

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

REGULAR MEETING MINUTES

February 27, 2014, 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	
Mary Jo Rossetti	Alderman At Large	Present	
Dennis M. Sullivan	Alderman At Large	Present	
William A. White Jr.	Alderman At Large	Present	
Matthew McLaughlin	Ward One Alderman	Present	
Maryann M. Heuston	Ward Two Alderman	Present	
Robert J. McWatters	Ward Three Alderman	Present	
Tony Lafuente	Ward Four Alderman	Present	
Mark Niedergang	Ward Five Alderman	Present	
Rebekah L. Gewirtz	Ward Six Alderman	Present	
Katjana Ballantyne	Ward Seven Alderman	Present	

1. #196296 Call of the Roll.
Roll Call

RESULT: PLACED ON FILE

The Board observed a moment of silence for Edward Beaton, Sr., Margaret Donovan, Elaine Corrigan O'Brien, and Shane Roderick.

2. #196297 Approval of the Minutes of the Regular Meeting, January 23, 2014.
Minutes

RESULT: APPROVED

CITATIONS

PUBLIC HEARINGS

3. #196298 Submitted by Lightower Fiber Networks, to attach 1,150 feet of aerial fiber
Grant of Location optic cable on existing pole lines on Columbus Avenue, Walnut Street, and
Bow Street.

RESULT: APPROVED

John Harrington, representing Lighttower Fiber Networks, expressed appreciation to John Long and reviewed the terms of the agreement. There were no public comments and the public hearing was closed. Alderman Sullivan, chair of the committee, moved for approval. Alderman Heuston recused herself from the vote. Alderman McWatters urged approval of the item. The public hearing was reopened to accommodate public comment. Keith Miller, 7 Hillside Park, requested pictures of the proposed changes and asked for additional explanation of the item. Mr. Harrington explained why the network chose its route, presented photographs of the site, and noted that the aerial portion of the network will run along existing wires. Jessa Piah, 7 Hillside Park, questioned the ultimate destination of the wiring. Mr. Harrington offered to review the diagram with the individuals. Alderman Sullivan motioned to lay the item on the table until Mr. Harrington could discuss the proposed plan with members of the public. Alderman Sullivan requested to take the item from the table and reported all concerns have been satisfied. There being no opposition, the item was approved.

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

4. #196299 Order By Ald. Heuston That the Chief of Police order a directed patrol at the intersection of Washington Street, Somerville Avenue and Webster Avenue, weekdays between 7:30 and 9 AM, to cite vehicles who don't stop for the red light, blocking the intersection, and respond to the Ward 2 Alderman within 7 days with the dates of the patrol.

RESULT: APPROVED

Alderman Heuston noted the current traffic situation is very dangerous and requested approval of the item. She amended the order to request that the acting Chief respond within seven days.

FOLLOWUP: Public Health and Public Safety Committee

5. #196300 Order By Ald. Heuston That the Director of Traffic and Parking suggest changes to ease traffic traveling through Union Square onto Webster Avenue weekdays between 7:30 and 9 AM.

RESULT: APPROVED

Alderman Heuston requested Traffic and Parking create an alternative plan to ease traffic issues in Union Square.

FOLLOWUP: Traffic and Parking Committee

6. #196301 Resolution By Ald. Heuston, Rossetti That the Rodent Task Force present its findings and recommendations at the next scheduled meeting of this Board's Rodent Issues Special Committee.

RESULT: APPROVED

Alderman Heuston stated she feels it is important for the Board to hear planned initiatives from the Rodent Task Force. Alderman Rossetti thanked Alderman Heuston for her efforts.

FOLLOWUP: Rodent Issues Special Committee

7. #196302
Order

By Ald. Heuston

That the Commissioner of Public Works report to this Board on the performance of the contractor who maintains the street lights, the terms of the contract and deliverables, and the process to ensure that street lights are maintained and operable.

RESULT: APPROVED

Alderman Heuston asked that staff ensure the vendor is maintaining street lights according to the contract. President White agreed to send the request to the Committee on Public Utilities and Public Works.

FOLLOWUP: Public Utilities and Public Works Committee

8. #196303
Order

By Ald. Heuston

That the Commissioner of Public Works repair the potholes along Washington Street, from Beacon Street to Union Square.

RESULT: APPROVED

9. #196304
Order

By Ald. Heuston

That the Director of SPCD (ISD) provide the Ward 2 Alderman with an update on the lack of proper licenses for all businesses at 495-497 Columbia Street.

RESULT: APPROVED

Alderman Heuston requested the item go to Ald. Sullivan's committee.

FOLLOWUP: Licenses and Permits Committee

10. #196305
Order

By Ald. Niedergang

That the Commissioner of Public Works remove the graffiti on the back of the Public Works building, facing the railroad tracks and Murdock Street.

RESULT: APPROVED

11. #196306
Order

By Ald. Niedergang

That the Commissioner of Public Works repair the large pothole near 15 Linden Avenue.

RESULT: APPROVED

12. #196307 Order By Ald. Niedergang
That the Commissioner of Public Works repair the numerous potholes on Cedar Street, near its intersection with Alpine Street.

RESULT: APPROVED

13. #196308 Order By Ald. Niedergang
That the Commissioner of Public Works repair the potholes in the vicinity of 235 Lowell Street.

RESULT: APPROVED

14. #196309 Order By Ald. Niedergang, Lafuente
That the Commissioner of Public Works repair the large pothole on the south side of Medford Street, between Lee and Thurston Streets.

RESULT: APPROVED

15. #196310 Order By Ald. Niedergang
That the Director of SPCD (ISD) direct the Cambridge Health Alliance to not dump snow from their parking lot onto the sidewalk at 112 Central Street, and inform the manager that they are required to clear the sidewalk in front of the parking lot for pedestrian passage.

RESULT: APPROVED

Alderman Niedergang spoke about complaints regarding dumping of snow on the sidewalk. Alderman Heuston recused herself from the vote.

16. #196311 Resolution By Ald. Niedergang
That the Administration report to this Board the timetable for using the \$220,000 in traffic mitigation funds paid by Maxwell's Green in 2011 for traffic-slowing measures on both sides of the Lowell Street bridge.

RESULT: APPROVED

Alderman Niedergang requested a report on plans to slow the traffic on Lowell Street. President White referred the item to the previous committee (if one had not been selected the item would go to the Traffic Committee).

FOLLOWUP: Traffic and Parking Committee

17. #196312 Order By Ald. McWatters, Niedergang
That the Director of SPCD look into the feasibility of installing a bicycle rack on Willoughby Street.

RESULT: APPROVED

Alderman McWatters thanked his colleague for notification on the item. Alderman Niedergang reported that the Commissioner of Public Works stated that OSPCD determines the placement of bicycle rack. The item was amended to be referred to the OSPCD.

18. #196313
Order

By Ald. McWatters, Connolly
That the Director of SPCD (ISD) dispatch the NITTeam to investigate 406 and 408 McGrath Highway for code and health violations.

RESULT: APPROVED

Alderman McWatters reported he had received complaints regarding the property.

FOLLOWUP: Public Health and Public Safety Committee

19. #196314
Order

By Ald. McWatters, Connolly
That the Director of SPCD (ISD) notify the owner of 10-12 Prescott Street to replace the missing downspout that is creating a safety hazard for the next door neighbor from falling chunks of ice.

RESULT: APPROVED

20. #196315
Order

By Ald. McWatters, Niedergang
That the Commissioner of Public Works repair the pothole at the bottom of Porter Street, at Highland Avenue.

RESULT: APPROVED

21. #196316
Order

By Ald. McWatters, Connolly
That the Director of Traffic and Parking consider installing a bump out on the corner of Prospect Hill Road and Boston Street.

RESULT: APPROVED

FOLLOWUP: Traffic and Parking Committee

22. #196317
Order

By Ald. Ballantyne
That the Commissioner of Public Works repair the numerous potholes on Powderhouse Boulevard, between Packard Avenue and Mason Street.

RESULT: APPROVED

23. #196318 Order By Ald. Ballantyne
That the Commissioner of Public Works repair the pothole at 117 Holland Street.

RESULT: APPROVED

24. #196319 Order By Ald. Ballantyne
That the Director of Traffic and Parking submit to this Board within 14 days, a report showing all organizations that are given parking permits for their employees.

RESULT: APPROVED

Alderman Ballantyne requested a list of the permits. President White amended the order to set a time limit of 14 days.

25. #196320 Order By Ald. Ballantyne
That the Director of Finance submit to this Board, a report of all new appropriations from July 1, 2013 to date and identifying all new appropriations approved.

RESULT: APPROVED

FOLLOWUP: Finance Committee

26. #196321 Resolution By Ald. Ballantyne, Niedergang
That the Director of Traffic and Parking explore changing the snow emergency parking policy to alternate parking during snow emergencies each year between the even and odd sides of the streets.

RESULT: APPROVED

Alderman Ballantyne requested a change to a resolution and stated she has received several calls regarding parking. Alderman Nierdergang signed onto the order. Alderman Sullivan stated he would like to investigate the issue again. The Board referred the item to the Traffic and Parking Committee.

FOLLOWUP: Traffic and Parking Committee

27. #196322 Communication By Ald. Rossetti
Informing this Board of her re-appointment to the state's Advisory Commission on Local Government.

RESULT: PLACED ON FILE

Alderman Rossetti stated she will be submitting reports including her notes from the Advisory Commission on Local Government meetings.

UNFINISHED BUSINESS

REPORTS OF COMMITTEES

28. FINANCE COMMITTEE

- A. #196323 Report of the Committee on Finance, meeting on February 25, 2014.
Committee Report

RESULT: APPROVED

Alderman Lafuente reported on minor expenditures to pay previous year invoices. He also reported the approval of orders to purchase industrial washing machines for the Fire Department and approval of an electrical consulting fee to tackle backlog.

- B. #196041 Requesting an appropriation of \$13,828 from Unreserved Fund Balance
Mayor's Request ("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.

RESULT: APPROVED

- C. #196169 Requesting the expenditure of FY14 funds totaling \$6,722.78 to pay prior
Mayor's Request year invoices in the Police Department.

RESULT: APPROVED

AMENDED: The amount approved was reduced to the actual amount of the unpaid invoices, \$6,126.02.

- D. #196246 Requesting an appropriation of \$20,685 from the Capital Stabilization Fund
Mayor's Request to purchase Industrial washing machines for the Fire Dept.

RESULT: APPROVED. [UNANIMOUS]

AYES: Connolly, Rossetti, Sullivan, White Jr., McLaughlin,
Heuston, McWatters, Lafuente, Niedergang, Gewirtz,
Ballantyne

- E. #196247 Requesting the appropriation of \$18,240 from the Unreserved Fund Balance
Mayor's Request (Free Cash) to the ISD Professional and Technical Services Account for an
on-call electrical inspection consulting service.

RESULT: APPROVED

- F. #196249 Requesting the expenditure of \$1,403.53 in FY14 funds to pay an FY13
Mayor's Request invoice in the Police Dept.

RESULT: APPROVED

29. HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

- A. #196324 Report of the Committee on Housing and Community Development, Committee Report meeting on February 25, 2014.

RESULT: APPROVED

Alderman Niedergang reported the committee continues to discuss repurposing large commercial buildings with new businesses, infrastructure improvements on Murdock Street, and improvements in inspectional services.

- B. #195173 Order By Ald. O'Keefe
That the Director of SPCD consider Magoun Square or Trum Field as a location for a Hubway Bicycle System.

RESULT: WORK COMPLETED

- C. #195634 Mayor's Communication Communicating the unanimous vote of the MBTA Board of Directors approving a \$393,046,243.09 Inter-service Agreement regarding the Green Line Extension Project with White Skanska Kiewit.

RESULT: WORK COMPLETED

- D. #195969 Officer's Communication Chief Assessor responding to # 195598 re: absentee landlords in Ward 4.

RESULT: WORK COMPLETED

30. YOUTH SERVICES COMMITTEE

- A. #196325 Committee Report Report of the Committee on Youth Services, meeting on February 20, 2014.

RESULT: APPROVED AS AMENDED

AMENDED: #194465 was returned to the Youth Services Committee. Alderman Rossetti reported many items left in committee from last year were completed, and the group continues to meet with representatives from the American Youth Football League. She stated the committee will soon receive a report concerning feedback on the conditions of the fields

and scheduling. She noted the committee also discussed park permit availability and reported on upcoming meetings and topics. President White recommended Alderman Rossetti amend the committee report to reflect current action from the American Youth Football League. Alderman Heuston recommended that the Assembly receive a presentation regarding the field usage report when it has been completed. President White suggested Alderman Rossetti make the Youth Services Committee into a committee of the whole. Alderman Niedergang stated it may be worthwhile to investigate alternative park locations and commented public discussion would help the Board implement a fair plan.

B. #194465
Order

By Ald. Desmond
That the Superintendent of Recreation communicate with the Committee on Youth Services regarding the scheduling of fields and the reasoning for establishing the American Youth Football League.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Youth Services Committee

C. #194839
Order

By Ald. Connolly, Heuston, Taylor, Desmond, Sullivan, White Jr.
The Commissioner of Public Works maintain and improve the Argenziano and Nunziato playing fields, and communicate with the Somerville Youth Soccer League and the Recreation and Youth Commission regarding safety standards.

RESULT: WORK COMPLETED

D. #195242
Order

By Ald. Gewirtz
That the Superintendent of Recreation provide this Board with more information on the flyers that went home with student report cards, advertising the new youth football league.

RESULT: WORK COMPLETED

E. #195665
Order

By Ald. Bastardi
That the Superintendent of Recreation maintain an updated calendar of park permit availability online so constituents can readily know if a park is available on any given date.

RESULT: WORK COMPLETED

COMMUNICATIONS OF THE MAYOR

31. #196326 Mayor's Request Requesting an appropriation of \$62,000 for the final phase of the design and engineering contract for the Davis Square streetscape improvements.

RESULT: REFERRED FOR RECOMMENDATION

Alderman Sullivan requested to waive the readings of items 31, 32, and 34.

FOLLOWUP: Finance Committee

32. #196327 Mayor's Request Requesting a transfer of \$4,000 within the Public Health Dept., from its Salaries Account to its Professional and Technical Services Account, to hire an emergency preparedness consultant.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

33. #196328 Mayor's Request Requesting acceptance of a gift of tools and instruments for the High School's Machine Technology Program.

RESULT: APPROVED

Alderman Heuston moved to suspend the rules to take item 33 out of order. The motion was approved and the clerk read item 33 after item 8. Alderman Heuston referred to the letter explaining the donation. The Board asked that the clerk send a letter thanking the family for the donation.

COMMUNICATIONS OF CITY OFFICERS

34. #196329 Officer's Communication Retirement Board notifying this Board of intention to vote at a regular meeting on a Cost of Living Adjustment for eligible retirees for 2014.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

NEW BUSINESS

35. #196330 License/Permit Public Event Permit, Palm Sunday Donkey Walk, College Ave from Nathan Tufts Park to Davis Square, Apr 13, 8:30-9:45AM.

RESULT: APPROVED

Alderman Sullivan requested to waive the readings of items 35 through 44.

36. #196331 License/Permit Public Event Permit, Buffalo Exchange 40th Anniversary Airstream Trailer Event, 238 Elm St, Apr 16, 8AM-6PM.

RESULT: APPROVED

37. #196332 License/Permit Public Event Permit, Easter Sunrise Service, Nathan Tufts Park, Apr 20, 6-7AM.

RESULT: APPROVED

38. #196333 License/Permit Public Event Permit, Arts Council's PorchFest, Citywide, May 17, Noon-6PM (raindate May 18).

RESULT: APPROVED

39. #196334 License/Permit Public Event Permit, Goondocks Performance at Porchfest, Pearson Rd between Warner St and Broadway, May 17, Noon-10PM.

RESULT: APPROVED

40. #196335 License/Permit Public Event Permit, Arts Council's Squeezebox Slam, Seven Hills Park, Jun 14, 10AM-8PM (raindate Jun 15).

RESULT: APPROVED

41. #196336 License/Permit Public Event Permit, Arts Council's Joe's Jazz and Blues Fest, Powderhouse Park, Jun 21, 8AM-8PM (raindate Jun 22).

RESULT: APPROVED

42. #196337 License/Permit Public Event Permit, Arts Council's ArtBeat, Davis Square, Jul 18 1PM-Midnite, Jul 19 8AM-8PM (raindate Jul 20).

RESULT: APPROVED

43. #196338 License/Permit Public Event Permit, Somerville Dog Festival, Trum Field, Sep 14, 6AM-5PM.

RESULT: APPROVED

44. #196339 License/Permit Renewing Used Car Dealers License Class 2 2010-2014, Broadway Sunoco, 258 Elm St.

RESULT: APPROVED

45. #196340 Public Communication 129 registered voters requesting a public hearing before this Board on divesting the city's pension fund from the fossil fuel industry.

RESULT: REFERRED FOR RECOMMENDATION

Alderman Gewirtz requested to discuss the item out of order and requested that the meeting be scheduled for the third week of March. President White commented he does not feel the item is appropriate to go to committee and suggested the discussion be scheduled at 6:00 p.m. the night of a regular Board meeting. The members discussed meeting dates. Referred to a Special Meeting of this Board, to be held on Thursday, March 13, 2014, at 6:00 PM.

FOLLOWUP: Board of Aldermen

SUPPLEMENTAL ITEMS

46. #196341 Mayor's Request Requesting an appropriation of \$30,000 from the Receipts Reserved for Appropriation-Parking Meter Receipts Account to the DPW Engineering Professional Services Account for the design and repair of the Buena Vista Parking Lot.

RESULT: REFERRED FOR RECOMMENDATION

President White asked to waive the reading of item 46 and refer to the Committee on Finance.

FOLLOWUP: Finance Committee

47. #196342 License/Permit Public Event Permit, Somerville Open Studios Information Booths, Davis Sq and Union Sq, May 3-4, 11AM-6PM.

RESULT: APPROVED

48. #196343 Public Communication Adriana Bedry submitting comments re: a constable.

RESULT: PLACED ON FILE

FOLLOWUP: Confirmation of Appointments Committee

LATE ITEMS

49. #196344 Order By Ald. Gewirtz That the Director of SPCD (ISD) and the Director of Health enforce Ordinance 12-8 regarding snow removal on Winter Street, near the dental office at the corner of College Avenue.

RESULT: APPROVED

Alderman Gewirtz spoke about complaints regarding inability to meet shoveling requirements. Alderman Connolly suggested they consider how

many citations have been submitted City-wide. President White advised Alderman Connolly can add an order.

FOLLOWUP: Housing and Community Development Committee

50. #196345
Order

By Ald. Connolly
That the Director of SPCD (ISD) provide this Board with a report on the number of snow related citations issued to date this calendar year.

RESULT: APPROVED

FOLLOWUP: Housing and Community Development Committee

51. #196346
Mayor's Request

Requesting that this Board join the City's petition for reconsideration regarding Secretary Richard Sullivan's decision on Everett's Central Waterfront Municipal Harbor Plan.

RESULT: APPROVED. [UNANIMOUS]

AYES: Connolly, Rossetti, Sullivan, White Jr., McLaughlin, Heuston, McWatters, Lafuente, Niedergang, Gewirtz, Ballantyne

City Solicitor Wright requested approval of the item to support approval of the petition. President White provided the details of the item. Mr. Wright explained the City of Everett has created a Wynn Casino Proposal for the item and the petition finds there will be issues related to the property. Alderman Niedergang requested Mr. Wright outline the objections in the petition. Mr. Wright stated the objections relate to the height of the building and explained the petition will be completed by the Monday deadline. Alderman Niedergang stated he is hesitant to approve an item that he has not seen and asked how the other board members approve similar items. Alderman White spoke about the history and details of the issue and urged Alderman Niedergang to approve the item. Alderman Heuston stated the oppositions cited height issues as well as substitute provisions to open space requirements. Mr. Wright noted Wynn has proposed scaling back the retail portion of the development but they have made no adjustment to the height. Alderman Heuston asked if there are any cities or towns will be involved in the petition. Mr. Wright stated he is unaware of any cities or towns but noted that Boston may be involved due to their usual vigilance about waterway access. Alderman Connolly voiced opposition to the development and stated he would be approving the item. Alderman Lafuente stated he would have liked to see documentation before the vote but he would be approving the item. Alderman Sullivan commented the development would have a negative impact on the region. Alderman McWatters asked if the administration would be reaching out to Boston and Medford. Mr. Wright stated they have kept in contact with Boston and other cities and towns, but everyone has their own strategies. Mr. Wright asked that, if the item is approved, that the Board make a motion for reconsideration in the hopes that it does not prevail, to expedite the recording of the Board's support. After approval, there was a motion for reconsideration, and it failed.

52. #196347 Requesting the appointment of Rose Durham to the position of Clerk of Mayor's Request Committees.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

53. #196348 DPW Commissioner responding to various Board Orders submitted 2/27/14.
Officer's
Communication

RESULT: PLACED ON FILE

FOLLOWUP: Public Utilities and Public Works Committee

ADJOURNMENT

Submitted by John J. Long, City Clerk.