his outstanding service to the people of Ward Seven and the entire City as Alderman, from 2002 to 2013.
6. Citation By the Entire Board

Commending outgoing Alderman Maureen Bastardi for her outstanding service to the people of Ward One and the entire City as Alderman, from 2012 to 2013.
7. Citation By the Entire Board

Commending outgoing Alderman Courtney O'Keefe for her outstanding service to the people of Ward Five and the entire City as Alderman in 2013.
8. Citation By the Entire Board

Commending Alderman William A. White, Jr., for his distinguished service as President of this Board in 2013.

9. Citation By the Entire Board
Commending Alderman John M. Connolly for his distinguished service as Vice President of this Board in 2013.
10. Citation By the Entire Board
Commending outgoing Clerk of Committees Robert McWatters for his outstanding service to this Board as Clerk of Committees, from 1997 to 2013.
11. Citation By the Entire Board
Commending Assistant Clerk of Committees Peter Forcellese for his outstanding service to this Board and its Committees in 2013.
12. Citation By the Entire Board
Commending Assistant Clerk of Committees Charles Sillari for his outstanding service to this Board and its Committees in 2013.

PUBLIC HEARINGS

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

13. Order By Ald. Bastardi
That the Commissioner of Public Works work with the city's Community Liaison to develop and implement temporary lighting and bus stop signage along Broadway for the duration of the lower Broadway streetscape project.
14. Order By Ald. Lafuente, White Jr., Sullivan
That the Director of Traffic and Parking stripe School Street from Broadway to Medford Street.
15. Order By Ald. Lafuente, White Jr., Sullivan
That the Director of Traffic and Parking install temporary speed bumps on Jaques and Grant Streets as soon as the weather allows.
16. Order By Ald. Lafuente, White Jr., Sullivan
That the Director of SPCD appear before this Board to inform the members on the progress of business development of Broadway/Winter Hill.
17. Order By Ald. O'Keefe
That the Director of SPCD (ISD) consider revising its scheduling system for inspections so that it is more predictable for home owners.

- F. Mayor's Request Requesting an appropriation of \$25,500 from the Capital Projects Stabilization Fund for the purchase of trash and recycling barrels.
- G. Mayor's Request Requesting the acceptance of a grant of \$158,955 from the MA Office of Public Safety and Security Mass Municipal Police Staffing Grant for the Police Dept.
- H. Mayor's Request Requesting the acceptance of a grant of \$16,145.74 from the Bureau of Justice Assistance Bulletproof Vest Program for the Police Dept.
- I. Mayor's Request Requesting acceptance of mitigation payments totaling \$5,500 for tree damage and the appropriation of the \$5,500 to the Street Tree Stabilization Fund.
- J. Mayor's Request Requesting the acceptance of a grant of \$5,000 from the MA Office of Public Safety and Security's Highway Safety Division for the Police Pedestrian and Bicycle Safety Enforcement initiative.
- K. Mayor's Request Requesting an appropriation of \$13,828.50 from the Capital Stabilization Fund for a three-year warranty of the fuel management system in the DPW yard.

22. LEGISLATIVE MATTERS COMMITTEE

- A. Committee Report Report of the Committee on Legislative Matters, meeting as a Committee of the Whole, on December 3, 2013.
- B. Order By Ald. White Jr., Gewirtz, Connolly, Sullivan, Lafuente, O'Keefe, Heuston
That this Board approves a Home Rule Petition to amend Section 7 of Title 2 of Division 1 of the City Charter re: filling vacancies.
- C. Order By Ald. White Jr.
That the attached list of proposed methods for filling vacancies on this Board, with the exception of Method "F", be referred to the Committee on Legislative Matters for further action.
- D. Public Communication Representative Provost submitting comments re: #194849, a proposal to amend the City Charter with respect to filling vacancies on this Board.

- E. Order By Ald. White Jr.
That the City Solicitor provide an opinion on the constitutionality of preventing an individual appointed to fill a vacancy on this Board from running for a full time seat on this Board.
- F. Order By Ald. Heuston
That the City Solicitor explain how the state's ethics rules apply to members of this Board being appointed to city jobs.
- G. Order By Ald. Sullivan
That the City Solicitor report on the methods used by other communities, including the City of Boston, to fill vacancies in their legislative bodies.
- H. Public Communication Joe Lynch submitting comments re: #194675 and #194849, filling vacancies on this Board.

23. LEGISLATIVE MATTERS COMMITTEE

- A. Committee Report Report of the Committee on Legislative Matters, meeting as a Committee of the Whole, on December 10, 2013.
- B. Mayor's Request Requesting approval of a Home Rule Petition to establish a Job Creation and Retention Trust.
- C. Mayor's Request Requesting approval of a Home Rule Petition to establish a Project Mitigation Contribution (linkage) program for a Job Creation and Retention Trust.
- D. Order By Ald. O'Keefe
That the City Solicitor research whether other cities and towns have implemented regulations on E-cigarettes and report back to the Ward 5 Alderman.
- E. Order By Ald. O'Keefe
That the City Solicitor draft an ordinance detailing communication requirements to abutters of a proposed development in a residential neighborhood.
- F. Officer's Communication Assistant City Solicitor responding to #195656 re: other communities' regulations of E-Cigarettes.

24. LICENSES AND PERMITS COMMITTEE

- A. Committee Report Report of the Committee on Licenses and Permits, meeting on December 11, 2013.

- B. Public Communication Melissa Taves submitting a comment on Broadway Auto Sales, 525 Broadway.
- C. Grant of Location Grant of Location submitted by Tufts University, to install about 1500 feet of overhead fiber optic cable on Professors Row, Curtis Street, Chetwynd Road, and Sunset Road, with connections to several Tufts-owned buildings.
- D. License/Permit Sign/Awning Permit, Wagner Jewelry, 301 Somerville Ave. & 8 Bow St., 1 sign at each entrance.
- E. License/Permit Renewing Used Car Dealers License Class 2, Broadway Auto Sales, 525 Broadway.

25. PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE

- A. Committee Report Report of the Committee on Public Health and Public Safety, meeting on December 4, 2013.
- B. Order By Ald. Roche
That the City Clerk send a communication to Senator Patricia Jehlen and Representative Timothy Toomey, inquiring as to the status of the sound barrier along Route 93 and the Nunnery Grounds area.
- C. Public Communication Rep. Toomey responding to #192278 re: sound barriers along I-93.
- D. Order By Ald. White Jr.
That the City Clerk invite representatives from MA DOT to appear before this Board to discuss improving the existing fencing between Route 93 and the Nunnery Grounds.
- E. Order By Ald. O'Donovan
That the Director of SPCD (ISD) inspect 24-26 Morrison Avenue for unhealthy and unsafe conditions and report the findings to this Board's Committee on Public Health and Safety.
- F. Order By Ald. O'Donovan
That this Board's Committee on Public Health and Safety investigate the foreclosed, abandoned and decaying property at 42 Henderson Street to begin the receivership process and have it cleaned.

- G. Order By Ald. White Jr.
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.
- H. Order By Ald. White Jr.
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.
- I. Order By Ald. Heuston
That the Chief of Police update the Committee on Public Health and Safety whenever policy changes are made regarding the use of license plate readers and/or quick deploy video cameras.
- J. Order By Ald. White Jr., Connolly
That this Board's Committee on Public Health and Safety follow up on the Bicycle Safety Campaign, especially with regard to the use of bicycles on sidewalks in central business districts.
- K. Resolution By Ald. White Jr.
That the Administration provide information to residents on logging complaints to Massport about plane noise and explain the importance of filing noise complaints with Massport.
- L. Order By Ald. Desmond, Connolly, White Jr., Sullivan
That the Director of SPCD (ISD), the Director of Health, and the Licensing Commission investigate why the Armory on Highland Avenue used its driveway on April 20 from 2 PM to Midnight for cooking food and as a staging area, and inform this Board of all violations that took place that day and what will be done to ensure it does not happen again.
- M. Order By Ald. Heuston
That the Administration inform this Board of the City's emergency response plans, for communication between departments, communication to residents, and temporary relocation of residents.
- N. Order By Ald. Bastardi
That the Director of Traffic and Parking instruct Parking Control Officers to regularly patrol the fire lanes on Pinckney Street at Pinckney Place, and issue warnings for the first offense.

- O. Order By Ald. Lafuente, White Jr., Sullivan
That the Director of SPCD (ISD) bait the specified locations for rodents and report back to the Ward 4 Alderman upon completion.
- P. Order By Ald. Lafuente, White Jr., Sullivan
That the Director of SPCD (ISD) demand that the developer of 87 Wheatland Street clean the entire lot, remove all debris and heavy equipment, and lock all buildings; and that the Director of SPCD (ISD) also issue fines for current violations there, and report back to the Ward 4 Alderman.
- Q. Order By Ald. Lafuente, White Jr., Sullivan
That the Chief of Police inform this Board of all calls regarding 3-5 Walter Terrace and what fines were issued.
- R. Order By Ald. Lafuente, White Jr., Sullivan
That the Director of SPCD (ISD) inspect 3-5 Walter Terrace for violations and fine the landlord accordingly, and report back to the Ward 4 Alderman.
- S. Order By Ald. Trane
That the Director of Recreation appear before this Board to discuss the agreement with the Professional Soccer League for the temporary stands and trailer that have been installed at Dilboy field.
- T. Order By Ald. Lafuente, White Jr., Sullivan
That the Chief of Police investigate commercial vehicle overnight parking on and around Wheatland Street, including vehicles with regular plates being used for commercial work.
- U. Order By Ald. White Jr., and the Entire Board
That the Chief Fire Engineer appear before the Committee on Public Health and Safety to discuss the travel of ethanol trains through the City.
- V. Order By Ald. Bastardi
That the Director of SPCD (ISD) inform the Ward 1 Alderman of proactive rodent control measures being implemented now that rodent activity and visibility is more prevalent.
- W. Officer's Communication Director of Traffic and Parking responding to various Board Orders.

- X. Order By Ald. O'Keefe
That the Chief of Police enforce the speed limit on Linden Avenue and report observations and citation issuance to the Ward 5 Alderman.
- Y. Order By Ald. Bastardi
That the Director of SPCD (ISD) present this Board with a comprehensive plan for rodent control that is inclusive of all facets of preventive measures including commercial and residential enforcement of ordinances, manpower, geographic emphasis, and other resources.
- Z. Order By Ald. Heuston
That the Chief of Police implement a directed patrol in the neighborhood of Houghton, Bolton, Prospect and Oak Streets as a result of the recent break-ins, and contact the Cambridge Police Department to coordinate efforts.
- AA. Order By Ald. Gewirtz
That the Director of SPCD (ISD) inspect Winter Street for an increase in rodent activity and overflowing trash, distribute literature about proper trash storage, and report back to this Board with findings.
- AB. Order By Ald. Lafuente
That the Director of SPCD (ISD) bait Maple Street, Oakland Avenue, Marshall Street from Broadway to Pearl Street and Richdale Avenue from School Street to Sycamore Street.
- AC. Order By Ald. Sullivan
That the Chief of Police explain the street closure plan associated with Boston's July 4th fireworks celebration.
- AD. Order By Ald. Sullivan, Bastardi
That the Commissioner of Public Works repair the chain link fence located between the states avenues and Rt. 93 South.
- AE. Officer's Communication DPW Commissioner responding to various Board Orders submitted this evening.
- AF. Order By Ald. Connolly
That the Director of SPCD request the Neighborhood Impact Team to investigate 11 Pearson Road for all building, fire and zoning code infractions, including the possible use of the basement as a living area.

- AG. Order By Ald. Lafuente
That the Director of SPCD (ISD), the Director of Health and the Administration appear before this Board to report on their strategy to deal with the rodent epidemic being experienced in most parts of the city.
- AH. Order By Ald. Lafuente
That the Director of SPCD (ISD) appear before this Board to report on the mechanics of the city's rodent baiting strategy.
- AI. Order By Ald. Sullivan
The this Board's Committee on Public Health and Safety review the city's enforcement of the prohibition of riding bicycles on sidewalks.
- AJ. Public Communication Representative Provost submitting comments re: #193288, a Resolution opposing the shipment of ethanol by train through the city.
- AK. Resolution By Ald. O'Keefe, Taylor
That the Administration consider moving SomerStreets events to areas around city parks to alleviate the burden placed on residents trying to navigate around these festivals.
- AL. Resolution By Ald. O'Keefe
That the Administration map out 5K road race routes in different locations around the city, so the same location is not used every time.
- AM. Order By Ald. Connolly, Desmond, Sullivan, White Jr.
That the Chief of Police enforce the NO BIKING ON SIDEWALK ordinance in commercial districts, and attend the next Public Health and Safety Committee meeting to discuss bicycle safety and enforcement issues.
- AN. Order By Ald. Gewirtz
That the Chief of Police investigate noise ordinance violations in association with street performances in Davis Square and take necessary steps to alleviate the problem.
- AO. Officer's Communication Traffic and Parking Interim Director submitting responses to various Board Orders from the 8/22/13 BOA meeting.

- AP. Order By Ald. Heuston
- That the Commissioner of Public Works, the Director of SPCD (ISD) and the Director of Traffic and Parking ensure that the barriers around 296 Beacon Street insure the safe passing of pedestrians, and that pedestrians NOT be directed to cross Beacon Street.

26. PUBLIC UTILITIES AND PUBLIC WORKS COMMITTEE

- A. Committee Report Report of the Committee on Public Utilities and Public Works, meeting on December 12, 2013.

COMMUNICATIONS OF THE MAYOR

27. Mayor's Request Requesting an appropriation of \$50,000 from the Workforce Training Stabilization Fund for Local Workforce Development.
28. Mayor's Request Requesting the acceptance of a donation of \$75,000 from Tufts University to fund cultural, recreational, and educational programs.
29. Mayor's Request Requesting approval of a \$2,500 grant from MassCreative to the Arts Council, to partner with MassCreative's Community Engagement project.
30. Mayor's Request Requesting approval to declare as surplus equipment a 1994 tower ladder in the Fire Department.
31. Mayor's Request Requesting the appointment of Lieutenant Steve Carabino to the position of Captain in the Police Department.
32. Mayor's Request Requesting the appointment of Tegan Teich to the Bicycle Committee.

COMMUNICATIONS OF CITY OFFICERS

33. Officer's Request City Clerk requesting approval to release fourteen sets of Executive Session minutes as described within.
34. Officer's Communication Chief Assessor responding to questions raised at the FY 2014 Classification Hearing.
35. Officer's Communication Assistant City Solicitor responding to #195035 re: qualifications for examiners of fire escapes.

NEW BUSINESS

36. License/Permit New Garage License, ABJ Auto Repair, 91 Marshall St., opening Saturdays to 5PM, for 5 autos inside and 40 outside.

- 37. License/Permit New Garage License, Chris's Auto Service, 371 Highland Ave., opening Mon-Fri to 7PM and Sat to 3PM, for 5 autos inside and 25 outside.
- 38. License/Permit Renewing Garage License, Inman Motors Sales, 463 McGrath Hwy.
- 39. License/Permit Renewing Bus Route License, Joseph's Transportation dba "The Joey," Tufts University shuttle routes.
- 40. License/Permit Renewing Outdoor Seating License, The Burren, 247 Elm St.
- 41. License/Permit Renewing Outdoor Seating License, Pizzeria Posto, 187 Elm St.
- 42. License/Permit Renewing Outdoor Seating License, Sally O'Brien's, 335 Somerville Ave.
- 43. License/Permit Renewing Outdoor Seating License, Boston Burger, 37 Davis Sq.
- 44. License/Permit Renewing Outdoor Seating License, The Independent, 75 Union Sq.
- 45. License/Permit Renewing Outdoor Seating License, Precinct, 66 Union Sq.
- 46. License/Permit Renewing Outdoor Seating License, Soundbites, 704 Broadway.
- 47. License/Permit Renewing Used Car Dealers License Class 2, William Doucette Auto Sales, 325 Alewife Brook Pkwy.
- 48. License/Permit Renewing Used Car Dealers License Class 2, Leins Auto Repair, 69 Bow St.
- 49. License/Permit Renewing Used Car Dealers License Class 2, Somerville Avenue Motors, 595 Somerville Ave.
- 50. License/Permit Renewing Used Car Dealers License Class 2, Executive Auto Leasing and Sales, 30 Medford St.
- 51. License/Permit Renewing Used Car Dealers License Class 2, Webster Auto Sales, 61 Prospect St.
- 52. License/Permit Renewing Used Car Dealers License Class 2, A & E Auto Repair, 13 Joy St.
- 53. License/Permit Renewing Used Car Dealers License Class 2, Union Gulf Service, 231 Washington St.

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- 54. License/Permit Renewing Used Car Dealers License Class 2, CM Auto Sales, 30 Joy St.
 - 55. License/Permit Renewing Used Car Dealers License Class 2, Hillside Service Center, 45 Mystic Ave.
 - 56. License/Permit Renewing Used Car Dealers License Class 3, Joseph Talewsky & Son, 517 Columbia St.
 - 57. License/Permit Renewing Used Car Dealers License Class 3, Joseph Talewsky & Son, 512 Columbia St.

SUPPLEMENTAL ITEMS

- 58. Order By Ald. White Jr.
 That this Board hereby discharges from the Ad Hoc Rules Committee the following two items: #194192 re: carrying items over at year's end, and #195677 re: Attorney General's OML rulings.
- 59. Mayor's Request Requesting authorization to borrow \$2,600,000 in a bond, and appropriate the same amount, to repair the High School Auditorium, Kitchen, & Cafeteria.
- 60. Mayor's Request Requesting an appropriation and authorization to borrow \$117,800 in a bond for architectural and engineering design and the renovation of High School Room 143.
- 61. Mayor's Request Requesting an appropriation and authorization to borrow \$88,000 in a bond for architectural and engineering design and the renovation of Fire Engine 6.
- 62. Mayor's Request Requesting an appropriation of \$93,500 from Unreserved Fund Balance ("Free Cash") to the DPW Buildings and Grounds Moving Services Account to clean out the Homan's Building and the Powderhouse School Building.
- 63. Mayor's Request Requesting an appropriation of \$13,828 from Unreserved Fund Balance ("Free Cash") to the DPW Administration Repair and Maintenance-Service Contracts Account to pay for a 3-year warranty for the fuel management system in the DPW yard.
- 64. Mayor's Request Requesting the transfer of \$12,000 in the Constituent Services Dept., from its Professional Services Account to its Ordinary Maintenance Account.
- 65. Mayor's Request Requesting the use of FY14 funds to pay MA Municipal Association FY10 advertising invoices totaling \$910.

- 66. Mayor's Request Requesting the reappointment of Tanya Cafarella to the Housing Authority.
- 67. Mayor's Request Requesting the reappointment of William Gage to the Redevelopment Authority.
- 68. Mayor's Request Requesting the re-appointment of James DiFraia as Constable.
- 69. Mayor's Request Requesting the re-appointment of Timothy McGonigal as Constable.
- 70. Mayor's Request Requesting the re-appointment of Michael Harvey as Constable.
- 71. Mayor's Request Requesting the re-appointment of Michael Browne as Constable.
- 72. Officer's Communication Director of SPCD responding to #195906 re: the redevelopment of Union Sq.
- 73. Officer's Communication Assistant City Solicitor responding to #194675 re: a Home Rule Petition to fill BOA vacancies.
- 74. Officer's Communication Traffic and Parking Interim Director submitting a response to #195685 re: the intersection of Franklin Street and Broadway.
- 75. License/Permit Renewing Used Car Dealers License Class 2, 429 Corp., 109 Prospect St.
- 76. License/Permit Renewing Used Car Dealers License Class 2, Benny's Auto Sales, 508 Somerville Ave.

LATE ITEMS

ADJOURNMENT

Adjournment

Submitted by John J. Long, City Clerk